

**TOWN BOARD MEETING August 18, 2020 – 6:00 P.M.
VIRTUAL ZOOM MEETING**

PRESENT: Chair Pfeiffer, Supervisor Jay Damkoehler, Supervisor Janiece Bolender (arrived at 6:06), Supervisor Doug Larsson (arrived at 6:08), and Clerk/Treasurer Maria Hougan

OTHERS PRESENT: Alex Mesdjian, of Public Works, Mark Hale, Audra Dalsoren, Plan Commission Chair, Robert Ehle, Dan Hanson, Jenn Lee, Lori, Mary Haley, Jennifer Wendt, Jane Dean, Greyson Denk,

ABSENT: Supervisor Eric Olson

CALL TO ORDER Chair Pfeiffer called the meeting to order at 6:00 P.M. There was no quorum. A quorum was available at 6:06 p.m.

MINUTES OF THE AUGUST 04, 2020 TOWN BOARD MEETING

Motion by Supervisor Bolender, second by Sup. Damkoehler, to approve the minutes of August 4, 2020. Motion carried 4-0.

PUBLIC COMMENT

No one spoke during the Public Comment period.

BUSINESS

Discussion and possible action regarding a request from Robert and Randy Ehle, to rezone 1.6 of a total of 159 acres of parcel # 0611-232-8500-4 from FP-35 to RR-1 to sell off the farm house and buildings located at 2410 Hwy BN, Stoughton, WI 53589.

Chair Pfeiffer presented the request. Plan Commission approved this request unanimously. The applicant will need to get the proper markings on the CSM. Robert Ehle was present and reported the Preliminary CSM is done and will be presented to the Plan Commission for approval, then on to the Town Board for approval, then the Final CSM will be presented for Plan Commission and Town Board approval.

Motion by Supervisor Bolender, second by Sup. Larsson, to approve the request from Robert and Randy Ehle, to rezone 1.6 of a total of 159 acres of parcel # 0611-232-8500-4 from FP-35 to RR-1 to sell off the farm house and buildings located at 2410 Hwy BN, Stoughton, WI 53589, subject to approval of the CSM with the required markings.

Motion carried 4-0.

Discussion and possible action regarding City of Stoughton proposal for kayak park and dam removal.

Mark Hale was in attendance. He thanked the Board for allowing him to participate. He asked if anyone had attended any of the meeting with regarding this with the City of Stoughton. He referred to the June 15 meeting where the DNR was present. DNR told the committee the Yahara River is not critical for habitat. If water level was lower then it

would change the habitat. It would be replaced to a more emergent marsh and critter environment. There was also a meeting on July 20 where Chuck Holmes from Iowa attended and praised the water parks and spoke of failing dams. Dams are not all the same. The Iowa water park put in a riser to their project. Their dam was in ill repair, not like Stoughton's condition of their dam. There is a misconception that water quality would improve with removal of the dam. Safety issues were also discussed, helmets, boulders, and trash issues downstream. The meeting on 7-21 the Parks & Rec. relished on all the praises from Iowa. City of Stoughton will have a Committee of the Whole meeting in early fall to move forward without the needed information from the study. The information needed from the study-or survey will not be ready in time prior to the Committee of the Whole meeting. The information won't be ready for about four months. Chair of Council is requesting a meeting prior to November to push the project through. He emailed the Manchester Iowa Mayor to follow up with some questions. The Administrator contacted him the same day to discuss their project, and he confirmed their water levels are less than Yahara's water levels. 250 vs. 380. He also confirmed an additional rise, confirmed the dam removal, and alert system. Mark watched a U-Tube video feed several times and noticed their park was used very little. He is wondering why Stoughton is claiming they will make 5 million. He emailed the DNR regarding issues, additional rises, etc. DNR stated rises may have merit, they identified some concerns and also recognized other possible concerns. The City of Stoughton is not collaborating. They are not meeting the statutory requirements. According to the DNR, they are at a stage now where it will be too late before the public gets involved. On 8-4 Mark emailed the Mayor Swadley and Parks & Rec. Director Dan Glynn asking them to consider risers. His final comments were the Town of Pleasant Springs Board and residents were left out of early notification of the city's plans. They have not invited Pleasant Springs to the table. He appreciates the Town Board hearing concerns from the residents. He stated it's critical for the Town of Pleasant Springs to make a statement and to lobby for this project to legislators. He said the phrase "the train will leave the station" by the time the public has time to respond, and the city does not care about Pleasant Springs. Supervisor Larsson thanked Mr. Hale for his detail and summary. He read in the newspaper this morning. He wants to see the Cap. Improvement Plan. If we do not have a voice in this, the citizen support group should put a statement to force them to show why we have been excluded. The citizen group should file a statement where they (City) needs to follow rules and explain to citizens why this is happening. Dan Hanson spoke to this subject. He thanked Mark Hale for all of his work and research on this. He attended the first steering committee meeting end of January and they were all in favor of the project. This is the committee that advises council. The council will listen to them. Pleasant Springs citizens need to speak up. He has heard and seen dismissive comments. No legal obligations, they don't care, the DNR is generally proponents of dam removals. They seemed dismissive. They stated "Birds will find someplace else to go" We as a group, board and private need to bring concerns or this will get steam rolled through. He is in favor of the Town Board doing a resolution or document regarding concerns. Stoughton says they have no legal obligations as they own the dam. Plan Commission Chair Audra Dalsoren stated the City of Stoughton has property annexed that touches the bay area. This area would be impacted by any changes. This should be brought up. Chair Pfeiffer commented this will be brought back to the Town Board. Audra brought up an issue he wanted to bring up regarding the

