

Town of Whitewater Town Board Meeting Minutes
Wednesday, November 11, 2015
6:42pm

Present: Lowell Hagen, Robert Strand, Norman Prusener, Carrie Hintz

The minutes of the November 2, 2015 special town board meeting were reviewed. Norm made a motion to accept the minutes as written, seconded by Bob. The motion passed unanimously.

Clerk report – Carrie noted that there will not be an increase in the garbage and recycling special assessment for 2016. It will remain at \$178.80 per household. Tax bills should be mailed the end of November or early December.

Treasurer report – Carrie read the account balances. Norm made a motion to accept the Treasurer's report as presented, seconded by Lowell. Motion passed unanimously.

1st Side Supervisor – Bob and Steve have been working on the road repair on Kettle Moraine Drive toward the lake.

2nd Side Supervisor – Norm reported that he cut down some trees in back of the town hall. Steve did a good job cleaning up the back fence and trees will be cleaned up. Also fixing siding on hall.

Chairman – Lowell got a call about a pothole on Townline Road that is starting.

Sheriff's Department Incident Report – Tim Otterbacher read report (see attached). Speed trailer on Warner Road due to complaint. Will have extra patrol and radar there too.

Whitewater Limestone conditional use permit amendment – Norm said there was a temporary issued last year and nothing has changed, though there are a lot of restrictions. Jim Boardman said they're currently at 762' and asking to go to 720', which was approved a year ago. County only issued permit for 18 months and expires in December. Should take 8-10 years to get to that depth and then it'll turn into a lake. County has viewed the property and is content with the situation. Norm moved to let them have the permanent depth increase to 720', seconded by Bob. Motion passed unanimously.

Bill Spring N7535 Ridge Road rip rap retaining wall on town park property – A few months ago Bill Spring asked about a willow tree on the town park to the north of their property that fell and went into the water. Bob went to look at it and noticed that the Springs put in an extensive new shallow sea wall. However, the beautiful rip rap wall goes onto town property 25-30'. Bob suggested three options: selling the non-buildable property, offer an encroachment agreement, or remove the wall while trying to make the DNR happy. Norm asked how much distance the DNR permit gave them to do the work but the Springs hired Parkside Marina so they didn't know. Norm said there are 4-5 houses on Ridge Road who don't have access to the lake and could use the park for access. He thinks selling the property would open a can of worms. Norm noted that our attorney recently sent us a letter saying encroachments aren't a good idea, except for parking. Norm suggested either taking out the sea wall or donating that part of the sea wall to the town. Norm and Lowell are concerned with the town liability with leaving the sea wall there. Mr. Spring said he thought it was a liability before because there was broken cement and iron rod / rails that were lying there too. He doesn't think there is any additional liability now and it's safer now than it was before. Mr. Spring would donate it to the township. If removed, maybe JNT Parkside should be responsible for the removal and the DNR might help with habitat and plantings. Mr. Spring will check with an attorney who deals with land sales about an encroachment agreement. He will also check with JNT and Walworth County. Bob made a motion to table until Mr. Spring gets more answers, seconded by Lowell. Motion passed unanimously.

Proposal from Baxter & Woodman on E. Lakeshore Drive water drainage issues – Lowell said that there have been ongoing water issues for years. All of the minor solutions the town has tried haven't worked. After brainstorming, the town met with Baxter & Woodman, an engineering firm, about the various problems. They want to do a study to outline possible improvements that will transfer storm water from the upstream side of E. Lakeshore Drive to Whitewater Lake. They'd like to study the water and draw a solution plans for the water issues from the start of E. Lakeshore Drive to 5-6 houses past Cruse Lane. The study will cost \$4900, which doesn't cover the cost of the project. If the study is done, there would have to be a decision about how to pay for the work. A possible thought is to put a special assessment on all affected property owners. The study would come with an estimated cost proposal. Bob said that whether it's a storm sewer or curb and cutter, the engineering firm said it could be a successful project. Baxter & Woodman works with many of the area communities. Bob thinks that the study would be worth the expense. Norm said they'd give us more than one option. Lowell made a motion to have the study done for \$4900, seconded by Norm. Motion passed unanimously. Mr. Baum and Mr. Burke, E. Lakeshore Drive property owners, have water issues as well. Lowell said these are the issues that we've been dealing with for years. Bob said that the engineering plan should help eliminate their problems as well. Norm said we want to catch the water before it gets to the Baum and Burke residents.

Implements of Husbandry vehicle weight annual resolution – Carrie mentioned that last year the board signed an IoH resolution that coincided with the Walworth County weight limits. We have to approve a new resolution annually. Lowell made a motion to accept the 2016 version of the 2015 IoH resolution, seconded by Norm. Motion passed unanimously.

2016 Town insurance renewal proposal – Carrie said that she advertised for bids, but only Horton sent in a proposal. The 2015 net cost was \$13,360 and the 2016 Horton proposal is \$14,230. Part of the reason for the increase is higher insurance premiums on the 2015 Chevy Silverado. Norm made a motion to accept the new insurance contract through Horton, seconded by Bob. Motion passed unanimously.

Proposed Walworth County Zoning "Wedding Barns" ordinance amendment – Walworth County is looking for town feedback on the following question: Would your Township support a Zoning Ordinance amendment that would include "Wedding Barns and definitions" as a Farm Family Business in the A-1 and A-2 zoning districts subject to Conditional Use review and approval by the Town and County? Lowell said that we already have a couple of these that are doing it on the side. He said it's opening up neighborhoods to traffic, people, and cars. Bob said it's a big thing nationwide for income and it provides additional wedding facilities. He knows a family who has done it and it worked out well. Norm said that the county will likely provide restrictions on fire codes and sanitation. Bob made a motion to support it, with the conditions of off-road parking, sanitation, and hours of operation, seconded by Norm. Motion passed unanimously.

Other town business –Bob said that John Tanis bought John Hoffman's farmette on Bluff Road. He would like to move his mailbox 3' off the road with additional gravel so the mailperson could still deliver the mail. Norm said to check with post master general for details. Bob said WE Energies asked if they need a permit to bore under R&W Townline Road and they do.

Public input – Two TVs on Island and Taylor that need to be picked up. Stop ahead sign down on Taylor Road. Dan Holst said Bob Harris did a great job mowing of ditches last month. Jim Harmon said there are trees down on Kettle Moraine Road between P and Hare's, Millis Road near the bridge, and Townline Road by Kienbaum's and Wutke's. Jim Harmon also asked why the retaining wall is being removed by John Andres. Town hasn't approved encroachment agreement yet so the board doesn't know. Someone drove into the pole and Bob Strand is aware. Bob will take care of the hazard with a cover.

Board paid bills.

Norm made a motion to adjourn at 7:57pm, seconded by Bob. The motion passed unanimously.

Respectfully submitted by Carrie Hintz, Clerk/Treasurer