

## REGULAR MONTHLY BOARD MEETING MINUTES

### TOWN OF VERONA

June 4, 2019, 6:30 PM

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

Present: Geller, Mathies, Enburg, and Duerst

Absent: Maxwell

Staff Present: Arnold, Wright, 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. Duerst moved to approve the agenda; 2<sup>nd</sup> Mathies. Motion carried by voice vote.
2. **Pledge of Allegiance**
3. **Public Comment** – Riverside Road residents John and Jenny Rowley were present. Mr. Rowley stated that he attended a meeting held at the Town of Montrose Thursday, May 30, 2019, hosted by representatives from the Wisconsin Department of Transportation to discuss the State Highway 69 project. At the meeting, DOT representatives included information about proposed methods to address overtopping events at the location of culvert 47. The proposal is to replace that 48” diameter structure with twin 60” diameter pipes and raise the road profile above the modeled flood elevation. Mr. Rowley is concerned that raising the road profile in this location will negatively impact residents, commercial property owners, and farms along Riverside Road. Local land owners, according to Rowley, had met with DOT Project Manager Mahesh Shrestha about two months ago to discuss the project and their concerns. Chair Geller stated that Town of Verona staff will reach out to Ann-Marie Kirsch, the member of the DOT group who presented the drainage information at the Montrose meeting and invite her to present information at the Town of Verona. Town staff will contact those with interests along Riverside when a date has been confirmed; without objection.
4. **Approval of Minutes from May 7<sup>th</sup>** – Duerst moved to approve the May 7, 2019 minutes; 2<sup>nd</sup> by Enburg. Motion carried by voice vote.
5. **Discussion and Possible Action re: Renewal Applications for Alcohol Licenses with an Opportunity for Public Comment:**
  - Class “B” retail license for the sale of fermented malt beverages to be consumed on premises for Blackhawk Bowhunters, LLC, Dale Goytowski President/Agent, 2103 County Highway PB, main clubhouse bar contingent upon receiving the renewal fee – Duerst moved to approve the renewal of the annual Class “B” fermented malt beverage retail license for Blackhawk Bowhunters LLC, 2103 CTH PB; 2<sup>nd</sup> Mathies. The Clerk confirmed that the Town staff has not received any complaints about this private club in the past year. Motion carried by voice vote.
  - Class “B” retail license for the sale of fermented malt beverages to be consumed on premises and “Class B” retail license for the sale of intoxicating liquor to be consumed on premises for Ole Duffers Pub, Susan Kaye Buchanan President/Agent, 1755 County Highway PB contingent upon receiving the renewal fees – Mathies moved to approve the renewal of a Class “B” fermented malt beverage retail license and renewal of a “Class B” intoxicating liquor retail license for Old Duffers Pub, 1755 CTH PB; 2<sup>nd</sup> Duerst. The Clerk attested that Town staff has not received any complaints about this public bar in the past year. Motion carried by voice vote.
6. **Discussion and Possible Action re: Operator’s Licenses for year ending June 30, 2020:**
  - Duerst moved to approve annual renewal and new Operator Licenses for those individuals contained on the list presented to the Town Board by the Clerk; 2<sup>nd</sup> Mathies. Motion carried by voice vote. Prior to the meeting, Board members had been presented the results of the criminal background checks of the three new applicants by the Clerk.
7. **Notification of Temporary Class “B” Fermented Malt Beverage License Issued to Heartland Farm Sanctuary for Llama Love Sip and Paint Event Held May 28, 2019** – Chair Geller stated that the Clerk received the application too late to present to the Town Board prior to the event. Geller stated that he approved the issuance of the temporary license by the Clerk, so no action is required this evening since the event occurred last week.
8. **Town Chair Update re: Appointments to the Public Works Committee** – Supervisor Enburg reported that member Phillip Meinel has chosen not to continue his membership on the Committee. Other members are willing to continue. Terms for Enburg and Duerst are restricted to one year as Board Supervisors. Terms for Town Citizen Representatives Russ Swiggum, Kirk Trainor, and John Senseman can be for up to two years. Chair Geller wondered whether the Committee should reduce its monthly meeting schedule due to the hire of Public Works Project Manager Chris Barnes; Enburg stated he doesn’t see a need to reduce the meeting schedule. Duerst moved to approve the reappointment of Enburg, Duerst, Swiggum, Trainor, and Senseman; 2<sup>nd</sup> Enburg. Planner/Administrator Arnold will assign the appropriate terms; without objection. Motion carried by voice vote.
9. **Discussion and Possible Action to Authorize a Proposed Ad-Hoc Subcommittee to Study the Rate of Development in the Town of Verona Including: Scope, Membership, Duration, and Due Date for Final Report to the Town Board** – Chair Geller reported that he has met with Rosemary Bodelay and Susan Pigorsch who are in support of the ad-hoc committee adopted for Board consideration at the 2019 Annual Town meeting. They agreed to draft a proposed scope, membership, duration, and due date for a final report for the Town Board to review; Geller reported that he did not receive their draft until this past Friday and did not review it until yesterday. Chair Geller is concerned that much of the scope proposed by Bodelay and Pigorsch has already been researched, presented to the public, and adopted in the update to the Town of Verona Comprehensive Plan. Geller stated

