

Town of Whitewater Town Board Meeting Minutes
Wednesday, March 13, 2019
7:00pm

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

Approval of agenda - Norm made a motion to approve the agenda as written, seconded by Bob. Motion passed unanimously.

The minutes of the February 18, 2019 special town board meeting were reviewed. Norm made a motion to accept the minutes as corrected, seconded by Bob. The motion passed unanimously.

Clerk report – We received a variety of compliments regarding the great job the snowplow drivers did this year. Reminder that there is an April 2 Spring Election. The April annual meeting and monthly town board meetings will begin at 6:30pm on Wednesday, April 17.

Treasurer report – Carrie read the account balances. Norm made a motion to accept the Clerk and Treasurer’s reports as stated, seconded by Bob. Motion passed unanimously.

2nd Side Supervisor – Norm got a complaint about the culvert on the north end of Howard Road that’s on our side of the township line. It’s blocked on our side because the shoulder erodes.

1st Side Supervisor – None

Chairman – None

Sheriff’s Department Incident Report – Ira Martin provided and read the report. Ira agrees that the township does a great job with the roads because we only had 7 cars in the ditch in February, which is low relative to other places.

Parking ordinance discussion – The Board is reviewing all town ordinances for our recodification process and had a question about what town parking ordinances the Walworth County Sheriff’s Department can enforce. Ira Martin said it is possible for the County to adopt and enforce a couple of our town ordinances. If they adopt more, it gets very confusing because there are the State and County laws in addition to each municipality’s laws. The County adopted the State Statutes for parking and the town can also adopt the State Statutes. Ira said ours would all work except where we discuss lake access and parking on private property. Town citizens should call the County to make a parking complaint. Especially in the summer deputies aren’t constantly driving around our township because they’re out on calls, so someone who calls in will get it addressed. They generally try to find the owner of the vehicle and warn them what they’re doing wrong, rather than issuing a ticket on the first offense. Parking on private property is a different issue. If there’s a specific town ordinance the town wants enforced, there is a full process at the county level to get it reviewed and approved and enacted. Norm asked if it would be easier if we just adopt the State code and Ira said that would be easiest for them to enforce. Ira said generally cars can park on the roadway as long as there is 500’ of visibility and 15’ of roadway (including shoulder) for vehicles to go around. Any ticket proceeds go through Walworth County. Town can post no parking areas where there are issues. Norm said at the two major lake accesses we have it posted. The lake no parking signs need to be replaced. Our parking at the lake is difficult for the county to enforce since it’s private property. State statute says no parking within 4’ of a drive access so that could take care of the boat launch areas. Ira said landscapers technically are supposed to get their equipment out of their vehicle, move their vehicle, and then come back to load up afterward. A resident said there are sometimes issues where the work trucks park in front of the mailbox and won’t move, which is illegal. Ira said if there are issues that can’t be resolved by residents talking to the people causing the issues, people need to contact the Sheriff’s Department. Ira will let the dayshift know of the issues.

Zurawski/Schulz request to rezone property at N8050 County Road P (DA137300001) – Matt Zurawski and Nicole Schulz are looking to rezone 1.187 acres from A-4 to A-5 to use the garage and barn structures per the plat of survey as accessory structures conforming to A-5 rural residential, non-commercial purposes, thus removing the conditional use permit issued April 22, 2010 for a recreational and boat storage facility and commercial stable with up to 12 horses. Nicole said the previous owners built an arena attached to the existing 1903 barn but they weren't supposed to put it there and it is too close to the lot line. The previous owners tried to get a variance, but were denied. So they rezoned instead to A-4 but were denied keeping the arena. They also asked for a variance for boat storage and stable. So Matt and Nicole now have a weird zoning situation which they have to change in order to do any work on their property. There is a small portion of the new barn that the previous owners didn't take down years ago when they took down the rest of the arena and it's violating a sideyard setback. Nicole said Darrin Schwanke at the County told them that they can keep that part of the barn if they rezone to A-5 and they'll have to take care of other issues after the rezone. The current garage is basically unusable so they'd like to change the elevation and drainage of the garage. Norm made a motion to accept the rezone request, seconded by Bob. Motion passed unanimously.

Curtis request for a conditional use at W9654 R&W Townline Road (DW3100006) – Owner Amy Curtis is seeking a conditional use permit for an in-home business within the primary residence. Amy would like to have a hair salon with Amy as the only employee, convert laundry area within home into one hair station (one hair chair and one mirror) along with one wash sink. Half bathroom situated directly next to area for customer use if needed. Home is wheelchair accessible throughout. Amy said she's also looking into doing hair onsite at the local nursing homes and opening a mobile hair salon truck. She provided MSDS sheets to the septic guy and they came up with a maintenance plan. As the sole operator, the max capacity is about 6 people per day, mainly haircuts with a possible color. Many times it's families that come together so that will keep down traffic flow. They'll currently use the existing drive and parking, but in the future would like to build a pole building with additional parking. Norm said until recently in-home hair salons didn't even need conditional use permits. Norm made a motion to ok, seconded by Bob. Motion passed 2-0, with Lowell abstaining because Amy is his daughter-in-law.

