

# TOWN OF UNION ANNUAL MEETING

## Minutes for April 10, 2007

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The Town of Union Annual Meeting was called to order on April 10, 2007 at the Eager Free Public Library, 39 W. Main Street, Evansville, WI at 6:30 p.m. by Chairman Kendall Schneider. Thirteen property owners were in attendance.

Annual Meeting Minutes from 2006 were read by Clerk O'Leary. Kim Gruebling moved to approve. Seconded by Sharon Franklin. Minutes approved.

Motion by Bob Fahey to set the 2007 annual meeting date to April 8<sup>th</sup>, 2008 in conjunction with the monthly meeting. Second by Kim Gruebling. Motion carried.

Clerk O'Leary presented the 2006 annual report. She noted that the township had taken out a \$460,000 loan for the Territorial/Bullard Rd Improvement Project and that the town had not used it all and would be getting TRIP fund reimbursement for roughly half that amount this year. George Franklin moved to approve the report. Second by Bob Fahey. Report approved by unanimous voice vote.

Citizen Comment: Kim Gruebling would like to see an outdoor furnace ordinance created.

Linda O'Leary moved to adjourn. Kim Gruebling second. Meeting adjourned at 6:46 p.m.

# TOWN OF UNION MONTHLY MEETING

## Minutes for April 10, 2007

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The Town of Union Board regular monthly board meeting was called to order on April 10, 2007 at the Eager Free Public Library, 39 W. Main Street, Evansville, WI at 6:46 p.m. by Chairman Kendall Schneider. Supervisors George Franklin and Don Krajeck were also present. The Pledge of Allegiance was recited.

Having read the minutes, Supervisor Franklin noted a correction in the March 1, 2007 meeting minutes. The minutes should read: *Motion by Chairman Schneider to pay \$5,750 for the extra work by MSA and withhold \$8,250 until the contract work is complete and to void the \$14,000 which Chairman Schneider is still holding for MSA. Second by Supervisor **Franklin**.* Minutes approved as corrected.

Sharon Franklin, Treasurer, reported balances as of March 31, 2007 as follows:

Local Government Investment Pool General Fund	\$1,031.61
Park and Recreation Fund	\$11,600.14
UB&T Money Market Sweep Account	\$498,293.99
Of which \$50,000 is Contingency Fund	
UB&T Checking Account	\$21,000
Leedlemill Bridge Certificate of Deposit	\$16,607.20
Wayne Disch Memorial Park Fund	\$1,498.65
Morning Ridge Stub Road Certificate of Deposit	\$17,455.84

Treasurer's report approved as read.

### **Building Inspector's Report**

Town of Union Building Inspector, Bob Fahey, reported issuing three (3) building permits last month:

Date	Permit #	Name	Address	Description	Construction Cost	Permit Fee \$	Inspector's Fee Due
20-Mar-2007	07-4-B	Joe & Sandy Henn	13004 W Woodworth Dr	Remodel basement	\$8,000.00	\$120.00	\$110.00
23-Mar-2007	07-5-B	Jim Schoenenberger	8025 N Hwy 14	Reframe roof	\$1,000.00	\$230.00	\$220.00
28-Mar-2007	07-6-B	General Dynamics/ KGI Wireless	7844 N Hwy M	Cell Phone Tower	\$90,000.00	\$450.00	\$360.00

Bob issued no (0) driveway permits.

#### **Constable's Report & Dog Retainment Issues**

Constable Kim Gruebling reported someone called in to report Gary & Michelle Klopp's dog at 13401 Woodworth Dr. being aggressive. Also an Austrian cow dog lost and picked up from 12946 Woodworth. Constable Gruebling noted that we should not have to pay for this dog as the owner made payment.

#### **Brush Report**

Motion by Chairman Schneider to cut trees down on Cemetary Rd by the golf course driveway, Bullard Rd, Pleasant Prairie Rd/Emery Rd., brush on Territorial Rd. Second by Supervisor Krajeck. Motion carried by unanimous voice vote.

#### **Evansville Community Partnership Report**

Heidi Carvin presented the ECP Report.

#### **Oath of Office**

Clerk O'Leary administered the oath of office to: Sharon Franklin, Treasurer; Kendall Schneider, Chairman; George Franklin, Supervisor I, Don Krajeck, Supervisor II, and Kim Gruebling, Constable. Chairman Schneider read the oath of office to Linda O'Leary, Clerk.

#### **CSM Approval John Morning**

Supervisor Franklin moved to approve the Final Certified Survey Map from John Morning to increase the size of lot 2 to be consistent with the other lots. Second by Supervisor Krajeck. Motion passed by unanimous roll call vote.

