

TOWN OF PORTLAND BOARD MEETING

Thursday, July 17, 2025

Portland Town Hall

7:00 P.M.

Town Chairman Jeffrey Spoke called the Town of Portland Board's July monthly meeting to order at 7:05 P.M. and all persons present joined in the Pledge of Allegiance.

Town Board Members Present: Chairman Jeffrey Spoke, Supervisor Kurt Keach, Supervisor Thomas Crave, Treasurer Carleen Benninger, and Clerk Nancy L. Thompson.

Others present during a portion of the meeting: Dennis Riedl, Jane Riedl, Al Gausmann, and Obiaku Anyasor.

Clerk Thompson verified that proper meeting notices had been posted at the three designated locations as required by law, as well as posted on the Town's website.

Motion by Chr. Spoke, seconded by Sup. Keach, to approve the agenda as posted. Spoke's motion carried 3-0 on a voice vote.

Motion by Sup. Crave, seconded by Chr. Spoke, to approve the minutes of the May 28, 2025, initial meeting of the Town's 2025 Board of Review. Crave's motion carried 2-0-1 (Keach) on a voice vote.

Motion by Chr. Spoke, seconded by Sup. Keach, to approve the minutes of the June 19, 2025, monthly Town Board meeting as distributed. Spoke's motion carried 2-0-1 (Crave) on a voice vote.

No one present requested to speak during the Public Input section of the meeting.

Clerk Thompson reported that she was not aware of any permits having been issued by General Engineering Company since the Board's June meeting but that she had received a "conditional plan approval report"—not a permit-- which expires 07-08-2027 from General Engineering Company for a new addition at Crave Brothers Farmstead Cheese Factory at W11555 Torpy Rd.

Dennis and Jane Riedl had requested to be on the agenda and next addressed the Board regarding their interest in having storage buildings for rental constructed on about five or six acres of land they own on Doepke Road. Though they own 11.2 acres there, they'd like to split off six of the acres on the top of the hill for a future home. The property is zoned A-2 and Kory Anderson of General Engineering has told them that they could split their property one time.

Chr. Spoke noted that self-service storage facilities are listed as a conditional use in the Town's A-2 zoning district. Consequently, he said that the Riedl request would first need to be addressed by the Town's Plan Commission for its recommendation to the Town Board. Spoke then explained the process (including the procedure for obtaining a minor land division) to the Riedls.

With no other additional persons besides Gausmann and Anyasor then present, the Board chose to address New Business items A (Discussion/action on application submitted by Alan Gausmann and Obiaku Anyasor to rezone their property at W 12115 Longview Circle, Waterloo, from R1 to R2) and B (Discussion/action on application submitted by Alan Gausmann and Obiaku Anyasor for a conditional use permit to operate an adult family home on their property at W12115 Longview Circle, Waterloo) next prior to addressing the Board's four items of Unfinished Business. The Town's Plan Commission had conducted a public hearing on the rezoning request on June 25, 2025, and at a meeting held after the conclusion of that public hearing had voted 4-0 to recommend Town Board denial of the rezoning request. (A copy of the rezoning and conditional use permit applications, General Engineering's review report regarding such, and draft minutes from the public hearing and Plan Commission meeting had been sent out to Board members for their review prior to tonight's meeting.)

In commenting on the purpose for their applications and responding to some of the concerns raised by residents during the public hearing, Obiaku Anyasor read from a prepared statement. As part of her statements, she noted that "Wisconsin law is very clear: Adult Family Homes serving 4 or fewer people are considered a permitted use in any residential area and do not require special zoning or a conditional use permit." She also distributed a highlighted copy of Wis Stats. 60.63 (3m) and 62.23 (9).

Sup. Crave (a member of the Town Plan Commission) then explained that he had heard part of a phone conversation Anyasor was having as he left the town hall the night of the hearing and information he later learned after returning home—all of which make him believe that the Town Board should talk with its attorney regarding the Gausmann applications prior to taking action on them so that the Board can make educated, informed decisions.

Chr. Spoke stated that he believes that what is being proposed might be considered a home occupation in the R-1 zoning district and as such a conditional use permit might need to be approved.

Additional Board discussion noted that there might have been a "disconnect" throughout the process regarding a "group home" vs. an "adult family home" leading the Board to not wanting to make any decision without seeking legal advice first. Spoke said that he had started the process of making an appointment with the Town's attorney, with the hope that such meeting can be held prior to the Board's August monthly meeting. Sup. Crave then moved to table action on both the rezoning and conditional use permit applications submitted by Alan Gausmann and Obiaku Anyasor until the Board's August monthly meeting. Sup. Keach seconded Crave's motion and it carried 3-0 on a voice vote.

Returning then to Unfinished Business, Sup. Keach updated the Board on the Town's 2025 road maintenance projects noting that both culvert replacement projects, the shouldering of a section of Tri County Road, work on Giese Road, and paving of Hughes Road have been completed. Scott Construction still needs to complete the Stark Road culvert patch and will be fixing the Clarkson "dip" right before Highway 89.

Chr. Spoke reported that he had talked with Deb Yelk by phone prior to July 4 regarding her need to come into compliance at N2213 River Oaks Road, Reeseville with the Town's zoning ordinance. She told him that the Marty's would be coming to do the necessary cleanup. Spoke checked today and the area has been brought into compliance.

Regarding reported issues at the Rennhack property at N2084 County II, Sup. Crave reported that junk there has been moved, piled, and organized, that there are less manure problems, that construction has stopped (General Engineering has posted a red "cease and desist" sign there), and that the Dodge County Land Conservation Department continues to monitor the situation.