that he did not have an opportunity yet to share those concerns with Pigorsch or Bodelay and is not seeking action on this item tonight. After brief discussion, the members decided that goals might be best to determine during an inaugural meeting of this ad-hoc committee, possibly as early as July of this year. This would still allow the proposed committee to present quarterly updates to the Town Board and a final report at the 2020 Annual Town of Verona Meeting. Supervisor Mathies thought comparison of similar municipalities (e.g. Town of Oregon, Town of Middleton, etc.) might provide a more meaningful statistical pool as a basis for drawing conclusions. Supervisor Enburg thought the total number of new residential developments based upon the updated Comprehensive Plan would be a significant number to determine as well as a case study of the impacts of each approved development within the Town for the five prior years. Supervisor Duerst raised concerns regarding property owner rights. Without objection, this item will be on the July Regular Town Board agenda.

## 10. Reports and Recommendations

- Plan Commission:
  - i. Discussion and possible action regarding Resolution 2019-03 to adopt the comprehensive revision to the Dane County Zoning Ordinance, Chapter 10, of the Dane County Code of Ordinances and associated zoning changes for Town of Verona properties – Administrator/Planner Arnold reported that Dane County Zoning adopted a new zoning code. In advance of the action, postcards were mailed to every property owner by Dane County to let them know of the proposed changes. Supervisors Maxwell and Mathies reviewed the zoning changes for every parcel within the Town. Because they had recommended changes to the map, the Board could take action to adopt the new chapter of the County zoning code; however, action should be delayed on the adoption of the map until property owners affected by recent edits can be notified and Arnold can meet with Dane County Zoning to review the changes. There followed a brief discussion regarding some zoning classifications that may be overly restrictive and those potentially overly permissive. Duerst moved to place on the table discussion and possible action on Town of Verona Resolution 2019-03 to accommodate the steps detailed previously; 2<sup>nd</sup> Enberg. Motion carried by voice vote. Without objection, this item will be added to the July regular Town Board agenda with an action item to take from the table and resume consideration.
  - ii. Discussion and possible action: Land Use Application 2019-7 to rezone 13.723 acres owned by Maple Leaf Landscaping, located south of 2416 Spring Rose Road, on parcel 0608-192-8675-0 currently zoned A-4 and C-2 to all C-2 (current Dane County Zoning Ordinance designation) which could become GC upon adoption of the new Dane County Zoning Ordinance – Arnold reported that the Town of Verona Plan Commission recommended the Town Board adopt this reclassification from A-4 and C-2 to entirely C-2 for parcel 0608-192-8675-0. The neighboring properties are zoned for single family residences, agricultural use, and some limited commercial. There are no current plans to develop the property further if it is rezoned; the request is for the purposes of refinancing. Arnold noted that when the Board acted in the past to allow additional parking, all conditions were met by Maple Leaf including the construction of a berm, plantings, revisions to lighting, etc. Included in the Board member packet was the deed restrictions from 2008 and 2013 that limit the use in the portion of the parcel zoned C-2 to parking, landscaping, storage of equipment, bulk storage, etc.; billboards are restricted. There was brief review of the action by the Town of Verona Plan Commission to approve the rezoning and the conditions. In response to the addendum to the Plan Commission action, the owners who were in attendance reported that 50 to 55 employee vehicles park in the location expanded in the past in addition to twenty work vehicles. **Motion:** Mathies moved to approve the rezoning of parcel no. 0608-192-8675-0 (Lot 2 of CSM 13482, 13.73 ACRES) from C-2 and A-4 to C-2 (GC, in new zoning district) with the following conditions: 1) that the landscaping barrier on the west side of the property be maintained as long as the property is zoned GC, 2) that the property shall