

Minutes of Watab Township Special Meeting – February 20, 2018

The Special Meeting of Watab Township Electors was called to order at 7:00 p.m. by Clerk Pat Spence. Those present were: Sandra Saldana, Steve Wollak, Sue Monnier, Ken Bukowski, Jerry Kostreba, Lori Stellmach, Isaac Stellmach, Deb Duray, Joel Duray, Kevin Maleska, Janel Vaillancourt, Buzz Cripe, Dave Hiedeman, Cherie & Steve Ablan, Gerald Bollig, Mary Aschenbrenner, Gary Krueger, Kevin O'Brien, Brian Erdmann, Jeff Wollak, Robin Wollak, David Johnson, Jill Posch, Julie Johnson, Gene Kivi, Randy Devriendt, Mark Stellmach, Cynthia Welty, Ryan Symanietz, Jack Polcher, Ross Hamann, Lloyd Erdmann, Mary Cripe, Doug Harren, Michael Burton, Ed Kacures, John Olson, Scott Burger, Tom Sauer, Paul Patton, Allen Saldana, Kevin Reiter, Tim Christofersen, Lloyd Jedklicki, Wayne Larson, Brenda Johnson, Allan Johnson, Dale Dirks, Paul Wippler, Deborah O'Keefe, Terry O'Keefe, Dan Posch, Ray Schlichting, Allen Popp, Bob Hiemienz, Deb Devriendt, James Solarz, Virginia Voigt-Zablinski, Kevin Zabinski, Mike Thompson, Robin Foster, Renee Polcher, Ray Thompson, Elvis Grau, Dale Grau, Delroy Shane, Annette Schueller, Bob Schueller, Kathy and Tom Sam, Marie Gerads, Kevin Gerads, Corey Verley, Cindy Heideman, Brad McIntosh, Kiev & Cheryl Motl, Tom Brand, Paul Wannigman, Lisa Wannigman, Kristie Skuza, Elaine Watts, Sandy Durant, Dan Durant, Bob & Donna Salmonson, Gary Aschenbrenner, Duane Popp, Peggy Feia, Cheryl O'Keefe, Mark O'Keefe, Linda Dirks, Diane Zwilling, Zoe Zwilling, Mark Welty, Jan Welty, Peggy Kubat, Tom Kubat, Juli Popp, Jeff Fandel, Julie Fandel, Melanie Hamann, Brian Schraut, Jessica Storkamp, Pat Spence, Maureen Graber, Craig Gondeck, James O'Keefe, Marian O'Keefe, Bob Raveling, Todd Waytashek, Mike Couri, Mary Kivi, Chris Scheel, and Steve & Judy Seviola.

Following the Pledge to the Flag, Clerk Spence explained that the purpose of the meeting was to respond to two petitions presented by Electors during the past month received by the Town Board listing questions regarding the town board's authority regarding fire protection. She also read a statement about ground rules for the meeting that had been provided on request of the township to Sheriff Troy Heck regarding acceptable conduct at public meetings. He wrote, "It is a misdemeanor crime to engage in offensive, obscene, abusive, boisterous, or noisy conduct or in offensive, obscene, or abusive language tending reasonably to arouse alarm, anger, or resentment in others." There is a sheriff's deputy standing by in case one is needed. Clerk Spence asked for civil behavior instead of the behavior at previous meetings on this topic. She stated that the Township Attorney Mike Couri was invited to tonight's meeting, because there were challenges to which statute governs fire protection in the township. The board believed that the Electors might like to learn about the governing statute.

The first item of business was election of a Moderator. Nominations were made for Julie Johnson, Ray Thompson, and Steve Wollak. Ray Thompson and Steve Wollak withdrew their nominations, and Julie Johnson was elected Moderator by a show of hands.

