

TOWN OF PORTLAND BOARD MEETING MINUTES

Thursday, April 19, 2018

Portland Town Hall

7:30 P.M.

Town Chairperson Jeffrey Spoke called the Town of Portland Board's regular April monthly meeting to order at 7:30 P.M., and all persons present joined in the Pledge of Allegiance.

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

Others Present (for at least a portion of the meeting): Richard Yelk, Chris Hahn, Reed Hahn, Lavonne Punzel, Jerry Punzel, Gary Loeffler, Nathan Loeffler, Tim Daniel, Peter Niesen, Bobby Haseleu, Ryahn Smith, Deisy Estrada, and two other persons with Ms. Estrada who failed to sign in.

Clerk Thompson verified that proper meeting notices had been posted at the three designated locations as required by law, delivered to the Courier office, included in the Municipality Meeting section of the April 13, 2018, edition of the Watertown Daily Times, and posted on the Town's website.

Prior to the Board's approval of the agenda, Thompson requested deletion of New Business agenda item H (Designation of date and time for both the Town's 2018 Open Book and Board of Review), since the Town's assessor has not yet completed all necessary work for those events.

Motion by Sup. Crave, seconded by Sup. Keach, to approve the posted agenda after deletion of New Business item H. Crave's motion carried 3-0 on a voice vote.

Motion by Sup. Keach, seconded by Sup. Crave, to approve the minutes of the March 15, 2018, regular Town Board meeting as printed. Keach's motion carried 3-0 on a voice vote.

During the Public Input section of the meeting, Bobby Haseleu inquired about the possibility of his putting up a shed on his property south of his home or on acreage he'd purchase from his daughter or by purchasing the barn on her property and adding onto it. All land considered is zoned A-1. Chr. Spoke noted that he was aware of no issue if the shed were built on Haseleu's current property. Spoke added that Haseleu's daughter could also split off at least 1 1/2 acres via a minor land division from the acreage she owns. Richard Yelk suggested that Haseleu check with Dodge County to see if any of the land in consideration is in the floodplain.

Police liaison Weihert was not present to update the Board on current Town issues/concerns.

Richard Yelk reported that he had issued a building permit in the amount of \$70,000.00 to Ricky Gentz for an addition to his home on Sullivan Road plus remodeling of it.

Nathan Loeffler then addressed the Board seeking guidance on the "next steps" he and his wife needed to follow in building their new home off County T. He gave the Board a copy of the proposed site plan and said that he hopes to break ground in July, with residency prior to November. Loeffler was advised to get a driveway permit and then to contact General Engineering for a building permit.

Next the Board addressed Gary Loeffler's request for an extension to the special event conditional use permit issued him in 2016 to hold special events and lodging at his property on County Road T. (Tiffany Loeffler had e-mailed Clerk Thompson various information regarding the barn and possible events to be held there yet this year, and Clerk Thompson had distributed that information to Board members prior to the meeting.) Nathan Loeffler noted that contracts are being or have been signed with electricians, engineers, etc. They are hoping to schedule a few events yet this fall, with full scheduling planned for 2019.

Clerk Thompson noted that the Board might want to delete the "bartenders condition" stated on Loeffler's original special event permit, since that condition doesn't apply to private events.

Motion by Sup. Keach, seconded by Sup. Crave, to extend Gary Loeffler's special event conditional use permit (following deletion of the "bartenders condition") until April 19, 2021, at which time the permit will once again be reviewed by the Board. Keach's motion carried 3-0 on a voice vote.

Motion by Sup. Keach, seconded by Sup. Crave, to approve a combination license to be issued to John Checki (dba John's Bar at W11699 2nd Street) effective April 20, 2018, through June 30, 2018. Keach's motion carried 3-0 on a voice vote.

Treasurer Benninger reported that eleven Town residents remain out of compliance with the Town's dog licensing ordinance. (April 1 was the deadline to have dogs properly licensed.) She said that she had sent out a letter with the tax bills explaining the dog licensing requirements and deadline and had mailed another reminder of such in March to those still out of compliance. After brief discussion, the Board asked Treasurer Benninger to send the names of those residents who are out of compliance to police liaison Weihert. Chr. Spoke will give him a copy of the Town's dog licensing ordinance and ask him to talk with each person out of compliance, telling all individuals that they have 15 days to come into compliance or the Town will initiate action to enforce the penalty provisions of the ordinance.

No action was taken to authorize the cleaning out of some ditches on Yerges Road. Instead that project will be part of the Town's summer road maintenance projects.

The Board then heard from Deisy Estrada regarding her family's interest in once again holding rodeo events at the Estrada property on Hubbleton Road. She said that they would like to hold 6-7 rodeos (probably every two or three Saturdays in the summer) with a few of those being "big" ones" with music, food, etc. The others would be small ones.

