

**Town of Ixonia
Town Board
Minutes
June 12th, 2017**

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

Chairman Goetsch called the meeting of the Town of Ixonia Town Board 7:04 p.m.

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

Excused: Supervisor Peter Mark.

Also Present: Attorney Val Anderson, Deputy Clerk/Treasurer Jodi Jaeger, Utility Plant Manager Jeff Wegner, Fire Chief Dave Schilling, Recycling Committee Chairman Vic Karaliunas and Clerk/Treasurer Nancy J. Zastrow.

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. Treasurer's Report

a) Presentation of Revenue and Expense Report for May 2017

Supervisor Jaeger moved, seconded by Supervisor Derge to approve the May 2017 Revenue and Expense report as presented subject to audit. Motion carried.

b) Treasurer's Report – January - 2017

Clerk/Treasurer Zastrow gave the January 2017 report. She is still working out some glitches with payroll and credit card payments within the reconciliation. No formal action was taken.

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

Amy Rinard, County Supervisor was present and gave an update on the Jefferson County Strategic Plan listening sessions. She encouraged residents to attend and give their input. She also reminded everyone of the Jefferson County Fair – July 12 – 17th.

5. Discussion and Possible Action regarding a request received at the 2017 Annual Meeting to create Ad-Hoc committee to address the ordinance.

Chairman Goetsch stated the motion at the Annual Meeting was to start a committee to look at TAG Lane Farms. He has been presented with a manure hauling ordinance from another municipality, siting ordinances and manure piping ordinances. We currently have a Jefferson County siting ordinance, the town adopted a Implement Husbandry ordinance, the town has an ordinance regulating working within the R-O-W, he doesn't know what the group wants the board to do. He stated if a committee is created it needs direction.

Supervisor Jaeger reiterated the Town is under County zoning and we (the Town Board) have no control over the zoning laws. The Town Board denied the Conditional Use permit in 2008 and it went over the board for approval. He stated everyone needs to be treated with respect.

Supervisor Taylor suggested having a meeting like an annual meeting with the residents where they can address the board with an open discussion. Items such as number of animals, pumping and spreading of manure, setback for future farms, hours allowed for hauling manure along with the effects some actions can have on the Industrial Park – there are a whole lot of issues. He would like Griswold's to also be invited and a time limit would be set for all attendees to address the board with their concerns.

Attorney Anderson stated his firm is working on three matters currently in litigation west & north of here. He stated there is tremendous amounts of test wells and the DNR does not have a per acre limit for

manure, it is dependent on the topography and is done per case – hard to do one size fits all. He stated to do research would be very very expensive and the results can overlap onto small farms. He also pointed out that not all CAFO farms are cows.

Supervisor Derge said the first conversations were talking about farms and now it is talking restrictions in the Industrial Park. If the issue is groundwater – then it is groundwater – the committee is of no value unless it has an agenda. Discussion followed.

Attorney Anderson stated there should be a goal of the meeting, have a DNR Representative and someone from the County. Attorney Anderson suggested a person from the Wisconsin Ag Board. Chairman Goetsch said he would like to have a panel discussion and have a definite agenda. Supervisor Jaeger and Supervisor Taylor like the idea of having a meeting and it may clear up several issues. Will try to get a something set up for the middle of July. No formal action was taken.

6. Discussion and Possible Action regarding applications received for renewal alcohol licenses as follows:

- a) **Combination Class “A” Beer and “Class A” Liquor License**
 - Cruisin’ 16 LLC - DBA Cruisin 16 BP– W1168 American St., Ixonia.- Jonathan H. Kluewer, Agent
 - Pernat Haase Meats LLC, Zac Pernat, Agent – DBA Pernat’s of Ixonia – W1194 Marietta Avenue, Ixonia WI 53036.
- b) **Combination Class “B” Beer and “Class B” Liquor License**
 - Lopyy’s Hiawatha Inn, LLC – W1311 Marietta Ave., Ixonia – Carl Loppnow, Agent.
 - Ixonia Volunteer Fire Department Inc. – Ixonia Firemen’s Hall-N8345 Park St., Ixonia, Dale Saeger – Agent (3 month license)
 - Double A, Inc. – Ixonia Pub – W1270 Marietta Ave., Ixonia, David Peschok – Agent.
 - Donny’s Girl Supper Club, LLC – N8240 CTH E, Watertown – Jaclyn D. Mueller - Agent.
 - OCONOWIS Inc.– Maria Teresa Perez, Agent; - DBA Georgina’s Restaurant - N7970 Ski Slide Rd., Oconomowoc. RENEWAL
- c) **Temporary Class “B”/”Class B” Retailers License**
 - Ixonia Lions Club, Pat Dudley – President, August 19 & 20, 2017 – Ixonia Lions Club Town & Country Days

Clerk/Treasurer Zastrow explained the applications and stated staff recommends approval of all licenses as presented.

Supervisor Jaeger moved, seconded by Supervisor Taylor to approve the renewal alcohol licenses as presented for July 1, 2017 – June 30, 2018. Motion carried.

