

**TOWN BOARD MEETING June 16, 2020 – 6:00 P.M.  
VIRTUAL ZOOM MEETING**

**PRESENT:** Chair Pfeiffer, Supervisor Jay Damkoehler, Supervisor Doug Larsson

**OTHERS PRESENT:** Lisa Skar, Deputy-Clerk/Treasurer, Alex Mesdjian, of Public Works, Mike Jenquin, Mark Hale, Jill and Peg, Stoughton Mayor Tim Swadley, Jane Dean, Tom Walz, Mark Wendt, and Grayson Denk

**ABSENT:** Supervisor Janiece Bolender, Supervisor Eric Olson

**CALL TO ORDER**

Chair Pfeiffer called the meeting to order at 6:00 p.m.

**PUBLIC COMMENT**

Mark Hale thanked the Town Board members who have been involved in the dialogue regarding Stoughton's dam removal and the impact it will have on the river. He also requested that the Mayor explore reasonable options regarding this issue.

Mike Jenquin stated that he wanted to touch base about the road projects to ensure that the company is on the same page as the township regarding Christiana's roadwork.

**MINUTES OF THE JUNE 02, REGULAR TOWN BOARD MEETING, AND THE SPECIAL TOWN BOARD MEETINGS OF MAY 28 AND JUNE 04.**

Motion by Supervisor Larsson, second by Sup. Damkoehler, to approve the minutes of the June 2, 2020 regular Town Board meeting and the May 28 and June 4 special Town Board meetings. All in favor. Motion carried.

**BUSINESS**

**Discussion and possible action regarding proposed Stoughton whitewater park and dam removal.**

Chair Pfeiffer stated that he has spoken with John Reimer, from the DNR, who possesses the most sophisticated model that could shed light on river levels. He noted that Mr. Reimer has a different agenda than the Town, however, in that his focus is on removing water to avoid flooding. Chair Pfeiffer stated that there have been many different numbers presented regarding the impact the dam removal will have on water levels and this ambiguity and inconsistency is making people uncomfortable. He suggested continuing the process, communicating with the Mayor and Adhoc committee regarding residents' concerns. He said that the Town will likely need to hold another meeting on the subject to shed light on the potential impact. Residents have voiced concerns that the impact analysis has not established whether the frequent river uses (hunters, wildlife, etc.) will be impacted by the dam removal and they would like confirmation that these activities will not be affected. Chair Pfeiffer plans to schedule another meeting on this topic when John Reimer is available to present. No action was taken at this time.

**Discussion and possible action regarding award of 2020 road construction bids.**

Public Works Superintendent Alex Mesdjian reported that the Town received three bids for overlays and two bids for pave & sealing. He stated that for the Center and Spring Rd. overlay, the project should be awarded to Wolf Paving, since they bid the lowest price per ton.

Motion by Supervisor Damkoehler, second by Sup. Larsson, for the road construction pulverizing and paving work to be awarded to Wolf Paving & Excavating for a total cost of \$257,901.25. All in favor. Motion carries.

Superintendent Mesdjian stated that there were two bids for sealcoating and although Gee Asphalt submitted the lower of the two bids, he does not feel they should be awarded the bid right now, because they did not discuss specs with Public Works to ensure they know the road width and other details and Mesdjian has been unable to contact them yet. He stated that Fahrner has been involved and knows all the information.

Chair Pfeiffer agreed that it is important for the company to be aware of the details, as there is concern about overspray with all the driveways. He stated that Gee Asphalt may not be aware of this.

Superintendent Mesdjian stated that no one in the area has heard of Gee Asphalt and he wants to be sure they know what they are getting themselves into, before awarding anything. He stated that last year the Town required the company to come do their own measuring, since it poses a risk for the Township.

The Board asked Mike Jenquin, a representative from Fahrner, how long he anticipates the project would take. Mike Jenquin stated that it would likely be at least a 2-day project. He also noted that Fahrner has been in the area out measuring and all yards are accounted for in their bid.

Motion by Supervisor Damkoehler, second by Supervisor Larsson, to hold the sealcoat bid from Gee Asphalt in Cedar Rapids, Iowa, until the next Town Board meeting, to see if they are responsive. All in favor, motion carries.

