

**SPECIAL TOWN BOARD MEETING MINUTES  
TOWN OF EAST TROY  
Tuesday, May 19, 2020**

The meeting was called to order at 8:02 a.m. by Chairman Klarkowski. Supervisors Montez and Church were in attendance. Attorney Mills, DPW Superintendent Twelmeyer, Clerk/Treasurer Buchanan and Chief Jensen were also present. Also in attendance were approximately eight residents and/or guests. This meeting is a combined bid opening and an abbreviated monthly May meeting.

The Pledge of Allegiance was recited.

Clerk/Treasurer Buchanan confirmed that the agenda posting was in compliance.

Supervisor Church made a motion to approve the agenda. Supervisor Montez seconded and motion passed.

Public Comments: None

Reports of Committees:

Chairman Klarkowski reported that he had a Tri-Troy meeting on May 12, 2020. He also met with representatives from Michael Fields regarding a rezone, conditional use or possible change to the Master Plan due to the potential change in use of the property to other agricultural uses.

DPW Superintendent Twelmeyer stated that the Town of East Troy was chosen for a TRIP grant. The project will be a portion of Bell School Road. Two bids were received for the project: Asphalt Contractors of Union Grove - \$122,400 and Wolf Paving of Oconomowoc - \$98,530. Superintendent Twelmeyer recommends accepting the low bid from Wolf Paving. They have done good work for us in the past. Supervisor Montez moved to accept the bid from Wolf Paving for the 2020 TRIP fund project. Supervisor Church seconded and motion passed. The balance of the 2020 road work will be bid out in June. Superintendent Twelmeyer was waiting to see what this portion of the 2020 projects would cost.

Chief Jensen gave the police report. He requested that the Town Board review the burning ordinance. There have been complaints regarding campfires or bonfires in residential areas that have been 10' in diameter with flames up to 15' high. Neighbors have expressed concern regarding the proximity of these fires so close to other homes. Chief Jensen stated that in his opinion, these fires should be restricted to 3' or 4' in diameter and with flames 3' to 4' high. This would prevent them from getting out of hand and setting someone's property or home on fire. Supervisor Church suggested that Chief Jensen contact Fire Chief Barutha regarding his thoughts on this matter. The Board will authorize Atty. Mills to amend the burning ordinance at the June regular Town Board meeting.

Chief Jensen requested that the Board approve the hiring of Blake Stewart as a part-time street and water patrol officer. He currently works full-time for the Walworth County Sheriff's Department. Supervisor Church moved to approve the hiring of Blake Stewart as suggested. Supervisor Montez seconded and motion passed unanimously.

Chief Jensen also presented information on changing the police union contract. Lateral Transfer language in the contract would allow the Chief to recruit experienced officers and allow the Board to offer a comparable benefit package to that person. They would not have to start over with pay, vacation benefits, etc. Chief Jensen has discussed this with Officer Knox, the current union representative and he, in turn, has discussed it with the other officers. There would still be some training expense so that the officer could learn the area and department procedures. This expense would be offset by the decrease in overtime spending. Chairman Klarkowski moved to have Chief Jensen proceed with this discussion with the union representatives. Supervisor Montez seconded and motion passed.

Supervisor Church stated that the Planning Commission met on May 6, 2020. The items presented needed action from the Town Board so that they could be moved onto the County level.

Supervisor Church moved to accept the Planning Commission's recommendation and approve a CSM for Outlot 1, Beach Road, PA78400002, Karen & Michael Hamilton – owners/applicants. Supervisor Montez seconded and motion passed.

Supervisor Church moved to accept the Planning Commission's recommendation and approve a variance for a fence at N8568 Stringers Bridge Road, PA160600002, Timothy & Barbara Behrens – owners/applicants. The variance requested is to place the fence on the property line and be 6' in height. Supervisor Montez seconded and motion passed. Atty. Mills stated that further down the agenda that modifying the current fence ordinance would be discussed.

Discussion took place about setting the Annual Meeting date. The COVID 19 pandemic has derailed the scheduling of the Annual Meeting. Chairman Klarkowski stated that we must do this as safely as possible and consider the number of people that may attend. Per the WI Town's Association guidance, it should be scheduled after July 11 but before the end of the year and still allow for social distancing. Chairman Klarkowski stated that he has tentatively scheduled the firehouse for the meeting which would allow for a larger turnout. Supervisor Church moved to hold the 2020 Annual Meeting on July 14, 2020 at 7:00 P.M. at the ETAESD. Supervisor Montez seconded and motion passed.

Supervisor Church shared some logos that East Troy High School students had designed. The tentative motto will be "Where agriculture and recreation meet." The samples will be further discussed in the coming months.

