

REGULAR MONTHLY BOARD MEETING MINUTES

TOWN OF VERONA

April 9, 2019, 6:30 PM

Town Hall, 7669 County Highway PD, WI 53593-1035

Present: Geller, Maxwell, Dreger, Enburg, and Duerst (arrived at 6:32 PM)

Staff Present: Arnold, Wright, Judd, and Barnes

Also Present: see sign in sheet

1. **Call to Order/Approval of the agenda** – Mark Geller called the meeting to order at 6:30 PM. Maxwell moved to approve the agenda amended to allow Plan Commission item ii to be removed; 2nd Enburg. Motion carried by voice vote.
2. **Pledge of Allegiance**
3. **Public Comment** – None.
4. **Approval of Minutes from March 5th** – Enburg moved to approve the March 5, 2019 minutes; 2nd by Maxwell. Motion carried by voice vote.
5. **Presentation by Tara Bast from Johnson Block regarding the 2018 Financial Audit Summary Report** – Audit Manager Bast reviewed the scope of the 2018 audit report. She noted that the report is free of material misstatements, is unmodified, and follows accounting policies typical for Wisconsin municipalities. On page 2, Bast noted that Deferred Inflows include developer escrow money collected by the Town to draw from as expenses related to the development arise. The General Fund Balance is comprised of nonspendable (e.g. pre-paid expenses) funds, committed (e.g. LGIP investments for trash cart replacement) funds, assigned (e.g. leave time and capital expenditures) funds, and unassigned funds that are not included in the preceding fund categories. There was a brief review of historical information of prior budgets and the relative changes between each. It was noted that the Town of Verona continues to have no debt; the borrowing capacity of the Town is 5% of its equalized valuation: approximately \$15 million. There was a brief review of the Town of Verona Sanitary District; it is now operating with a slight profit to rebuild the reserve funds. Enburg noted a precipitous drop in Public Charges for Services between 2017 and 2018 on page 8. Bast acknowledged that this is a typographical error; the 2018 amount should be \$119,626 instead of \$19,626. She will make the correction for the final report. There was brief discussion regarding an ideal percentage for the Town to maintain in its Fund Balance; currently it is 13% of the budget. Chair Geller wondered when the balance is measured. Bast responded that it is up to the Board whether they want it to be at the peak of tax collection towards the beginning of the year or some other point during the year. Supervisor Dreger asked Bast how to classify Fire Protection if the expense is moved from the Public Safety portion of the budget currently based upon taxes to a special charge on tax bills if approved by referendum. Bast stated that it would be included in Public Charges for Services.
6. **Discussion and Possible Action to Adopt the 2018-2023 Parks Plan by Resolution 2019-01** – Clerk/Treasurer Wright noted that the Board reviewed and discussed a draft of this document at the March meeting. Several non-substantive changes to a web link and formatting of headings have been made since then. The largest change was the substitution of Exhibit D; that map now details the location for public parking for natural resources and parks as well as public access points. Maxwell moved to approve Resolution 2019-01 to adopt the 2018-2023 update to the Town of Verona Parks Plan; 2nd Enburg. Motion carried by voice vote. Wright will submit the Plan to the Dane County Parks Department and to the Wisconsin Department of Natural Resources. The DNR will issue a Letter of Eligibility that will allow the Town to apply for State and County funding sources for the next five years in support of the Plan's goals.
7. **Reports and Recommendations**
 - Plan Commission:
 - i. Discussion and possible action regarding two-Lot Certified Survey Map 14756 at 6636 Purcell Road and the undeveloped parcel to the east – Planner/Administrator Arnold presented a Staff Report on the Holoubek property. The owner is proposing a lot line adjustment to make the two lots more equal in area and hopefully more marketable. Currently, Lot 2 is 14.2 acres without ROW and Lot 1 is 8.0 acres without ROW. The owner is requesting both Lots become RH-3 zoning (a minimum lot size of 8.0 acres); under this zoning, neither Lot could be further subdivided without rezoning to another classification. The City of Fitchburg will need to review the proposed CSM since they have extraterritorial jurisdiction in this area of the Town. There is no need for the Joint City/Town of Verona Plan Committee to review the proposal. Doug Maxwell noted that an intermittent waterway will require a shared driveway access point with Purcell Road and a Shoreland Zoning permit for the undeveloped lot. Maxwell moved to approve the zoning change to RH-3 for both Lots and approval of the proposed Certified Survey Map, conditional to the dedication of right-of-way to the center of Purcell Road to be noted on the Certified Survey Map along with the location of the existing well on Lot 2, and recordation of a shared driveway agreement between the two Lots; 2nd Duerst. Enburg made a motion to amend Maxwell's motion by recommending a further condition to approve the proposed CSM be notation of a vision triangle to the east of the current access on Purcell Road based upon a recommendation made by Town of Verona Project Manager Chris Barnes; 2nd Duerst. Amendment to the main motion carried by voice vote. Project Manager Barnes recommended that a vision triangle be a condition of a building permit for the undeveloped lot and joint access. Enburg and Duerst agreed to rescind

