

NOTICE, TOWN OF SUGAR CREEK

The Sugar Creek Town Board will meet on Monday, Feb. 18, 2019, at 6:30 p.m., at the town hall. The town hall is located at N6641 County Road H. All items on the agenda will be discussed and possible action taken.

Agenda will include:

1. Minutes
2. Treasurer's report
3. Fire Chief's report
4. Road report
5. Rezone and conditional use permit request from Robert C. Swatek. The rezone is from A-1 to A-4. The rezone is for the construction of a 65' X 100' agricultural welding shop. The area to be rezoned is approx 16,878 sq. ft. The conditional use is for an agriculture welding shop. Tax parcel # GA255500001, parcel located at W5839 Sugar Creek Road.
6. Conditional use permit request from Kari Lanser LLC-owner, Kip Kolich-applicant. The conditional use permit request is for a coffee shop with drive-thru. Tax parcel # GSC 1300006, property located at N6419 State Road 12.
7. CSM and conditional use permit request from Millard Community Covenant Church, Neil Watson. The CSM is to combine all parcels owned by the church. The conditional use permit request is for two freestanding sign on the premise that exceed 250 sq. ft. Tax parcel # GA 404800001, GSC 800002 and GSC 800005A, property located at N6713 County Road O.
8. Variance and an amendment to the existing conditional use permit request from JHGKL, LLC-Owner and Super Aggregates-Jack Pease-Applicant. The request is to allow west stockpile 30' to 80' setback and a south stockpile 2' to 5' setback as per plan and allow mining to 100' from property line and allow transitional grading 250' from property line to lake edge. Tax parcel # GSC 900004 and GSC 900004A, property located at W6360 County Road A
9. Rezone and conditional use permit request from David A. Hernandez and Tereasa Surratt. The rezone request is from R-1 to C-2. The rezone is a small area within the Lakeview Preserve. The conditional use request is to replace the conditional use for Lakeview Preserve with a new conditional use for a "recreational camp". Camp Wandawega and Lakeview Preserve will be unified into a "recreational camp". The rezone and conditional use permit are for parts of GLVPC 00001, GLVPC 00002, GLVPC 00003 and GLVPC 00004 and common condo areas and GA 455200001 and GA 455200003. Property located at W5453 Lakeview Ave.
10. Fire Dues update
11. Notice of claim from Mary Ellsworth
12. Unsightly Debris Ordinance
13. Stan Nawalaniec unsightly debris
14. Correspondence received
15. Operator's license.
16. Public comment
17. Clerk's report
18. Closed session the Town Board will meet in closed session pursuant to section 19.85 (1) (e) Deliberating by the Town Board or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session.
19. Intergovernmental agreement between the City of Elkhorn and the Town of Sugar

Creek for the repair and maintenance of a segment of Hazel Ridge Road and a segment of Voss Road.

20. Purchase of Land using Fire Impact Fees

21. Bills.

22. Motion to adjourn

Diane Boyd, Town Clerk

The Feb. 18, 2019, Sugar Creek Town Board Meeting was called to order at 6:30 p.m., at the town hall, by Chairman, Dale Wuttke.

There were 8 visitors present.

All open meeting laws have been complied with for this meeting.

All Town Board Members were present. (Chairman-Wuttke, Supervisors - Robers and Krejci, Clerk-Boyd and Treas. - Loveless.) Also present was Attorney, Steve Koch.

The minutes from the Jan. 21, 2019 Town Board Meeting were approved as printed.

The Treasurer's Report was reviewed with \$2,947,018.58 in cash assets as of 02-18-19.

Fire Chief's Report. Mike Krejci questioned if fire inspections have started in the town. No report from the chief.

The road report was presented by Greg Walbrandt. He's had minor repairs on equipment and lots of snow.

Rezone and conditional use permit request from Robert C. Swatek. The rezone is from A-1 to A-4. The rezone is for the construction of a 65' X 100' agricultural welding shop. The area to be rezoned is approx 16,878 sq. ft. The conditional use is for an agriculture welding shop. Tax parcel # GA255500001, parcel located at W5839 Sugar Creek Road. The Plan Commission recommended approval of the rezone and conditional use permit. The recommendation from the Plan Commission on the conditional use permit was conditional on amending the conditional use permit to include a single double sided sign not to exceed 25 sq. ft. David Robers made a motion to approve the rezone as stated above; Krejci seconded; motion carried unanimously. David Robers made a motion to approve the conditional use permit as amended by the Plan Commission; Krejci seconded; motion carried unanimously.

Conditional use permit request from Kari Lanser LLC-owner, Kip Kolich-applicant. The conditional use permit request is for a coffee shop with drive-thru. Tax parcel # GSC 1300006, property located at N6419 State Road 12.. The Plan Commission recommended approval, conditional on an approved sanitation inspection. Mike Krejci made a motion to approve the conditional use with the amendment from the Plan Commission with the condition on the sanitation inspection on the holding tank; Robers seconded; motion carried unanimously.

CSM and conditional use permit request from Millard Community Covenant Church, Neil Watson. The CSM is to combine all parcels owned by the church. The conditional use permit request is for two freestanding sign on the premise that exceed 25 sq. ft. Tax parcel # GA 404800001, GSC 800002 and GSC 800005A, property located at N6713 County Road O. The Plan Commission recommended approval of the certified survey map to combine all parcels. The Plan Commission recommended approval of the conditional use for 2 signs, one not to exceed 25 sq. ft. and the other 50 sq. ft. David Robers made a motion to approve the above stated CSM; Krejci seconded; motion carried unanimously. Mike Krejci made a motion to approve the condition use as amended by the Plan Commission for two signs, 1 not to exceed 25 sq. ft. and one not to exceed 50 sq. ft.; Robers seconded; motion carried unanimously.