Town of Whitewater lake ordinance discussion – The Board is reviewing all town ordinances for our recodification process and requested the various lake groups provide input and suggestions. Lillian Roy said there was a committee formed that included Lillian and Ernest Roy, Rich Charts, Larry Brady, Dawn & Gale Shelbourn, and Dan Dern. They represent a variety of lake locations and lake uses (ski team, recreational use, property owners, and lake management). They didn't review the State section of the town ordinances, but those listed in our town ordinances need some updating. They said code 30-58, they added verbiage “or beyond the slow-no wake buoys” and they renamed “water skiing” to “water towing.” They added in the new mirror ordinance changes as well because our wording doesn't conform to the State. Lillian said the committee presented their proposed ordinance changes to the Richmond Town Board as well and they had concern / discussion over the mirror law because they don't all agree with the state ordinance. Norm said that's a judgment call by the officer. Lillian said they aren't proposing a change to the water level at the dam, but possibly make the no wake call on Thursday and have it extend over the weekend. As traffic and winds increase the water levels go up. Norm said it should be a certain level, but we could add that it's a judgement call based upon 1) lake level, 2) load of the lake from other lakes being closed and more users coming to our lakes, and 3) wind and weather conditions. Lillian's group agreed. Lillian said the committee would like no wake signs at every one of the access points and additional floating signage in the various lobes of the lake. People going to the lake accesses know about the no wake because we put up signage, but the people who are living on the lake don't always know that it's no wake. Lillian thinks we could find volunteers to put these floating signs out on the water. At the Richmond Town Board meeting the ski team said they could find volunteers to put out the floating signs. Lillian can ask the GWLPOA board if they can send out an email blast to their 400+ emails when a no wake goes into effect. Lowell said last year Bob Harris put out 10-12 signs at all roads leading to the lake and at the lake accesses. He said adding the floating signs should make sure everyone is aware. The committee suggested that there be more citations given by the Safety Patrol. She said there were 135 warnings and only 7 citations given in 2018. The committee believes people know they won't get a ticket so they keep breaking the laws. Norm said we shouldn't be micromanaging the Sheriff's Department. Lowell said everyone deserves a warning and that it's more to keep people safe. The committee suggested a citation should be a function of the violation as well because there are some very dangerous violations. Norm said they do give citations for safety violations. Norm suggested if someone sees a bad issue, they should call the County Sheriff's Department and report the issue rather than contacting Sean Blanton directly. Rich Charts said there shouldn't be permanently anchored rafts beyond the buoys,

which isn't enforced. Rich said the committee doesn't want to change any rules regarding wake boats. They said placing the buoys the required 100' out in the correct locations is key, but they realize that's hard to get accurate. Norm said putting buoys in is a tough project. Rich said Lake Management is going to get new ordinance signs up and that should help. Lillian said the ordinance includes Rice Lake and we should make sure we close both down. Lillian said Richmond Town board's final statement was that they will deal directly with the Town of Whitewater on the ordinance. The Town Board thanks this group for their time and suggestions.

Other town business –

- Lowell said the roads are currently posted at 8-ton total weight limit. A resident asked about how that affects local businesses because Townline Road still had big trucks on it today.
- Lowell said a road tour should be done once the snow is gone and frost is out of the ground.
- Norm said on Cruse Lane there are 2 trees to take down in winter while the lake is still frozen and Bob said he'll take care of it. Lake Management will pay to remove the chunk of earth so the conveyor can move over.
- Bob said there are a lot of potholes but the equipment we have to haul the asphalt has the sander on it. So we're going to hold off until that sander comes off. We may fill a few deep ones with pot holes.

Public Input – Claudia Holst said Carrie does a good job.

Adjourn to Closed Session - Norm made a motion to adjourn into closed session, seconded by Bob. Motion passed unanimously. Called to order. Present: Lowell Hagen, Norman Prusener, Bob Strand, Carrie Hintz

Completed Clerk/Treasurer annual review.

Adjourn back to open Town Board Meeting.

Board paid bills.

Norm made a motion to adjourn at 8:29pm, seconded by Bob. The motion passed unanimously.

Respectfully submitted by Carrie Hintz, Clerk/Treasurer