be deed restricted to limit the land uses to the following: parking for 70 vehicles, agricultural uses, temporary storage of plants, and storage of bulk landscape materials 3) that a deed restriction be placed on the property that prohibits the installation of billboard signs, and 4) that these deed restrictions be in effect unless the property is rezoned. Failure to record the deed restrictions will cause the rezone to be null and void. A copy of the recorded documents shall be submitted to Dane County Zoning and the Town of Verona; 2<sup>nd</sup> Duerst. **Discussion:** It was noted that the Plan Commission approved this recommendation by a 3 to 2 vote based upon 2013 comments. Supervisor Enburg reminded the Grants that the access to 18/151 will be eliminated in the future. **Action:** the four Board members present approved the action unanimously by voice vote. Motion carried.
  - iii. Update from Plan Commission Chair – the Chair, Doug Maxwell, was not in attendance. There was a brief discussion of the approval of the Twin Rocks concept plan by the Town Plan Commission and a reminder of a Dane County Zoning and Land Regulation Committee meeting on Tuesday, June 11, 2019 that includes changes of zoning for projects on Riverside Road and on Spring Rose Road.
- Public Works:
  - i. Discussion with Possible action to grant driveway Access for Andrew Schmidt property on Sunset Drive – it was noted that this property is within the extraterritorial jurisdiction for the City of Fitchburg. Town Project Manager Barnes provided background information regarding the topography of the parcel that is defined as Lot 1 of CSM 14926 and the recommendation for the access location based upon the topography and sight lines. Because the proposed access is at the crest of a hill, no culvert is recommended. Enburg moved to approve the driveway access to Sunset Drive as approved by the Project Manager; 2<sup>nd</sup> Duerst. There was brief discussion that Lot 2 of CSM 14926 is limited to joint access with Lot 3 of the same; a copy of these minutes will be placed in a property folder for each Lot so that if and when a future driveway application is submitted, the restriction will be applied; without objection. Project Manager Barnes stated that profiles will be needed for future drives to ensure safety. Motion carried by voice vote.
  - ii. Public Works report and Project Manager report – Barnes reported that wedging and patching will precede sealcoating sections of Sugar River Road and that the Town section of Woods Road will be pulverized before it is graded and overlaid with hot mix asphalt. Barnes further reported that he and Patrolman Judd marked sections of Fitchrona Road for wedging and patching; Barnes recommended an additional 184 tons of wedging as a change order to address damage to roads during the Spring 2019 thaw. Arnold can accommodate the approximate additional cost of \$24,000 in the 2019 budget, but warned that such an action will tighten available funds later in the year. Because this was not included on the agenda

as an action item, there can be no formal approval at this time although there was general support for the potential change order. There was brief discussion regarding reversion of sections of Fitchrona to gravel which Barnes considered impractical due to the added liability and lack of proper equipment to continually roll and grade the road to retain the crown and profile. Barnes gave a brief report about a regional stormwater meeting he attended two weeks ago with representatives from Madison Metropolitan Sewerage District, the Wisconsin Department of Natural Resources, Capital Area Regional Planning Commission, and AECOM (representing the City of Fitchburg). There followed a brief discussion regarding action from the Public Works Committee for the Town Board to consider the adoption of a local wheel tax at a rate of \$22 per vehicle registered in the Town of Verona to realize approximately \$40,000 in additional revenue to address local road improvements. This item will be referred to the Financial Sustainability Committee chair; without objection. Supervisor Mathies asked about an update to the Public Works Committee discussion regarding the privatization of new roads; PWC Enburg replied that no action can be taken until the adoption of a new land development ordinance by the Town.

