

Official Town of East Troy Town Board Minutes
Regular Meeting
Monday, May 8, 2023

The meeting was called to order at 6:30 pm by Chairman Klarkowski. Supervisors Church, Reyes, Wales and Wucherer were in attendance. Clerk/Treasurer Buchanan, Deputy Clerk/Treasurer Loth, Attorney Mills, Police Chief Gorecki and DPW Superintendent Scheel were present and approximately 23 residents/guests were present.

The Pledge of Allegiance was recited.

Clerk/Treasurer Buchanan affirmed that the meeting was posted in compliance with Open Meeting Law.

Motion by Supervisor Wales, seconded by Supervisor Church, to amend the agenda so that move item 9D regarding the Walworth County Mitigation Plan to before the committee reports. Motion passed unanimously.

Motion by Supervisor Wucherer, seconded by Supervisor Church, to amend the agenda to remove item 7B1, putting up ATV signs on county roads. Roll call vote: Chairman Klarkowski, aye; Supervisor Church, aye; Supervisor Reyes, nay; Supervisor Wales, nay; Supervisor Wucherer, aye. Motion passed 3:2

Motion by Supervisor Church, seconded by Supervisor Wucherer, to amend the agenda to move item 11A, attorney's input regarding video retention to be discussed immediately following 7J1, Communication Committee input on video retention. Motion passed unanimously.

Motion by Supervisor Reyes, seconded by Supervisor Wales, to amend the agenda to table item 10B, termination of the Communications Committee, to get public feedback and prepare for an orderly transition. Roll call vote: Chairman Klarkowski, nay; Supervisor Church, nay; Supervisor Reyes, aye; Supervisor Wales, aye; Supervisor Wucherer, nay. Motion failed 3:2

Motion by Supervisor Reyes, seconded by Supervisor Wales, to amend the agenda to table item 10C, Approval of the 2023 Town Board Appointments, due to lack of discussion with board members regarding the appointments. Roll call vote: Chairman Klarkowski, nay; Supervisor Church, nay; Supervisor Reyes, aye; Supervisor Wales, aye; Supervisor Wucherer, nay. Motion failed 3:2

Motion by Supervisor Church, seconded by Supervisor Wucherer, to approve the agenda with the noted and approved changes. Roll call vote: Chairman Klarkowski, aye; Supervisor Church, aye; Supervisor Reyes, nay; Supervisor Wales, nay; Supervisor Wucherer, aye. Motion passed 3:2

Meeting Minute Approval

- Motion by Supervisor Reyes, seconded by Chairman Klarkowski, to approve the minutes of the April 3 & 24, 2023 Communication Committee meeting as written. Motion passed unanimously.
- Motion by Supervisor Wucherer, seconded by Supervisor Church, to approve the minutes of the April 5, 2023 Planning commission meeting as amended. Motion passed unanimously.
- Motion by Supervisor Church, seconded by Supervisor Reyes, to approve the minutes of the April 10, 2023 Regular Board meeting as amended. Motion passed unanimously.

- Motion by Supervisor Church, seconded by Supervisor Reyes, to approve the minutes of the April 26, 2023 Special Board meeting as amended. Motion passed unanimously.

Treasurer's Report – Clerk/Treasurer Buchanan

- Motion by Supervisor Wucherer, seconded by Supervisor Wales, to approve the April report. Motion passed unanimously.

Walworth County Mitigation Plan – Lt. Jason Rowland

- Lt Rowland explained that this is essentially a hazard mitigation plan which he encouraged the Town to adopt by resolution. That action would then inform the state and county that we accept the plan and it essentially acts as insurance should we be affected by an event. An event may be a flood, tornado, fire, etc... He noted that the plan is a well written plan and should be readily accepted by FEMA when they present it.

Committee/Department Reports

Chairperson's Report - Chairman Klarkowski

- He noted that there were four meetings scheduled for the last month and they were all canceled.
- He further noted that there was correspondence with John Theisen regarding the hotel which was provided to board members.