Motion by Chr. Spoke, seconded by Sup. Keach, to approve Resolution 07-2025-02 which establishes a Town refund policy for overpayment of property taxes: future overpayments in an amount less than \$5.00 will only be refunded upon written request and any amounts not refunded will be held in the Town's general fund. Spoke's motion carried 3-0 on a voice vote. Clerk Thompson noted that the resolution will get posted on the Town's website, as well as in the Town's three posting boxes. In addition, notice of that refund policy will be included with annual tax bills.

Motion by Chr. Spoke, seconded by Sup. Keach, to approve Budget Resolution 2025-3 specifying the following:

- Increases budgeted Miscellaneous Revenues from \$7,500.00 to \$11,400.00
- Decreases budgeted Town Hall Expenditures from \$30,000.00 to \$23,400.00
- Decreases budgeted Highway Maintenance & Construction Expenditures from \$247,500.00 to \$246,150.00
- Increases budgeted Conservation & Development Expenditures from \$4,000.00 to \$6,000.00
- Increases budgeted Insurance Expenditures from \$7,200.00 to \$7,650.00 AND
- Increases budgeted Other Financing Use Expenditures from \$3,500.00 to \$12,900.00.

Spoke's motion carried 3-0 on a roll call vote with Spoke, Crave, and Keach all voting "Yes."

Items identified for inclusion on the agenda for the Board's August monthly meeting included the Gausmann/Anyason rezoning and conditional use permit applications, rezoning and conditional use permit applications from George and Melisa Peterson, review of the Town's Future Land Use Map as depicted by Dodge County as part of its comprehensive plan update,

and discussion/possible action regarding another alleged non-compliance with the Town's zoning ordinance. That meeting will be held on Thursday, August 21, 2025, at the Portland Town Hall beginning at 7:00 P.M.

Treasurer Benninger's monthly financial report noted June receipts of \$3,620.90 and June expenditures of \$30,869.12. With the addition of July receipts to July 10, 2025, of \$30,681.84 and a July transfer of \$65,000.00 from the Town's savings account to its checking account, the balance in the savings account as of July 11, 2025, was \$271,412.69 and the balance in both the savings and the checking account as of that date was \$337,405.34. In addition, \$635.91 was in the Town's computer savings account.

Motion by Sup. Crave, seconded by Sup. Keach, to authorize Clerk Thompson to pay all of the July bills presented. Crave's motion carried 3-0 on a voice vote.

Board members then reviewed the following listing of correspondence Thompson had received since the Board's June monthly meeting:

1. "The GEC Chronicle" summer 2025
2. Copy of municipal solid waste disposal ticket for 3,020 net pounds from Glacier Ridge Landfill
3. Inquiry from Brian Weisensel regarding whether persons attending the Novak fundraiser at the Watering Hole on June 28 could park in the town hall parking lot if needed
4. Residents' concerns regarding trees hanging over Hickory Lane, the lack of mowing through the cul-de-sac at the end of Hickory Lane, and the "choppiness" of the mowing on the east side of Hickory Lane
5. Return receipt card for certified letter sent to Debra A. Yelk
6. Wisconsin Towns Association July 2025
7. Notification from Dodge County Land Resources and Parks Department of July 14th public hearing on petition of its committee to amend Official Maps of the county's Floodplain Zoning Ordinance by adding the dam failure analysis and hydraulic shadow maps for the Neosho Dam
8. Confirmation from Nationwide of contributions (\$1,604.68) received and invested
9. Waterloo Fire & Rescue Activity Report plus fire/rescue calls per area January-June
10. Copy of letter from General Engineering Company to Crave Brothers Farmstead Cheese granting permission to start construction while noting that proper permits were still required
11. Waterloo Fire Department June budget report
12. Information regarding upcoming workshops on using PASER and WISLR to manage roads
13. Notification of/agenda for July 16th meeting of the Dodge County Unit of the WTA
14. 2025 Town of Portland assessment roll and alpha listing
15. Information regarding August 23 Dodge County Clean Sweep.

Sup. Keach reported that he had spoken with Alma Solis regarding needed mowing of her property on Dalman Road. She told him that she had had it mowed every two months (Keach

wasn't certain that was the case) and that it would be mowed again by the end of this week.

With no other reports from any other Board member and no other business needing to be addressed by the Board at the time, motion by Sup. Crave, seconded by Sup. Keach, to adjourn. Crave's motion carried 3-0 on a voice vote at 8:31 P.M.

JULY 2025 BILLS AUTHORIZED FOR PAYMENT

5186 Jacquelynn Fox	\$ 7.50
5187 GFL Environmental	462.00
5188 Scott Construction	63,552.00
5189 We Energies	31.93
5190 United States Treasury	790.88
5191 Prairie Power	662.00
5192 Steve Battenberg	46.17
5193 Chad Yerges	34.17
5194 Nicole Toay	52.64
5195 Joseph Pantely	467.30
5196 City of Columbus	1,448.54
5197 APG of Southern Wisconsin	29.57
5198 Kurt E. Keach, LLC	560.00
5199 Waterloo Utilities	440.59
5200 Columbus Rural Fire Group	820.21
5201 CLR Fire & Rescue Group	1,999.27
5202 City of Waterloo	4,562.42
5203 Bitco Insurance Companies	757.00
5204 Dodge County	38.50
5205 Sheehy Express, Inc.	20,400.29
5206 DPL Maintenance, LLC	<u>1,827.23</u>

TOTAL: \$98,990.21

Nancy L. Thompson, Clerk