Julie Johnson announced that there were two agendas available: the one provided by the Clerk and the one the Petitioners prepared. She asked if there were any objections to using the Petitioners' agenda; there were none. Julie then requested additions or changes to the printed agenda. Sandy Saldana moved to remove questions one, two, and three of the notice that was given, stating that those were on the first petition; she wanted questions four through eight from the notice voted on tonight. Julie restated Sandy's motion, adding that the first petition was rejected by the township, and the second one was submitted using the correct statute. Steve Wollak seconded the motion. The motion passed. Pat Spence made a motion to allow the township attorney, Mike Couri, to clarify the statutes that relate to this petition. Motion was seconded by Todd Waytashek. On a show of hands, there were twenty-one in favor and thirty-eight against. Motion failed.

The Moderator announced that she would read each question individually. Each person would have two minutes to address the specific question and asked that all personal attacks be kept to yourself. She then read the first question:

- Shall the Town levy taxes, levy assessments, or incur debt to establish and maintain its own fire department? Todd Waytashek asked under which statute the Petitioners have the questions presented. When Julie said she wasn't aware of it, Clerk Spence said that the questions are presented under Statute

365, which does not apply to Urban Townships. Sandy Saldana responded, "But, we can still vote." Clerk Spence explained that the votes would be advisory to the Town Board of Supervisors. The Moderator said that Pat has made a discussion point that has been challenged by Sandy, but we can still vote. Motion was made by Steve Wollak, second was made by Deb O'Keefe; there was a request for clarification of how the people should vote. Clerk Spence asked Steve Wollak to restate his motion. Julie asked him if he wanted people to vote yes or no on his motion. Steve said, "A yes will agree with me." Motion passed.

- The second question was read by the Moderator: Shall the Town levy taxes, levy assessments, or incur debt to build a fire hall, purchase fire trucks, or purchase other fire protection equipment? Sandy Saldana made a motion that the Town not levy taxes, levy assessments, or incur debt to build a fire hall, purchase fire trucks, or purchase other fire protection equipment. Second was made by Corey Verley. Todd Waytashek asked for discussion before the vote. He said that the statute addressed in the petition does not apply to an Urban Township, and that the Board does have the authority to decide how fire protection will be delivered. He added that the people should be careful how they are voting on these questions, so that they don't eliminate funding, which would result in the inability of the township to have contracts for fire protection. Sandy Saldana said that the township board should represent what the people want. Kevin Reiter said that he wished he would have had the opportunity to hear what the attorney would present to clarify the statute. Ed Gnifkowski asked for clarification of the motion, which was read. The motion passed.
- The third question was presented: Is it expedient or good for the Town to establish and maintain its own fire department? Motion was made by Paul Wippler and seconded by Ray Thompson that the township not establish a fire department. During discussion the following points were made: (1) Todd Waytashek said that the township would be losing a negotiating position with Rice, where he has been told there has been a problem negotiating for forty years. While looking into the formation of a township fire department, Watab had a negotiating tool; if you vote to remove the town board's tool, you are giving Rice free reign on the contract. Ed Gnifkowski added that he agreed it doesn't put the township in a good negotiating position, but he feels there are other alternatives going forward rather than starting a township fire department. He said he doesn't believe the township has the tax base to have its own department. The motion passed.
- The next question was read by the Moderator: Shall the town spend more money in any year than its total revenue in order to establish and maintain its own fire department, fire hall, fire trucks, or fire protection equipment? Motion was made by Ed Gnifkowski, second by Sandra Saldana that the township not spend more money in any year than its total revenue in order to establish and maintain its own fire department, fire hall, fire trucks, or fire protection equipment. Todd Waytashek asked for clarification on what funds the question addresses. The response was that it addresses total township revenue. Motion passed.
- The final question addressed was: Shall the Town continue to contract for municipal fire protection services. Motion was made by Ed Knifkowski, second by Steve Wollak that the township continue to contract for fire services. Todd Waytashek offered an amendment to the motion to keep options open, so that the township would have a negotiating position with Rice. Maureen Graber seconded the amendment. Ed Gnifkowski responded that if we keep options open, you are negating everything we have voted on tonight. The amendment failed on a voice vote. The motion as stated above passed.

The meeting adjourned at 7:27 p.m.

Respectfully submitted by Clerk Pat Spence