TOWN OF NEWTON BOARD MEETING

APRIL 9, 2019

The Town Board meeting of the Town of Newton was held on Tuesday, April 9, 2019 at the Newton Town Hall, 6532 Carstens Lake Road, Manitowoc, WI 54220 at 6:00 pm. pursuant to posted notices and placement of the notice on the Town of Newton web site (townofnewton.org).

The meeting was opened at 6:00 pm by Chairman Roger Busse. Present: Roger Busse, Chairman; Denise Thomas, Supervisor #1; Mark Knorr, Supervisor #2; Paulette Vogt, Treasurer; Barbara Pankratz, Clerk; Dave Mueller, Road Superintendent; Mike Slattery, Zoning Administrator; Bonnie Luckow, Ed Downing, and Larry Stock.

All those present joined in the recitation of the Pledge of Allegiance. The clerk stated that the agenda was posted by Road Supervisor Dave Mueller on the official posting places and that the agenda had been posted on the Town of Newton web site.

Mark Knorr made a motion to approve the agenda as posted. Said motion was seconded by Denise Thomas and passed.

Denise Thomas made a motion to approve the March board meeting minutes and said motion was seconded by Mark Knorr and passed.

The next item of business was the approval of the treasurer’s report. Denise Thomas questioned the fact that the treasurer’s reported figure for the committed fund was not the same as what was on record. Because the one on record was submitted by the auditor the treasurer stated she would change her figures to match the auditor’s figure. Roger Busse made a motion to approve the treasurer’s report which motion was seconded by Mark Knorr and passed.

The first item on the agenda was public in-put. Larry Stock questioned where he could get a copy of the monthly treasurer’s report as well as a copy of the minutes. The minutes are put on the web site after they are approved and the treasurer’s report can be obtained by contacting the treasurer. Larry also questioned about what was going on in reference to the County owned land matter. He was told to go to the County Board to find out this information.

Kevin Behnke, a County Board member, who was unable to attend our meeting because there was a County Board meeting tonight submitted a statement to the clerk asking that the statement be read to the Town Board and requested that the statement be recorded in the minutes in its entirety. The statement was read by the town clerk and stated as follows:

“Sorry I could not attend in person to voice my concern with the Town signing the Solid Waste

Disposal Facilitation Agreement. I have a County Board meeting. Under the old agreement the Town was indemnified from all liability. Under section 7 the concerning part of that section was: 7. INDEMNIFICATION, MUNICIPALITY agrees to defend, hold harmless, and indemnify MANITOWOC COUNTY and its agents, boards, commissions, committees departments, employees, officials, and officers for any and all liability of every kind and character, including liability arising from or for actions, causes of action, costs, charges, claims, damages, demands, expenses, fees, judgments, liens, losses, obligations, penalties, proceedings, reasonable attorney fees, settlements, and suits, for injury to persons, death, or damage to property (collectively “CLAIMS”) arising in connection with or directly or indirectly out of this AGREEMENT, the MASTER AGREEMENT, and/or MUNICIPALITY’S collection, transportation, disposal, and/or delivery of waste. My question to you is what is the exposure to the Town of Newton in signing this agreement? Also is the Town’s insurance policy structured to cover environmental law suits against the Town? Why is the agreement different than the prior agreement? This is a 15 year agreement with extensions so the impact to the Town can be very catastrophic. Things should be checked out before the Town enters into this agreement. Thank you for your time.”

Town Resident – Kevin Behnke

There being no further public in-put business to come before the meeting said agenda item was closed.

The Board discussed the Recycling Agreement and the Solid Waste Disposal Facilitation Agreement in detail. It was suggested by Chairman Busse to have our attorney review the contracts but after a long discussion it was decided by the Board that our attorney reviewing both Agreements would not accomplish anything but an attorney bill since she would not be able to change any of the verbiage of either contract. Chairman Busse did check with our insurance carrier and was told that there is a limited pollution coverage under the GL enhancement coverage and it is for $100,000. The clerk was instructed to mail both agreements to the Recycling Center.

Dave Mueller, Road Superintendent gave a map report to the Board indicating proposed crack filling for Gass Lake Road from County C to Carstens Lake Road and Clover Road from South 26th Street West to Gass Lake Road. Also, there are several cracks on the road from County CR to Gass Lake Road . After the crack filling then slag fill would be put on the roads.

Dave is also going to meet with the County in reference to some ditching. Dave also indicated he is working on the trailer for plastics for the Recycling Center and the same should be going to Stock Mfg. for painting this week.

