

Town of Whitewater Town Board Meeting Minutes
Thursday, August 18, 2016
7:45am

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

The minutes of the August 15, 2016 special town board meeting were reviewed. Bob made a motion to accept the minutes as written, seconded by Norm. The motion passed unanimously.

Approve Jaeckel Brothers contract to ditch E. Lakeshore Drive and correct culverts as needed, for a total cost that is expected to be larger than \$5,000 and less than \$25,000 – Norm said he wanted to apologize because he's getting new hearing aids and he didn't mean to second the motion to do the work at Monday's meeting. Norm has received three calls concerned that we're spending town money to fix one man's problem. Norm made a motion to table the project indefinitely. Bob said it's maintenance that's not been done and this project is maintenance. Norm said cleaning the ditch isn't a problem. But when he re-read Monday's motion, he understood that we're changing the waterway. Lowell disagrees that this is only solving one man's problem because we've had water issues throughout the road for 3-5 years. He believes that road should be ditched from one end to the other. Lowell said we need the right guy to do the work with the utilities. The work we did last year didn't do anything. Art Schmitz said that over the years by not ditching we've changed the flow of water. Joe Murphy said by doing this work the water is running to his property and will make his problem worse. Art Schmitz disagrees and says Joe's water problem will be lessened. Art said Norm and the town will be personally liable if the project doesn't happen. Lowell asked three times for a second to the motion. Motion failed. Jaeckel Brothers proposed to ditch from N7656 north to N7667 on the east side of the roadway, install three culverts, ditch from N7652 south to N7630 (Cruse Lane) on south side of road, clean out north end of culvert that crosses from N7630 to Cruse Lane, ditch south length of Cruse Lane at fence line to flow water to lake, and seed all ditch work and install landscape mat for a cost of \$7,500. Town road crew will assist with traffic control and supply one dump truck and driver. There may be additional costs if additional culvert work or potholing utilities is needed. Bob said we'd also have asphalt patch to Chad Malicki's driveway after culvert goes in. Should be a 2-day project in October. Lowell made a motion to approve the contract with Jaeckel Brothers to do the ditching and correct the water problem, seconded by Bob. Motion passed 2-1.

Approve Century Fence contract to install new guardrails on Island and Willis Ray Roads, not to exceed \$12,000 – Norm made a motion to accept the proposal, seconded by Bob. Motion passed unanimously.

Other town business – Carrie said that the town attorney approved the Florczak's encroachment agreement. Now the Florczak's have contacted Darrin at Walworth County about putting up a garage in the town right-of-way and Darrin basically said they can't and they want to know what to do next. Norm said other garages in the right-of-way were built earlier. Norm said we gave them permission to extend their parking area but we didn't give them permission to build in the road. Claudia said they turned their previous garage into part of their house, so that would take away their hardship claim. Norm said they'd need a setback variance of less than 0'. Bob said to send the Florczak's a note that they'd have to apply for a variance to put the structure up to their property line and not in the town right-of-way. Lowell agreed.

Art asked about a 10'x10' portable shed and asked what his setbacks are. Bob said normally its 3' from side lot and 10' from property line. Darrin at Walworth County would be able to confirm.

Joe Murphy said to check the flow of the water in the ditch going from Harmon's to Joe's property. Bob said they'll look at it as the project gets started. Jaeckel Brothers will do it properly.

Patty Harmon said there are mature trees in front of her house and there will be impact to the roots when they ditch. Not sure if the trees are in the town right-of-way. Bob thinks the cherry tree is in our right-of-way. Lowell said that we have every intention of maintaining the ditch once it's in.

Lowell made a motion to adjourn at 8:09am, seconded by Norm. The motion passed unanimously.

Respectfully submitted by Carrie Hintz, Clerk/Treasurer