

TOWN OF PORT WASHINGTON

OFFICE OF THE CLERK

Official Minutes of the Regular Meeting of the Port Washington Town Board
Monday, June 3, 2024, at 7:00 p.m.
At the Town Hall, 3715 Highland Drive, Port Washington, WI

1. Roll Call and Pledge of Allegiance.

Present: Mike Didier, Gary Schlenvogt, Greg Welton, Heather Krueger-Clerk, Mary Sampont-Treasurer, Roger Kison – Building Inspector
Press: 1, Public: 23

2. Approval of May Town Board minutes. Welton moved to approve the April Town Board minutes, seconded by Schlenvogt. Motion passed unanimously.

3. Public Comments

Paul Krauska, 4836 CTH LL, there is a company trying to purchase 1,000 acres in the town, and as of yesterday, there are 1,899 acres committed. Krauska would like to see his house stay, he doesn't know how to keep his property and is looking to the board for direction. Can a group of individuals in the town assist in slowing or stopping this?

Susan Waldhuetter, 1856 Dixie Rd (Town of Belgium). Spoke directly to Mike Didier and asked if he has "skin-in-the-game", meaning financially, and, is working as town chairman, how does this affect your decision-making? Didier: No one has offered him anything for his land, and no one has approached him as a realtor. He believes the residents who have been approached know more about what's going on than he does. He mentioned that any individual can confront another individual to purchase their land, they don't need government permission for such things. There are rules on the amount of land a foreign company/ individual purchases in WI but is not familiar enough with this law. Waldhuetter: Is the Governor involved? Didier does not know.

Matt Gaulke, 3185 Green Bay Rd. Are there plans to have any special town meetings for the citizens who are opposed to this to get direction and get a game plan? We are worried the town won't be the town anymore once this gets annexed into the city. It would transform the entire community. Didier: No there is no plan as everything is a speculation at this point, nothing has become before the town.

Dave Bley, 4097 CTH H, what will that do to the town's tax base if we lose all this land? Didier: if it stayed in the town it would skyrocket, but if the city annexed the land, it would go away. This is about 1/10th of the total town as there are approximately 10,000 acres of land in the town.

John Taucher, 2083 Upper Ridge Rd. What is the status of the accusation right now? Didier, the most information I've received was from Paul Krauska tonight, so I don't know the status.

Matt Gaulke: If this begins to proceed and a certain number of landowners sell, what is the long-term goal of the town? Would this land remain agricultural even if an outside entity owns this? Didier, yes the town's future land use plan shows this area to remain in the agricultural zoning, it doesn't matter who owns the land.

Susan Waldhuetter: If the parcel is sold and rezoned and then the project never happened would this land be open to subdivisions, etc.? Didier, if it was rezoned and never happened, it could be rezoned again but assumes it would be zoned industrial. The Town Board is the only body that can change the zoning. If the land were annexed to the city, at the time of annexation the land would have no zoning, and the city would decide the zoning for the land.

Welton, there has been a border agreement in place for the last 20 years which will expire in December 2025 where the city can't annex a portion of the town. The land in question is not part of the border agreement.

Donald Large, 2057 Dixie Rd Can the town contact the city to find out if they have any additional information and let the town residents know? Didier, I have not reached out to Mayor Neitzke, I've heard him say he has no comment in other interviews. Didier said he would reach out to Neitzke.

Krauska: If a governing body was approached, would they be required to sign a Non-Disclosure Agreement (NDA)? Didier: if a governing body/person would sign the NDA, then the NDA would become a public record. But, no one would be "required" to sign an NDA.

Ben Donajkowski, 4799 CTH LL, I saw the minutes from the last meeting and am wondering why road work on Highland Road was tabled. Welton: we have a quote to do micro-surfacing work on the road and with this land sale potentially coming up, we decided to table it because Highland Rd may no longer exist. Donajkowski: You claimed you didn't know anything about this last month, but the minutes reflect that it should be tabled. Welton: Paul Krauska came to the Board-of-Review meeting and openly discussed what he had heard. This was before the article in the press. The Highland Rd project got tabled because of all the speculations.

Donajkowski: The press article said that everyone is being offered the same deal, can you elaborate on that and where that information came from? Didier: From the landowners and an email a land owner received from a broker.

