

**Town of Ixonia  
Town Board  
Minutes  
March 12, 2018**

**1. Call to Order, Roll Call and Pledge of Allegiance**

Chairman Goetsch called the meeting of the Town of Ixonia Town Board 7:00 p.m.

Roll call was taken with the following in attendance: Chairman Perry Goetsch, Supervisor Brian Derge, Supervisor Carl Jaeger, Supervisor Peter Mark and Supervisor Jeff Taylor.

Also Present: Deputy Clerk/Treasurer Jodi Jaeger, Highway Superintendent Dennis Lillge, Fire Chief Dave Schilling, Utility Plant Manager Jeff Wegner, Attorney Stan Riffle and Clerk/Treasurer Nancy J. Zastrow and approximately 50 residents/spectators.

**2. Proof of Posting and Notice**

The agenda was posted at the Town Hall, Post Office and Ixonia Bank and published in the Watertown Daily Times and also posted on the website.

**3. Approval of Minutes – February 12, 2018 Minutes**

**Supervisor Derge moved, seconded by Supervisor Jaeger to approve the February 12, 2018 minutes as presented. Motion carried.**

**4. Treasurer's Report**

- a) Update on Financials
- b) Presentation of Revenue and Expense Report for February 2018

**Supervisor Jaeger moved, seconded by Supervisor Derge to approve the Financial Report as presented. Motion carried.**

**5. Jefferson County Sheriff's Department Report and/or Jefferson County Supervisor Report**

Jefferson County Supervisor Amy Rinard was present and stated the Jefferson County Highway Satellite Shop in Ixonia is for sale. This parcel is zoned Industrial and the appraised value is \$60,000. If anyone is interested they are to contact the Jefferson County Corporation Counsel for more information.

**6. Plan Commission:**

- a) *Discussion and Possible Action regarding a Text Amendment to the Jefferson County Zoning Ordinance, Sec. 11.11(a)4, in order to comply with Wisconsin Statutes regarding the appointment of the head of the County Zoning Agency*

Chairman Goetsch explained this was unanimously approved by the Plan Commission. This amendment will bring the county zoning ordinance into compliance with state statutes.

**Supervisor Mark moved, seconded by Supervisor Derge to approve the Text Amendment to the Jefferson County Zoning Ordinance as presented. Motion carried 5-0.**

*b) Discussion and Possible Action regarding a request by Sara Manzke for VARIANCE to Allow Farm-Type Animals on less than 2-acres at N8263 County Road E, Watertown – Town of Ixonia on PIN 012-0816-1931-009*

Chairman Goetsch invited the petitioner Sara Manzke to present her case to the Board.

Sara Manzke – N8263 County Road E, Watertown

Ms. Manzke explained she used the therapy animals for medical issue she has. She stated her testimony is the same as last time. She thought she was following the process and feels she should be treated like a person with any other disability. Allowing this would accommodate her disability and she is here to make her case and open to any questions.

Supervisor Derge asked how many years she has had this condition? Ms. Manzke responded since 2014 and received a definite diagnosis in June of 2015.

Supervisor Derge asked how many goats? Ms. Manzke responded she has four (4) therapy goats and five (5) geese. She noted goats need to be in pairs, they function better in a group.

Supervisor Taylor asked how big are the goats? Ms. Manzke responded currently about 35 lbs. and will not be over 40-45 lbs.

Supervisor Taylor asked if the goats were male or female? Ms. Manzke stated there would be no breeding of the goats.

Supervisor Jaeger asked how many geese? She stated six (6) right now and she is rehoming two (2).

Supervisor Jaeger asked if they are quite noisy? Ms. Manzke stated one is a gander and three females and they are enclosed at night.

June Herman – Town of Ixonia Plan Commission

Commissioner Herman explained the Plan Commission met on February 28<sup>th</sup> to review a request for a variance and conditional use application. The parcel in question is .91 acres and zoned community. The Plan Commission asked Sara if she had checked zoning laws and she stated she had not. She thought the Fair Housing – HUD laws allowed the animals.

Jefferson County Zoning sent letters to Sara regarding the zoning violations. Plan Commission voted to deny the application for the variance and did not take any action on the conditional use application.

Chairman Goetsch asked the audience if anyone wanted to address the Town Board regarding this matter.

Richard Judge – N8243 County Highway E

Mr. Judge stated Pipersville is a community of neighbors helping neighbors, he said years back there were beef cattle in the backyard. He is well aware of emotional animals and HUD law and landlord and tenant discrimination on single family homes. The animal needs to be prescribed by a doctor just as a wheelchair or cane. That is the Federal Law and can file a discrimination claim. He noted there is one individual in the neighborhood who causes turmoil. He is asking the Zoning Committee and board for a reasonable accommodation for her emotional support. In regards to the manure, smell, noise – he noted two miles behind his property he can see and smell manure. He noted we live in the country and he supports her 100%. He asked who is it hurting? And it is not for us to decide what her medical needs are – laws were in place before support animals. He encourages the board to look at it in a different way.

