

Approved: July 9, 2020

MINUTES

TOWN BOARD OF THE TOWN OF POLK

Town of Polk Town Hall * 3680 State HWY 60* Slinger, WI 53086
Washington County, Wisconsin
Tuesday, June 9, 2020 at 7:00 p.m.

1. Meeting was called to order at 7:00pm.

A. Pledge of Allegiance- was recited

B. Verification of Official Meeting Notice. Notice was given to the West Bend Daily News, Hartford Times Press, Milwaukee Journal Sentinel, and WBKV/WTKM radio station. Notice was posted at Cedar Lake Hills Subdivision, Roskopf's RV Center, the Town Hall, and on the Town website.

C. Roll Call: Present: Chairman Albert Schulteis, Supervisor Dennis Sang, Supervisor Robert Roecker, Treasurer Lynette Bartlett and Town Clerk Sandra Rotar.

D. Moment of Silent Prayer

E. Public Comments. (15 minutes)

- Chairman Schulteis stated that the Town Board had received a letter from Russ and Cecilia Nehm, 3621 HWY 175, regarding the zoning and use of an adjoining land parcel. He requested that the Town Clerk read the letter in its entirety into the record.
- Rod Egelseer, 4734 Lakeview Circle, stated his concerns regarding amending the Town of Polk Chapter 17 Zoning Ordinance to limit the building of personal storage building facilities.
- Paul Melius, 3460 Sherman Road, stated his concern regarding the Motion to End Emergency Declaration and Restore Town Operations as Before the Emergency was Declared. Mr. Melius, who serves as the Town's Chief Inspector of Elections, requested that the action not be taken until a COVID-19 vaccine is found; especially as they pertain to the Town's Election process.
- Rick Hanke Jr., 3974 County C, stated that the Town needed to keep and encourage more business in the Town.
- Bob Heofler, 3620 HWY 175, raised a concern related to the recent sale of the Bechtel property and use of the property.

F. Approval of Minutes

- **May 13, 2020 – Town of Polk Board of Review:** A motion to approve the minutes was made by Supervisor Roecker and seconded by Supervisor Sang. All voted in favor and the motion carried.
- **May 20, 2020 – Special Town Board Meeting:** Supervisor Sang requested an amendment to the meeting, change the document title "AGENDA" to "MINUTES". A

motion to approve the minutes, as amended, was made by Supervisor Roecker and seconded by Supervisor Sang. All voted in favor and the motion carried.

- **May 21, 2020 – Town Board Meeting:** A motion to approve the minutes was made by Supervisor Sang and seconded by Supervisor Roecker. All voted in favor and the motion carried.

G. Sheriff's Department Report

- Deputy Jeremy Miller from the Washington County Sheriff's Department reported stated that the Washington County Sheriff's Department had begun the transition back to from the Safer-At-Home Order, and services were returning to levels before COVID-19. Deputy Miller reported on service activity in the Town of Polk for the months of March, April and May 2020:
 - In March 2020, there were 574 calls for service; including 336 property/business checks made, 82 traffic stops, and 10 traffic accidents.
 - In April 2020, there were 523 calls for service; including 354 property/business checks made, 16 traffic stops, 10 traffic accidents and 20 abandoned 9-1-1 calls.
 - In May 2020, there were 462 calls for service; including 246 property/business checks made, 36 traffic stops, 17 traffic accidents and 19 abandoned 9-1-1 calls.

H. Chairman's Report

- **COVID-19 Washington County Leadership Call** -Chairman Schuteis reported that he routinely participates in calls with Washington County and Municipal Leadership. In these calls, the Washington-Ozaukee Health Department, Washington County Emergency Management and the Washington County Sheriff's Department update Municipal leaders on the impact of the COVID-19 health crisis. Issues that were recently discussed include transitioning back in a manner that protects residents health and safety, and a reported increase in domestic violence and suicides during the Safer-AT-Home Order.

I. Treasurer's Report

- **Review of Town bank account balances**
- **Approval of vouchers/checks issued in May 2020** – A motion to approve the payment vouchers from check numbers 11094-11132 was Supervisor Sang and seconded by Supervisor Roecker. All voted in favor and the motion carried.