Department of Public Works – Superintendent Scheel – monthly report provided

- Winter plowing results -- plowed 24 times, but plowed and salted the routes 39 times. Pretreated the roads 12 times.
- We should have used 1170 tons of salt but only used 818 due to using 20,000 gallons of brine and lowering the amount of salt applied per mile.
- We currently have received all of the salt we ordered for the 2022-2023 season. Was 900 ton and the salt shed is almost full.
- Road paving bids came in with Wolf Paving getting the work at a cost of \$493,615.00.
- Seal coating bids came in with Fahrner Asphalt Contractors getting the work at a cost of \$54,519.00.
- Garage bids came in with Tanis Construction getting the bid at a cost of \$467,000.00.
- The parking lot bids came in but are going back out with more exact wording on what the job requires.
- Worked with LW Allen on replacing the antenna at our main lift station to send daily totals to the Village of East Troy sewer plant.
- Had to set up at the Firehouse for the April Annual meeting having to rent chairs and a sound system.
- Picked up the Police boat from DNR storage in Muskego. Had to change oil and filter, charge the battery, to put in the water before fishing season opens.
- Fahrner Asphalt Contractors crack filled the boat launch parking lot on April 26, 2023 and A-Line striping repainted the lot above and down at the launch. They also added the 14 new parking spots for vehicles without trailers.
- Dug out tractors to get ready for the summer season.
- Did lots of pot hole patching throughout the month.
- The compost site opened for the year on April 22, 2023 and will be open every other weekend until November 11, 2023.
- Two of us attended a crack filling seminar at Sherwin Industries in Waterford on April 26, 2023.

- Marked Carver School Road out for culvert replacements before the road work starts on May 22, 2023.

Police Report – Chief Gorecki

- The year-to-date total for calls for service 2997.
- May 9 begins National Police Week. Officer Jagielski and Officer Medina were awarded the Meritorious Service Award from the Department for their ongoing commitment to the Town, its residents and the Department. *“They have given their heart and souls to all as demonstrated by their actions and achievements.”*
- He further recognized Lt. Scott Runge as an enormous asset to the Department and to the himself as Chief. His service has been exemplary, recognized and appreciated.
- Motion by Supervisor Wales, seconded by Supervisor Church, to amend the previously approved Pier Permit for Scott Gnas because it increases the safety on the channel with the new design and allows for more efficient and safe navigation. Motion passed unanimously.

ETAESD Report – Supervisor Church

- Monthly report provided –
 - The ETAESD’s Fire & Rescue (ETFR) Department responded to 9 fire calls and 12 EMS calls in the Town of East Troy in the month of March.
 - The ETAESD’s Fire House has installed new garage door openers. The new doors have photo eyes to detect movement under the door. Additionally, there are timers on the doors so that the doors will close automatically. This will reduce wasted energy when a door is inadvertently left open. The photo eyes will help prevent any injuries or damage to the rigs and doors.
 - East Troy Fire & Rescue Department ‘s upcoming special events include:
 - May 9: National Weather Service severe weather spotter training at the Fire House.
 - June 4: Training burn with multiple neighboring departments
 - June 24: Blood Drive at the Fire House from 8 A.M. until 1 P.M.
 - June 24: Contract Services at Alpine Valley for the Willie Nelson concert
 - July 2: 4th of July parade
 - The next ETAESD meeting has been scheduled for May 16, 2023 at 5 P.M. at the Fire House. The District’s Annual meeting will be preceded by the regular monthly meeting.

Park Committee Report – Supervisor Reyes

- Supervisor Reyes is coordinating with Ryan Holle, East Troy Community School District teacher, and DPW Superintendent Scheel to have students from East Troy Community School District help do the spring mulching at Jim Byrnes Memorial Park as they have done for the past several years.

Booth Lake Memorial Park – Supervisor Wales

- The remodel of the house and concession stand are almost complete.
- The parking lot at the upper portion of the park is being expanded.
- The “season” is being extended to September/October, weather dependent, for the ability of the community to utilize the Pavilions for a longer time.

