



## **NOTICE OF PUBLIC HEARING**

Town of Saukville, Wisconsin

**NOTICE IS HEREBY GIVEN that a Public Hearing will be held before the Saukville Town Board at 7:00 p.m. on June 15, 1999, at the Town Hall, 3762 Lakeland Rd. to consider the following two petitions by:**

- 1) Robert and Mary Ratzburg to rezone 44.43 acres, tax key #08-007-09-000.00 located on Singing Hills Road from R-1 to A-1.**
- 2) Gary Laubenstein to rezone 11.31 acres, tax key #08-005-09-001.00 located on Arrowhead Lane from M-1 to A-1.**

**All individuals having an interest in these matters are invited to address the Town Board.**

Chairman Hoffman called the public hearing to order at 7:00p.m. In attendance were Chairman Hoffman, and Supervisors Beverung and Niehaus.

1) Robert Ratzburg explained his request and the reasons for the re-zoning: 1) construction of a private storage building; 2) construction of ponds which would alleviate his neighbor's standing water problems; 3) the re-zoning would not be for sales and 4) the land was to be used for agricultural purposes to grow nursery stock.

Several citizens were present: David Nauman, Al Heon, Jeff Williamson, Stephen Coutts, Kathy Walczyk, and Diane Miller of the Welcome House. Mr. Neuman questioned the location of the ponds, and the type of fencing to be used. His concern was for the future of the property. Mr. Ratzburg explained that the ponds would be located on the west side and middle of the property. The fencing would be low and on Hwy 33. Al Heon stated he was in favor of the re-zoning and felt that the R-1 had probably been a result of the subdividing of the other properties on Singing Hill Road. Mr. Williamson and Mr. Coutts were also in favor of the re-zoning because it would render more green space. Mrs. Walczyk posed concerns over the traffic on the easement to the Ratzburg's property which traverses her property. Mr. Ratzburg indicated that there would no increase of heavy equipment traffic. Diane Miller was also in favor of the re-zoning.

A letter from Fritz Blazel opposing the rezoning was read into the record and same is on file in the Town Hall.

Terry Hoffman voiced his concerns that if re-zoned to A-1 the property could be used for farm animals if the Ratzburg were ever to sell the property. He suggested that a viable solution to his concern would be a deed restriction that limits the land in an A-1 zoning to exclude animal husbandry. Larry Beverung felt that the land would be more valuable as nursery stock than as a cow farm, since it is only 44 acres. Mr. Ratzburg did agree but only if some ducks, and geese were allowed to remain. Bill Niehaus agreed with Mr. Hoffman that a deed restriction would be in the best interests of the future uses of the land and would protect the neighbors.

2) On the second re-zoning request, Gary Laubenstein stated that he wanted to re-zone his property from M-1 to A-1 so that he could build a house on it. Norman Krautkraemer addressed the Board concerning his legal rights to the easements for his septic and well. Terry Hoffman assured him that a rezoning would not diminish the legal rights that his warranty deed conveyed.

There being no further public comment, Chairman Hoffman closed the public hearing at 7:35 p.m. and continued with the Town Board meeting.

## TOWN BOARD MEETING MINUTES

7:30 P.M.

