MEETING MINUTES

Wednesday, February 19, 2020, 7:30 P.M.

Town Board Meeting

Springfield Town Hall

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, Bill Statz, Art Meinholz, and Dan Dresen present.

Also present were Road Patrolman Darin Ripp, Clerk-Treasurer Dianah Fayas, Deputy Clerk-Treasurer Doreen Jackson, Dan Fargen, Kyle Acker, Kevin Acker, Deborah Rosenberg, Patrick Ryan, Steve Marx, and Joel Lewis.

Pledge of Allegiance was recited.

1. 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.

1. INFORMAL PUBLIC COMMENT TIME – Joel Lewis, candidate for the Waunakee School Board introduced himself to the Board and audience, explaining he lives in Wesport, has four children in the school district, has lived in the community for nine years, has worked as a social worker and police officer and is currently serving in the Dane County District Attorney’s office.
2. MINUTES OF PREVIOUS MEETING: February 4, 2020

It was noted the motion in Item 7 of the Feb. 4th draft minutes is missing a number; it should read, “…for the Enchanted Valley project in the amount of $462,625. Motion carried, 3-0.”

**Motion by Sup. Laufenberg, seconded by Sup. Meinholz to approve the minutes with the correction. Motion carried, 5-0.**

1. CHAIRPERSON’S REPORT

Chairperson Pulvermacher spoke with a resident regarding the parking issue on Bittersweet Court and will speak to the vehicle owner later in the week. The Town of Berry would like to discuss ATV traffic on Whippoorwill Road. Staff was directed to schedule a joint meeting with the Town of Berry supervisors, with the agenda to include the proposed cul de sac, and manure fracing and trucks. The Town of Vienna is holding a special meeting tonight regarding a proposed 2,500-5,000 solar panel installation. Speedway Sand & Gravel asked about the feasibility and process to discuss a quarry next to Springfield Welding.

1. DRIVEWAY PERMIT: 7881 AUTUMN POND TRAIL

Representatives of Premier Builders were in attendance to discuss the driveway permit application. It was noted an 18” culvert would be needed.

**Motion by Sup. Dresen, seconded by Sup. Laufenberg to grant the driveway permit for 7881 Autumn Pond Road. Motion carried, 5-0.**

1. RECOMMENDATIONS OF PC:
   1. REZONE FROM R-1 LEGACY TO MFR TOWN ZONING: 7130 HWY. K NON-CONFORMING DUPLEX

**MOTION BY COMMISSIONER WOLFE, SECONDED BY COMMISSIONER BEGLINGER TO ACCEPT MSA’S RECOMMENDATION\* ON THE BASIS AS IT CURRENTLY STANDS, A 2-UNIT MULTI-FAMILY. MOTION CARRIED, 4-0; MR. PULVERMACHER ABSTAINED.**

\*MSA’S RECOMMENDATION IN THE JAN. 29, 2020 MEMORANDUM REGARDING THE “REZONE APPLICATION FOR PARCEL #0808-281-9930-6, FARGEN,” STATES, **“MSA RECOMMENDS THE PLAN COMMISSION APPROVE THE PROPOSED REZONE APPLICATION OF PARCEL #0808-281-9930-6**, CONTINGENT ON THE FOLLOWING: 1. ADDRESS ANY COMMENTS LISTED ABOVE\*\*; 2. ANY COMMENTS OR CONDITIONS FROM THE TOWN ATTORNEY, TOWN PLANNER, AND FROM THE TOWN ZONING ADMINISTRATOR SHALL BE ADDRESSED.”\*\*\*

\*\* (1 of 5) Parcel is located within the Rural Neighborhood Area. Proposed zoning of MFR is not listed as a typical Town Zoning District for this area however does allow for single-family residential as well as small scale commercial and institutional uses; (2 of 5) Per Ch. 4: Town Road Ordinances: Current existing driveway to accessory structure is closer than desirable to the intersection, and at a severe angle, however does meet the requirement of at least 15-ft from the extended street line, if this driveway is considered a “field road.” New structure and accompanying driveway should be encouraged to be relocated to an area that makes ingress and egress to the roadway safer (farther from intersection to extent possible and oriented to connect to the road at an angle closer to perpendicular); (3, 4 & 5 of 5) Per Chapter 11: Zoning Ordinances: Multiple Family Dwellings (2 units) are a permitted use within the proposed Multi Family Residential. Multiple family dwelling (3 or more units) is a conditionally allowed use within Multi Family Residential and would require the application of a Conditional Use Permit and Town review if applicant wishes to convert existing building to a 3-family structure; The existing garage structure is currently partially located within Town Right-of-Way for Church Road. If this is to be rebuilt, new structure would need to meet setback requirements of new zoning Multi Family Residence per Town of Springfield Zoning Ordinances; and, The existing principal structure does not appear to meet setback requirements of either existing or proposed zoning in both front and side yards.

\*\*\* From the Town Planner: “rezoning would not run afoul of Town plans and policies to my knowledge… MFR district allows duplexes by right, and requires a conditional use permit for 3+ unit buildings.  This provides reasonable assurance that more units couldn’t be created from the building under MFR zoning without a later public hearing and Town review… , it’s likely that either the residence is encroaching on the residential lot to the west, an old garage is encroaching into the Church Street right-of-way (see second attached screenshot), or possibly even both.  The Town might be able to leverage this rezoning request to get that old garage removed or relocated and the current driveway opening near the intersection vacated, perhaps even by delaying the effective date of the rezoning to the time that removal occurs.” From the Zoning Administrator: “Recommend approval of the rezone to MFR.”

Mr. Fargen explained he is seeking to rezone his duplex from R-1 to MFR so the zoning district matches the residence and historical and current use. It was noted that a conversion to a tri-plex would require a CUP.

