

TOWN OF MISHICOT MONTHLY MEETING MINUTES
MONDAY, MAY 6, 2024, 7:00 P.M.
MISHICOT TOWN HALL
710 NORTH STATE STREET

CALL TO ORDER

Chairman Stefaniak called the meeting to order at 7:00 p.m. Present were Robert DesJarlais, Dean Anhalt, Tammy Thielbar, Jeff Chalupny and Connie Tesarik.

GUESTS

Eric Lamers - Fahrner Asphalt; Mike Burnside - Scott Construction; Brian Paplham; Malcolm Peroutka; Travis Riesterer; Don Siebold; Gary Gordon; Chuck Hoffman; Pat Shebesta; Jerome Wotachek

PLEDGE OF ALLEGIANCE

Chairman Stefaniak led the board in the Pledge of Allegiance.

APPROVE MINUTES OF THE APRIL 2, 2024, BOARD MEETING

The minutes of the April 2, 2024, Board Meeting were reviewed by the board upon e-mailed receipt.

Supervisor Anhalt moved to approve the minutes of the April 2, 2024, Board Meeting. Supervisor DesJarlais seconded the motion. All votes in favor. Motion carried.

APPROVAL OF AGENDA AS PRINTED

Supervisor DesJarlais moved to approve the May 6, 2024, monthly meeting agenda as amended. Supervisor Anhalt seconded the motion. All votes in favor. Motion carried.

CORRESPONDENCE

WTA County Unit meeting scheduled for Thursday, May 16, at Seven Lakes, Whitelaw, at 7:00 p.m. Hazardous Waste Clean Sweep scheduled for Friday, May 17 for farms and businesses, and Saturday, May 18 for residential, event being held at the Manitowoc County Highway Shop. Manitowoc County Deputy Sheriffs and Constables Association meeting Thursday, May 2 at the Manitowoc County Sheriff's Department at 7:30 p.m. The clerk shared the Board of Adjustment Decision received from the county with regard to Mike Lambert's request for variance and conditional use permit for the non-metallic mining operation on Two Creeks Road. The request was approved by the county. The clerk also presented a Review of General Administration Practices for UDC inspection programs by Scott Beining. The DSPS report showed no issues. The clerk received an email from the Department of Revenue. She explained that information

had been received regarding Maintenance of Effort (MOE) reporting required due to the supplemental shared revenue. This is new for 2024 and will be an ongoing annual report prepared with cooperation between the clerk, the ambulance director and the fire department chiefs. Clerks are to receive self-certification from the ambulance and fire departments by June 15. The clerk's report is due July 1.

PUBLIC INPUT

Gary Gordon of 9734 Antler Lane was present to ask if he needs a permit to lower the culvert at the end of the driveway about 6". The board said that would be fine if he was just lowering it, but there should be endwalls. Mr. Chalupny will check it out.

Pat Shebesta ask if the board would like them to clean up around the town hall sign and add mulch. The board agreed.

Travis Riesterer asked about the new culvert size on Barthels Road. Mr. Chalupny explained that it will be a 24" smooth bore, double walled, HDPE culvert with endwalls.

2024 TOWN ROAD CHIP SEALING (MAINTENANCE) BIDS AND CULVERT REPLACEMENT BIDS

Supervisor Anhalt made a motion to move this item below Item 10, Samz Road BIL Funding Project, on the agenda. Motion seconded by Supervisor DesJarlais. All votes in favor. Motion carried.

ANDREW VOGT - E. ZANDER ROAD CULVERT VARIANCE REQUEST; POTENTIAL CONDITIONAL USE PERMIT; BUILDING

Mr. Vogt recently purchased 5.05 acres of land (Parcel No. 013-109-006-003.00) on E. Zander Road and would like to operate an agricultural business growing and selling crops. Mr. Chalupny had suggested to him that a 60' culvert would be needed in an agricultural setting. The board explained that this is to allow sizeable ag equipment to enter and exit the driveway with less damage to the roadway. Mr. Vogt is requesting a 30' variance, stating that for the use and size, a 60' wide culvert would not be needed there and that he parcel is too small to enable the use of large ag equipment. The parcel is currently zoned GA (General Ag). There is no driveway there now. Supervisor Anhalt said there is a precedent to enforce the 60' driveway width with other people also asking for an ag driveway. As for a conditional use permit, if he wants to sell something other than trees and vegetation, a CUP might be needed. He would like to put up a shed. Mr. Anhalt informed him that zoning and setbacks are handled by Manitowoc County. Supervisor Anhalt further stated that the only way the board could presently approve a narrow width culvert would be if Mr. Vogt would commit to building a residence there. Mr. Vogt argued that the cost of a 60' culvert would be cost prohibitive for him and could run \$10,000. **Supervisor Anhalt moved to keep it 60'. If Mr. Vogt comes back with a residential request, it could be reconsidered. Supervisor DesJarlais moved to second the motion to keep it at 60' until set up to build a house. All votes in favor. Motion carried.** Supervisor noted that the standard has been 60' for ag entrances.