their amendment so that the original motion was approved as stated by Maxwell. Enburg moved to make a vision triangle a condition of issuing a building permit for the undeveloped lot; 2nd Duerst. Motion carried by voice vote.

- ii. Discussion and possible action regarding proposed division of parcel 0608-142-8600-9 described as Lot 1 of Certified Survey Map 2074 owned by Robert and Joanne Maurer located at 6861 Cross Country Road into two Lots by Certified Survey Map presented by Jason Geiger – Arnold presented a Staff Report for the property. The proposed subdivision of the property by Certified Survey Map into 2 Lots would be consistent with the updated Town of Verona Comprehensive Plan future land use and the current zoning of RH-1 which requires a minimum lot size of 2.0 acres. The request by owners Robert and Joann Maurer to rezone the proposed Lot containing the existing farmhouse to R-3A to comply with its current use as a duplex was denied by the Town of Verona Plan Commission. Arnold briefly reviewed the history of the adjacent parcel owned by William and Kim McGilvray. The Town was unaware that the final Certified Survey Map recorded in 1987 for the McGilvray property had a shared access to the west in the event that the parcel to the west owned by the Maurers was ever subdivided. Consequently, the access granted the McGilvray's was further east of the property line which now makes a shared access less practicable. The Town of Verona Public Works Committee reviewed the access issue and made a recommendation to the Town Board to approve the subdivision of the Maurer property by CSM contingent upon a joint access with the existing access to the farmhouse to the west.

Jason Geiger is an agent for the Maurers and presented information that he felt contraindicated what the Public Works Committee recommended to the Board. Geiger noted the joint access recorded on the McGilvray CSM was consistent with other existing joint access points along this section of Cross Country Road. He noted that a builder typically places a garage on the high side of the property near the point of access which will allow stormwater to drain naturally without a culvert. By contrast, according to Geiger, the proposed shared access recommended by the Public Works Committee would require extensive filling and installation of a culvert to divert stormwater. Furthermore, Geiger added, there is an existing concrete island on Cross Country Road near to the existing access point to the duplex which is nearly across from a soccer field in the City of Verona that has a high traffic volume. Lastly, Geiger stated that an access shared with the McGilvray driveway would cost approximately \$13,000 to construct; by comparison, Geiger estimated the drive proposed by the Public Works Committee would cost \$26,000. Geiger stated that the Maurers were aware of the shared access guaranteed on the McGilvray CSM when they purchased the property and assumed access at this point would never be an issue when they chose to subdivide. There followed a discussion regarding the posted speed, the complications with the soccer park traffic, and what the eventual removal of the existing farmhouse may mean for the access issue. Geiger stated that the farmhouse may not be replaced for another 20 years. There was further brief discussion regarding whether the two proposed Lots could be narrow and deep like adjacent properties instead of the proposed flag Lot.

Chair Geller stated that the 1987 joint access does not necessarily reflect what the current Board will approve in 2019. He admits that the Town erred in its oversight, but would like the developer and their agent to work with the Town of Verona Project Manager to determine the best location for an access to the proposed subdivision by CSM. There was brief discussion regarding possibly allowing two access points until such time that the existing farmhouse/duplex is replaced; at that time, it could be a requirement to have a joint access. Maxwell moved to approve the sub dividing of the property into a 2 Lot CSM contingent upon the owners and their agent working with the Town of Verona Project Manager to determine an ideal access point. The motion failed for lack of a second. The owners and their agent were instructed to return to the Regular Town Board meeting on May 7, 2019 to present the Town Board with the results of working with the Town Project Manager; without objection.