DPW Superintendent Twelmeyer and Clerk/Treasurer Buchanan both have June work anniversary dates. Due to work loads, they have been unable to use all of their vacation time. The Board could allow them to carry over the time, pay it out or expect them to use it within the next three weeks. Chairman Klarkowski moved to allow DPW Superintendent Twelmeyer to

carry over five days of vacation to be used by December 31, 2020 and to payout Clerk/Treasurer Buchanan ten days of vacation. Supervisor Church seconded and motion passed.

Clerk/Treasurer Buchanan read Resolution 2020-05 approving the 2020-2021 Town Board appointments. Supervisor Church moved to approve Resolution 2020- 05 with one numbering correction. Supervisor Montez seconded and motion passed.

Chairman Klarkowski read the letter regarding the status of the Stoss pier permit from the WI DNR. This issue has been going on for a long time but the Town still does not have all the information that it has requested. Greg Thomas, Lake Beulah Management District, stated that Atty. Feiber has sent a letter to the DNR regarding that the boardwalk is actually a pier in and of itself. Atty. Mills received a letter from Atty. Feiber, stating that they had requested a letter of compliance from the DNR and if the boardwalk was allowed and not a pier extension. Atty. Mills stated that the Board needs to act or it could be sued. John Stoss stated that he had spoken with the DNR about what procedure needs to be done. The County has advised him that he does not need a permit from the County for the pier extension. Mr. Stoss stated that the pier is in compliance and he wants the Town to act. He still needs to get the Town the information from the County and the Army Corp of Engineers. John Becker, also of the Lake Beulah Management District, stated that 1) the conditions from the administrative law judge have not been followed, the structure terminates in the water and 2) no description of the boardwalk is in the permit at all. The Army Corp of Engineers was never informed that this is an environmentally sensitive area. Mr. Stoss needs a permit from the Town in order to be in compliance with the judge's conditions. Mr. Stoss stated the boardwalk does not end in navigable waters. Atty. Mills stated that in correspondence received from Bob Nauta that the pier does end in open water. The County permit shows it ending on dry land. Chairman Klarkowski stated that the ordinary high water mark would determine if it terminates on dry land or not. He would like clarification in a letter from the DNR regarding this issue. Mr. Stoss stated that the current correspondence shows that the DNR is satisfied with what is in and that it is in compliance. Chairman Klarkowski stated that the Town Board cannot act until they have received a copy of the permit from the County and the report from the Army Corp of Engineers.

Chairman Klarkowski met with the developer for the Lake Beulah Country Club property. They are having difficulty marketing the property due to the deed restriction on 17.11 acres that gives the Town first right of refusal if the parcel is no longer going to be used as a golf course. This parcel was sold to the Jacobs family in 1994 by the Town to be added to their golf course. Concerns were discussed if the Village of Mukwonago could somehow annex the golf course property. Chairman Klarkowski moved to authorize Atty. Mills to review the request to remove the restrictions from the 17.11 acres. Supervisor Montez seconded and motion passed.

Atty. Mills read Ordinance 2020-02 amending Section 15.45.010 regarding fences. A fence may not exceed six feet in height and side yard and rear set-backs would be up to the property line but not on the property line. A fence installed at the front of a property may only be four feet high and must be two feet off the lot line. Supervisor Montez moved to waive the second

reading of Ordinance 2020-02. Chairman Klarkowski seconded and motion passed. Supervisor Church moved to approve Ordinance 2020-02 as presented. Supervisor Montez seconded and motion passed.

Atty. Mills read Ordinance 2020-03 creating Section 10.05.025 regarding adoption and enforcement of emergency orders. This would allow the police department to enforce any emergency orders issued by the state or local authorities and issue a fine or forfeiture if those orders are not adhered to. Supervisor Montez moved to waive the second reading of Ordinance 2020-03. Chairman Klarkowski seconded and motion passed. Supervisor Montez moved to approve Ordinance 2020-03 as presented. Supervisor Church seconded and motion passed.

#### Special and Pending Meetings:

May 26, 2020 – Memorial Day – Town Hall Closed

May 30, 2020 – E-cycle event at Town Hall from 9:00 A.M. to 2:00 P.M.

June 3 & 17, 2020 – Planning Commission Meetings at 6:30 P.M.

June 8, 2020 – Town Board Meeting at 6:30 P.M.

June 9, 2020 – Open Book - 12:00 P.M. to 2:00 P.M.

June 11, 2020 – Open House for Proposed Building – 3:00 P.M. to 7:00 P.M.

June 18, 2020 – Special Meeting of the Electors at 6:30 P.M.

June 25, 2020 – Special Town Board Meeting at 5:30 P.M.

June 25, 2020 – Board of Review – 6:00 P.M. to 8:00 P.M.

#### Adjournment:

Supervisor Church made a motion to adjourn at 9:48 A.M. to review bills for payment. Supervisor Montez seconded. Motion passed unanimously.

Respectfully submitted,  
Kim M. Buchanan, WCMC  
Clerk/Treasurer