**Discussion and possible action regarding the draft policy for building permit road damage inspection fees.**

Chair Pfeiffer explained that the town needs a policy for construction projects that do not involve new access, including a fee to compensate for time the staff spends inspecting the road. He said that the town should have a different form for projects that do not involve new construction. He plans to edit a draft and send it to Board members to review and discuss at the next meeting.

No action taken at this time.

### **Discussion regarding Public Works projects and duties.**

Public Works Superintendent Alex Mesdjian said that the new mower is doing a nice job cutting and has reduced their cutting time substantially.

Other projects they have been working on include: road bids, repairing snowplow damage, and they plan to start mowing and maintaining parks (to include painting basketball courts, filling cracks, and painting pavilion doors).

Superintendent Mesdjian said he had to rebuild the front sign from scratch after it was hit by an impaired driver. He noted that he purchased new items to make it easy to track expenditures in the event we file a claim.

Chair Pfeiffer mentioned that someone will be renting the park shelter this month and asked Board Members if the Town should consider adding an additional surcharge/increasing our rental fee to account for COVID-19 cleaning that may be required.

Supervisor Larsson said that he believes it would be appropriate to have a surcharge considering the pandemic. He asked whether it would need to be a written policy or could just be a declaration.

Board members agreed that they should consider adding a reasonable fee, perhaps placing this on a future agenda.

Superintendent Mesdjian said that the park well has not yet been inspected and asked whether it should remain off until it is inspected. Chair Pfeiffer suggested contacting the county and inquiring.

Superintendent Mesdjian reported that he received a bid back for the plow, salter & box, with the total package price, including a discount if paid in full, of \$78,696.58. He said he is still awaiting a proposal from Madison Truck & Equipment. He noted that both are good companies, so the town should go with whoever has the best price.

He also noted that he accepted a driveway damage permit application for a new build in Greenbriar Estates.

### **Discussion and possible action regarding surveying town resident opinions about operation and regulation of short-term rentals.**

Chair Pfeiffer stated that this issue was brought forward by the Plan Commission. He noted that there have been a number of complaints regarding this kind of activity and stated that the Plan commission proposed a survey to gather input from residents. He explained that Dane County's recent zoning rewrite has changed the status of some activities. Renting out a room is permitted, because if the owner is on the premise, renters are unlikely to engage in activities that cause neighborhood complaints. Chair Pfeiffer said that residents who live next to a current Airbnb feel like they are living next

to commercial property that is not zoned commercial. He said that during the Plan Commission meeting, Majid Allan, Senior Planner at Dane County Planning and Development, explained that the ordinance was meant to require a CUP for Airbnbs when the property owner does not reside on the premises; however, the Dane County Zoning Administrator has a different interpretation of the code, in regards to the property that residents have complained about. Because the property is only two bedrooms, it does not require a CUP, according to the Zoning Administrator's interpretation of how the code is currently written. Chair Pfeiffer said that Dane County is planning to modify the zoning code to make this clear, and wanted to know what the town wants to do going forward, assuming the change takes place. He asked what types of restrictions the town would want in place and noted that Dunn and Westport have ordinances with restrictions, the latter of which has very strict restrictions.

Supervisor Larsson feels the town should be sensitive to residents who are disrupted by Airbnbs. He stated that he has never been in favor of sudden Airbnbs. He said he feels that the elected officials represent the people of the town, and he believes just about anyone would oppose Airbnbs. He said he is in favor of mirroring some of the most conservative ordinances that are in place in other areas and creating an avenue for someone who feels they have a right to run a business to meet the conditions that are imposed.

Supervisor Damkoehler agreed with Supervisor Larsson's stance on this subject.

Chair Pfeiffer said the Town Board could proceed forward and draft an ordinance, which would provide an opportunity for residents to speak in favor of or against the ordinance and use that as a mechanism to gather input, rather than sending out a survey.

Supervisor Larsson said that he thinks this is an excellent idea and he thinks residents would be happy if the Board went ahead and acted.

No action was taken at this time.