DON SIEBOLD - SUNRISE LANE DRAINAGE PROBLEM

Don Siebold of 9729 Sunrise Lane addressed the board concerning a drainage problem on Sunrise Lane. Water sits at the bottom of the late Jerry Butler lot. Water washes down and sits there. Mr. Siebold is looking for some answers as to what can be done. The road was probably not properly done years ago with a poor job ditching. Chairman Stefaniak suggested boring and putting in a catch basin. Mr. Chalupny noted that the area is flat for too long of a distance. He will look into it and get figures on boring and will report back at the June 3 meeting.

BIL FUNDING PROJECT: SIGN MOSS & ASSOC. CONTRACT RE: LAND ACQUISITION; SIGN RIGHT OF WAY ACQUISITION CONTRACTS

Three contracts were signed. One is with Moss & Associates handling negotiations; one is with Steiro Appraisal Services, Inc., doing appraisals and sales study; the third is with Hicks Company, LLC, who is doing the real estate appraisal reviews. The town will pay for all contracted services. Costs to purchase land for ROW in the Town will be paid by the Town. Costs to purchase land for ROW in the Village are to be paid by the Village. Regular fees assigned for the entire project or that apply to parcels in both the Town and Village will be split 50/50 and invoiced by the town to the village. Regular fees that apply to a single parcel in one municipality are to be paid by that municipality. Additional fees for Parcel 6 (Fox Hills) or any other parcel will be paid by the municipality whose land requires them - Town, Village or both. The town expects to purchase a total of 1.3 acres of farm land for right of way, plus a small piece of wasted area at the east end. At least \$25,000 will need to be budgeted for right of way purchases and for contractor fees. These figures indicate that the town is about \$10,000 short in the right-of-way portion of the Samz Road budget for 2024.

Supervisor Anhalt passed around the three contracts for services from Moss & Assoc.; Steiro Appraisal Services; and Hicks Company, LLC, for review by the board and signature by the chairperson. **Supervisor DesJarlais approved funding and entering into contracts with Moss & Associates; Steiro Appraisal Services; and Hicks Company, LLC. Motion was seconded by Supervisor Anhalt. All votes in favor. Motion carried.** Chairman Stefaniak signed all three contracts

Actual figures and parcels can be obtained from the municipal clerk upon request.

2024 TOWN ROAD CHIP SEALING (MAINTENANCE) BIDS AND CULVERT REPLACEMENT BIDS

The board returned to Item 7 on the agenda regarding road maintenance bids and culvert replacement bids. Quote information is as follows:

Scott Construction: (hot oil seal and blackstone for Sunrise Lane; Barthels Road; Nuclear Road (Tannery to Saxonburg), Tapawingo Road (Tannery to Saxonburg); and Buck Lane total bid of \$184,902. Scott bid per town's specifications.

Fahrner: Total bid with no breakdown: \$430,385 (included significant wedging and chip sealing)

Buck Lane:	Scott Construction -	\$ 7,887	Fahrner -	\$ 5,097
Sunrise Lane:	Scott Construction -	\$ 14,576	Fahrner -	\$ 15,110
Nuclear Rd (Tannery to Saxonburg:	Scott Construction -	\$ 45,849	Fahrner -	\$ 42,967
Tapawingo Rd (Tannery to Saxonburg:	Scott Construction -	\$ 45,849	Fahrner -	\$ 43,434
Barthels Road	Scott Construction -	\$ 70,741	Fahrner -	\$ 95,192

Culvert on Barthels Road: Only one bid received: Tisler Construction and Excavating \$14,253.

The 2024 Town of Mishicot Budget allowed \$148,000 for patching, wedging, sealing and crackfilling. With \$10,000 moved to the Samz Road project, and \$7,126.50 earmarked to replace one half of the Barthels Road culvert (the second half paid for with county ARPA funds), that leaves an estimated \$111,000 to perform road repairs. Chip sealing the roads that were wedged last year is a priority.

With the budget as it stands, the board decided to wait with seal coating Barthels Road.