Shari Judge –

Ms. Judge stated no one could figure out what a farm animal was. She read from federal law – Farm Animals are any domestic specie for food, fiber or animal. She noted she does not believe she is going to use these animals to produce milk, feed, food, etc. In her opinion its not like she has a whole herd of goats – these are for personal use.

Jason Judge –

Mr. Judge noted he grew up on the property Ms. Manzke owns. He noted all the farm animals in the area and there were never any issues. He asked what is the definition of farm type animal? He feels the need to review the zoning ordinance. He asked if she had five (5) Great Danes would this be an issue? He thinks we all need to come together and be supportive of this request.

Troy Letts – N8246 Pipersville Road

He supports the request for the variance.

Khris Erickson sent an e-mail letter noting her support of the variance and allowing the animals.

Martine Koeppel sent a letter stating she is opposed to the variance and requested the board to uphold the Plan Commission decision.

Supervisor asked if the variance is granted does it stay with the property?

Attorney Riffle explained to the audience and reminded the Town Board, this is County Zoning and all the town is doing is making a recommendation to the County. Under County zoning no animal not specific is a farm animal. He stated in his opinion this is a use variance not a land variance. He noted the ADA thing does not trump zoning laws and any lawsuit would be at the County not us.

Supervisor Taylor asked for clarification that no matter what the Town Board decides the County will make the final decision.

Supervisor Jaeger clarified this would only be for this property.

Attorney Riffle explained the definition of farm animals and also the variance would run with the land. He noted if anyone else wanted the same type of request, they would be required to go through the same process.

Supervisor Derge noted if they had lived there for five or six years and then the medical condition was diagnosed it might be looked at different, but you had the condition when you moved there and you didn't check the zoning. He compared it to the Industrial Park of downtown Ixonia this is unchartered territory. Rules and laws are made to protect the majority and not all neighbors agree – neighbors move in and out.

Supervisor Jaeger asked what was done prior to purchase with the animals. It was noted the property they previously lived at was able to have farm animals. Supervisor Jaeger stated he feels sorry for her and her condition and if we don't want to grant this just to be the good guys. He noted geese make noise and laws have been put into place to protect people.

Ms. Manzke and Mr. Pernat stated these animals help to get her out of the house every day.

**Chairman Goetsch moved, seconded by Supervisor Derge to deny the request for a variance to allow farm type animals on less than 2-acres. Motion carried 5-0. Chairman Goetsch stated the decision will be sent to Jefferson County.**

- c) *Discussion and Possible Action regarding a request by Sara Manzke for CONDITIONAL USE to Allow Farm-Type Animals in a Community Zone at N8263 County Road E, Watertown – Town of Ixonia on PIN 012-0816-1931-009*

Based on the above action, no action was taken on the conditional use application.

**7. Discussion and Action regarding Operator's License for James Torgerson – Pernat's of Ixonia**

Staff recommends approval of the application.

**Supervisor Jaeger moved, seconded by Supervisor Derge to approve the Operator License application for James Torgerson as presented. Motion carried 5-0.**

**8. Discussion and Action regarding Resolution 2018-04 Resolution Authorizing the Issuance and Sale of \$1,835,000 General Obligation Promissory Notes, Series 2018A**

Greg Johnson – Ehler's was present and explained the GO Bond funding for road projects over the next three (3) years. The total borrowing is \$1,835,000 and we worked with Bankers Bank. The bids came in and the final price was \$947 more than estimated but is still \$26,000 less than the State Trust Fund Loan. The rates are 1.9% for the first year, 2.00% for second and 2.15% for the final payment. The closing will be March 29<sup>th</sup> and tonight the board needs to approve the resolution for the sale.

Supervisor Taylor recused himself from discussion and the vote due to Ixonia Bank's involvement in the funding.

Attorney Riffle noted he has worked with Brian Lanser as Bond Counsel and recommends approval.

**Supervisor Mark moved, second by Supervisor Derge to approve Resolution #2018-04 Authorizing Issuance and Sale of \$1,835,000 General Obligation Promissory Notes, Series 2018A as presented. Motion carried 4-0, Supervisor Taylor abstained.**

**9. Discussion and Action regarding Resolution 2018-05 Authorizing Town Treasurer to re-open accounts with Local Government Investment Fund to use for borrowed funds and designating the Local Officials to transfer funds to and from the Department of Administration for deposit in the fund.**

Staff is recommending reopening the Local Government Investment Fund to use for the borrowed monies. This will make it easier to track the activity and will still receive interest on the borrowed funds. Chairman Goetsch and Clerk/Treasurer Zastrow would have the authority to make withdrawals.

**Supervisor Taylor moved, seconded by Supervisor Mark to approve Resolution 2018-05 Authorizing Town Treasurer to re-open accounts with Local Government Investment Fund as presented. Motion carried 5-0.**

**10. Discussion and Action regarding approval of the advertisement for bids to rent of Town owned farmland for 2018 season**

Staff presented the ad to be placed in the Watertown Daily Times for renting town owned farmland for 2018.