2. Unfinished Business: Review/Action – None.

3. New Business: Review/Action.

A. Alcohol Beverage Licenses for 2020-2021 License Year

- **D&A #1, LLC dba Bibinger's**, 3747 Cedar Creek Road, Slinger. Travis M. Dowden, Agent. Class "B" Liquor and Class "B" Beer.
- **Cedar Lake Motel and Pub, Inc. dba Cedar Lake Motel & Pub**, 4985 Arthur Rd., Slinger. Susan E. Bird, Agent. *Class "B" Liquor and Class "B" Beer.*

- **Country Sports Golf Practice Center, LLC. dba Country Sports Golf Practice Center**, 3565 Hillside Road, Slinger. Brian P. Kearns, Agent. *Class "B" Liquor and Class "B" Beer.*
- **DSJ Transport & Sales**, 4534 Arthur Road, Slinger, Donald C. Dabel, Agent. *Class "B" Liquor and Class "B" Beer.*
- **Friends of Nature Association, Inc. dba Friends of Nature**, 3786 Mayfield Road, Jackson. Judy A. Henrichs, Agent. *Class "B" Beer.*
- **Kenicks, Inc. dba Kenicky's Public House**, 2763 Hwy 175, Richfield. Kenneth F. Hillus, Agent. *Class "B" Liquor and Class "B" Beer.*
- **Mayfield Mobil, LLC dba Mayfield Mobil**, 2545 Mayfield Way, Richfield. Robert D. Yahr, Agent. *Class "A" Liquor and Class "A" Beer.*
- **Pioneer Petroleum, Inc. dba Pioneer Travel Plaza**, 3230 Pioneer Road, Richfield. Jasmeet S. Kang, Agent. *Class "A" Liquor and Class "A" Beer.*
- **RCB Group, Inc. dba Pleasant Valley Pub**, 4493 HWY P, Jackson. Richard C. Buser, Agent. *Class "B" Liquor and Class "B" Beer.*
- **HAR-MAR Development Corp. dba Scenic View Country Club**, 4415 Club Drive, Slinger. Frank J. Romano, Agent. *Class "B" Liquor and Class "B" Beer.*
- **Sheryl's Club 175, LLC dba Sheryl's Club 175**, 3545 Hwy 175, Slinger. Sheryl A. Siefert, Agent. *Class "B" Liquor and Class "B" Beer.*
- **Washington County Agriculture & Industrial Society dba Washington County Fair Park & Conference Center**, 3000 Hwy PV, West Bend. Kellie M. Boone, Agent. *Class "B" Liquor and Class "B" Beer.*

- Town Clerk Sandra stated that all Liquor License applicants had submitted complete applications, the required documentation and had paid the necessary fees. Ms. Rotar then read the License applicants into the record and stated that the Agents for Country Sports Golf Practice Center and DSJ Transport had been invited to attend the meeting by the Town Board due to the current vacancy in their buildings.
- Mr. Brian Kearns, Country Sports and Golf Practice Center, and Mr. Donald Dabel, SDJ Transport & Sales, responded to Town Board questions and provided information regarding the loss of operators at their building and plans to reopen in the future.
- A motion to approve the Alcohol Beverages Licenses as presented was made by Supervisor Sang and seconded by Supervisor Roecker. All voted in favor and the motion carried.

B. Cigarette and Tobacco Products Retail License for 2020-2021 License Year

- **Mayfield Mobil, LLC dba Mayfield Mobil**, 2545 Mayfield Way, Richfield.
- **NTC of Wisconsin, Inc. dba Midwest Food & Tobacco Group**, 3767 Scenic Road, Slinger.
- **Pioneer Petroleum, Inc. dba Pioneer Travel Plaza**, 3230 Pioneer Road, Richfield.
- Town Clerk Sandra stated that all Cigarette and Tobacco License applicants had submitted complete applications, the required documentation and had paid the necessary fees. Ms. Rotar then read the License applicants in to the record.

- A motion to approve the Cigarette and Tobacco Retail Licenses as presented was made by Supervisor Roecker and seconded by Supervisor Sang. All voted in favor and the motion carried.

C. Soda Water Beverage License for 2020-2021 License Year

- **D&A #1, LLC dba Bibinger's**, 3747 Cedar Creek Road, Slinger.
- **Cedar Lake Motel and Pub, Inc. dba Cedar Lake Motel & Pub**, 4985 Arthur Rd., Slinger.
- **Country Sports Golf Practice Center, LLC. dba Country Sports Golf Practice Center**, 3565 Hillside Road, Slinger.
- **D&J Transport**, 4534 Arthur Road, Slinger.
- **Friends of Nature Association, Inc. dba Friends of Nature**, 3786 Mayfield Road, Jackson.
- **Kenicks, Inc. dba Kenicky's Public House**, 2763 Hwy 175, Richfield.
- **Mayfield Mobil, LLC dba Mayfield Mobil**, 2545 Mayfield Way, Richfield.
- **Mc Donald's**, 3230 Pioneer Road, Richfield.
- **NTC of Wisconsin, Inc. dba Midwest Food & Tobacco Group**, 3767 Scenic Road, Slinger.
- **Pioneer Petroleum, Inc. dba Pioneer Travel Plaza**, 3230 Pioneer Road, Richfield.
- **RCB Group, Inc. dba Pleasant Valley Pub**, 4493 HWY P, Jackson.
- **HAR-MAR Development Corp. dba Scenic View Country Club**, 4415 Club Drive, Slinger.
- **Sheryl's Club 175, LLC dba Sheryl's Club 175**, 3545 Hwy 175, Slinger.
- **Washington County Agriculture & Industrial Society dba Washington County Fair Park & Conference Center**, 3000 Hwy PV, West Bend

- Town Clerk Sandra stated that all Soda Water Beverage License applicants had submitted complete applications, the required documentation and had paid the necessary fees. Ms. Rotar then read the License applicants in to the record.
- A motion to approve the Soda Water Beverage Licenses as presented was made by Supervisor Sang and seconded by Supervisor Roecker. All voted in favor and the motion carried.