**Motion by Chairperson Pulvermacher, seconded by Sup. Meinholz to accept the change from Legacy zoning to MFR for 7130 Highway K noting the Plan Commission’s comments and MSA’s comments regarding this lot and that it is only to be a two-unit building. Motion carried, 5-0.**

* 1. 2020 PLAN COMMISSION APPLICANT RECOMMENDATION: JACK COX

**MOTION BY COMMISSIONER BEGLINGER, SECONDED BY COMMISSIONER WOLFE TO ACCEPT MR. COX’S APPLICATION AND APPROVE IT AND RECOMMEND APPOINTMENT OF MR. COX AND MR. ACKER TO THE PLAN COMMISSION. MOTION CARRIED, 4-0; MR. PULVERMACHER ABSTAINED.**

**Motion by Sup. Laufenberg, seconded by Sup. Dresen to approve Jack Cox and Bill Acker for the Plan Commission. Motion carried, 5-0.**

1. TDR AGRICULTURAL CONSERVATION EASEMENT AND THIRD-PARTY HOLDER

Yahara Pride has indicated they would be willing to consider acting as a third-party holder on TDR conservation easements. The organization’s goals to improve soil and water quality and to recognize farmer-led environmental sustainability make it a good fit for a farmland conservation partner. Staff was directed to add this item to Old Business for future discussion.

1. BRIDGE INSPECTION

The Town has historically contracted with Dane County to have the town’s sole bridge on Hyer Road inspected every two years.

**Motion by Sup. Laufenberg, seconded by Sup. Dresen to contract with Dane County to inspect the bridge. Motion carried, 5-0.**

1. JANUARY FINANCIALS

The Board received the financial reports for review.

1. POTENTIAL LAND ACQUISITION BY TOWN

The Board discussed the suitability of the Joe Meier property on Highway P for acquisition and future use by the Town. The Board would like to view the property and directed staff to schedule an 8 a.m. site visit on March 14th, with the road tour to commence immediately upon adjournment of the site visit.

1. LETTER TO CITY OF MIDDLETON RE: MOREY AIRPORT

Chairperson Pulvermacher, with the support of the Town Board drafted a letter to the City of Middleton Common Council regarding the tentatively proposed expansion of Morey Airport. Supervisors reviewed the draft and directed its dissemination to the City of Middleton; the Towns of Middleton, Berry, and Westport; the Village of Waunakee, Town Planner Mark Roffers, Springfield’s airport email list; local newspapers; and Town residents.

**Motion by Chairperson Pulvermacher, seconded by Sup. Dresen to send the letter as written to the City, the outlying towns and local newspapers. Motion carried, 5-0.**

1. OLD BUSINESS
2. WHIPPOORWILL CULVERT AND CUL DE SAC
3. HYER ROAD DRAINAGE: CROSS CULVERT ABANDONMENT
4. BLIGHT
   * 1. 7166 COUNTY HIGHWAY K
     2. 7139 COUNTY HIGHWAY K
5. OUTDOOR STORAGE AND VIOLATIONS
6. BITTERSWEET COURT TOWN ROAD PARKING ISSUE
7. MANURE TRUCK AND FRAC TANK PARKING REGULATIONS ON TOWN ROADS

Staff was directed to schedule a meeting with Town haulers for March 4, 2020 at 7 p.m. to discuss current and preferred practices.

1. 2020 ROAD PROJECTS
2. IGA WITH WAUNAKEE
3. STATUS UPDATE ON MEINHOLZ QUARRY LITIGATION AND LEGAL REPRESENTATION

Rural Mutual Insurance has assigned attorney Remzy Bitar as counsel for the Towns of Springfield and Berry. In response to a motion filed by Attorney Hazelbaker to dismiss the claim against the Town of Springfield, Meinholz, LLC filed an amended complaint which provides additional details to support their claim for declaratory relief in their original complaint, and adds a claim under federal law alleging that the Town of Springfield’s decision to seek a zoning administrator determination took the property of Meinholz without payment of just compensation.

The Clerk confirmed with supervisors that they are not in possession of any communications not already on file with the Town, responsive to the January 28th records request by Meinholz, LLC attorney Eric McLeod wherein he requests, “all records that constitute communications between the Town and any person regarding blasting activity at the Meinholz Quarry… all records that constitute communications received by the Town from any person that raise concerns or complaints about off-site impacts caused by operations at the Meinholz Quarry.”

1. COMMITTEE REPORTS

Sup. Dresen: Middleton Fire District meets tomorrow.

Sup. Meinholz: Waunakee EMS’s labor situation has been settled.

Sup. Statz: Spoke with Middleton EMS personnel and have been added to their roll as a board member. They operate with full-time staff so have fewer staffing issues than other services. 1,280 calls were made last year.

Sup. Laufenberg: Cross Plains EMS is working to create a tribute to their retired chief who was instrumental in creating and sustaining the Cross Plains EMS program.

Chairman Pulvermacher: Waunakee Fire’s secretary has resigned due to scheduling conflicts; the chief and fire inspector are dividing those duties for now.

1. ROAD PATROLMAN’S REPORT

Patrolman Ripp was short staffed due to illness during the last storm and was happy to have three part-time drivers to contact for plowing.

1. CLERK/TREASURER’S REPORT AND CORRESPONDENCE

Clerk-Treasurer Fayas reported a 20% turnout for yesterday’s election; 7% of the voters voted absentee or in-person absentee before election day.

1. APPROVAL OF BILLS AS PRESENTED

**Motion by Sup. Laufenberg, seconded by Sup. Dresen to pay the bills. Motion carried, 5-0.**

1. ADJOURN

**Motion by Sup. Meinholz, seconded by Sup. Laufenberg to adjourn the meeting at 9:00 p.m. Motion carried, 5-0.**