- iii. Discussion and possible action to approve Resolution 2019-04 for the WI DNR Compliance Maintenance Annual Report – Duerst moved to approve Resolution 2019-04 to adopt this year's CMAR; 2<sup>nd</sup> Mathies. It was noted that a typo in the resolution should be corrected without objection. Motion carried. Project Manager Barnes will submit the report online at which time the letter grade of A will be awarded to all the sections submitted.

- **Staff Report:**

- i. Discussion with Possible Action Regarding Replacing the Town of Verona Personnel Policies and Procedures Manual – Arnold reported that she and Chair Geller met with an attorney to update the policy. Duerst moved to approve the new Town of Verona Personnel Policy to replace the existing one; 2<sup>nd</sup> Mathies. Arnold stated that the new policy clarifies leave time, the reduction of carryover of vacation time each year to reflect a standard consistent with other municipalities, as well as refinements to existing policies. Supervisor Mathies questioned having the Friday before Easter a paid holiday; he further noted that the Town has 10 paid holidays whereas the City of Verona has 9. Arnold responded that the City has paid personal days beyond the paid holidays. Mathies prefers one floating paid day for those persons whose faith choices don't include the Friday before Easter as a recognized holiday. Arnold offered to return with an amendment. Motion carried unanimously by voice vote.
  - ii. Possible discussion and action to authorize new signatories on accounts held at Capitol Bank – Arnold, Wright, Geller, and Mathies completed the informational cards to submit to Capitol Bank. This item is to acknowledge that the newly elected First Supervisor would be authorized to cosign checks in the absence of the Chair. No action is required at this time.
  - iii. Arnold announced a possible staff/Board retreat for training on Roberts Rules of Order on July 20, 2019. Supervisor Enburg may have a conflict that day.
  - iv. Clerk/Treasurer Wright gave a brief overview of the Board of Review Meet to Adjourn meeting scheduled for this coming Friday morning. Because the 2019 assessment roll for the Town will not be available during the 45-day period from the fourth Monday in April prescribed by Wisconsin statutes for a mandatory meeting, the meeting will set a future date (August 1, 2019) when the Board of Review will meet next as well as other matters including possible action to adopt local policies for sworn testimony and a waiver to the local board of review. Wright briefly reviewed a seven-year study of major sources of revenue organized by the date of receipt and by quarter.
- **EMS Commission:** Supervisor Duerst reported that Kristy Schnabel is the new director at the new station. The next meeting of the EMS Commission will be held at the Verona Town Hall on June 20, 2019; there will also be a picnic. Town of Verona member Terry Schnapp is the new Chair for the Commission. The new ambulance has been delivered; no ambulance will be retired at this time.
  - **Town Chair:** Chair Geller reported he met with the City of Verona mayor Luke Diaz on May 18, 2019 and City of Fitchburg mayor Aaron Richardson May 23, 2019. He noted that the City of Fitchburg is working on their update to their comprehensive plan; Geller has been promoting a boundary agreement with Fitchburg. Geller also met with representatives from Epic Systems on May 4, 2019; Country View Road reconstruction discussions are ongoing. Geller met recently with Justin Temple, the developer for Woods at Watch Hill to review progress to meet the requirements from Dane County to have a stop work order lifted at this condo plat. Geller further reported that he and Supervisor Mathies attended a Dane County Towns Association meeting about affordable housing recently. There followed a brief discussion regarding Accessory Dwelling Units that has been added to the revised Dane County Zoning Code to help seniors and other at-risk populations as well as their caretakers.
  - **Supervisors:** Resident Dave Lonsdorf reviewed the progress of the prairie restoration on the Town Hall grounds; he has provided some advice for mowing.

**11. Approval of Payment of Bills** – Enburg moved to approve payment of the bills as presented by Clerk/Treasurer Wright; 2<sup>nd</sup> by Duerst. Motion carried by voice vote.

**12. Adjourn** – Duerst moved to adjourn; 2<sup>nd</sup> Enburg. The meeting was adjourned at 8:40 PM.

Approved: July 2, 2019

Prepared by: John Wright, Clerk/Treasurer w/Amanda Arnold review