D. Operator/Bartender Licensing for the 2020-2021 License Year

- Town Clerk Sandra stated that all Operator/Bartender applicants listed had submitted complete applications, the required documentation and had paid the necessary fees. Ms. Rotar also stated that background checks had been conducted on all of applicants who were applying for the first time.
- A motion to approve the Operator/Bartender Licenses as presented was made by Supervisor Sang and seconded by Supervisor Roecker. All voted in favor and the motion carried.

E. Fireworks Application/Permits

Washington County Agricultural & Industrial Society, Inc for Friday, July 24, 2020 at Washington County Fair Park, 3000 HWY PV, West Bend, WI.

- Town Clerk Sandra stated that the applicant had submitted a complete application, the required documentation and had paid the necessary fee. Ms. Rotar also stated that, per the information in their packets, this would be a drive-in event, and attendees will be expected to watch the fireworks within or immediately near their cars to maintain social distancing.
- A motion to approve the Fireworks Permit as presented was made by Supervisor Roecker and seconded by Supervisor Sang. All voted in favor and the motion carried.

F. Appointment of Mr. Randy Rothman to the Plan Commission

- Mr. Randy Rothman, 2550 Pioneer Trail, appeared before the Town Board. Mr. Rothman discussed his professional experience with Generac Power Systems, community involvement, his long residence in the Town and his appreciation of being considered to serve on the Town of Polk Plan Commission.
- A motion to appoint Mr. Randy Rothman to the Town of Polk Plan Commission was made by Supervisor Roecker and seconded by Supervisor Sang. All voted in favor and the motion carried.

G. Appointment of Mr. Paul Melius To the Zoning Board of Appeals

- Mr. Paul Melius, 3460 Sherman Road, appeared before the Town Board. Mr. Melius discussed his professional experience, community involvement and noted that he was currently the Chief Election Inspector for the Town. Mr. Melius stated that he was looking for different ways to serve and was appreciative of being considered to serve on the Town of Polk Zoning Board of Appeals.
- A motion to appoint Mr. Paul Melius to the Town of Polk Zoning Board of Appeals was made by Supervisor Sang and seconded by Supervisor Roecker. All voted in favor and the motion carried.

H. Presentation by Chad Elliot, Manage 360, regarding New Town of Polk Website

- Mr. Chad Elliot, Manage 360, presented the new Town of Polk website. He stated that he and Town staff began working on the project late last year, but because of COVID-19, implementation plans were stalled. Mr. Elliot reviewed each of the pages and features of the new website and stated that the goal was improve the user experience by making information easy to locate and review.
- A discussion ensued regarding the transition from the old site to the new one, the fact that it was a dynamic site where staff had the ability to change items as needed and increased capability to provide information, notices and Town business to residents.
- A question was asked about the ability of the website to automatically distribute meeting agenda items based upon signing-up. Mr. Elliot stated that the website did not have that capability now, but he would research option that could be implemented.
- Town Clerk Rotar stated that the go-live date of the new website was Monday, June 15, 2020.

I. Request of Town Treasurer to Attend UW-Green Bay 2020 Municipal Clerks and Treasurer Institute (Virtually), July 12-17, 2020

- Town Treasurer stated that due to the COVID-19 health crisis, the 2020 Municipal Clerks and Treasurer Institute would be conducted virtually this year.
- Ms. Bartlett stated that attending the Institute would expand her knowledge and growth as the Town's Treasurer.
- A motion to approve the Town Treasurer's attendance at the 2020 Municipal Clerks and Treasurer Institute was made by Supervisor Roecker and seconded by Supervisor Sang. All voted in favor and the motion carried.

J. Request for Temporary Assistance to the Department of Public Works

- Chairman Schulteis stated that a request was made by the Department of Public Works Manager to hire a temporary employee that would work on a limited, as-needed, basis to support DPW services. Chairman Schulteis stated that there were many responsibilities that were being conducted by the DPW Manager alone which could lead to an injury. Having a second employee to assist during these tasks would allow them to be done efficiently and safely.
- A motion to approve the creation of a temporary DPW-Assistant position, to be paid at a rate of \$22.50 per hour consistent with the rate of Snow-Plow Drivers, was made by Supervisor Sang and seconded by Supervisor Sang. All voted in favor and the motion carried.