Variance and an amendment to the existing conditional use permit request from JHGKL, LLC-Owner and Super Aggregates-Jack Pease-Applicant. The request is to allow west stockpile 30' to 80' setback and a south stockpile 2' to 5' setback as per plan and allow mining to 100' from property line and allow transitional grading 250' from property line to lake edge. Tax parcel # GSC 900004 and GSC 900004A, property located at W6360 County Road A. The Plan Commission recommended approval of the variance to allow the existing west stockpile 30' to

80' and the existing south stockpile 2' to 5' setback as per the plan. Mike Krejci made a motion to approve the variance as described in the motion and then amended motion as read by the Town Clerk from the Plan Commission's minutes; Robers seconded. Discussion followed. Mike Kapitan questioned the safety of the wells in the area, which direction does the aquifer flows and what safety measures would be put in place for people who wander onto the properties. Phil Brown from Super Aggregates informed the Town Board that it would not affect the well or do anything to the aquifer. The pond has a 10-12' safety ledge around the lake that is shallow and then it drops off. The Town Board then unanimously approve the motion for the variance approval. The Plan Commission recommended approval of the amended conditional use to propose west existing stockpile to 30' to 80' setback as per plan, propose existing south stockpile 2' to 5' setback as per plan with the west stockpile to be removed within 2 years and the existing south stockpile to be removed within 4 years, propose mining 130' from the property line and allow transitional grading from the property line 250' to the lake edge, adjacent land support rights will not be compromised, proposed stockpiles will provide necessary buffer and contours needed to provide lateral support, pursuant to the "Typical Berm and Transition Area Section". Mike Krejci made a motion to approve the conditional use as described in the motion by the Plan Commission; Robers seconded; motion carried unanimously.

Rezone and conditional use permit request from David A. Hernandez and Tereasa Surratt. The rezone request is from R-1 to C-2. The rezone is a small area within the Lakeview Preserve. The conditional use request is to replace the conditional use for Lakeview Preserve with a new conditional use for a "recreational camp". Camp Wandawega and Lakeview Preserve will be unified into a "recreational camp". The rezone and conditional use permit are for parts of GLVPC 00001, GLVPC 00002, GLVPC 00003 and GLVPC 00004 and common condo areas and GA 455200001 and GA 455200003. Property located at W5453 Lakeview Ave. The rezone has already been approved, they are asking for an amendment to the already approve conditional use, for the slight change to th site plan for the location of group camping cluster 2 and 3. The Plan Commission recommended approval of the amended conditional use permit as submitted with the changes to provisions of the site plan to slightly move the location of group camping cluster 2 and group camping cluster 3. David Robers made a motion to approve the amendment to the conditional use as recommended by the Plan Commission; Krejci seconded; motion carried unanimously.

Fire Dues update. Ryan Cardinal reviewed some questions that he has with DUE's (Domestic User Equivalent). Ryan had some examples of what the DUE amount could be. Ryan and Mike Krejci will meet with the Rod Smith, Elkhorn Area Fire Chief to better determine DUE's for different types of properties. This item will be placed on the March 2019 Town Board Agenda.

Notice of claim from Mary Ellsworth. The request was for a refund of garbage charges. The property was charged for two garbage charges when only one home existed. This happened over a number of years. Mike Krejci made a motion to follow the advice from council to deny the claim based on the fact that it is the tax payers responsibility for correction of tax bill and have the attorney give notice of denial of the claim; Robers seconded; motion carried unanimously.

Unsightly Debris Ordinance. Cory Newman will check at the Sheriff's Dept. to see if they have issued any violations for the Town of Walworth or Spring Prairie.

Stan Nawalaniec unsightly debris. The Clerk will have the building inspector sign the affidavit and then the Town can gain access to the property.

Correspondence received. Mike Krejci received a letter in regards to plowing of roads. He wanted the Town Board to know that he received it and talked with the property owner.

Operator's license. None

Public comment. Neil Watson thought that the Town should consider getting a website. He was informed that the Town is in the process of that.

Clerk's report. None

Closed session the Town Board will meet in closed session pursuant to section 19.85 (1) (e) Deliberating by the Town Board or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session. Mike Krejci made a motion to go into open session; Robers seconded. Roll call vote: Dale Wuttke-yes, David Robers-yes and Mike Krejci-yes. Motion carried.

* * * Closed Session * * *

The Town Board discussed the an Intergovernmental Agreement with the City of Elkhorn and purchasing of land for the Town. David Robers made a motion to go into closed session; Krejci seconded. Roll call vote: Dale Wuttke-yes, David Robers-yes and Mike Krejci-yes. Motion carried.

* * * Open Session * * *

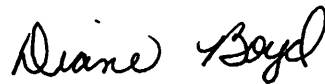
Intergovernmental agreement between the City of Elkhorn and the Town of Sugar Creek for the repair and maintenance of a segment of Hazel Ridge Road and a segment of Voss Road. Mike Krejci made a motion to have the Town Attorney discuss with the City of Elkhorn a longer time frame of a year and make sure that the percentages are correct; Robers seconded; motion carried unanimously.

Purchase of Land using Fire Impact Fees. Mike Krejci made a motion to have Dale Wuttke and Diane Boyd do what was discussed in closed session; Robers seconded; motion carried unanimously.

Bills. David Robers made a motion to pay the bills as listed by the Clerk; Krejci seconded; motion carried unanimously.

David Robers made a motion to adjourn; Wuttke seconded.

Meeting Adjourned
Respectfully Submitted



Diane Boyd, Town Clerk