#### **CSM Approval of Krumweide Land Division**

Board reviewed map. Clerk O'Leary signed the Final Certified Survey map based on approval by the Board of Adjustment and the Town Board in previous board action.

**Board Action: Teresa Shea and Allen Booth, 10244 N. Harold Dr., Brooklyn, WI 53521 request a land division and zoning change for Parcel 6-20-67 located in the NE 1/4, SW 1/4 of Section 9. The current parcel is 19.4 acres and zoned A1. The owners request to split off an 4.96 acre A3 parcel for the purpose of a relative building a home on the lot. This parcel is located at the south end of Harold Drive. {Plan Commission recommended approval 3/29/07}**

Supervisor Franklin moved to give preliminary approval until the final CSM for Teresa Shea and Allen Booth, 10244 N. Harold Dr., Brooklyn, WI 53521 to divide off a 4.96 acre A3 parcel from Parcel 6-20-67 located in the NE 1/4, SW 1/4 of Section 9 and to rezone the remaining land to A2 with the condition that the landowner make payment of all engineering fees (\$135). Second by Supervisor Krajeck. Motion approved by unanimous voice vote.

**Board Action: Candace Phelps, 13222 W. East Union Rd, Evansville, WI 53536 request to enlarge mining operation on her 138 acre parcel (6-20-97) located south of State Hwy 59 on the west side of N. East Union Road, Fire #10607. Request returns to Plan Commission for further investigation of most appropriate way to divide, zone, and monitor operation under a conditional use permit. {Plan Commission recommended approval 3/29/07}**

Chairman Schneider moved to approve the request by Candace Phelps, 13222 W. East Union Rd,

Evansville, WI 53536 to enlarge mining operation on her 138 acre parcel (6-20-97) located south of State Hwy 59 on the west side of N. East Union Road, Fire #10607 and to rezone it to Special Purpose District with the conditions that:

1. *Manmade Structure: 30'x24' Scale house constructed of wood, vinyl siding, and shingles. The walls will be 8 feet high with a typical V roof pitch.*
2. *Berms: 10' to 12' high berm will be constructed on the east and south side of the property along the road. The berm will be built accordingly when material becomes available. The berm will be seeded with a comparable grass, Canada wild rye & Agriculture rye, which are in the surrounding area. The main reason for the seed is to maintain erosion control and not beauty. No tree will be planted because final use will be returned to agriculture land.*
3. *Driveway: The driveway entrance will be paved to prevent erosion and spreading of material out onto the road. A broom tractor (broom attachment to a skidster) or a hand broom may be needed to remove material from the road when necessary.*
4. *Hours of operation: APPI will run from 6:00 a.m. to 6:00 p.m. Monday through Friday. Saturday hours will run from 7:00 a.m. to 2:00 p.m. Hours may be decreased in accordance with the work load. They will also be decreased in the winter time.*
5. *Exposed acreage: APPI will limit the amount of acreage for a mine to 20 acres. When more acreage is needed, reclamation will be more prevalent in order to keep the exposure level to a minimum.*
6. *No blasting will be performed.*
7. *Traffic pattern: A sign will be placed exiting the pit for traffic to head north (left) and traffic will go north to Highway 59.*
8. *Financial assurance: provided by M&I bank to maintain North East Union Road.*
9. *Settling pond: must be constructed as part of the washing process. And a 6 foot high chain link fence, with one row of barbwire on the top, will fully surround pond.*
10. *Aggregate Produced Products would be responsible for using the equipment to clean the road as needed.*
11. *No operation on Sundays*
12. *The berm south of the driveway will be completed by the annual review.*
13. *This will be a wash plant only and no asphalt production is allowed*
14. *This permit is to reviewed by the Plan Commission at a public hearing to be held at May 2008 Plan Commission meeting. Upon review, the Town Board can extend the permit or deny extending the permit based on performance criteria stipulated in the permit and any other issues brought to the attention of the Town*
15. *All fees shall be paid to the township prior to the issuance of the permit*
16. *Aggregate Produced Products shall comply with Town and State of Wisconsin noise rules, regulations and ordinances.*
17. *And all items from the original stipulations:*
  - *The applicant shall comply with .*
  - *Best management practices will be used to control dust and wind erosion.*
  - *The Applicant shall supply the Town with contact names, addresses and telephone numbers to allow the Town to notify the Applicant as to complaints or concerns.*
18. *Payment of \$365 plus the billing amount for the attorney's costs related to his April 10, 2007 e-mailed opinion on the conditions.*

Second by Supervisor Krajeck. Motion approved by unanimous rollcall vote.