June 15, 1999

1. **Call to Order.** In attendance were: Chairman Hoffman, Supervisors Beverung and Niehaus, Deputy Clerk V. Kay Vaccaro and Treasurer Kay Danielson.
2. **Pledge of Allegiance** All rose and recited the Pledge in unison.
3. **Approval of minutes of the May 18, 1999 Town Board meeting.** Niehaus moved to approve the minutes of the May 18<sup>th</sup> meeting and the motion was seconded by Larry Beverung. Motion carried.
4. **Presentation by the Department of Natural Resources representative re the status of Watts Lake Pier.** Rich Evans thanked the Town for its donation and spoke frequently on the current situation of the Watts Lake Pier. The project is awaiting a response from the Air National Guard concerning their availability to put a floating pier in as a training exercise. Mr. Evans explained that the monies furnished by the Town are being held in a special interest bearing account by the Bureau of Endangered Resources and if by the end of October the money had not been encumbered on a contract for completion of the pier, it would be returned to the Town with interest.
5. **Presentation by Al Neumann, Director of Public Works for the Village of Fredonia, on the status of Meadow Lark Road construction.** Mr. Neuman briefly explained the history of the road project which began in 1983 with an agreement among the three municipalities wherein the Town of Saukville would provide \$6,000; the Town of Fredonia \$12,000, the state of Wisconsin \$200, 000 and the Village of Fredonia the remainder of the \$400, 000 to build the road. Mr. Neuman and Donnie Dohrwardt, Village President, then presented the road construction proposal for Meadowlark Road. Specific attention was given to changes in the road bed and concerns over flooding. A map was shown that indicated the proposed placement of the culverts at the present road level and the proposed road above that. Bill Niehaus and Terry Hoffman agreed that the construction would not make the drainage worse, but at the least maintain the status quo. Mr. Dohrwardt said that the Village was securing clean industries for the industrial park and thus far there were two woodworking and one corrugated processing plant. Bill Niehaus felt that the minutes of the Meadowlark meeting that he had attended on May 27, 1999, wherein a detailed presentation had been made by Kapur and Associates, should be incorporated in the Town's minutes for they specifically addressed the Town's concern over the changes in the road bed. Terry Hoffman moved to incorporate the meeting minutes of the Streets, Building and Equipment Committee of the Village of Fredonia on May 27, 1999. Bill Niehaus seconded the motion and it unanimously carried. Said minutes are attached to these minutes.
6. **Discussion/Action on the Plan Commission's recommendation to approve the Ratzburg rezoning (above).** Terry Hoffman reiterated his concern that an agricultural zoning in the middle of a residential area could result in farm animals and the agricultural waste associated with them. Bill Niehaus felt a mix of residential and agricultural zonings would be acceptable with limitations. Hoffman asked Mr. Ratzburg if he would agree to the deed restriction that limited animal husbandry. He replied in the affirmative. Hoffman then moved and Niehaus seconded a motion to accept the rezoning from R-1 to A-1 with a deed restriction that excluded farm animals or animal husbandry. The motion unanimously carried.
7. **Discussion/Action on the Plan Commission's recommendation to approve the Laubenstein rezoning (above).** Since there were no objections raised at the public hearing and all questions concerning the rezoning were answered, Larry Beverung moved to approve the rezoning from M-1 to A-1. Niehaus seconded and the motion carried.
8. **Discussion/Action on 1999-2000 liquor licenses, tobacco, soda and operators licenses.** Deputy Clerk Vaccaro reported that the list of applicants had not changed since last year. The same four establishments were renewing their applications for a combination liquor license and Hawthorne Hills

for a wine and a beer license. She stated that Hawthorne Hills had requested a reserve liquor license, but none were available. Although the state statute had changed concerning the number of licenses available to a municipality, the Town's quota based on population was four liquor licenses. When and if such time arises when the Town could have another license, Hawthorne Hills would be the first eligible. Terry Hoffman moved to approve the list of applicants which is on file at Town Hall. Bill Niehaus seconded the motion which carried.

9. **Discussion/action on implementation of a temporary rezoning moratorium.** Chairman Hoffman presented a draft of a temporary moratorium on re-zonings for the Board's consideration. He explained that the moratorium would not prevent the subdividing of lands, but would put a hold on re-zonings until the Plan Commission finished its work on the revised Zoning Code which revision might result in the changing of labels and designations of zoning types. He felt it was unfair to have citizens pay the rezoning fee of \$175.00 before the revised zoning code is enacted. Larry Beverung asked if the Plan Commission had studied the proposed draft for the moratorium. Hoffman explained that the Board's approval was necessary to enact not the Plan Commission's. Beverung, however, felt that since previous moratoria had been previewed by the Plan Commission that this document should as well be referred first to the Plan Commission for their recommendations. Niehaus clarified that only re-zonings not land divisions would be affected. Hoffman agreed. Niehaus then moved that the draft moratorium be referred to the Plan Commission for their review and recommendations to the Board. Beverung seconded the motion and it carried.
10. **Discussion/action on procurement of commemorative plaques for town public service.** Hoffman presented the idea for a special plaque to recognize public service of individuals who had previously served as clerk, treasurer, chairman and supervisors to the Town. The plaque would be hung at Town Hall. Vaccaro explained that records were available that could identify the various individuals who had served. She then showed an example of the types of plaques that could be procured. She explained that one small plaque for each office, such as clerk, treasurer or a large plaque with all positions included could be used. Larry Beverung felt that one large plaque would be a better way to recognize all those who had served the Town in previous years in whatever capacity. The example shown was a wooded 24' X 36" plaque with 96 plates suitable for engraving. Beverung suggested that the trophy shop in Waubeka be contacted. Hoffman opened the floor for discussion. Kate Smallish in the audience added that competitive pricing was available locally. Several people agreed with the idea of a bigger plaque with the names. Hoffman moved that the Town accept the idea for a commemorative plaque and acquire competitive bids for the cost of same from local businesses. Niehaus seconded the motion and the motion carried.
11. **Public Safety Report**
  - a) **Building Inspector's Report** Chairman Hoffman read the results of the inspection report which is on file at Town Hall.
12. **Building Operation & Maintenance**
  - a) **Status on repair to heating controls** Hoffman reported that Best Electric would be repairing the heat thermostat, but were busy at this time with the air conditioning repairs that are being called in due to the hot weather.
13. **Roads Report**
  - a) **Status of county estimates on results of annual roads inspection.** The format was different this year from previous years, but still self-explanatory. The cost estimates were available for the gravel roads, but no definitive costs were available for the seal coating, patching, wedging and crack filling. The County had included the cost formulas, but the length of the roads would be necessary to calculate the costs. Hoffman felt the decision on the estimates should be tabled until next month when the proper calculations had been made and a better figure of cost estimates was available. Hoffman moved to table this item until the July Board meeting. The motion was seconded by Bill Niehaus and carried.