Chairman Stefaniak moved to accept the bid for road chip seal projects received from Scott Construction. Roads to be chip sealed: Sunrise, Nuclear (Tannery to Saxonburg), Tapawingo Road (Tannery to Saxonburg), and Buck Lane. The motion further included accepting the bid received from Tisler Excavating in the amount of \$14,253 for replacement of the culvert on Barthels Road. Supervisor Anhalt seconded the motion. All votes in favor. Motion carried.

DISCUSS RETURN OF EXCESS BCPL LOAN FUNDS RE: HILLCREST BRIDGE

Since there may still be outstanding DOT invoices for the E. Hillcrest Bridge replacement, it has been decided to postpone excess loan fund discussion for now.

BOARD OF REVIEW DATE TO MEET AND ADJOURN FOR JUNE 3

The Board of Review will meet at 6:45 p.m. on Monday, June 3, at the Mishicot Town Hall for the purpose of calling the meeting to order within the 45-day period beginning on the fourth Monday of April as required by Wisconsin Statutes 70.47(1). Due to a revaluation happening in the town, the assessment roll is not complete at this time. The board will adjourn to a later date, which will be determined at the June 3 Board of Review meeting.

DEER CARCASS DISPOSAL

For the time being, Jeff Chalupny will remove deer carcasses from the roadways as necessary.

PLAN COMMISSION APPOINTMENTS (FOR TERMS ENDING APRIL 30)

Supervisor Anhalt moved to appoint Jake Koeppel, Joe Heyroth, and Brian Tesarik to serve on the Town of Mishicot Plan Commission for a two-year term ending April 30, 2026. Motion seconded by Supervisor DesJarlais. All votes in favor, motion carried. Oaths will be placed on file in the clerk's office.

ALCOHOL LICENSE FOR ST. ISIDORE THE FARMER ANNUAL MEMORIAL DAY PARISH PICNIC MAY 25-26, 2024 AND OPERATOR LICENSES FOR 2024-2025: SAL PARMA, ANTON KALCIK AND DEAN ANHALT; 2023-2024 and 2024-2025: BETTY SCHLEIS AND ANTHONY BARTA

Mr. DesJarlais moved to approve the Temporary Class "B" Beer and Fermented Malt Beverage License for St. Isidore the Farmer Memorial Day weekend parish picnic May 25-26, 2024, held on the parish grounds, as well as the Operator Licenses as listed and presented by the clerk. Motion seconded by Chairman Stefaniak. All votes in favor. Motion carried.

RECAP OF THE ANNUAL MEETING

Nothing to report.

CONSIDER CITIZEN REQUEST TO INCREASE THE TOWN LEVY FOR ROAD REPAIR

The town board reviewed the numbers presented to the board showing the effect of the increase in tax levy on a \$250,000 example property. Supervisor Anhalt said that since the town board has been asked twice now to pursue the additional increase in levy, the board should take action to begin the process at the appropriate time late this summer. The process begins with a resolution of the Town Board when certain numbers are released by the Department of Revenue.

NOXIOUS WEED ORDINANCE REVIEW

Supervisor DesJarlais forwarded the board's revision of the noxious weed ordinance to Attorney Lambert. Attorney Lambert responded with his email dated May 2, with suggestions for improvement. Supervisor DesJarlais made the changes as suggested by Mr. Lambert. Supervisor DesJarlais will further discuss with Attorney Lambert taxation of fees and the procedure to adopt this new ordinance. Mr. DesJarlais noted the public notice published in the newspaper on Friday, May 3. This is an annual statutory notice published as a combined notice by the County Clerk for all municipalities that request to be included.

PURCHASE OF A NEW PRINTER AT THE HALL

Mr. Chalupny discussed the new printer at the hall. He had reached out for some numbers but has heard nothing back. CyberWorks provided the computer, modem, and WI-FI router, total cost \$1,780. CyberWorks said they do not work with printers and suggested James Imaging. The board did not feel a printer contract would be necessary for the amount of use at the hall. Mr. Chalupny should purchase a printer as he sees appropriate for his use

MAINTENANCE ISSUES

The rear window clips on the tractor broke. The mower will arrive on the 21st. He is currently picking garbage from the ditches. The south end needs to be done yet. He also reported crack filling material is here.

REPORTS TO THE BOARD JEFF, CONNIE, TAMMY, DEAN, ROBERT AND LEE

Mr. Chalupny said the address sign for Good Times is ordered. Supervisor Anhalt received a request for information on available grave sites on the St. John Cemetery on Saxonburg. Chairman Stefaniak reported that the date for the new ambulance should be in August.