**Supervisor Mark moved, seconded by Supervisor Jaeger to approve the ad advertising the town land for rent for 2018. Motion carried 5-0**

**11. Discussion and Possible Action regarding Resolution 2018-02 – “No Parking” designations**

Highway Superintendent Lillge reviewed the Resolution for No Parking designations in the Town of Ixonia. It was noted that “f” needs to be removed, it is repeat or another section in the resolution. Discussion followed.

**Supervisor Mark moved, seconded by Supervisor Derge to approve Resolution 2018-02 “No Parking Designations” with the correction of “f” being removed. Motion carried 5-0.**

**12. Discussion and Possible Action regarding Ordinance 2018-02 Establishing Option for Split Shifts for Election Officials.**

Attorney Riffle explained this ordinance establishes the option for the Clerk to use split shifts for elections. This requires specific action from the governing body.

**Supervisor Mark moved, seconded by Supervisor Taylor to approve Ordinance 2018-02 Establishing Option for Split Shifts for Election Officials. Motion carried 5-0.**

**13. Park & Recreation:**

- a) Discussion and Action regarding recommendation to approve installation of poles at Firemen’s Park between volleyball court and tennis court for Water Barrel installation to be used for events and Fire Department training.

It was explained the Fire Department wants to put up two poles to be used for water barrel fighting as well as training. These would be located in close proximity to the volleyball court. They will work with Highway Superintendent Lillge for the proper placement. This is a recommendation from the Park & Recreation committee.

**Supervisor Jaeger moved, seconded by Supervisor Derge to approve the installation of poles at Firemen’s Park between volleyball court and tennis court for Water Barrell and Fire Department trainings. Motion carried 5-0.**

- b) Update on applications for Park & Recreation employee

Supervisor Mark explained the town received five (5) applications for the position of Park & Recreation Maintenance. One applicant withdrew after the interview. He stated all applicants were good candidates, the committee has narrowed it to one candidate and he will confirm with the candidate if still interested. This would be for the seasonal position.

Chairman Goetsch asked the board of their availability on Monday, March 19<sup>th</sup> @ 7:00 to meet to confirm the recommendation and a few other items that did not make the agenda this evening. There will be a closed session for discussion on the hiring for the position. The board agreed to another Town Board meeting on March 19<sup>th</sup> @ 7:00 pm.

**14. Highway Department:**

- a) Discussion and Action approving the 2018 bids for Road Construction and Seal Coating

Highway Superintendent Lillge gave a power point presentation on the bids for the 2018 road projects. Prices came in very close to last year.

Staff is recommending the following:

Seal Coating – Scott’s Construction	\$26,989.20
Paving – Hot Asphalt Mix	\$534,692.50
Paving – Cold Asphalt Mix	\$154,167.00

Discussion followed. The total projects would be \$978,213 and borrowed funds and budgeted road construction funds would be used to pay for these projects.

**Supervisor Derge moved, seconded by Supervisor Taylor to approve the Town Engineer recommendation for 2018 road projects in the amount of \$978,213 including the additional area on Rockvale Road and Ski Slide as presented. Motion carried 5-0.**

**15. Utility District #1 & #2**

a) Report and update on significant rain on February 20 & 21 and effect on La Belle lift station

Utility Plant Manager Wegner gave a report to the board regarding the flooding issue and the effect on the La Belle Life Station on February 19 & 20<sup>th</sup>. This is the third time in ten years this has happened. He noted our Engineer is looking into options to prevent this from happening in the future. This will be brought back at a future date for continuing discussion.

No action was required.

**16. Fire Department:**

a) February 2018 Monthly Activity report for Fire & EMS

Chief Schilling gave the February 2018 report for the Fire & EMS Department. They are on pass to exceed the number of calls in 2017.

b) Update on repairs to Tender 7 and 701

Chief Schilling reported that Tender 7 continues to have pump problems. It has been rebuilt and passed the pump testing, but still having problems.

701 – Ambulance is having some electrical issues with the radio. There has been re-wiring done as well as checking the power from the building. They will continue to monitor this problem.

**17. Upcoming Meetings:**

*Town Board Meeting – April 9, 2018 @ 7:00 pm*

*Plan Commission – March 28, 2018 @ 7:00 pm*

*Recycling Committee Meeting – March 13<sup>th</sup>, 2018 @ 1:00 pm*

*Park & Recreation Committee – March 27<sup>th</sup>, 2018 @ 7:00 pm*

*Ixonia Fire Dept. Officer's Meeting – March 15<sup>th</sup>, 2018 @ 6:30 pm*

*Spring Election – Tuesday, April 3<sup>rd</sup>, 2018 – 7:00 am – 8:00 pm*

**18. Motion to Adjourn**

Supervisor Mark moved, seconded by Supervisor Derge to adjourn the March 12, 2018 Town Board meeting at approximately 8:47 p.m. Motion carried 5-0.

Respectfully submitted,

Nancy J. Zastrow  
Town Clerk/Treasurer