Lake Beulah Management District – Greg Thomas

- The aquatic plant harvest is getting underway with the equipment being set up and they are finalizing their staffing.
- The water monitoring sensors are being placed and water samples are being collected.
- Other sensors are in place to monitor the lake bottom.
- The slow/no wake buoys are almost all in place.
- The Hwy J dam is due for DNR approval and the management district will be coordinating the inspection.
- They are working on a spring newsletter and will be out soon.
- A request to dredge approximately 2000 square feet at W1905 Itsa Little Road has been submitted to the DNR and is in the approval process. Per the DNR initial assessment, it will likely be approved and a public hearing is set for May 9, 2023 via zoom. The district is opposed to this dredging as it is in an area of special interest and infringes on the land, changing the shoreline. They are requesting a denial of the request.

Recycling Committee Report – John Murphy

- The committee is meeting May 9, 2023 to complete the annual report. The e-cycle event had a good turnout.

Library Report – John Murphy for Krystina Murphy

- The Board of Trustees for the library is trying to meet with the county representative to figure out how to remove the barriers to the creation of the joint library. There will be a meeting regarding this and clarification of the funding formula at the East Troy Public Library on June 20, 2023 at 6 pm.

Communications Committee Report – Supervisor Reyes

- The committee still has work in progress or an interest in the YouTube testing, storage options for video/audio retention, and streaming all meetings as well as developing an “about” statement for the Town. Meanwhile, the Town’s second newsletter is scheduled to be mailed this week.
- The committee recommends that the Town follow the current ordinance that states that official records be maintained for seven years.
- **Attorney Mills** requested a motion be made to allow him to read aloud an email he received. Motion by Supervisor Reyes, seconded by Supervisor Wales, to allow Attorney Mills to read aloud the email he received from the WI Historical Society. Motion passed unanimously.
Summary of email – The Historical Society also consulted with the Department of Justice regarding this issue. Reference was made to the interpretation of Section 19.21(7) is that it applies to any recording of a meeting that is then used to create official minutes. So, the video recording can be destroyed 90 days after the minutes have been approved.
- Web administrator, Jennifer Olson, noted that she would like to have a way to store the recordings such as an external hard drive. Clerk/Treasurer Buchanan stated that we currently have cloud-based storage and should not need any additional storage platforms.
- Motion by Supervisor Church, seconded by Supervisor Wucherer, to authorize Attorney Mills to modify the retention ordinance based on his best legal advice. Roll call vote: Chairman Klarkowski, aye; Supervisor Church, aye; Supervisor Reyes, nay; Supervisor Wales, nay; Supervisor Wucherer, aye. Motion passed 3:2.

Planning Commission Report – Supervisor Wucherer

- Motion by Supervisor Wucherer, seconded by Supervisor Church, to adopt the findings as presented in the resolution, approved by the Planning Commission, for W1184 County Rd L, PET1500005B, John Hudoc & Maria Bisabarro – Owners/applicants. Motion passed unanimously.
- Motion by Supervisor Wucherer, seconded by Supervisor Church, to adopt the findings as presented in the resolution denying the Conditional Use request, approved by the Planning Commission, for W1759 South Shore Dr., PA322300001, Beulah QPRT Family Trust – Owner, Matt Haeger – applicant, as amended. Motion passed unanimously.

