

**Town of Ixonia
Town Board
Minutes
September 10, 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, Fire/EMS Chief Dave Schilling, Highway Superintendent Dennis Lillge, Park & Recreation Seasonal Andrew Beaudette, Utility Plant Operator Jeff Wegner and Attorney Stan Riffle

A moment of silence was observed in honor of former Chairman Don Timmel who recently passed away.

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 – August 13th, 2018

Supervisor Mark moved, seconded by Supervisor Derge to approve the August 13th, 2018 minutes as presented. Motion carried.

4. Treasurer's Report

- a) Presentation of Revenue and Expense Report for August 2018

Supervisor Derge moved, seconded by Supervisor Taylor to approve the Financial Report as presented and to place on file until Audit. Motion carried.

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

There was no one in attendance from the Sheriff's Department or the County Supervisor.

6. Plan Commission

- a) Discussion and Possible Action regarding a site plan review for Nicholson Warehouse to construct a new building on Maple Street in the Ixonia Industrial Park.

Bob Buchta of Oliver Construction explained to the Board that Nicholson Warehouse would like to construct a new 20,000 square foot warehouse on a vacant lot on Maple Street in the Industrial Park. This building would be used as a warehouse for possible manufacturing in the future. The building will be 40 feet tall to accommodate large cranes needed to move items around in the warehouse. Lake Country Engineer is working on storm water management and a retention pond will be located on the west side. Additional parking will also be made available. Supervisor Derge said it appeared the building would blend in well with its neighbors. This request was approved by the planning commission.

Supervisor Derge moved, seconded by Supervisor Mark to approve the request for Nicholson Warehouse to construct a new building on Maple Street as presented subject to storm water approval by the town engineer. Motion carried.

- b) Discussion and Possible Action regarding a text amendment to the Jefferson County Zoning Ordinance, Sec. 11.10 in order to meet the necessary revision related to a statutory revision from Act 68, regarding Shoreland Provisions.

Chairman Goetsch explained to the Board that this amendment reflects the maintenance of repair in shore line areas. This was passed by the Planning Commission.

Chairman Mark moved, seconded by Supervisor Derge to approve the change. Motion carried.

7. Discussion and Action regarding advisory motions/matters from Town Annual Meeting

- a) Discussion and Possible Action regarding Ordinance 2018-05 – Transportation of Manure

Attorney Riffle presented the Board with Ordinance 2018-05, Regulating the Safe Transport of Manure. Attorney Riffle stated that he took into account the comments made by the general public as well as looking at other ordinances.

Supervisor Mark asked about Section 1, subterranean manure line. Attorney Riffle explained that we currently don't have any subterranean manure lines but put that in the ordinance in case it would become an option. Supervisor Taylor asked if the Town could say no the subterranean lines and Attorney Riffle stated yes.

Supervisor Mark asked if the 6 month application will have a start and stop date. Supervisor Taylor asked how long the hoses would be laying in road right of way. Supervisor Jaeger said it should be a yearly permit rather than 6 months. Attorney Riffle stated that the lines will not be able to stay laying out. The permit would control the date and time period.

Supervisor Mark asked if it is necessary to know the manufacturer? Attorney Riffle stated that he put this in the ordinance because a group of residents has stated they want to know everything.

Supervisor Mark asked about Section 3c #2. What does it mean? Attorney Riffle stated that it means they hoses cannot be placed by wetlands or storm water drainage.

Supervisor Mark asked if Section 3C #5 could be changed from submitting a weekly report to the Highway Superintendent to only needing to report if there is a breach. Attorney Riffle stated that 3C #7 states immediate notification to the highway superintendent upon a discharge or leak.

Supervisor Mark feels that there a lot of trip wires in this ordinance that could make it difficult for future boards. Supervisor Derge feels this ordinance is more complicated compared to the County Ordinance. Attorney Riffle stated that this ordinance would take precedence over the County. Ours would be more restrictive. Supervisor Derge feels that if this permit is too difficult farms will go back to trucking. Attorney Riffle stated he put the most screws into this ordinance. At this point changes can still be made.

Supervisor Taylor mentioned that the ordinance does not state time or hours. Supervisor

Jaeger stated hours should be 24/7. This is sometimes necessary depending on the weather. Supervisor Taylor is concerned about the noise of the generators running. Attorney Riffle stated that these issues can be addressed in the ordinance or stated on the permit. Supervisor Taylor also asked about the amount of days/weeks the line would be in place. Attorney Riffle suggested being flexible to fit different situations. Supervisor Taylor asked if the hose being in a culvert during a rain event would restrict the flow of the culvert. Attorney Riffle stated that there could be a provision in the ordinance that the hose would need to be removed if such an event occurred.

Supervisor Derge feels that the ordinance needs to be reasonable. We are reinventing the wheel and have gone too far. You can create all the what if's and fear that you want.

Chairman Goetsch asked if the bond is needed. Attorney Riffle stated that it is in case they don't do what is asked. The farmer and company are jointly liable.