annexed land. Stoughton owns the land North all the way to and beyond County Highway B. Stoughton is asking for the town to pay for a study for land which is not in the town does not make sense. If Stoughton can show the proposal is not impacting the Town of Pleasant Springs, great, but so far, they have not shown. Dane County regulates requirements. Land owners have a right to have water level contained. Removal of a dam is usually if the dam is in disrepair or the owner is bankrupt. These are exceptions. He echoes Mr. Hales concerns. He asked if the Board wants to consider a resolution to establish the importance of the body of water, wildlife, hunting, fishing, boaters & kayakers, etc., to speak on the importance to the town and residents. The city has conflicting statements either the water level won't be impacted, or it will be impacted, but that's OK. Further discussion followed. Chair Pfeiffer then opened it up to the Board members. Supervisor Larsson supports drafting a resolution. He said the citizen group should set up a go fund me page and he would be happy to donate funds. The attorney should try to block every aspect of this including the lower mill rate if this effects properties along the river. He is so angry; he has been in government for 45 years. It's time for residents to speak up. He will not support this and we will not be treated like some step child.

Motion by Chair Pfeiffer, second by Sup. Larsson, to draft a resolution specifying interest and concerns regarding the Yahara River project, and the lack of the City of Stoughton to recognize concerns, and to bring back the draft resolution to the Board. Motion carries 4-0.

Chair Pfeiffer thanked everyone and urged everyone to stay active with this project.

Discussion and possible action regarding complaints about public works operations. Chair Pfeiffer stated he added this to the agenda to have a discussion supporting the Superintendent of Public Works regarding any decisions he has made over the past two years. There has been criticism over town operations along with a personal vendetta and stalking of the Public Works Superintendent. The Sheriff's Department has been contacted. He added the board cannot respond to every single complaint. The nature of the complaints seems to be directed to one employee. The boards decisions are sound and based on how they feel the best way to maintain roads, etc. Roadside mowing time has been reduced. They make decisions based on how to improve town operations. He listed several improvements based on the Superintendents wise suggestions such as a new larger mower which is more efficient, mowing takes less time now, allowing staff to work on other needs, which is more efficient. We are not a construction operation; we are a maintenance operation. We need to have the proper tools which are in accordance with other town operations. He stated the Board is very satisfied with the changes being made. He stated the nature of government is there will be some complaints. We will consider complaints. He will not tolerate people making insulting comments to staff or intimidation. That could be illegal activity. Supervisor Bolender agrees and concurs with Chair Pfeiffer and he is right. She feels the Superintendent has been doing a great job providing great information and better tools to do the job, and agrees when it comes to stalking, picking on a person, this has to be stopped. Supervisor Damkoehler would concur with all the comments stated above. The Board practices a "try before we buy" approach on equipment, and the decisions are made in concurrence by the Town Board. Things are not done the same as in the past,

but more efficient. Can do things better and quicker. Chair Pfeiffer stated in the past the Town Board expressed numerous times they were concerned about all the overtime hours regarding snow plowing. Now plowing is done with all three vehicles. Roads are plowed more quickly, on the same day versus the gravel roads getting done the next day. The Board had received numerous compliments regarding the snowplowing. He feels the town has been very well served. Supervisor Larsson stated what he has seen from the Superintendent has been nothing but an improvement over what they used to have. This public works employee is considerate and does not yield to the old-fashioned approach. Certain members of the community are trying to intimidate the employee. Chair Pfeiffer stated he had a discussion with legal counsel regarding the stalking issues. This should not continue and escalate, if it does, legal will need to step in. This is harassment of individuals. He further stated all the Superintendent did was answer an ad in the paper and was hired as the most qualified individual. The members of the Board agreed. No action taken.

Discussion and possible action regarding the yard complaint for the property along Rolling View Road.