Another complaint was received in reference to Newton Road and Dave met with a representative of the DNR because of it. The DNR took some pictures and they are keeping an eye on the matter.

Paulette Vogt, Treasurer gave Dave, law enforcement officer, a list of the twenty-seven dogs that were not licensed. She also indicated she had a personal property bill outstanding in the amount of $1,737. that she is trying to retrieve. Since the property does have a conditional use permit it was suggested that they be told that the same would be revoked if no payment is received which might prompt payment of the bill.

Supervisor Denise Thomas received a call from a resident who had received a warning from a police officer while riding his ATV on what he thought was an ATV route in Newton but apparently it was roadway owned by the Town of Manitowoc on one side and Newton on the other. Supervisor Mark Knorr told Chairman Busse to check with the chairman of the Town of Manitowoc to work this out.

That section of South 26th Street borders Town of Newton but totally belongs to the Town of Manitowoc and is listed on the official State map as such – one-half Newtons.

Supervisor Thomas also mentioned about the electronic drop off scheduled for April 20th. Chairman Busse inquired as to where the money would come from for this and Denise indicated it could come from the Recycling Fund. Roger stated it was not in the budget plan.

Zoning Administrator, Mike Slattery gave a detailed report to the Town Board of remodeling projects,

conditional use permit application, additions, new home, and a variance Hearing.

The next item of business was three zone changes submitted by Zoning Administrator Mike Slattery upon recommendation from the Newton Plan Commission who met on March 4, 2019 and approved submittal of these changes to the Town Board. Upon motion made by Supervisor Mark Knorr and seconded by Supervisor Denise Thomas the following zone changes were approved by the Town of Newton:

1) A zone change request by Roger Bauer, 7617 South Union Road, Manitowoc, WI to rezone a 1.55 acre parcel from A-3, Farmland Preservation, to A-1, Agriculture/Rural Residential District. The parcel is located in the NE1/4 of the SE1/4, Section 19, T. 18N., R.23 E. The reason for the change is a new home.

2) A zone change request by the Town of Newton Plan Commission, 6532 Carstens Lake Road, Manitowoc, WI to rezone a 4.48 acre parcel from R-2, Residential District, to B-1 Business District. The parcel is located in the NE1/4 of the NE1/4, Section 2, T.18N., R.23 E. The address is 2743 CTH. CR. The reason for the change is this parcel is being run as a business and a change will better fit the Town’s Zoning Ordinances.

3) A zone change request by the Town of Newton Plan Commission, 6543 Carstens Lake Road, Manitowoc, WI, to rezone a .69 acre parcel from R-2, Residential District, to B-1, Business District. The parcel is located in the NE1/4 of the NE1/4, Section 2, T18N., R.23 E. The address if 2716 CTH. CR. The reason for the change is the parcel is a better fit for business zoning.

Supervisor Mark Knorr indicated that Kenneth Jaworski is resigning from Martenson & Eisele firm and that although there was no official agreement signed by the Town and the firm of Martenson & Eisele and since Mr. Jaworski is joining another like firm the Plan Commission wants to continue to work with him after he changes employers. The Board agreed to this and Mark will contact Mr. Jaworski when he

starts with the other firm.

Supervisor Mark Knorr also indicated to the board that the Fire Department was questioning if they could build on to their present building to the East which they would like to do if they would be able to obtain a grant. Mark stated that he told the Fire Department that they would not be receiving any funds from the Town at this time so it would be up to the Department to finance an addition which was ok with the Town Board.

The Board discussed setting up a meeting to talk about upcoming road work in the Town which matter would have to be put out for bids. It was decided that the Board would meet at 11:00 a.m. on Monday, May 6, 2019 to view roads. Our May meeting will be held on Wednesday, May 22, 2019 which would give Road Superintendent Dave Mueller time to obtain bids for the road work to be done and at that meeting it would be decided what road work would be done. Notices will be posted on the posting boards as well as on the web site by the clerk.

Denise Thomas, Supervisor made a motion to go into closed session to discuss personnel matters pursuant to posted notice and Wisconsin Statute 19.85. Supervisor Mark Knorr seconded the motion

which carried.

Immediately following the closed session Denise Thomas made a motion to go into open session. Said motion was seconded by Mark Knorr and passed.

Denise Thomas made a motion to pay the statements submitted to the Board previous to the meeting. The motion was seconded by Roger Busse and carried.

There being no further business to come before the meeting it was adjourned by motion made by Roger Busse and seconded by Mark Knorr. Motion carried.

Barbara Pankratz, Clerk