

TOWN BOARD MEETING MINUTES
FROM May 1, 2023, 7:00 PM
HELD AT THE TOWN OF SHEBOYGAN FALLS TOWN HALL

PUBLIC HEARING: Rezone and Conditional Use Permit Request – Tanner Gumm / Cobblestone Landscaping LLC (59026389773) – The public hearing was opened at 7:00pm. Tanner Gumm explained that he would like sell mulch, dirt and run a garden center at his site at N5635 Willow Rd. It would be similar to what Willow Wood Acres was doing before they retired. He was asked by the Plan Commission to obtain a variance – which was granted on 4/4/23. No other questions or comments from the audience members. The public hearing was closed at 7:03pm.

Chairman Theobald called the Town Board meeting to order at 7:04 PM.

Board members present were Chairman Lyman Theobald, Supervisors: Gerald Meyer, Carol Leannah, Jim Hanke and Adam Luebke. Also in attendance were Clerk / Treasurer Jeanette Meyer and audience members.

COMPLIANCE WITH THE OPEN MEETINGS LAW – Notices were posted 12:00 pm Thursday, April 27, 2023, with the Amended Agenda posted at 1:00pm on Thursday, April 27,2023 at the Town of Sheboygan Falls Town Hall and on the Town’s website.

APPROVAL OF MEETING MINUTES FROM April 10, 2023, Town Board Meeting - A motion to approve the minutes from the April 10, 2023, Town Board Meeting minutes as printed was made by Hanke, seconded by Leannah. Motion carried 4-0.

TREASURERS REPORT- The Treasurer’s Report and Deposit Report were presented. A motion to approve the Treasurer’s report as presented and the May Deposit Report was made by Leannah, seconded by Meyer. Motion carried 4-0.

DISCUSSION AND POSSIBLE ACTION ON THESE ITEMS:

- a. Consideration of Rezone and Conditional Use Permit Request – Tanner Gumm / Cobblestone Landscaping LLC (59026389773) – The Board was copied on the February 9, 2023 Plan Commission meeting minutes. The Plan Commission recommended approving the Rezone Request and the Conditional Use Permit if a setback variance was obtained. The Board of Appeals granted a setback variance on April 4,2023. A motion to approve the Rezone Request to rezone 1.26 acres from A-2 to B-1 and Conditional Use Permit for Cobblestone Landscaping LLC with the following conditions: Hours of operations” M-F 8a-5p and Saturdays 9am-4pm, no Sundays; no parking on the road and conformance to Section 7.30 of the Town’s ordinance (Signs) was made by Hanke, seconded by Leannah. Motion carried 3-0. Luebke abstained.
- b. Request to Merge Pigeon Creek Subdivision Lots 31 & 32 – Property owner Brian Beeck is requesting approval to merge Lot 31 & 32 in Pigeon Creek to be able to build a large home and garage than would fit onto one lot separately as lots are narrow in the front. It has been the Board practice to consider this type of request on a case by case basis based on their

circumstances. After much discussion, a motion to allow Lot 31 & 32 to be merged given their buildable area restriction was made Meyer, seconded by Luebke. Motion carried 4-0.