### **City of Evansville Request for Hwy M Right Connectivity Agreement**

The County does not want to maintain the segment of Hwy M from Hwy 14 to the new biodiesel plant. Thus the City would get the majority of the road with the exception of 700 some feet that the Town would get as a result of land on both sides of that segment being town land.

Chairman Schneider noted there was no date of finalization that the county would take care of the road. Dan Wietecha, City of Evansville's Administrator, responded it would be January 1, 2008. No survey was done, but simply a walk of the center line.

Kendall asked about the weight status and road width. Dan didn't have the complete information; however, he noted that the road would be widened with curb and gutter and built to carry heavy trucks.

Motion by Supervisor Krajeck to approve the Jurisdictional Transfer Agreement for segment B of County M laying south of Hwy 14 with the condition that the town receives notice that the property owners have been notified of their future financial liability. Second by Chairman Schneider. Motion approved by unanimous roll call vote.

### **Sign Request for Intersection of South Sixth Street and Croft Rd.**

Doug noted that there should be a notice of intersection crossing signs for those traveling from both the west and east on Croft Rd. near the intersection of the new South Sixth Street. He also recommended a stop sign be placed at the end of South Sixth Street at the same intersection and that a street name sign be placed as well.

*It is difficult for drivers to identify 6th street as a cross road when coming from either the west or from the east on Croft Rd. Driving east toward the city, it is not evident that there is an intersection at 6th Street, as there is no intersection warning and no street sign. Driving west from 5th street, there are eight (8) driveways before 6th Street, and 6th Street just looks like another driveway. There is also a need for a Stop sign on 6th street. I suggest that appropriate signs should be placed to indicate the cross road and to control traffic at the intersection.*

*Doug Zweizig, April 10, 2007*

Motion by Chairman Schneider to have a stop sign placed on the south end of South Sixth Street and a street name sign placed at the intersection of Croft Rd. and South Sixth Street and to have the bill sent to the developer of South Gate (Krull & Abey). Second by Supervisor Franklin. Motion approved by unanimous voice vote.

### **Notice of Claim from Aloysius Dahmen & Steven Evers**

Kendall spoke to Kevin Lord of MSA who said he didn't have any documentation of any letter from McQuire. The township is still waiting for McQuire to settle with Dahmen and Evers.

### **Territorial Rd Project Finalization and Loan Payment**

The township has money it can pay down the loan with at this time prior to receiving the TRIP funds for the project. Tim McQuire of MSA said everything except for the paving of the driveways can be completed by the end of April. A communication pedestal of SBC still needs to be moved from the Bob Lay property.

Motion by Supervisor Franklin to immediately paydown the loan with a check for \$175,000. Second by Chairman Schneider. Motion approved by unanimous roll call vote.

Plans made to do the TRIP Request for reimbursement at the May 3, 2007 meeting.

### **Town Officials Workshops April 30, 2007 Madison**

Motion by Chairman Schneider to reimburse any Plan Commission or board member for attendance at the Town Officials Workshop training. Second by Supervisor Krajeck. Motion carried by unanimous voice vote.

### **Plan Commission Workshop April 20, 2007**

Motion by Chairman Schneider to reimburse any Plan Commission, building inspector or board member for attendance at the Plan Commission Workshop training. Second by Supervisor Krajeck. Motion carried by unanimous voice vote. The board recognizes Renee Exum for coordinating this training session.

### **2008 Roadwork Planning**

The board plans to do Old Hwy 92 from the west edge of S. Second Street to right in front of the stop sign at S. Fifth Street in a pulverized manner which will raise the road 9". Kendall noted some crack sealing options for various other roads in the township. He noted Leedlemill Bridge is scheduled for 2008. The road work meeting with the county is May 1, 2007 at 4 p.m. No action taken.

### **Recycling Center Compliance Assurance Plan**

Kendall has started a draft. The board will meet on Monday April 23<sup>rd</sup> at 6:30 p.m. at Clerk O'Leary's home.

### **Building Permit Ordinance Rewriting**

The board will address this at the Monday April 23<sup>rd</sup> meeting.

### **Roadside Mowing Bids**

Motion by Supervisor Krajeck to advertise for the mowing as worded in the draft with the addition of "cuts in no less than 5 foot width" for the roadside mowing bid. To be advertised as indicated. Second by Chairman Schneider. Motion passed by unanimous voice vote.

