



MEETING MINUTES

Tuesday, October 19, 2021, 7:30 P.M.
Town Board Meeting

1. CALL TO ORDER, ROLL CALL, PLEDGE OF ALLEGIANCE

Chair Jim Pulvermacher called the meeting to order at 7:30 p.m.

Roll call shows Chair Pulvermacher and Supervisors Dave Laufenberg, Art Meinholz, and Dan Dresen present. Sup. Wright was excused.

Also present were Road Patrolman Darin Ripp, Clerk-Treasurer Dianah Fayas, Deputy Clerk-Treasurer Doreen Jackson, Steve and Elsa Morrnick, Ivan and Beth Hellenbrand, Marty Meinholz and Scott Hellenbrand.

Pledge of Allegiance was recited.

2. CONFIRMATION OF COMPLIANCE WITH OPEN MEETINGS LAW

The Clerk confirmed that the agenda was posted at town hall and on the Town website. The meeting is being recorded for use during the drafting of the meeting minutes.

3. INFORMAL PUBLIC COMMENT TIME – Clerk-Treasurer Fayas in response to feedback she received, explained the goal of her statements at the October 11th special town board meeting was not to try and lead the meeting or influence supervisors' votes, rather it was to get a definitive answer from the Town's legal counsel as to whether supervisors could vote based on subjective factors versus objective standards, and what the likelihood of a successful lawsuit against the town would be.

4. MINUTES OF PREVIOUS MEETING: Oct 5th, Oct 11th and Oct 12th, 2021

Chairperson Pulvermacher noted one correction on the October 5th minutes to his Committee Report for Waunakee Fire: Waunakee Fire is terminating their participation in the Length of Service Award program.

Motion by Sup. Dresen, seconded by Sup. Laufenberg to approve the minutes of October 5th. Motion carried, 4-0.

Motion by Sup. Dresen, seconded by Sup. Meinholz to accept the minutes for October 11th. Motion carried, 4-0.

The minutes of October 12th are not available yet.

Motion by Chairperson Pulvermacher, seconded by Sup. Meinholz to table to the next regular meeting. Motion carried, 4-0.

5. CHAIRPERSON'S REPORT

Chairperson Pulvermacher responded to a follow up email regarding a request to change garbage day from Friday. Chairperson Pulvermacher responded letting the resident know that before the new 10-year garbage contract was selected, the board did discuss a change of collection day, but decided to keep the current Friday

pickup. Chair Richson pointed out that the City's Airport Commission is looking for money for water mitigation efforts. The Dane County Towns Association meeting scheduled for tomorrow has been cancelled due to a COVID diagnosis. Chairperson Pulvermacher noted the Dane Towns Zoning group was trying to schedule a meeting next week.

6. OPERATORS' LICENSE: MELISSA SMITH-RAMOS, MISSOURI TAVERN
Motion by Sup. Laufenberg, seconded by Sup. Meinholz to approve the operator's license for Melissa Smith-Ramos at Missouri Tavern. Motion carried, 4-0.

7. DESIGN REVIEW AMENDMENT: 6250 LODI-SPRINGFIELD ROAD
Jim Greiber's builder has requested an amendment to the design review approval Greiber Masonry received, to shift the building twenty feet west to accommodate a septic field so a holding tank is not required for the property.
Motion by Chairperson Pulvermacher, seconded by Sup. Dresen to accept and approve the amendment for Greiber Masonry as presented*. Motion carried, 4-0. *Building shifted 20' to the west.

8. FOLLOW UP ON PLAN COMMISSION ACTION OF ~~9/13~~ 10/4:
 - a. ~~IGA WAUNAKEE (MOVED UNDER OLD BUSINESS)~~
 - b. ZONING ORDINANCE AMENDMENT: LIVESTOCK HARVEST FACILITIES

ACTION OF PC: MOTION BY CHAIRPERSON ENDRES, SECONDED BY COMMISSIONER WRIGHT TO APPROVE THE LIVESTOCK ZONING ORDINANCE AMENDMENT RELATED TO LIVESTOCK HARVESTING FACILITY WITH ITEM 4 DELETED AS SHOWN IN THE PACKET. MOTION CARRIED, 6-0.

Sup. Laufenberg stepped off the board for discussion of this item.