Chr. Spoke reviewed the special event conditional use permit that had been issued for such events in 2014, as well as the letter from the Town's attorney dated October 23, 2014, in which Mr. Francisco Estrada was notified that (based on complaints from neighbors), the Town had pulled Estrada's

permission to play music at the remaining rodeos planned for 2014. Spoke noted that there is no law preventing the Estradas from holding family parties but that planned big rodeos with music, etc. would require the Town to reissue a special conditional use permit because of the past "noise" issue.

Sup. Crave noted that the Board had dealt with complaints regarding the rodeos all summer of 2014, with the number one complaint being the "hassle, inconvenience, and annoyance" caused by the music to neighbors. He echoed Spoke's comments that the Estradas could host family events but that the Estradas still needed to be respectful of their neighbors. Crave added that the requested rodeos are not something he's willing to try again. Sup. Keach noted that the Estradas had been given a chance and then didn't abide by the conditions stipulated in their permit, so he didn't favor issuing a new permit. Following additional questions and comments from the Estradas regarding the acceptable volume of music, the time of day the volume would need to be turned down, the rules in Fireman's Park regarding music, the idea that everyone deserves a second chance, etc. and some comments from neighbors and other Town residents in attendance regarding the volume of past music (especially the base), and that fact that the Estrada's had already been given a second chance, the Board took no action to issue a special event conditional use permit to the Estrada for hosting rodeo events at their property on Hubbleton Road.

Motion by Sup. Crave, seconded by Chr. Spoke, to appoint Pete Niesen and Kurt Keach to the Portland Sanitary District Commission. Crave's motion carried 2-0-1, with Sup. Keach abstaining from the vote.

The Board then reviewed informational materials regarding DTH REO Inc.'s conditional use permit application which had been submitted to Dodge County Land Resources and Parks Department to allow grading of approximately 4200 square feet of area located within 300 feet of the Crawfish River associated with a landscaping project. Clerk Thompson also read a letter (which will be attached to the Town's copy of the meeting minutes) which Chr. Spoke had received from Fern Turner (an adjacent property owner) dated 03/19/2018 in which she stated that every time a new realtor lists a property in the River Oaks area that the realtor moves the original lot line posts there and that she is "sick and tired of seeing all those original yellow flag posts being moved every time a property sells."

Following discussion, motion by Chr. Spoke, seconded by Sup. Crave, to recommend to Dodge County Land Resources and Parks Department approval of DTH REO INC.'s conditional use permit application (Activity # 2018-0082). Spoke's motion carried 3-0 on a voice vote. A public hearing on the application will be conducted in Juneau on May 7, 2018.

Chr. Spoke reported that when the Board recently drove throughout the Town checking for needed 2018 road maintenance that the roads were in relatively good condition, though he acknowledged that there might be new damage now after the recent snowstorms. Spoke said that a whole lot of brushing won't be needed in 2018. Projects planned for completion include the Yerges Road ditch clean-out, Sullivan Road overlay, and a ditch clean-out near Ricky Gentz's home that wasn't completed last year.

Motion by Sup. Crave, seconded by Sup. Keach, to approve the letting of bids for the Sullivan Road paving overlay and associated shouldering, with all work to be completed by September 15, 2018. The bids will be due by the Board's May monthly meeting. Crave's motion carried 3-0 on a voice vote. Clerk Thompson will draft the request for bids and request publication in the Courier twice, and Chr. Spoke will also alert possible bidders of the project.

After brief discussion, The Board took no action to add additional speed limit signs in the "village" of Portland.

Items requested for inclusion on the agenda for the Board's May monthly meeting included the following: update and possible action on dog licensing violations, announcement of date and time for the Town's 2018 Open Book and Board of Review, opening of and awarding of a bid for the Sullivan Road project, announcement of Class "B" and "Class B" license applications received for the 2018-2019 license year, and discussion of possible raises for several Town employees.

Treasurer Benninger then reported March receipts of \$1,288.00 and March checking account disbursements of \$21,536.46. With the addition of April receipts to April 16, 2018, of \$32,720.66, the balance in the Money Market Account as of that date was \$191,788.94 and the balance in the checking account was \$1,661.80 for a total in both accounts as of that date of \$193,450.74. In addition, \$526.66 remains in the Town Computer Savings Account. Benninger added that all delinquent personal property tax has been paid.

Motion by Sup. Keach, seconded by Sup. Crave, to approve Treasurer Benninger's report as given. Keach's motion carried 3-0 on a voice vote.