Chair Pfeiffer reported out he drove by and took a look at the property previously. He contacted legal counsel, the yard has grown wild however, he did not observe any noxious weeds. Lacking that, there is no lawn ordinance stating people need to have lawns mowed. The town would need to adopt an ordinance; however, this may create conflict in some areas of town regarding leaf burning, disabled vehicles, etc. Chair Pfeiffer stated there are 3 possible options. To encourage the neighbor to be a better neighbor regarding the complaint, to adopt a yard ordinance which may result in unhappy people, or try to establish ordinances which have boundaries, which may be hard to enforce. Supervisor Bolender stated some residents like to have the lawns with wildflowers and want to leave their lawn wild. As Board members we should not be policing people's lawns. Supervisor Larsson agrees. An anonymous complainer is not willing to mediate with the neighbor. There should be a polite discussion with the neighbor regarding the property owner. He objects to a lawn ordinance. Chair Pfeiffer stated we are a town. Dane County does not have an ordinance to address this, and he is not aware of any towns that do. There is no resolution we can offer. He stated we can send a letter to the property owner stating we received an anonymous complaint, but its currently non-enforceable, neighbor issues are a recurring issue. There is only so much town government can do. Dane County does not take any action without a written complaint. Further discussion followed.

Motion by Bolender, second by Larsson, to have staff draft a complaint letter to property owner regarding the complaint received. Motion carried 5-0. Chair Pfeiffer will send assist with the language for the letter.

Discussion and possible action regarding the process for fuel purchasing.

Chair Pfeiffer requested this to be placed on the agenda. There have been discussions in the past regarding fuel storage, or purchasing from the station. They are trying to evaluate whether they are doing things the correct way. There could be a contract with a purchasing card. This way they would not need to worry about the tank and gas going bad. The gas stays in the tank for long periods of time and goes bad. This could be hard on the engines. The current tank meter does not work, they don't know what is being

dispensed. They discussed the current condition of the tank. The City of Stoughton uses purchasing cards. They have a huge fleet and utilize the cards for all their equipment. They do not have an onsite tank. Supervisor Larsson is supportive of removal of the tank. Chair Pfeiffer wondered if our liability insurance would be affected by this. Mesdjian said the tank could be isolated. Supervisor Bolender directed the Superintendent to look into prices. They could go from using gasoline on site and to utilize the cards. They need to be prepared in case of a natural disaster. The Boards consensus was they should not be storing gas on site. The Board directed the Superintendent to bring back the information and cost of offsite gas to the next board meeting

Discussion regarding Public Works projects and duties. Superintendent Mesdjian reported out. Spring Road is done, the shouldering is done, assisted with set up of the election, rented hand wash stations, replaced the sheriffs lighting in the back, assisted with election take down, mowing, they had an issue with one of the blades, driveway damage inspections, Greg is keeping up with parks mowing, he will be painting tables and pavilions at Spring Hill and Red Oak. Sealcoating on Washington Road, Skyline, Shadyside, Tracy Lane. There were no complaints or issues. Supervisor Larsson stated how pleased he is with the company who did the sealcoating and they were a good choice, he also reiterated how pleased he is with the Superintendent and that this is why we have a professional Superintendent, this illustrates the trust we have in him to do the right thing without micromanaging. Chair Pfeiffer commented on the challenges brought on this year due to COVID-19.

Discussion and possible action on the return of driveway damage deposits for:

- Amy Gerrits, 2712 Spring Hill Drive

Motion by Supervisor Bolender, second by Larsson to approve the return of the driveway damage deposit. Motion carried 4-0.

Discussion and possible action on the status of the website updates.

The Board reviewed the most recent updates to the website.

Motion by Supervisor Bolender, second by Damkoehler, to proceed with the next steps in creating the towns website. Motion carried 4-0.

Discussion and possible action approving the request for release of collateral to accounts which are “over-collaterized” with Wisconsin Bank & Trust.

The Board reviewed the request.

Motion by Bolender, second by Damkoehler, to release over-collaterized accounts from Wisconsin Bank & Trust. Motion carried 4-0.

Discussion and possible action regarding verbiage for resident notification of the proposed RM-16 to RR-16 zoning change, due to classification changes, as recommended by the Plan Commission. Chair Pfeiffer presented. The Plan Commission approved the suggested language.

Motion by Supervisor Bolender, second by Sup. Damkoehler, to approve the verbiage as presented and to add there will be no additional cost to residents. Motion carried 4-0.

Discussion and possible action regarding resolution R-2020-05: A resolution designating public depositories.

Motion by Supervisor Damkoehler, second by Sup. Bolender, to approve resolution R-2020-05. Motion carried 4-0.

Clerks report on projects and duties.

Clerk / Treasurer Hougan reported out on the duties the office has been working on to include the August 11 Election along with pre- and post-election tasks, budget, open records requests, voter and absentee ballot requests, and the typical duties of the municipal clerk / treasurer's office.

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

- Gravel Roads
- Gas purchase cards

PLAN COMMISSION REPORT

Supervisor and Plan Commission liaison Olson was absent. Chair Pfeiffer reported out the Plan Commission approved the Ehle rezone request, discussions regarding RM-16 zoning, potential ordinance regarding short term rentals, forming a Joint Committee with the Town of Dunn.

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 Sup. Bolender, to approve the check register dated August 4, 2020 in the amount of \$309,234.42. Motion carried 4-0.

ADJOURNMENT

Motion by Supervisor Bolender, second by Sup. Damkoehler, to adjourn at 7:55 P.M.

Motion carried unanimously.

Respectively Submitted,

Maria Hougan
Clerk/Treasurer

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