**Discussion and possible action on renewal of operators' licenses to serve fermented malt beverages and intoxicating liquors for the period from July 1, 2020 to June 30, 2021 for the applicants as listed below: (Background checks completed, nothing concerning to report)**

- Daniel Lee Vierck – Pleasant Springs Pub
- Justin Charles Lathrop - Pleasant Springs Pub
- Kathryn M Fuchs – Pleasant Springs Pub
- Stacy A Strahota – Pleasant Springs Pub
- Angela Ghelfi – Pleasant Springs Pub

Motion by Supervisor Damkoehler, second by Sup. Larsson, to approve the renewal of operator's licenses to serve fermented malt beverages and intoxicating liquors for the

period of July 1, 2020 to June 30, 2021 to the applicants as listed above. All in favor. Motion carries.

**Discussion and possible action on new operators' licenses to serve fermented malt beverages and intoxicating liquors for the period from July 1, 2020 to June 30, 2021 for the applicants as listed below: (Background checks completed, nothing concerning to report)**

- Mervina L. Klopp – Pleasant Springs Travel Plaza

Motion by Supervisor Larsson, second by Sup. Damkoehler, to approve the new operator's license to serve fermented malt beverages and intoxicating liquors for the period from July 1, 2020 to June 30, 2021 for the applicant as listed above. All in favor. Motion carries.

**Discussion and possible action regarding the Driveway Damage Deposit for:**

- Juan & Victoria Uribe, 3006 Shadyside Dr.
- Jo Ann Holtan, 1775 Tower Valley Rd
- Eric & Michelle Helland, 3059 Course View
- Kiersten Janowski, 2323 Williams Dr.

Motion by Supervisor Damkoehler, second by Sup. Larsson, to return the driveway damage deposits as listed above.

Chair Pfeiffer also stated that he would like the Clerks' office to inform them of how many deposits are left to be returned.

**Discussion and possible action regarding the Certificate of Deposit from Heritage Bank maturing on June 22, 2020 in the amount of \$110,827.33. This was a 34-month Certificate.**

Motion by Supervisor Damkoehler, second by Sup. Larsson, to transfer the Certificate of Deposit, maturing on June 22, 2020 in the amount of \$110,827.33 from Heritage Bank to McFarland State Bank for a period of 13 months at 1.25 percent.

**Clerks report on projects and duties.**

Deputy-Clerk/Treasurer Lisa Skar reported about some of the extra duties the office staff has been involved with, including calling to determine CD rates, sending out letters to voters who requested absentee ballots as indefinitely confined in an effort to clean up WisVote, per WEC guidelines, preparing minutes and agendas for Plan Commission, Town Board, and Special Town Board meetings regarding the waterpark and Yahara River, holding the road bid opening, and preparing for the August 11 Partisan Primary.

### **Discussion on items to be placed on the next / future agenda.**

- Public Hearing on discontinuation of a portion of Williams Pt. Dr.
- Seal coat bid award
- Policy for building permit road damage inspection fees
- Ordinance for short-term rentals
- Additional shelter-rental surcharge for COVID-19 related cleaning

### **PLAN COMMISSION REPORT**

Supervisor Eric Olson was absent, but Chair Pfeiffer requested the Board's opinion on a rezone request, because the property owner wants to relocate. He said that the Board did not act on the separate tax parcel in the back corner of the parcel, because it was not part of the request; however, Dane County asked the Town about intentions regarding this, because the property owner is mentioning a buildable lot that is not buildable and the county would like to clean that up.

Supervisor Damkoehler said that this portion of the parcel is landlocked, so it is not an actionable item.

### **REPORTS**

The Board reviewed the reports included in the packet.

### **CORRESPONDENCE**

The Board reviewed the correspondence included in the packet.

### **CLAIMS**

Motion by Supervisor Damkoehler, second by Supervisor Larsson, to approve the claims for the check registers dated June 02, 2020 and June 08, 2020 in the amounts of \$30,998.74 and \$18.52. All in favor. Motion carries.

### **ADJOURNMENT**

Motion by Supervisor Damkoehler, second by Sup. Larsson, to adjourn at 7:03 p.m. Motion carried unanimously.

Respectively Submitted,

Lisa Skar  
Deputy-Clerk/Treasurer-Finance Accountant

*Note: These minutes are not considered official until acted upon at a future meeting: therefore, are subject to revision.*