- iii. Discussion and possible action regarding Prairie Circle Development – Arnold presented the Staff Report to rezone the 59.9 acres, extend the existing cul-de-sac road to the southeast with a branch cul-de-sac to the east, and reconfigure the existing parcels into a Plat consisting of 14 Lots and 1 Outlot for stormwater management/wetland preservation. Arnold pointed out that unlike a Condominium Plat process, a traditional subdivision plat is approved incrementally. The first step is to rezone the property or properties involved and to review and approve a Concept Plan; both steps eventually lead to the consideration of a Preliminary and then Final Plat. Arnold noted that Item 5 of the Staff Report itemizes the conditions recommended by the Town of Verona Plan Commission before consideration of a Preliminary Plat. Supervisor Maxwell reported that the developer held a neighborhood meeting and that the Town Plan Commission has held a Public Hearing. The Plan Commission has unanimously approved the recommendation to the Board to approve the 5 Items outline in the Staff Report (please see the attached report). Maxwell moved to approve the rezoning of parcel 0608-074-8093-0 from A-3 Agricultural District to six Lots zoned RH-1 Rural Homes, one Lot zoned RH-2 Rural Homes, one Lot zoned RH-3, and one Lot zoned as CO-1 Conservancy and to approved the rezoning of parcel 0608-074-8533-0 from RH-4 Rural Homes District to six Lots zoned RH-1 Rural Homes and one Lot zoned CO-1 Conservancy; 2nd Duerst. It was noted that the Conservancy Zoning is proposed for Outlot 1 for stormwater detention and possible wetland restoration; the developers will meet with representatives from the WI DNR this Thursday. There followed a brief discussion regarding the natural swale and intermittent stream on the site in question. Roll call vote: Dreger, aye; Duerst, aye; Enburg, aye; Maxwell, aye, and Geller, aye. Motion carried.

Maxwell moved to approve the Plan Commission recommendation of the Concept Plan, noting that Item 3 in the Staff Report erroneously refers to 16 Lots instead of the 15 (14 for residential development and one outlot for stormwater) recommended for approval, the proposed general reconfiguration of existing road, a road that branches to the east to align with the Ziegler driveway, the eight conditions of Item 5 introduced above, and a contingency based upon the outcome of engineering review of roads and stormwater for the Plan Commission to review a new Concept Plan if there

are significant changes to the layout of the Lots or number of the Lots; 2nd Enburg. Roll call vote: Duerst, aye; Dreger, aye; Maxwell, aye; Enburg, aye, and Geller, aye. Motion carried.