b) **Review of St. Finbars LRIP bid.** Vaccaro reported that the language necessary to go out for bids had not been received from the County . Hoffman moved to table until such time as the language is received from the County . Niehaus seconded and the motion carried.

c) **Discussion/action on removal of no parking signs on E. Hawthorne Rd.** Hoffman explained that no parking signs were located on the end of Hawthorne Rd. west of Blueberry. Beverung questioned who had erected the signs. Hoffman said either the Town or the Girl Scouts. Mr. Fry had brought the matter to Mr. Hoffman's attention. The matter went to the County counsel, but they explained that the sheriffs could not enforce it because it was not an ordinance. Hoffman would like to have an ordinance either making the signs legal or removing them. Mr. Chuck Fry addressed the board and explained the matter, offering an apology for all the trouble the Town has gone to over this matter. He had been in contact with the Girl Scouts Director who felt the signs were needed for safety and they had reached an amicable solution wherein fishermen could go down there from daylight to dusk to fish using the road ride of way. Mr. Fry would like the status quo to remain. Mr. Fry stated that he hoped his comments concerning leaving the signs would be considered in the board's decision on the matter. Larry Beverung suggested that perhaps the signs could be amended to read dusk to dawn. Hoffman explained same would require an ordinance. Mr. Dennis Block, Director of Properties for the Girl Scouts for 18 years furnished background on the camp Wil-o-Ril and the need for the signs. This camp is divided by Hawthorne road with Girl Scout property on both sides of the public road. The signs have been up for eight years. Hoffman questioned Mr. Block as to the effect of removing the signs. Mr. Block felt that there would be increased activity at night at the dead end road. Since the signs have been erected, there have been no reports to him, or the sheriff. Hoffman asked Mr. Block if he had any records of incident reports. He did not. Hoffman explained that Vaccaro had called the Sheriff's department and they likewise had no record of any incidents being called in. Niehaus suggested that in the interest of consistency and since the signs did provide comfort to the girl scouts that perhaps no action was necessary. Beverung questioned the cost involved in removing the signs. Hoffman voiced concern over the right of way since the signs' placement was so close to the shoulder of the road as had been observed during the roads inspection. Mr. Fry was willing to retract his concern. Beverung suggested ramifications and concerns of the Girl Scouts that had to be considered. Vaccaro stated that a resolution was passed on September 19, 1989 that authorized the signs, but a resolution does not have the effect of law. Niehaus moved to table the matter, Beverung seconded and the motion carried. For the time being the matter would remain status quo.

d) **Status of E. Sauk Road engineering project** County proposal for reconstruction of this road was \$54,800 which included surveying, grading, subgrade gravel, compaction and paving, but excluded ditching since the amount of which would be determined later. Kapur and Associates bid was \$71,636.38, so the County is approximately \$20,000 less. Hoffman felt it would be necessary to re-look at this matter to determine how much and what the Town wants to do and whether or not to use the County. The issue of the County's availability to do the road this year would have to be discussed. Hoffman felt that the matter might be better tabled for additional study of the ramifications of cost and different proposals received. Beverung requested cost figures for the amount of gravel being used for last five years on that road. Vaccaro would secure same. Hoffman moved to table until the July meeting. Beverung seconded and the motion carried.