Resident, Janet Foust thanked Supervisor Taylor, Supervisor Mark and Attorney Riffle for their work on the ordinance. She has peace of mind. She suggested to rework the ordinance to fit our community if necessary. She also brought up nutrient management which Chairman Goetsch reminded her the Town has no control over.

Resident, Matthew Taylor feels the manufacturer of the equipment should be provided and inspections should be done. Feels this is a good start to the ordinance and thanked the Board for taking the time to work on the ordinance.

Resident, Janet McConoughay asked if they could get copies of the ordinance. Chairman Goetsch responded that anyone can request copies of the ordinance. It can be picked up at Town Hall during business hours and if \$.25 per page.

Resident, Dyan Pasono addressed the issue of Board members saying this is cumbersome. "Because we live in a rather environmentally sensitive area with the Rock River and a lot of lowland areas that are wetlands we have a responsibility to the entire environment of our community and all of the land owners to make sure we are doing best practice in this and even though it may be more stringent than the County, again I applaud you for considering doing even above what the County is accepting because again we live in a very environmentally sensitive area and hopefully just like Matt had said make sure that the inspections are being done."

Supervisor Jaeger stated that he realizes this is a sensitive issue. Farmers have been good steward of the land for decades and have made Ixonia a great place to raise a family. Their lively hood depends on the land. He feels farmers take more responsibility for the land than they are being given credit for but understands the concern of the residents.

Attorney Riffle stated that after the August board meeting he was given the task of drafting this ordinance and then on the very heels of that some folks talked to the media and said that it was preordained what the Board was going to do and what he was going to do. This is very annoying when the Board is sitting here trying to listen and trying to work with you folks. After this incident I was told not to do anything about an ordinance and he understood that because the Board is trying to get their arms around this and every which way they go people are second guessing that they are bad people. It just sucks. After a couple of weeks he was instructed to go ahead and work on the ordinance only to be informed that this was going to be ram rodded through. This Board has never done anything like that. Attorney Riffle asked the group of residents to please give them the respect they deserve. He feels that perhaps he should put into place the hours of operation, the definition of permittee and do just a couple of tweeks. He

has heard the concerns by the Board regarding the difficulty of the ordinance for those who have to deal with it. He recommends that the one entity that this affects should have the opportunity to respond to this and bring it back next month to have a legitimate conversation about what is reasonable and what is over kill. Jeff Taylor said that sounded reasonable.

Supervisor Jaeger is concerned with time restrictions. Farmers are under tremendous pressure to get things done and are dependent on the weather. He feels that a lot of the residents in attendance grew up in the city and have no idea how farming works. Farmers are dependent on the weather and need to get the work done weather permitting. If they need to work 24/7 to get the job done before it rains they should be able to do that.

Resident, Janet Foust said she wishes the trucks could stop by 10 or 10:30 at the latest. One night she had trucks going by at 11:45 pm. Supervisor Marks feels the hours should not be in the ordinance but should be on the permit. Attorney Riffle agreed.

Supervisor Derge asked if the bond is needed. These are not cheap. Attorney Riffle stated the Town will get paid by putting unpaid charges on the tax bill. The Town will have proof of insurance and unpaid charges will go on the tax roll. Bond will not be needed.

No action taken.

8. Discussion and Action regarding 2018-2019 Operator License applications: Lisa Woodard – Ixonia Station, Jazmon Wilson – Ixonia Station, Alisah Berger - Ixonia Station, Samuel Gross – Ixonia Station and Melinda Snyder – Ixonia Station.

Supervisor Jaeger moved, seconded by Supervisor Derge to approve the Operator Licenses as presented. Motion carried.

9. Discussion and Action regarding refunding Cruisin BP Alcohol License paid because of selling the property in the amount of \$333.30.

Supervisor Derge moved, second by Supervisor Jaeger to approve refunding Cruisin 16 BP \$333.30 for their alcohol license. Motion carried.

10. Update on repairs at Chivaree on Park

Supervisor Derge stated that the elevator is still not working.

11. Continuing Discussion and Possible Action regarding creation of Financial Policies and Procedures

Changes were made to the policy as requested at last month's meeting.

Supervisor Mark moved, seconded by Jeff Taylor to approve the Financial Policies and Procedures. Motion carried.

12. Discussion and Possible Action regarding Study Committee for use of Impact Fees possibly for construction of new building at Ixonia Firemen's Park – Park Street

Chairman Goetsch is requesting that the Town Board and Park & Rec Board meet on Monday, September 24 to have this discussion.

13. Update on lawsuit filed by Sara Manzke against the Town of Ixonia – Attorney Riffle

Attorney Riffle stated that it does not look like this case will be going anywhere since Ms. Manzke started the process of a conditional use permit but did not following through and appear in Jefferson County. No formal action was taken.

14. Update on August election – renting additional Express Voting Machine for November Election

Deputy Clerk, Jodi Jaeger explained to the Board that the Express Vote machine was very well liked by the voters at the August Election however, some of the voters did not use the machine because of the number of people in line to use it. To purchase a second machine would cost \$3650.00 or we could rent one from the County for \$790.00 to use for the November election. Staff is recommending the Board approve renting a machine for the November 2018 election. A second machine should not be needed for the few elections in 2019 but could be looked at purchasing in 2020 for the Presidential Election.