Public Comments

- Jess Dynek, W1969 Itsa Little Road. He was wondering if we have a battery recycling program.
- Mary Jo Jones, N9033 East Miramar Road. She is asking the Board not to terminate the Communication Committee and to then provide assistance in breaking down the barriers they have faced so they may be more effective. She also wondered how Resolution 2023-02 could be on the agenda unless there was knowledge of how the vote would go to terminate the Communication Committee. She further stated that the video recordings were never intended for the use by the clerks to perform their jobs.
- Bob Rice, W884 Shorewood Drive. He thanked the board for the new road - Shorewood Drive roadwork is scheduled to begin May 9, 2023. He wondered about the snow plowing agreement and is concerned that they just worked to get the road replaced because there was the possibility that the road would not get plowed if it was not brought up to certain standards and now this “agreement” issue comes up. Has some concerns about the wording of a potential agreement.
- Leah Bitar, N9260 Deer Path Road. She stated that her interpretation for dissolving the Communication Committee would mean that a unanimous vote by the Board would be needed to rescind an appointed member from a committee, thus, the dissolving of the Communication Committee is in essence, rescinding an appointed board member. She further stated that the purpose and intent of the live streaming of the meetings was to make it available to residents that cannot be in attendance, it is not to create minutes.
- Jess Dynek, W1969 Itsa Little Road. He stated that he was on the ad hoc Communications Committee and that all recommendations to the board have been fulfilled and with regard to the live streaming, he agreed that a goal was to make it available should one not be able to attend a meeting but they didn’t go any further than that.
- John Stoss, N8831 Stringers Bridge Road. He is wondering what the heck is going on in this Town. There have been votes at the Annual Meetings regarding video recordings. Why are we splitting hairs on this retention issue. Why aren’t we just keeping them forever? He also noted his concerns that all groups using the Town Hall for meetings should be required to record and make available their meetings to the public.
- Joe Jones, N9033 East Miramar Road. He stated that that at one time he had commented that the Town needs to find more ways to get citizen participation in Town government; the Communication Committee was doing that. He is wondering how the Town office administration will be able to absorb the tasks that the Communication Committee is doing.
- Katharine Sawyer, N8844 County Road ES. She stated that she is against abolishing the Communication Committee is not in the best interest of the town. She also stated that she would like to have the video retention for longer than 90 days. Finally, she noted that they are addressing the lighting on the Sawyer storage units on County Road ES, trying to dim/shield

them from being so bright for the drivers on County Road ES at night while still preserving a high-level deterrent for any shenanigans.

- Karl Sawyer, N8844 County Road ES. He advocated for the Communication Committee to be kept and further verified the adjustments being made for the lighting at his storage units as noted above by Katharine.
- Ted and Ann Zess, N8305 Weber Lane. Chairman Klarkowski read an email stating they are in favor of keeping the Communication Committee and they support storing video recordings for longer than 90 days.

Unfinished Business

- Chairman Klarkowski provided an update on ETRR Bridge on Beach Road. He stated that an agreement between the Town and the ETRR has been provided to the Board members with Attorney Mill's edits. The only way to get state and federal aid is to own the bridge and therefore, the most effective solution is for the Town to take ownership of the bridge. The agreement with the ETRR protects the Town during the reconstruction process. Motion by Supervisor Wales, seconded by Supervisor Wucherer, to put the agreement in final form and forward it to the ETRR attorney. Motion passed unanimously.
- Motion by Supervisor Wucherer, seconded by Supervisor Church, to approve the Service Agreement with Gray Horse Strategies for the development of a vision/mission/strategic plan. Roll call vote: Chairman Klarkowski, aye; Supervisor Church, nay; Supervisor Reyes, nay; Supervisor Wales, nay; Supervisor Wucherer, aye. Motion failed 3:2.
- Motion by Supervisor Reyes, seconded by Supervisor Wales, to authorize Attorney Mills to draft the final agreement and cover letter for the Private Road Snowplowing Service. Roll call vote: Chairman Klarkowski, aye; Supervisor Church, aye; Supervisor Reyes, aye; Supervisor Wales, aye; Supervisor Wucherer, nay. Motion passed 4:1.

New Business

- Motion by Chairman Klarkowski, seconded by Supervisor Wucherer, to elect Supervisor Church as Vice-Chairperson for Town Board (per Town Code 2.20.030(5)). Motion passed unanimously.
- Motion by Chairman Klarkowski, seconded by Supervisor Wucherer, to terminate the Communications Committee. Roll call vote: Chairman Klarkowski, aye; Supervisor Church, aye; Supervisor Reyes, nay; Supervisor Wales, nay; Supervisor Wucherer, aye. Motion passed 3:2.
- Motion by Supervisor Wales, seconded by Supervisor Wucherer, to approve Resolution 2023-02 Approving Town Board Appointments. Roll call vote: Chairman Klarkowski, aye; Supervisor Church, aye; Supervisor Reyes, abstain; Supervisor Wales, aye; Supervisor Wucherer, aye. Motion passed 4:0.