7. Discussion and Possible Action regarding applications for Operator Licenses from July 1, 2017 – June 30, 2018 per the list provided in the agenda packet

Clerk/Treasurer Zastrow stated background checks were performed on all applicants and staff recommends approval.

Supervisor Taylor moved, seconded by Supervisor Derge to approve the Operator Licenses from July 1, 2017 – June 30, 2018 as presented. Motion carried.

8. Discussion and Possible Action regarding applications received for Cigarette License for the period of July 1, 2017 – June 30, 2018

Supervisor Derge moved, seconded by Supervisor Jaeger to approve the Cigarette License applications for July 1, 2017 – June 30, 2018 as presented. Motion carried.

9. Discussion and Possible Action regarding Special Event Applications received from:

- a) Ixonia Lions Club – Dennis Jaeger – August 20, 2017 – for Parade
- b) Tall Pines Conservancy – Beth Hoefer-Jezo – August 19, 2017 – Bike Race

Supervisor Jaeger moved, seconded by Supervisor Taylor to approve the Special Event applications for Ixonia Lions Club parade – August 20 and Tall Pines Conservancy – Bike Race – August 19. Motion carried. Discussion followed regarding the upcoming Tour de Goose and if they applied for a Special Event – they did not. Staff will follow up and remind them this needs to be done to have the ride utilize town roads.

10. Discussion and Possible Action regarding Direct Sellers application – Southwestern Advantage – Tyler Black

Clerk/Treasurer Zastrow explained the application currently used is not very detailed she would like to expand the application. Attorney Anderson suggested confirmation of the employer and to research complaints from other communities, no other denials and also a description of the automobile.

Supervisor Derge moved to approve the Direct Sellers application subject to checking with the other communities he has a license with, obtaining a description of automobile and confirming the employer and satisfactory results to these inquiries. Supervisor Jaeger seconded the motion and carried.

11. Discussion and Possible Action regarding Ordinance 2017-02 – Ordinance to Create Fire Inspection Charges of the Municipal Code of the Town of Ixonia Section 14 – Chapter III

Chief Schilling explained the ordinance and how staff and the Town Attorney have worked together to create the ordinance. He stated the Fire Department is required by law to provide semi-annual fire inspections to all commercial and industrial properties. The Town currently has a contract for inspections for \$40 per year. The 2nd, 3rd and 4th inspection is done by the Fire Department. Discussion followed. Attorney Anderson asked if the suggested cost of 2nd, 3rd and 4th inspections take into consideration actual costs incurred. Chief Schilling stated this does take into consideration actual costs.

Supervisor Taylor moved, seconded by Supervisor Derge to approve Ordinance 2017-02 to Create Fire Inspection Charges. Motion carried.

12. Discussion and Possible Action regarding Ordinance 2017-04 – Ordinance to Establish Procedures and Criteria for Allowing Alternative Forms of Sworn Testimony at Board of Review Hearings

Attorney Anderson explained an individual may request when objecting to their property assessment to give sworn testimony via phone or other means than in person. This ordinance is a guideline and the final determination is totally up to the board. It is not mandatory to allow an individual the ability to testify using other ways, but the board would have to document the reason for denying the request.

Supervisor Taylor moved, seconded by Chairman Goetsch to approve Ordinance 2017-04 Establishing Procedures and Criteria for allowing alternative forms of sworn testimony at the Board of Review Hearings. Motion carried.

13. Discussion and Possible Action regarding lease agreement for Ixonia Firemen's Hall with Kristy Zingsheim

Attorney Riffle drafted the agreement based on the information provided by the board and staff. Supervisor Jaeger delivered the contract to Kristy and she was out of town for the weekend. Chairman Goetsch wanted the board to see the proposed contract and if there were any changes or recommendations to present them tonight. No recommendations or action were taken.

14. Recycling Committee

a) Discussion and Possible Action regarding contract with Waste Management

Vic Karaliunas stated Waste Management has been the contracted service provider for recyclables with the current contract beginning November 1, 2014 and expiring November 1, 2017. The committee wanted to be pro-active on this and sought a proposal to continue the service. The contract being presented would expire in 2019. He is asking the board to approve the two (2) year agreement with the option of a twelve (12) year extension.

Supervisor Jaeger recommends not utilizing the auto renewal. He feels it is best to seek proposals when they become due.

Supervisor Jaeger moved, seconded by Supervisor Taylor to approve the two-year contract with Waste Management for recyclable removal at the Transfer Site. Motion carried.

b) Discussion and Possible Action regarding blacktop for Transfer Site

Vic Karaliunas explained the Recycling Committee would like to replace the current asphalt at the Transfer site with a concrete pad. The current asphalt is deteriorating and they would like to replace it with concrete. Karaliunas stated they current have \$8,000 towards the project and they average around \$7,400 annually in the new equipment fund. He explained the committee would like to see a 40' x 90' concrete pad to replace the asphalt. Discussion followed.

Supervisor Taylor asked if this is an immediate need. Karaliunas stated it is not breaking apart yet, but they want to take a pro-active approach. Supervisor Taylor and Supervisor Derge stated they would like to wait until budget time to address this.

