

Approved: May 21, 2020

MINUTES

SPECIAL TOWN BOARD MEETING OF THE TOWN OF POLK
Town of Polk Town Hall * 3680 State HWY 60* Slinger, WI 53086
Washington County, Wisconsin
Tuesday, February 25, 2020 at 7:00 p.m.

1. Meeting was called to order at 7:00p.m.

- A. **Pledge of Allegiance-** was recited
- B. **Verification of Official Meeting Notice.** Notice was given to the West Bend Daily News, Hartford Times Press, Milwaukee Journal Sentinel, and WBKV/WTKM radio station. Notice was posted at Cedar Lake Hills Subdivision, Roskopf's RV Center, the Town Hall, and on the Town website.
- C. **Roll Call:** Present: Chairman Albert Schulteis, Supervisor Dennis Sang, Supervisor Robert Roecker, Zoning Administrator Tracy Groth and Town Clerk Sandra Rotar.

2. Unfinished Business: Review/Action -none.

3. New Business: Review/Action.

- A. **Approval of payment to Nehm's Floral, LLC related to a Floral Arrangement for Shirley Kissenger's Funeral** – Chairman Schulteis stated that Ms. Kissinger had a long history as Treasurer, volunteering and participating on Committees to the betterment of the Town. With her passing, he felt it was important that the Town express their appreciation of her service and sorrow for her passing with a floral arrangement for her funeral. The cost of the arrangement was \$100.00. Since there are no funds specifically allocated for this purpose in the 2020 budget, this action needs to be approved by the Town Board.

A motion to approve the payment of \$100.00 to Nehm's Floral, LLC was made by Supervisor Sang and seconded by Supervisor Roecker. All voted in favor and the motion passed.

- B. **Action to Adopt Resolution 04.2020: Resolution Amending the 2020 Town of Polk Budget to Create a Recognition Fund** – Town Clerk Rotar stated that per the previous item, the Town did not have the ability in the 2020 Budget to recognize citizens who had participated in a Town initiative or project, or served as a member of a Town Committee. Resolution 04.2020 would amend the 2020 budget to create a \$300.00 Recognition Fund for small tokens of recognition, for example a plaque or floral arrangement, from the Town. The Resolution also gives authority to the consider and approve recognition of a resident, to the Town Board Chairman.

A motion to approve Resolution 04.2020: Resolution Amending the 2020 Town of Polk Budget to Create a Recognition Fund was made by Supervisor Roecker and seconded by Supervisor Sang. All voted in favor and the motion passed.

- C. **Action to Adopt Ordinance 06.2020 Adult-Oriented Establishments** – Attorney Alex Ackerman, representing Dempsey Law Offices, discussed the 1st Amendment issues regarding the ability of Adult-Oriented Establishments to locate in permitted areas of the Town. He stated that the Town is not allowed to restrict its Zoning Ordinances to the point it disallows the establishment of these types of business, but does have the ability to consider the Secondary Effects Doctrine to regulate the impact of these establishments on the Town. Attorney Ackerman stated that everything included in the Ordinance was based on numerous studies of the impacts of these establishments regarding

crime; rape, robbery, drugs, prostitution and impact on property values. He then reviewed each of these studies at length. If an Adult-Oriented Establishment applies for a license and pays the required fee, the Town is required to follow the normal license review process.

A motion to approve Ordinance 06.2020 Adult-Oriented Establishments was made by Supervisor Roecker and seconded by Supervisor Sang. All voted in favor and the motion passed.

D. Action to Adopt Ordinance 05.2020: Ordinance Adopting Amendments to the Chapter 17 Zoning Ordinance – Ordinance 05.2020 is related to the Item C, Adoption of Ordinance 06.2020. Ordinance 05.2020 changes the Zoning Ordinance to classify Adult-Oriented Establishments as a Permitted Use vs. a Conditional Use within the Code. A motion to approve Ordinance 05.2020 Ordinance Adopting Amendments to the Chapter 17 Zoning Code was made by Supervisor Sang and seconded by Supervisor Roecker. All voted in favor and the motion passed.

E. Closed Session. The Town Board will convene in Closed Session to review the following:

Pursuant to WI State Statute 19.85(1):

(e) for the purpose of deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business because competitive and bargaining reasons

(g) for the purpose of conferring with legal counsel who is rendering oral or written advice concerning strategy in litigation in which the Town is or is likely to become involved.

The subject matter of the closed session concerns potential Boundary Agreements and potential legal actions for nuisance properties in the Town.

- Motion to convene in Closed Session was made by Supervisor Roecker:
 - o Ayes: Chairman Schulteis, Supervisor Sang, Supervisor Roecker
 - o Nos: none.

4. Reconvene to Open Session.

- Motion to convene in Closed Session was made by Supervisor Sang:
 - o Ayes: Chairman Schulteis, Supervisor Sang, Supervisor Roecker
 - o Nos: none.

5. Adjourn: Motion to adjourn was made by Supervisor Roecker and seconded by Supervisor Sang. All voted in favor and the motion carried. Time of adjournment was 8:42p.m.

Sincerely,


Sandra J. Rotar, Town Clerk