

Town of Whitewater Town Board Meeting Minutes  
Wednesday, September 9, 2015  
7:00pm

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

The minutes of the August 18, 2015 special town board meeting were reviewed. Norm made a motion to accept the minutes as written, seconded by Bob. The motion passed unanimously.

Clerk report – Carrie reported that Walworth County will hold a household and business clean sweep October 2-3. Additional information is available on our website. The Safety Patrol received a grant for 11 new child size (30-50 pounds) life jackets available free of charge to any Town of Whitewater property owner. There are 4 still available on a first-come-first-serve basis.

Treasurer report – Carrie read the account balances. Board said that we should open a new Truck & Equipment money market account when we sell the 1994 Ford F350. Norm made a motion to accept the Treasurer's report as presented, seconded by Bob. Motion passed unanimously.

1<sup>st</sup> Side Supervisor – Bob reported that he met with the daughter of the Svec family about parking in the right-of-way and that tires must be off of the pavement. She might park on Bradley Court. Art Schmitz left a message that he had to get a new gas main to his new house and the main line in the ditch on E. Lakeshore is 42" deep from the top of the asphalt.

2<sup>nd</sup> Side Supervisor – None

Chairman – None

Sheriff's Department Incident Report – Tim Otterbacher read report (see attached). Two burglaries in the past month were on E. Lakeshore and two similar in neighboring townships. Going into unlocked sheds and removing tools. Keep sheds locked and report any missing items. Received one complaint about the boat patrol that was a miscommunication, but the Sheriff's Department took care of it.

Haser-Andres encroachment agreement at N7659 E. Lakeshore Drive – Norm thinks point number 1 should be more vague and give the town permission to remove the encroachment if needed for any unforeseen circumstances. It should be at the board's discretion to have it removed. Also, on number five, the owner agreed to put (2) 6" pipes from the culvert to the south or dig a swail. The way it is now the end of the culvert is damned up and can't drain to the bottom of the culvert. Bob said they were going to put in those pipes if the town ditched to fix the storm water issue. Normally encroachments agreements are for parking spaces and not to divert water and those always had a slope away from the road. Bob said that they are gathering so much water and this solution is preventing the silt from the hillside from going into his yard. Art Schmitz said that if that culvert were down to the original depth, water would flow to the south by doing the ditching so that it pitches. To do it right would be to open the culvert and have the water flow along the property lines. Lowell said that we should ditch from the south of Jim Harmon's downhill to the south. Put a new culvert at Chad's. Norm said that the silt could eventually cause an unforeseen problem. Bob to find someone get a price with grades before ditching. Norm made a motion to have attorney Kelly review the encroachment agreement, seconded by Bob. Motion passed unanimously. Tabled.

Endres conditional use permit at W7582 R&W Townline Road – Mr. Endres's son came and said his dad would like to have boat storage. He has an area to the side of the pole shed where people will park their boats and then Mr. Endres will move the boats the same day into the shed. Mr. Endres is the only employee, though he doesn't live at that residence. The pole shed would hold at least 10, but probably less than 20 boats. No boats or trailers will be parked outside. Bob said that it's important that all boats and trailers will

be parked inside. Norm made a motion to approve the conditional use request, seconded by Bob. Motion passed unanimously.

Bay View Drive property infringement into town lake access / park – Norm said that the residents W8080 Bay View) to the east of our town park on Bay View planted some shrubs and landscaping about 4-5' on town property. Norm will locate the survey stakes and takes pictures. Norm made a motion that the town will send the owner a letter stating that they planted landscaping on the town park and we'd like to have it removed within 30 days or we will remove it at the property owner's expense, seconded by Bob. Motion passed unanimously. Neighbors Don and Linda Burked asked where they can plant trees on the road side, and Bob Strand said that where the corner stakes are they can't go toward the road any further than those stakes. Anything to the lake side of those stakes is fine to plant. Bob said that 33' from the center line typically is the town right-of-way. Evie Guyer asked if a boat can park on the beach at that public park. Norm said they can't park overnight but they can during the day. Claudia Holst said she thinks there is a town liability if a boat beaches on town property. Tim Otterbacher said that if there are no legal swim buoys, then boats can pull up. Norm said we'd have to pass an ordinance to designate it as a swim area and Tim Otterbacher said that opens a whole new set of issues. Lowell said that the real issue is that the DNR controls the water and piers and the town only controls the land. These 27 park properties throughout the town are for anyone to use because they are parks.

Temporary closing of West Drive for a block party – Tim Otterbacher is tentatively planning an event on October 3 on West Drive from 3pm -11pm. Seven residents live there. So far four people are okay with the event and he will get the permission from the other residents. Lowell said they should have proper barricades. Norm said that the road is accessible from both sides, so he doesn't see any issues. Bob is okay with it as well. Lowell said it's a verbal approval, but Tim should call Lowell if the event is planned.

Culvert at W8072 Bay View Drive – Bob said the culvert is two doors to the east of the property owned by Linda and Don Burke. Bob said we need to check grades from the new house to Skyline Drive and make sure that it keeps decreasing and that on the lake side it's lower than that. There's a berm at the neighbor's that may need to be removed. Bob said that we'll possibly ditch to the natural ditch and hopefully that will take care of the drainage. Norm will shoot grades and then we'll put it on our road tour as a priority in 2016.

E. Lakeshore Drive ditching – Discussed earlier in conjunction with the Haser-Andres encroachment agreement. Art Schmitz asked if the town will shoot grades and make an effort to ditch and make the water go south. Gas line is 42" from the surface. Hand dig around gas line. Chad Malicki is okay with the culvert change and ditching. Anything we can do will help. Norm said that E. Lakeshore Drive doesn't have the crown of a regular road, which causes a lot of drainage to the lake side. Lowell said that he thinks there should be a ditch on E. Lakeshore from Highway P all the way down. If we ditch on the south side of the road, that will also lead to parking spots removed.

Other town business – Bob said that John Alvarado snow plows in the winter and he may get another job and we'd have to find someone else. He will tell us within the next 30 days if he's going to leave.

Public Input – Resident asked if there is any additional information from the county about their planned changes to the rental ordinance. Town hasn't heard anything since they requested information from the Town Board. Norm said there are 11 county board members and residents should contact them because they have to vote on it. If there are any problems, just call the Sheriff's Department. Claudia Holst asked if Bob could watch for TVs (there's one on Larry's Road) when he's making his rounds and the town should send a letter that John's doesn't pick them up on their regular route. John's can charge for a special pick up or there's a place in Elkhorn that will take them and recycle for a minimum cost. Bob said he will take care of the TVs currently out.

Board paid bills.

Norm made a motion to adjourn at 8:25pm, seconded by Bob. The motion passed unanimously.

*Respectfully submitted by Carrie Hintz, Clerk/Treasurer*