APPROVE FINANCIAL REPORT

Supervisor Anhalt moved to approve the financial report. Motion seconded by Supervisor DesJarlais. All votes in favor. Motion carried.

MOTION TO PAY THE BILLS

Supervisor DesJarlais moved to pay claims as presented by the clerk. Motion seconded by Supervisor Anhalt. All votes in favor. Motion carried. Claims were approved as presented and checks were signed.

ITEMS FOR NEXT BOARD MEETING

BIL Funding Project Update; Don Siebold Sunrise Lane Drainage; Return of Excess Loan Funds; Alcohol Licensing and Operator Licenses; Review of Budget and Budget Resolution; Board of Review Dates; Driveway/Culvert Ordinance; Noxious Weed Ordinance; Barthels Road Culvert ARPA Agreement; ARPA letter to the county regarding town ARPA balance of funds

ADJOURN

Supervisor DesJarlais moved to adjourn the meeting at 9:17 p.m. Motion was seconded by Supervisor Anhalt. All votes were in favor. Motion carried.

The next regular meeting of the Town board will be on Monday, June 3, 2024, at 7:00 p.m.

These minutes were taken at the May 6, 2024, monthly Town board meeting and recorded here on May 28, 2024. These minutes will be board approved at the next town board meeting.

Connie Tesarik – Clerk

WHO PAYS WHAT

Regular fees assigned for entire project or that apply to parcels in both Town and Village will be split 50/50

Regular fees that apply to a single parcel in one municipality to be paid by that municipality

Additional fees for Parcel 6 (Fox Hills) or any other parcel will be paid by the municipality who's land requires them – Town, Village, or both.

The Town will sign contracts with Moss and Associates, Steiro Appraisal, and Hicks Company LLC, and pay for all contracted services associated with their work. The Village of Mishicot will then reimburse the Town for the Village's share as described in this document and in the contracts with the above mentioned companies.

Costs to purchase land for Right of Way in the Town of Mishicot to be paid by Town

Costs to purchase land for Right of Way in the Village of Mishicot to be paid by Village

NOTES

- Half of road frontage is in Town and half of road frontage is in Village
- The F H Hospitality parcel is mostly in the Village with a small portion in the Town
- Payments to landowners for ROW purchase and payments for certified mailings not included in this document
- Right of way plats and construction plans, documents and legal descriptions, title searches, and document recording fee costs were part of the design process and included in JT Engineering's design costs, Moss and Associates lists this as additional. It is paid thru grant.

Acres of Right of Way to be purchased: (land value x acreage = cost)

Parcel 1	.44 acres	Sandy Bay Real Estate (Town)
Parcel 2	.40 acres	Kevin and Tammy Shedal (Town)
Parcel 3	1.02 acres	Don and Deb Funk (Village)
Parcel 4	.22 acres	Curt and Cory Bradley (Town)
Parcel 5	.24 acres	Lynne Dirkmann (Town)
Parcel 6	.40 acres	F H Hospitality (Village and Town)

There will also be payments for temporary easements associated with this project

Samz Road Right of Way Acquisition Costs

Town of Mishicot Village of Mishicot

This project is divided into 6 parcels as shown on the Project Plat map. There are 6 landowners each with their own parcel. They are as follows:

- (1) Sandy Bay Real Estate LLC (in Town)
- (2) Kevin and Tammy Shedal (In Town)
- (3) Donald and Deborah Funk (In Village}
- (4) Curt and Cory Bradley (In Town)
- (5) Lynne Dirkmann (In Town)
- (6) F H Hospitality LLC (In Town and Village)

Moss and Associates – NEGOTIATION

Acquisition of Fee/TLE parcels	\$750.00 per parcel
Nominal Payment Parcel Report (required by WisDOT)	\$2500.00 for entire project
Certification of Right of Way (required by WisDOT)	\$2500.00 for entire project

Steiro Appraisal- APPRAISALS

Sales Study (takes place of appraisal parcels 2,3,4,5 in Town & Village}	\$6000.00
Appraisal Parcel 1 (in Town)	\$3000.00
Appraisal Parcel 6 (in Town and Village)	\$3000.00
If parcel 2,3,4,5 needs appraisal additional fee per parcel report	\$2250.00

Greg Hicks – WisDOT approved appraiser- APPRAISAL REVIEW

Desk Review Parcel 1 (required by WisDOT in Town)	\$750.00
Desk Review Parcel 6 (required by WisDOT in Village)	\$750.00
Review of additional reports if a negotiated offer is unobtainable via the nominal process	\$750 / report