- iv. Updates from Plan Commission Chair – Supervisor Maxwell introduced a development proposal for Twin Rock submitted by the Zurbuchen Living Trust, which was reviewed by the Verona Fire Department and will need to be reviewed by Dane County Zoning. It was noted that one proposed road terminates in a dead end; it will need a cul-de-sac or hammerhead as the design moves forward. Project Manager Barnes noted that the proposed development is approximately 1300' north of CTH G and that a stub to the east would be a reasonable extension if ever it was pursued.
 - Public Works: Project Manager Barnes reported that the low bid for asphaltic paving was awarded to Wolf Paving; surface chip sealing was awarded to Fahrner Asphalt. Barnes reported that there was severe damage to the Town portion of Woods road over the winter and spring thaw. He recommended that the proposed sealing of Dairy Ridge and Bobcat Lane be delayed in order to more fully address the problems that emerged on Woods. Originally the Town had bid for milling the two ends of the Town portion of Woods with a 2" asphaltic lift. Barnes now recommended for the Board to approve a change order for Woods Road in order to pulverize, add millings, grade, and apply a binder and surface course. Maxwell moved to revise the maintenance contract for Fahrner to remove Dairy Ridge and Bobcat for a total of \$170,494.60; 2nd Enburg. Motion carried by voice vote. Enburg moved to award \$74,797.00 to Wolf Paving and \$28,293.25 to Wolf Paving for the Change Order; 2nd Maxwell. Motion carried by voice vote. Supervisor Enburg gave a brief update regarding traffic counts for the Town. He noted that for the \$1,000 previously approved by the Town Board, data focused upon traffic volume and vehicle classification should be possible for nine intersections. Enburg estimated a cost of \$5,000 to \$9,000 to provide data for the entire Town. Barnes will review a sample provided to him by Enburg before the rest of the data is processed and before the Town is invoiced by the technician processing the information.
 - Financial Sustainability: there was a brief overview provided about five approaches to how to deal with projected budget shortfalls: 1) do nothing, but reduce services to residents, 2) increase the levy by Board resolution adopted by the electorate at a Special Town Meeting once the levy limit has been determined or by referendum on a ballot in November of 2020, 3) take on general obligation debt, 4) separate a cost such as fire protection in whole or in part from the levy and make it a special charge instead, or 5) move some other cost such as EMS operating from the levy and make it a special charge and request permission from the electorate to not have that charge count against the levy limit. Supervisor Enburg recommended for staff to study developer fees in surrounding communities. Planner/Administrator Arnold stated she is working on a PowerPoint for the Annual meeting that may touch on future financial needs.
 - Ordinance Committee – Ordinance Committee Chair Tom Mathies briefly reviewed a provision in Wisconsin State Statutes to reduce the speed limits to 35 MPH on sections of Town roads in a semi-urban district without the need for a traffic study or engineering review. The Public Works Committee expressed an interest in being involved in the process. Mathies stated that the Town Board has some discretion in its interpretation of how far a semi-urban district may extend along a given segment of road. A sample Staff Report prepared by the Town of Howard was shared with the Chair and Supervisors.
 - Natural and Recreational Areas Committee: Member Dave Lonsdorf had planned to attend this evening, but was absent. Wright reported that Lonsdorf will be available to discuss a possible Weed Policy for the Town at the Town Annual Meeting.
 - EMS Commission: Supervisor Duerst reported he was unable to attend the most recent meeting; consequently, he had nothing to report.
 - Town Chair: Chair Geller reported that he met on site with Project Manager Barnes and resident Steve Sheets to review stormwater challenges in the Goose Lake neighborhood. A regional approach to a solution will be sought. Committee and Commission appointments will be addressed at the May Town Board meeting. Representative Diane Hesselbein for the 79th Assembly District will hold a listening session at the Town of Verona Hall on May 8, 2019. Welcome signs for the Town have been ordered and will be placed in several locations soon.
 - Supervisors: Duerst gave an update on the extrication exercise hosted by the Dane County Farm Bureau.
 - Clerk/Treasurer: the 2019 Spring Election went well; the ballots have been counted. Wright is waiting for Dane County and the Elections Commission to approve the final canvass before he can reconcile and close the Election. New Supervisors have been sworn to their elected positions by the Clerk and Election Inspectors have been paid. Wright provided the Chair and Supervisors with the Report a Problem logs maintained by Town staff from February, March, and April for this year.
 - Public Works Project Manager: Project Manager Barnes reported on the snowstorms in March followed by flooding. A failed culvert was replaced on Country View Road; Country View will need major work within a year. 24 tons of coldmix has been used year-to-date to address potholes. The water system at the Town Hall has been disinfected. Barnes has met with representatives from the City of Verona, Madison Metro Sewerage District, the City of Fitchburg, and others.
 - Planner/Administrator: Arnold reported that she met with Chair Geller and the Town attorney to review changes to the Employee Handbook. She reported that the staff is working on a competitive grant offered by the American Association of Retired Persons for patio furnishings and possibly a bicycle rack. No matching funds are required from the Town.
8. **Approval of Payment of Bills** – Duerst moved to approve payment of the bills as presented by Clerk/Treasurer Wright; 2nd by Enburg. Motion carried by voice vote.
9. **Adjourn** – Enburg moved to adjourn; 2nd Duerst. The meeting was adjourned at 9:00 PM.