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

The Board then reviewed the following correspondence received since the Board's March monthly meeting:

1. Quarterly contribution report for completion and submission from the Department of Workforce Development
2. January and February Department Activity reports plus February and March EMS reports from the Waterloo Fire Department
3. Notification from the Department of Workforce Development Division of Unemployment Insurance of benefit charges and adjustments (\$48.44) for Walter Schoenherr for weeks ending 03/03/2018 through 03/24/2018
4. Notification from Dodge County Land Resources and Parks Department that the Dodge County Board of Supervisors on May 20, 2018, had approved the Town's resolution to rezone Gary Loeffler's property from A-1 to A-2
5. 2018-2019 dues statement from the Wisconsin Towns Association plus listing of benefits of WTA membership, request for roster of elected and appointed officers, and information on the WTA's on-line training video subscription to which the Town has free access due to its membership in the Town Advocacy Council
6. Confirmation from Nationwide of contributions received and invested (\$1,512.50) on March 20th
7. Information from Insight FS regarding patronage dividends payable to Farm Bureau Members engaged in production agriculture, flyer identifying member benefits, and membership application
8. Signed contract from Skalitzky Sod Farms for 2018 mowing
9. March 2018 LifeStar report from Chris Orange
10. New building number assignment from Dodge County Land Resources and Parks Department for Kyle Hubacher (N848 County Road T)
11. Wisconsin Towns Association April 2018 report

12. Notification from Eleanor Schulze of the April 26th annual meeting of the Columbus Rural Fire Group plus draft copy of minutes of its October 26, 2017, budget meeting
13. Listing from General Engineering Company of 2018 Town of Portland building permit applications received thus far
14. Notification from Dodge County Land Resources and Parks Department of Dale Van Noy-Burke's (agent for DTH REO Inc.) application for a conditional use permit under the county's Shoreland Protection Ordinance
15. Request from Makenzie Drays for the Town's indebtedness for the period ending December 31, 2017, in connection with Dodge County's financial statements
16. Salary survey request and copy of survey results from Marjorie Beilke
17. Unaudited Investment Activity report and financial activity confirmation statement for January 1, 2018, to March 31, 2018, for the Town's OBRA account
18. Special Assessment Letter from Title Consultants Inc. regarding property currently owned by Jason E. and Jane A. Erickson
19. Request from Amy Nehls for updated Emergency Management Contact plus information on NIMS training requirement, associated classes, and other related information
20. Information from Tiffany Loeffler regarding plans for her new home and the "event venue" on property off County T
21. Notification from the Department of Safety and Professional Services that the 2016 Wisconsin Burning Report is available on the Department's Fire Prevention web page
22. "Rock River Reflections" Spring 2018 Volume 21, Number 2.

Thompson also noted that she had received zoning classification requests from several realtors/appraisers and that several Town residents had asked questions, expressed concerns, and/or complained about the manner in which brushing had been done on some Town roads and the quality and timeliness of this year's snow removal services on Port, Yerges, and Sullivan (in particular) in comparison to prior years. Board members added that they too had been contacted regarding snowplowing issues on Hansen Lane, Bauman Lane, and (four times) Yerges and Port Roads. The Board felt that there appeared to be a management issue and that the Board should meet with the Town's snow removal contractor sometime this summer to address those issues.

Chr. Spoke noted that he had returned a call to a Michels Quarry representative regarding the company's interest in opening up additional land for the quarry but that Spoke had not heard back from that individual.

Sup. Crave noted that he had mailed the Town's annual recycling report to the DNR.

With no further business needing to be addressed at the time, motion by Sup. Crave, seconded by Sup. Keach, to adjourn. Crave's motion carried 3-0 on a voice vote at 9:48 P.M.

APRIL BILLS APPROVED FOR PAYMENT

3351 WE Energies	\$ 48.53
3352 WMCA	25.00
3353 Angie Christenson	10.00
3354 Jim's Cheese	25.85
3355 Diane Dolan	80.00
3356 Terry Wermuth	106.16

3357 Ruby Kegler	48.00
3358 Debra Weihert	125.25
3359 Roxanna Weiner	51.25
3360 Mindelyn Crave	48.00
3361 Crosscut Services, LLC	1,462.50
3362 Dodge County	41.00
3363 City of Columbus	1,536.19
3364 Judy Stippich	80.00
3365 Chris Topel	110.34
3366 Unemployment Insurance	48.44
3367 Hometown News Limited Partnership	23.39
3368 James Schleif	64.64
3369 Joseph Pantely	295.50
3370 United States Treasury	609.30
3371 Advanced Disposal	730.26
3372 Waterloo Utilities	253.27
3373 Decorative Concrete Construction, LLC	1,815.00
3374 Decorative Concrete Construction, LLC	6,600.00
3375 Country Carpenter LLC	<u>163.22</u>

TOTAL: \$ 14,401.09

Nancy L. Thompson, Clerk