Attorney's Report – Attorney Mills

- Motion by Supervisor Church, seconded by Supervisor Wucherer, to authorize Attorney Mills to update Boat Launch Fee Ordinance. Motion passed unanimously.

Public Comments

- Bob Rice, W884 Shorewood Drive. He expressed his concerns regarding the snowplowing agreement and the 100% buy in. He also wonders why the police are not able to cite people for trespassing on Shorewood Drive.
- Joe Jones, N9033 East Miramar Road. He stated his agreement with Supervisor Wucherer's comments that we need to be more open and provide more information for the people regarding the issue for plowing private roads.

- Sheri Riehle, N9481 Island Road. She has concerns about the snowplowing issue on private roads and the 100% buy in; she does not believe it is possible. She also stated that she noticed a divisiveness in the board and apparent lack of respect for each other. Finally, she complimented Clerk/Treasurer Buchanan and Deputy Clerk/Treasurer Loth on their abilities with regard to the election training she received and confidence in their ability to take over the duties of the Communication Committee.
- Lisa Deppe, N9516 Island Drive. She seconded everything that Sheri Riehle stated. She also noted that there is a divisiveness amongst board members, however, it is not necessarily a bad thing as every everyone on the board is an individual and that is important because they are doing work for all sorts of personalities all around this town. However, it seems there still needs work to be done to create “better” communication between board members.
- John Stoss, N8831 Stringers Bridge Road. He wondered who requested that the Communication Committee be terminated. He wants all meetings at the Town Hall streamed and questioned if the board members are actually serving the community because three board members voted to terminate the Communication Committee when several people spoke at the meeting in support of the committee.
- Jess Dynek, W1969 Itsa Little Road. He stated that he was the co-chair of the ad hoc Communication Committee and that all of the recommendations they presented to the board have been fulfilled.
- Leah Bitar, N9260 Deer Path Road. She questioned the interviewing process for committee members and the equity among people interested in volunteering and why some were interviewed and others were not, specifically noting that she was not interviewed.
- Katharine Sawyer, N8844 County Road ES. She wanted to note that the whole discussion surrounding the Communication Committee indicates that there is a lack of communication. She thought that with the Communication Committee they would be more informed and they are not in her eyes.
- Karl Sawyer, N8844 County Road ES. He acknowledged that the storage facility will be available for police patrol at any time as they are working hard to facilitate a safe facility, they have purchased shields for the lights on the County Highway ES side so they are not as bright for drivers on the road and thanked the Police Chief for working with him in a professional and respectful manner.

Licenses and Special Event Permits –

- Motion by Supervisor Wales, seconded by Supervisor Wucherer, to approve the following Special Event Permit Requests:
 - Andy Breaker - Breaker- Guerrero Wedding – Jim Byrnes Memorial Park – August 12, 2023
 - Vicki Szymanskyj – Mother’s Day Get Together - W8611 Wilmer’s Landing Rd – May 14, 2023
 - Jason Neu – Farmer’s Market at N8030 Townline Rd., - Fridays 6/2 thru 10/27

Special and Pending Meetings

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| • May 9, 2023 | 11:00 am | Recycling Committee Meeting |
| • May 17, 2023 | 6:30 pm | Planning Commission Meeting |
| • May 29, 2023 | All Day | Town Hall Closed - Memorial Day |
| • June 7 & 21, 2023 | 6:30 pm | Planning Commission Meeting |
| • June 12, 2023 | 6:30 pm | Town Board Meeting |
| • July 4, 2023 | All Day | Town Hall Closed – 4 th of July |

Review Bills for Payment

Motion by Supervisor Wales, seconded by Supervisor Reyes, to adjourn at 10:19 pm. Motion passed unanimously.

Respectfully Submitted by Jean Loth -- Deputy Clerk/Treasurer