### **Appointment of Plan Commission, Board of Review, Board of Adjustment and Parks & Trail Committee Members**

Kendall contacted all members whose terms were expiring. All were interested in serving another term. Motion by George to appoint Alvin Francis, Mike Exum and Eric Larson for three year terms on the Plan Commission serving a term from 2007 to 2010. Seconded by Chairman Schneider. Motion passed by unanimous voice vote.

Motion by Chairman Schneider, second by Supervisor Krajeck to appoint Stephen Lentz for a three year term on the Board of Adjustment serving a term 2007 - 2010. Motion passed by unanimous voice vote.

Motion by Chairman Schneider, second by Supervisor Franklin to appoint Brad Fahlgren and Scott Katzenmeyer for a three year term on the Parks and Trails Committee. Motion passed by unanimous voice vote.

### **Growth Management Allocation Plan**

No action taken. To be put on the May agenda.

### **Cavalier Mobile Home Park License and Code Violations**

No conversation has been taken. Supervisor Krajeck will contact the attorney tomorrow.

### **Dog Kennels Licensing Procedure**

Kendall will provide copies of the dog ordinances he has found to Clerk O'Leary so that she can distribute them for review to the rest of the board. From there they can modify to meet the town's needs.

### **Park & Trails Committee Meeting Update**

The committee will meet again on May 22, 2007 to discuss improvements to Francis Addition and Wayne Disch Memorial Park. Chairman Schneider will get a copy of the minutes of the previous minutes to Clerk O'Leary.

### **Plan Commission Request to Have Attorneys Attend Plan Commission Meetings**

The Plan Commission made a motion requesting the town attorney attend the Plan Commission to provide legal counsel for the members. It would be feasible to get the attorney schedule for all meetings and

Motion by Supervisor Franklin to have the town attorney attend the Plan Commission meetings for the

next six months unless he is not needed. Second by Chairman Schneider. Motion passed by unanimous voice vote.

Comments were made that agenda items not needing the attorney should be put last on the agenda. It's also advisable that a contract be written with the attorney.

#### **Town Engineer Hiring**

Greg Hofmeister resigned two weeks ago due to the fact that he felt the Plan Commission didn't value his advise and poor communication. Kendall stated he talked with Kevin Lord of MSA who serves three different towns. Their arrangement would be to be called ahead of time to attend a meeting.

Kendall questioned the process to hire an engineer.

Supervisor Franklin would like to talk to Greg to learn more about his reasoning for resigning so that the board and commission can learn from the process. Positive comments were shared about Hofmeister's performance.

#### **Town Attorney and Town Engineering Expenses**

Supervisor Krajeck will contact the attorney to arrange a contract regarding expenses and the billing process. Mike Exum, Clerk O'Leary, Bob Fahey and Supervisor Krajeck will work on the application handout so that it clearly identifies the responsibility of payment for attorney and engineering expenses incurred as well as other information.

#### **Standing Smart Growth Committee Formation**

Kim Gruebling and Marty Johnson will meet to prepare the charge for a Standing Smart Growth Committee by the May board meeting.

#### **Intergovernmental Government Cooperation Committee**

Supervisor Krajeck dropped off a copy of the draft charge to Sandy Decker, Evansville Mayor, but has not heard back from her.

#### **Ad Hoc Ordinance and Ad Hoc Purchase of Development Rights Committees**

Marty Johnson thought once the Standing Smart Growth Committee is formed they will create the ad-hoc ordinance committee, purchase of development rights committees, and historical preservation committee.

#### **Historical Preservation Committee Ordinance**

Chairman Schneider will research such ordinances.

#### **Zoning Ordinance Modifications: A3 Utility Conditional Use, Wind Power/Solar Power, Large Animal Siting**

Alvin would like these issues discussed at the next Plan Commission meeting. Alvin felt we could distribute Magnolia's Animal Siting ordinance. Randy Thompson would be a good speaker to have at the next PC meeting if time permits. Clerk O'Leary will contact him.

#### **Bergendal Septic Service Overweight Permit Request**

Supervisor Krajeck moved to approve for another three year term as per the language submitted by Bergendal. Second by Chairman Schneider. Motion approved by unanimous voice vote.

#### **Operator's License Request Shannon Brandenburg, Level 8.**

Supervisor Krajeck moved to approve the request contingent upon the applicant getting proper training. License to expire June 30, 2007. Second by Supervisor Franklin. Motion carried by unanimous voice vote.

#### **Pay Bills**

There being no further business to come before the board, a motion was made by Supervisor Krajeck, second by Supervisor Franklin to adjourn the meeting. Bills were approved for payment and the meeting was adjourned. Meeting adjourned at 9:50 p.m.

Respectfully Submitted by

Linda A. O'Leary, Clerk