Attendees noted 200' was not very far from a residence to build a livestock harvest facility capable of processing up to 99 animals per week. Neighbors in attendance that live near the potential building site off Kickaboo Road voiced concerns about truck and consumer storefront traffic, as well as unpleasant smells and sounds being introduced to the area, and questioned the tentative decision to locate the facility near their homes. It was explained that various locations were considered and discarded on criteria such as highway visibility and accessibility, and land characteristics such as terrain and presence of flood plains. The livestock harvest facility currently being considered for development will be USDA inspected, processing approximately 40 animals per week, with no overnight holding. It was explained that waste is stored in a cooler until pickup every night by specialty haulers. Supervisors and neighbors questioned how the distance of 200' from a residence (down from 1,500' for livestock facilities processing more than 100 animals per week) was chosen, and would like more information about that determination before they vote on it. Chairperson Pulvermacher explained one reason for the considered change is because there is no viable place to locate them with a 1,500' buffer, but will raise the question at the next Dane Towns' zoning meeting, tentatively scheduled for next week, and report back to the board. Chairperson Pulvermacher explained that the 200' represents the minimum distance from a home; the board can require greater distances if so decided.

Motion by Chairperson Pulvermacher, seconded by Sup. Dresen to table and send questions to Dane 6 Towns Zoning and Mark Hazelbaker to discuss next week. Motion carried, 3-0; Sup. Laufenberg abstained.

Sup. Laufenberg rejoined the board for the remaining agenda items.

- c. ZONING ORDINANCE AMENDMENT: VARIANCES

ACTION OF PC: MOTION BY MR. PULVERMACHER, SECONDED BY COMMISSIONER WOLFE TO APPROVE THE ZONING AMENDMENT REGARDING VARIANCES. MOTION CARRIED, 6-0.

Supervisors didn't have objections, but questioned how the Town would determine "deliberate violations" in the amendment phrase, "The Town does not intend to allow deliberate violations of setbacks."

Motion by Sup. Dresen, seconded by Sup. Meinholz to direct the town clerk to contact attorney Hazelbaker to review the amendment line, "The Town does not intend to allow deliberate violations of setbacks," to include more definition. Motion carried, 4-0.

9. SEPTEMBER FINANCIALS

The budget documents for next weeks' budget workshop will be updated with the September balances. Supervisors reviewed fund balances and savings earmarked for equipment to purchase a new tractor, trading in the Town's 2015 tractor. Patrolman Ripp will not be available for next week's budget workshop, so provided the requested quotes for three different types of tractors tonight; he would like a newer model with increased power, capability and comfort if the Town plans to keep the new tractor for a number of years like the current tractor. Supervisors reviewed and compared specs and prices and directed staff to add this to next week's budget workshop agenda.

10. OLD BUSINESS

a. INSTALLATION OF PARKING PAD ON TOWNHALL PARCEL

No new information or direction on this item. Supervisors would like this to remain on the agenda.

b. MIDDLETON MOREY AIRPORT UPDATE

The city is looking for money for stormwater updates for the airport.

c. AIR QUALITY TESTING & PURCHASE OF LEAD MONITORING EQUIPMENT

Staff is awaiting responses back from the DNR and the Bureau of Environmental and Occupational Health.

d. JAR STORAGE ZONING VIOLATION

The application for permission to reroute the drains to the holding tank has been accepted, with the permit expected in 3-5 business days.

e. BLIGHT

f. IGA WITH WAUNAKEE

A tentative date of December 6th has been proposed as a joint meeting date to discuss the Intergovernmental Agreement with Waunakee. The Town is awaiting confirmation from the Village before scheduling.

11. COMMITTEE REPORTS

Sup. Dresen: Middleton Fire is meeting this week.

Sup. Meinholz: Waunakee EMS's budget was approved and the board addressed some housekeeping type items.

Sup. Wright: N/A

Sup. Laufenberg: Cross Plains EMS was proposing a 30 hour per week person to make up for the lack of volunteers, but would need to provide health insurance; instead, they're creating two 20 hour per week part time positions.

Chairman Pulvermacher: Waunakee Fire meets next Monday. They're purchasing hand radios in 2021 for approx. \$40,000, switching to Motorola.

12. ROAD PATROLMAN'S REPORT

Northwestern is scheduled to pave Pheasant Branch Saturday, weather permitting. Joe Endres and Jeff Helt are both coming back for the 2021-22 plow season; Patrolman Ripp hasn't contacted Mike Sheets yet. Patrolman Ripp reported a driveway violation, after he notified the resident that a permit would be needed. Staff will send a citation and fine.

13. CLERK/TREASURER'S REPORT AND CORRESPONDENCE

The Town received a complaint about loose dogs leaving their property, scaring pedestrians and causing traffic hazards. Staff will send the home owner a letter directing them to contain their animals on their property. Waunakee Rentals is now required to install a retention pond instead of swales as originally planned. The Town does not need to re-review the Design Review Application, but would like a copy of the new approved plans and permit.

14. APPROVAL OF BILLS AS PRESENTED

Motion by Sup. Dresen, seconded by Sup. Meinholz to pay the bills. Motion carried, 4-0.

15. ADJOURN

**Motion by Sup. Meinholz, seconded by Chairperson Pulvermacher to adjourn the meeting at 9:00 p.m.
Motion carried, 4-0.**