K. Review 2020 Road Bids: Fontana Road; from CTH NN to Fontana Beach Road

- Chairman Schulteis stated that at the May meeting where the 2020 Road Bids were considered, the Town Board voted to proceed with the Cedar Creek Road project, but hold the Fontana Road and Birnamwood Subdivision projects until a funding source could be determined.
- Chairman Schulteis stated that after considering numerous options, his recommendation was to fund the Fontana Road project through use of the Town's General Fund balance.
- Town Clerk Sandra Rotar stated that using the General Fund Balance in this manner was consistent with the General Fund Balance policy adopted by the Board. The Policy allows up to 25% of the General Fund balance to be used for Capital projects.
- A motion to award the Fontana Road project to the Stark Pavement Company based upon their bid, and fund the project through the Town's General Fund Balance was made by Supervisor Roecker and seconded by Supervisor Sang. All voted in favor and the motion carried.

L. Motion to End Emergency Declaration and Restore Town Operations as Before the Emergency was Declared

- Clerk Sandra Rotar stated that with the end of the Safer-At-Home Order, the Resolutions adopted to manage Town operations during the COVID-19 crisis, could be rescinded. She stated that per the Town Attorney, the Town Board could choose one of three options:
 - o End the Emergency and restore Town operations as before the Emergency was declared.

- Rescind the original Emergency Declaration, and replace with one focusing on the items the Board would like kept in place.
- Rescind the Emergency Declaration, and implement any items to be kept legislatively. For example, adopting new Town Hall office hours.
- A motion to end the Emergency Declaration and if there are items to be kept, restate and adopt them legislatively was made by Supervisor Sang and seconded by Supervisor Roecker. All voted in favor and the motion carried.

M. Ordinance No. 09.2020 Rescinding and Replacing Ordinance No. 10-08 And Creating Limited Burning Ordinance

- Clerk Sandra Rotar stated that Ordinance 09.2020 would replace the original 2008 Burn Ordinance. Ordinance 09.2020 clarifies and strengthens the regulations of what can be burned, when burning can occur and the requirements of an individuals who want to burn. The Ordinance eliminates the need to come to Town Hall and obtain a Burn Permit, but does keep other aspects (notifying the Washington County Sherriff's Office) in place.
- A motion to adopt Ordinance No. 09.2020 was made by Supervisor Sang and seconded by Supervisor Roecker. All voted in favor and the motion carried.

N. Request by Craft Masonry, Inc./Wayne Scherwinski to Amend the Town of Polk 2050 Comprehensive Plan Map by changing the Planning Map designation of a parcel of land located at 3506 State Hwy 175 from Agricultural/Rural Residential to Mixed Use. Wayne Scherwinski, Property Owner.

- **Ordinance No. 11.2020** Adopting an Amendment to the 2050 Comprehensive Plan for the Town of Polk
- Chairman Schulteis stated that this item had been reviewed by the Plan Commission and forwarded to the Town Board for consideration. Ordinance No. 11.2020 would enact Plan Commission approval of the request.
- A motion to adopt Ordinance No. 11.2020 Adopting an Amendment to the 2050 Comprehensive Plan for the Town of Polk was made by Supervisor Roecker and seconded by Supervisor Sang. All voted in favor and the motion carried.

O. Application to Amend Zoning Map by Wayne Scherwinski Rezone A-1 to M-1

- **Ordinance No. 12.2020** Amend the Zoning Map of the Town of Polk
- Chairman Schulteis stated that this item had been reviewed by the Plan Commission and forwarded to the Town Board for consideration. Ordinance No. 12.2020 would enact Plan Commission approval of the application.
- A motion to adopt Ordinance No. 12.2020 Amend the Zoning Map of the Town of Polk was made by Supervisor Sang and seconded by Supervisor Roecker. All voted in favor and the motion carried.

P. Petition to Amend Chapter 17 Zoning Ordinance Section 3.09(10)(L) Town of Polk Zoning Ordinance relative to mini-warehouses in the M-1 Zoning District.

- **Ordinance 10.2020** Adopting Amendments to the Town of Polk Chapter 17 Zoning Ordinance

- Chairman Schulteis stated that this item had been reviewed by the Plan Commission and forwarded to the Town Board for consideration. Ordinance No. 10.2020 would enact Plan Commission approval of the Amendment.
- A motion to adopt Ordinance No. 10.2020 Adopting Amendments to the Town of Polk Chapter 17 was made by Supervisor Roecker and seconded by Supervisor Sang. All voted in favor and the motion carried.

4. Motion to adjourn was made by Supervisor Roecker and seconded by Supervisor Sang. All voted in favor and the motion carried. Time of adjournment was 8:20pm.

Respectfully submitted,



Sandra Rotar, Clerk