- c. Town of Sheboygan Falls Sanitary / City of Sheboygan Falls Sewer Maintenance Agreement – Town of Lima Board members Chuck Born and Al Bosman were in attendance. Chairman Theobald reported that he, Clerk Meyer and Supervisor Luebke did meet with the City of Sheboygan Falls DPW Head Jerry Benschwal, City Administrator Shad Tenpas and City Mayor Randy Meyer to discuss any sanitary issues. The need for immediate action was not a takeaway. However, it was decided televising and cleaning the lines when the City's service was in our sewer areas would be a good preventative maintenance item. The estimated cost would be \$4500. This could be passed along to the residents on sewer service as they currently do not pay any maintenance fee as part of their monthly bill. A motion to have the Town's attorney draft a Sewer Maintenance Agreement with the City of Sheboygan Falls was made by Leannah, seconded by Hanke. Motion carried 4-0.
- d. Opening a New checking account – The Clerk reported that on April 3, 2023 2 fraudulent checks were presented at our bank. The checks were not signed, the check numbers did not match our current series and the name was not known. National Exchange Bank & Trust did not clear those checks. Our account is flagged and any checks presented now need to be ok'ed by the Clerk. The Bank does have a 'Positive Pay' service to offer. This service costs \$30/month for checks and \$10/month for ACH transactions. The Clerk would have to enter the checks in the Bank's program and monitor online. The other option is to open a new checking account and monitor online. A motion to open a checking with National Exchange Bank & Trust with the same signers: Jeanette M Meyer, Skip Theobald and Gerald Meyer was made by Leannah, seconded by Luebke. Motion carried 4-0.
- e. Town of Sheboygan Falls Snowplowing- The Chairman reported that we are working on getting bids for the new salt bunker. A special meeting will be scheduled. We are still talking to Wagner – no contract or agreement has been presented.
- f. Playbird Rd Reconstruction Project Updates –An informational open house for the project is scheduled for May 15, 2023 6-8pm.
- g. Woodland Rd Bridge Replacement Updates – Chairman Theobald reported the Town has received the signed Contract for Bridge Replacement, proof of insurance, and construction schedule from Wagner Excavating Inc. The construction schedule was very small and hard to read. The Board asked the Clerk to get an easier to read schedule.
- h. Approval of New Operator's License – Kate Reimer – All paperwork was in order. A motion to approve a new Operator's License for Kate Reimer was made by Meyer, seconded by Luebke. Motion carried 4-0.
- i. Review of Ordinance #1 2023 / 2024 – Road Restoration – The Board was presented with an updated version for their review. There is some concern about requiring a bond, certificate of deposit or letter of credit, the Clerk was asked to have the town's counsel review.
- j. WTA Spring Training – The Clerk asked to attend the WTA Spring Workshop in Fond du lac on May 17. Supervisor Leannah was interested but would let the Clerk know by Thursday.

k. Road Maintenance -

1. Bridge Deck Sealing - Jim Foshag gave the Clerk notice that the County will need to seal the bridge decks. A motion to have the County Highway Department seal the Town's bridge decks was made by Meyer, seconded by Hanke. Motion carried 4-0.
2. Pave over Twinkle Ln- No quote was available for tonight's meeting. No action taken.

CONSTABLES REPORT- Constable Strassburger was in attendance – Nothing to report.

FIRE DEPARTMENT REPORT – JFD: Noone was in attendance – nothing to report. TSFFD: Supervisor Luebke reported he is still waiting for someone to give them a price to repair the canopy at the fire house. He also asked if the fire department can charge if they are called out to clean up / remove fallen trees. The Clerk was asked to find out.

CHAIRMAN / ADMINSTRATOR REPORT – The Chairman reported that he did go look at the hole in Meadowlark Rd near the underground cattle crossing Supervisor Meyer reported at the April meeting, he needed clarification if he was looking in the right place. The Clerk reported she has received the Board of Review Training materials a training is scheduled for May 9. At 5pm. Our Open Book is June 12 2-4pm and our Board of Review is June 28/23 6-8pm. She also reported the Garage contract with Waste Management expires 1/1/24. We will be working on getting bids for the July meeting.

SUPERVISORS REPORT –Supervisor Meyer inquired about the status of W2918 CTH C. The Clerk was asked to send a stop work order. Supervisor Leannah reported she is working with Zimbals to address the dumping on their property. Supervisor Hanke inquired about why a large oak tree on Rio Rd wasn't removed back in Spring – he felt it was leaning into the road and asked when the piles of wood would be cleaned up along Woodland Rd. Chairman Theobald would look at to make sure it is in the ROW. The Clerk was asked to send Rhode's a letter.

Discussion and Approval of this month's bills – A motion to approve the bills to be paid in May was made by Luebke, seconded by Meyer. Motion carried 4-0.

ADJORNMENT – Motion to adjourn was made by Meyer, seconded by Leannah. Meeting adjourned at 8:38 pm.

Respectfully submitted.

Jeanette M. Meyer, Administrator/Clerk/Treasurer
Town of Sheboygan Falls