Supervisor Jaeger made the motion to rent the second machine for November, seconded by Chairman Goetsch. Motion carried.

15. Discussion and Possible Action regarding appointment of Election Inspectors: Connie Lossman and Paula Gore.

Staff is recommending the Board approve Connie Lossman and Paula Gore as poll workers for the November election.

Supervisor Derge moved, seconded by Supervisor Mark to approve the two poll workers as listed. Motion carried.

16. Set dates for Budget Workshops – Monday, October 15, 22 & 29, 2018 at 6:00 pm

Budget Workshops will be held on Monday, October 15, 22 and 29, 2018 at 6:00 pm

17. Recycling Committee – Vic Karaliunas

- a) Memorandum of Understanding regarding Recycling Programs with the City of Watertown including fees.

Vic Karaliunas is asking the Board to approve an MOU between the Town of Ixonia and City of Watertown for carpet, brush and mattresses. The past 5 or 6 years it has been a verbal agreement. The MOU would be reviewed on a yearly basis. Attorney Riffle recommended that a line be added to read a 90 day request is needed by either party to cancel.

Supervisor Jaeger moved, seconded by Supervisor Derge to approve the MOU as amended. Motion carried.

18. Fire Department – Chief Dave Schilling

- a) August 2018 Monthly Activity report for Fire & EMS

The department responded to 40 calls in the month of August.

- b) Discussion and Possible Action regarding the application for The Compeer Grant for two Philips Heart Start AED's.

Chief Schilling stated that this grant is for \$3000 and was originally going to be used to purchase 2 dash cams but was informed it needs to impact the community. The department will be purchasing 2 AED's instead.

- c) Discussion and Possible Action regarding updated Fire SOGS 49, 51 & 69 and EMS SOG 35. In addition, Fire SOG 68 & EMS SOG 36 will require legal advise to ensure proper wording and content before approval from the Town Board.

SOG 35 deals with membership. SOG 35 and 69 are the same. SOG 49 covers response guidelines and SOG 51 covers pay scales in accordance with the current contract.

Supervisor Mark moved, seconded by Supervisor Jaeger to approve the SOG's as presented. Motion carried.

- d) Update on repairs to Engine 6

Chief Schilling informed the Board that the repairs needed on Engine 6 were all completed by Highway Department employee Ben Degner, saving the department a large expense amount.

- e) Discussion and Possible Action regarding a request to apply for a State Farm Insurance grant for upgrades of Electronic Technology

Supervisor Jaeger moved, seconded by Chairman Goetsch to allow the Fire Department to apply for the State Farm Insurance Grant. Motion carried.

19. Highway Department – Highway Superintendent, Dennis Lillge

- a) Update on 2018 Road Projects

Highway Superintendent Dennis Lillge told the Board that Scott Construction completed their work. There was an issue on Shady Lane with a garbage truck that left tracks in the new surface. This work is under warranty for 1 year. Payne and Dolan will begin work on Ski Slide Road September 17th. Work has been delayed because of the wet weather. Five roads in the Town needed to be closed because of high water.

Supervisor Taylor asked about the progress of both Cty Hwy CW and Cty Hwy P. Highway Superintendent Lillge stated that it is being worked on by the County every day, weather permitting.

Resident, Brian Mackyol on Shady Lane addressed the Board stating the paving on Shady Lane is awful. The cold press used is awful. The Town should rip it up and put something decent down. The mailman is ripping holes in the pavement. It is going to need constant patching.

20. Utility Department – Utility Plant Manager, Jeff Wegner

- a) Update on Mary Lane Project – No report.

- b) Update on Donahue study on Utility Plant –

Donahue is still working on the facilities plan. Should be ready to meet with the Board in the near future.

- c) Ordinance 2018-06 – Amendment to Sewer Discharge Ordinance – No report.

21. Park & Recreation

- a) Discussion and Possible action regarding recommendation from Park & Recreation Board to re-key all Park facilities with Oconomowoc Lock & Key for \$1400.00

Supervisor Jaeger said it was discussed at the last Park & Rec Meeting. Park & Rec employee, Andrew Beaudette reported that the bathrooms at the hardball diamond were used and left a mess even though all keys have been turned in. Discussion was tabled to continue at the joint Town Board/Park & Rec meeting on September 24th.

22. Upcoming Meetings:

Town Board Meeting – October 8th, 2018 @ 7:00 pm

Recycling Committee Meeting – September 11th, 2018 @ 1:00 pm

Park & Recreation Committee – September 25th, 2018 @ 7:00 pm

Ixonia Fire Dept. Officer's Meeting – September 20th, 2018 @ 6:30 pm

23. Motion to Adjourn

Chairman Goetsch moved, seconded by Supervisor Mark to adjourn the September 10th, 2018 Town Board meeting at approximately 8:50 p.m. Motion carried.

Respectfully submitted,

Jodi J. Jaeger
Deputy Clerk/Treasurer