Donajkowski: Google, TSMC, and Arizona noted all the issues they are having are with the water. This type of facility is a very different reality from what we're used to seeing in manufacturing. Didier: It makes sense if there are water issues. This location [the town of Port Washington] is close to water and close to Milwaukee, and Sheboygan. The town of Port Washington has promoted agriculture, which is why there are large parcels of land in the town. Acquiring 1,000 acres in the town is not that difficult, it's not that many landowners.

Bernadette Bink, 4714 CTH LL, have you given any thought to the other two sites they are considering? Didier: Yes, I believe they are doing the same thing in each location, trying to get 1,000 acres under contract, and if get the land under contract the next step would be to do a feasibility study to pick a site.

Danielle Biever, 2576 Woodland Rd. Will you be reaching out to the City of Port Washington? Didier, yes, I can call him. Biever, is there anything we can do to help stop this or slow it down? Didier: To stop what? Stop a company from confronting people to purchase land, no we cannot stop that, it would violate state law if we did. (Didier was referencing Wis. Stat. §706.22). Biever: any development or annexation? Didier, it's zoned Agriculture, not Manufacturing at this time. Biever, the town of Port Washington residents would appreciate having communication between the town and the city.

Jodi Brodersen-White, 4178 Highland Dr., A Didier contacted them with a lot of details, I'm confused about who contacted us. He also said that he [Didier] contracted but doesn't feel the sale is likely because of all the contingencies, but still signed the deal. It seems amazing to me that the board knows absolutely nothing. Didier, it was not me that contacted you. My nephew lives near you and believes he was contacted but does not know the details, maybe my nephew contacted you?

Krauska has heard from neighbors that 1,899 acres have been acquired. It has gotten larger than the original 1,000 acres. This extra land could be for infrastructure. Welton, this could also be in the Town of Belgium as well.

Margaret Jentges, 4538 CTH H Just to clarify, does the board have the authority to rezone anything in the town without any approval of your constituents? Didier, correct, per state law, the elected board has the authority to rezone. Jentges: Does the board have the authority to sell [annex] land to

the City? Didier, the annexation laws are written pro-city and villages. If the land is adjacent to the city and the landowner wants to annex it, practically speaking the town can't stop that. We can object and then appeal to the WI Department of Administration who will make the final rule. They historically rule what's in the best interest of the public. Jentges: Are we coming to the right people if we want to object to this project going on, should we go to the County Board? This has been going on for over a month and you are just letting it happen and not going to Neitzke for more information, or going to Grothman, or going to the Governor and telling them that our town is not going to be like this. It's pollution, not just water and air but also light pollution. I do live in the country, and I want it to stay that way. Didier, I can make phone calls to find out what's going on, I predict they will either say they don't know or no comment. To do something now, I again would ask, what? I can make calls, but at this point, nothing is going on that the town would be involved in. Local government can't get involved in the exchange of real estate between individuals.

Bink: Has any member of the town board been approached or signed a non-disclosure to buy property in the town of Port? Didier: no, I have not. Welton, no, I have not. Schlenvogt, no, I have not.

Alan Kultgen, 3741 River Lane Rd., Mike, you own property on CTH KW, which is close to this development, what is your personal stance on this? Didier, My wife asked me the same question - I may be far enough away, but I don't know enough to have an option yet. Looking at the plant under construction in Ohio, the rendering looks nice with lots of green space and trees. However, renderings can be misleading.

Jentges: If this gets annexed to the city are there any benefits for the town residents? Would they annex everything all at once? Didier, no there are no benefits, the town can either resist or collaborate. They could annex how they wanted, but it has to be contiguous.

Gaulke: If you make calls and get some answers before the July town board meeting, would this be an agenda item? Didier, we can put it on as an agenda item if there is new information that would justify it other than speculating.

Jentges: I'm sure the County knows something.

Bley: I called the County Board Chair and he said he didn't know anything; he has not been contacted by anyone.

Gary Schlenvogt: For the record, I was shocked and had not heard anything about this until Paul [Krauska] walked in. Everything we have heard since has been speculation. Until something really happens, there is nothing for the board to do. I like living in the country too, quiet and peaceful, that's why we live here.

Didier received an email from Joseph Schlaefer stating he enjoyed using the interurban trail and all the green space in the Town of Port Washington.

Didier closed public comments at 7:50 PM.