#### 14. **Financial Reports**

a) **Treasurer's report** Danielson presented the treasurer's report which is on file at Town Hall. She explained the petty cash correction.

b) **Clerk's report** Danielson also presented the town's budget status report which is on file at Town Hall. Under Public Works, Hoffman questioned the amount of \$328.00 for accidents. Danielson explained that when accidents occurred to signs the County repaired them and billed the Town. Hoffman directed that staff pursue reimbursement of this amount from insurance companies where accident reports are filed.

c) **Review and approval of claims** Danielson presented the following claims for approval. She added the payment for TCG Services of \$60.00 which had been to diagnose the problems with the printer. Terry Hoffman moved to approve the report and to order all claims paid. Niehaus seconded the motion and it carried.

Date	Num	Name	Memo	Amount	Balance
6/15/99	2249	Alfred Heon		(88.66)	(88.66)
6/15/99	2250	Holly Paape		(103.44)	(192.10)
6/15/99	2251	Kathryn A Smallish		(132.98)	(325.08)
6/15/99	2252	Kay Danielson		(400.30)	(725.38)
6/15/99	2253	Kay Vaccaro		(526.91)	(1,252.29)
6/15/99	2254	Larry T. Beverung		(438.66)	(1,690.95)
6/15/99	2255	Mark R. Dickmann		(69.26)	(1,760.21)
6/15/99	2256	Terry M Hoffman		(1,110.97)	(2,871.18)
6/15/99	2257	Victoria Cottrell		(216.10)	(3,087.28)
6/15/99	2258	Walter H. Clarke		(670.94)	(3,758.22)
6/15/99	2259	William Niehaus		(516.23)	(4,274.45)
6/15/99	2260	Neil W Rismeyer		(14.78)	(4,289.23)
6/15/99	2261	Wisconsin Department of Revenue		(79.01)	(4,368.24)
6/15/99	2262	PEBSCO		(370.00)	(4,738.24)
6/15/99	2263	Internal Revenue Service		(1,064.14)	(5,802.38)
6/20/99	2264	D & P Inspections, Ltd.	Inspections	(3,661.65)	(9,464.03)
6/20/99	2265	Kay Danielson	Petty Cash	(10.23)	(9,474.26)
6/20/99	2266	Postmaster	Postage	(33.00)	(9,507.26)
6/20/99	2267	County of Ozaukee	Dog Licenses	(1,115.00)	(10,622.26)
6/20/99	2268	Ozaukee County Clerk	April 6, 1999 election	(379.17)	(11,001.43)
6/20/99	2269	Kapur and Associates, Inc.	87 % Completion	(2,878.70)	(13,880.13)
6/20/99	2270	Schneider Printing	Liquor License forms	(79.37)	(13,959.50)
6/20/99	2271	American Express	Payroll tax table update for Quickbooks	(73.87)	(14,033.37)
6/20/99	2272	Marnett Business Center, Inc.	Copier & supplies	(139.09)	(14,172.46)
6/20/99	2273	Wisconsin Electric	Electric service	(188.66)	(14,361.12)
6/20/99	2274	Port Publications	Publication fees SAU043	(102.15)	(14,463.27)
6/20/99	2275	Ozaukee County Hwy Dept.	April	(2,738.66)	(17,201.93)
6/20/99	2276	Wisconsin	Annual Dues	(465.00)	(17,666.93)

		Towns Association			
6/20/99	2277	Peters Assessment Service	June (6 of 6)	(1,400.00)	(19,066.93)
6/20/99	2278	Meehan & Company, Inc.	May 1999	(699.09)	(19,766.02)
6/20/99	2279	Fuchs, Snow, O'Connell & DeStefanis, S.C.	May	(550.00)	(20,316.02)

**15. Town Office Report**

a) **Contacts/Newsletter** Hoffman read the report and same is on file at Town Hall. Hoffman reported that the newsletter would be published this month.

**16. Correspondence** Hoffman reported that he had been asked about the old office equipment. There are: a used office copier, old electric typewriter, an answering machine and a phone. He questioned the disposition of same. Niehaus suggested that a small business could possibly use them and he had a contact for that service. Hoffman directed Vaccaro to furnish a list of said items to Niehaus. Hoffman also reported that he had attended a meeting with the County entitled *Intergovernmental Cooperation Meeting*. It was well attended with a good turnout of officials from other local jurisdictions and communities. He had volunteered to serve on the long range planning subcommittee and would be looking for input from the other Board members.

**17. Items from the floor.** There were no comments from the floor

**18. Adjourn** Hoffman moved to adjourn; Beverung seconded and the motion carried.

Respectively Submitted,

V. Kay Vaccaro, Deputy Clerk