No action was taken.

15. Fire Department:

a) Update on monthly report for Town of Ixonia, Town of Watertown and Town of Concord

Chief Schilling gave the monthly report for May. There was a total of 20 calls. He noted there were no calls in the Town of Watertown for the month of May.

b) Approval of new Fire & EMS recruit

Chief Schilling brought the application for Bryan Fisher to the board for approval. Mr. Fisher was an active member in Johnson Creek, but he recently moved and wants to continue. The Fire Department board recommends approval.

Supervisor Jaeger moved to approve Bryan Fisher as Fire & EMS recruit as presented. Supervisor Derge seconded the motion and carried.

c) EMS ALS recommended changes

Chief Schilling explained LifeQuest is recommending a rate change for ALS2 base rate for more than 3 meds administered. He stated our EMS runs an average of 6-7 of these types of runs annually. LifeQuest

is also recommending increasing the mileage rate – we currently are in the middle of the chargeable rates compared to other communities, so they are recommending an increase.

Supervisor Jaeger moved, seconded by Supervisor Derge to approve the EMS ALS recommended changes as presented. Motion carried.

d) Discussion and Possible Action regarding placing Brush #2 on State Surplus

Chief Schilling gave an update and explained they are putting everything but the chassis on state surplus. This was approved at a previous meeting, no formal action needs to be taken.

e) Discussion and Possible Action approving Fire Captain Calvin Sauer and Fire Lt. Aaron Smebak

Chief Schilling reported the department held a special election on June 1st for the position of Captain. Calvin Sauer was elected as Captain which then left the Fire Lt position open and Aaron Smebak was elected Lieutenant. The board needs to approve these elected positions.

Supervisor Jaeger moved, seconded by Supervisor Taylor to approve Fire Captain Calvin Sauer and Fire Lt. Aaron Smebak as elected. Motion carried.

f) Update on Tender 7

Chief Schilling reported Tender 7 is currently at A & G Metals trying to remedy the leakage in the tank. These repairs will hopefully take care of the problem.

g) Update on Fire/Highway Department building

Chief Schilling reported there was another leak in the roof on the Fire Department side. Richter Heating repaired it with some sheet metal over the stack on the roof. There are continual problems with the building. He wants to keep the board aware of these problems. No action was required.

16. Utility District:

a) Update on 2016 CMAR Report

Utility Plant Manager Jeff Wegner gave a brief update on the 2016 CMAR reporting. He explained the violations and the failing grade on the report. He will continue to work with Engineer Brandon Foss to correct the violations. Wegner noted that in 2014 the plant was 33% in compliance and in 2015 it was 50% in compliance and now in 2016 it was 38%. He does not believe it is a sand issue, but recirculating is part of the problem. Engineer Foss and Wegner will work with a consultant to try to figure out the issue.

b) Resolution 2017-06A – CMAR Annual Report Utility District #1

Supervisor Derge moved, seconded by Supervisor Taylor to approve Resolution 2017-06A – CMAR Annual Report for Utility District #1. Motion carried.

c) Resolution 2017-06B – CMAR Annual Report Utility District #2

Supervisor Jaeger moved, seconded by Supervisor Derge to approve Resolution 2017-06B – CMAR Annual Report Utility District #2 as presented. Motion carried.

17. Upcoming Meetings:

Town Board Meeting – July 10, 2017

Plan Commission – June 28, 2017

Park & Recreation – June 27, 2017

Ixonia Fire Dept. Officer's Meeting – July 13, 2017

Recycling Committee Meeting – cancelled for June

18. Closed Session – Upon motion duly made and carried by roll call vote, the Board may be convened into closed session under §19.85(1)(g), Wis. Stats., for the purpose of conferring

with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved. RE: Pending litigation Town of Ixonia v. Timothy Knopps, Case No. 14 CV 444.

Clerk/Treasurer Zastrow read the closed meeting notice.

Motion to convene into closed session was made by Supervisor Jaeger, seconded by Supervisor Taylor. A roll call vote was taken:

Supervisor Jaeger	yes	Supervisor Derge	yes
Supervisor Taylor	yes	Supervisor Mark	absent
Chairman Goetsch	yes		

Motion carried.

19. Reconvene into Open Session/Possible Action regarding litigation Town of Ixonia vs Timothy Knopps

Chairman Goetsch moved to reconvene into open session at approximately 8:45 p.m. Supervisor Taylor seconded the motion. Roll call vote was taken:

Supervisor Jaeger	yes	Supervisor Derge	yes
Supervisor Taylor	yes	Supervisor Mark	absent
Chairman Goetsch	yes		

Motion carried.

Chairman Goetsch moved to take no further action regarding the litigation with Mr. Knopp – Case 14CV444. Supervisor Jaeger seconded the motion and carried.

20. Motion to Adjourn

Supervisor Jaeger moved, seconded by Supervisor Derge to adjourn the June 12th, Town Board meeting at approximately 8:46 p.m. Motion carried.

Respectfully submitted,

Nancy J. Zastrow
Clerk/Treasurer