4. Reports:

Chairman: 1) Didier has been contracted by the owner of the Tholl property on County Road LL to get a building permit to build a house. Since there is no public road frontage on the Tholl land the town needs to confirm the parcel has access by permanent easement to a public road. He spoke with the town attorney and the attorney will research the title and is going to draft an answer to the easement question for any new buyers. 2) Didier has received calls from communication stations regarding the "micro-chip factory". Didier responded to Ozaukee Press, Channel 6 N

ews, the Journal, and BizTimes. 3) Didier received a proposal from Dave's Excavating for the culvert needed on Woodland Rd. Bley offered three different products and prices. Bley recommends the elliptical concrete culvert.

Town Supervisor report. Welton 1) was asked about potholes on Grant Street, which we should address. Didier, the town doesn't receive any State funding for this road, we have an agreement with the city that they will maintain this road. The town doesn't plow or maintain this road. 2) There is also a [small] tree leaning over the road on Northwoods and Sunset that should be taken down. 3) Welton fixed the sign on Northwoods and Mink Ranch. 4) Welton did not find a pothole on Mink Ranch.

Town Building Inspector report. Per Kison, there are three new home permits on CTH KW, one on Somers and one on Applewood. Open Door Bible is doing some remodeling and putting in an elevator.

Town Treasurer report. Sampont reports there is a dead deer that will need to be picked up off of Mink Ranch.

The town has a balance of \$490,021.30 in the money market account, \$6,882.26 in the checking account, \$.41 in the small business account, the LGIP account balance is \$177,202.82. The town received the WI-PPA for \$1,183.20 and the State of WI Recycling Grant Award for \$5747.64.

Town Clerk: 1) Krueger has filed the Maintenance of Effort (MOE) report with the WI Dept of Revenue, which is a new report for fire and EMS services. Chief Mitchell filled out his portion of the form and it was submitted successfully. 2) Krueger has been spending a lot of time trying to communicate with Waste Management. The ultimate goal is to get our compactor back as soon as possible, and it has been a struggle to have them come consistently to empty the open-top dumpster. 3) Krueger had to switch from QuickBooks desktop to QuickBooks online, they are trying to phase out the desktop version and it is no longer affordable, it has been a struggle as it is a new platform.

Drop-off Site: VanHoogen is injured and would like assistance at the drop-off site on Thursdays and Saturdays until the compactor is returned, or he feels better. Didier states that having an assistant will be fine with the board. Per VanHoogen we also need to address the issue with the roof and the snow in the winter. Didier contacted Walters Builders and has not heard back yet. Krueger reported that Professional Door was here to fix the doors and she asked if the freezer doors would work, and they said he would not recommend those types of doors or regular garage doors.

5. Consideration and approval of Class "B" Beer and Class "B Liquor" License renewal for July 1, 2024 – June 30, 2025 for

The Shipyard Bar, LLC	d/b/a The Shipyard Bar	3559 County Road KK
Roebuck, Rolland	d/b/a Memories Ballroom	1077 Lake Drive
Plier Full Circle, LLC	d/b/a Plier Full Circle Inc	3704 Highland Drive

Welton moved to approve the renewal of Class "B" Beer and Class "B Liquor" for The Shipyard, Memories Ballroom, and Plier Full Circle for July 1, 2024 – June 20, 2025, seconded by Didier. Motion passed unanimously.

6. Approve Operator (Bartender) Licenses July 1, 2024- June 30, 2025. Per Krueger, all the applicants are renewals. Schlenvogt moved to approve the Operator License renewals for the following: Landon Walters, Sarah Colden, Elizabeth Colden, Amanda Dieringer, Jacquelyn Walters, McKenna Armstrong, Richard Walters, Teegan Walters, Kaylee Walters, Bridget Collins, Barbara Sparr, Richard Plier, Debra Plier, Carol Leider, Jennifer Kobylarz, Spencer Reiss, Joshua Plier, Megan Lecher, Carrie Plier for the period of July 1, 2024- June 20, 2025, seconded by Welton. Motion passed unanimously.

7. Consideration of monthly bills. Didier moved to pay the May bills in the amount of \$13,502.13 seconded by Welton. Motion passed unanimously.

Didier moved to adjourn the June Town Board meeting at 8:27 PM.

Heather Krueger,
Clerk