

**TOWN OF LODI
TOWN BOARD MEETING MINUTES
DECEMBER 18, 2018**

1. **Call to order & roll call:** Meeting called to order at 6:00 p.m. by Chairman Marx. Board members present: Tom Marx, James Brooks, James Bechen, Brian Henry, Jon Plumer. Staff present: Clerk-Treasurer April Goeske and Deputy Clerk-Treasurer Jay Gawlikoski. Audience: Chris & Nicole June, Roberta Arnold.
2. **Pledge of Allegiance:** lead by Chairman Marx
3. **Citizen Input:** none
4. **Christopher & Nicole June driveway variance petition:** Marx – it was reported to the town in June or July of this year regarding runoff from the June driveway that was under construction. We had our Town Engineer go to the site to determine the problem, and also determine the slope of the driveway. He determined the slope to be 19-20% (ordinance allows a max. of 12% slope). The permit issued for the driveway states the slope was to be 8%. Our Building Inspector told the contractor not to pour the driveway, but they went ahead and did it anyway. I contacted the Building Inspector, Town Engineer and Town Attorney regarding our next steps. On 10/18/18 the property owners, Christopher & Nicole June, applied for a Driveway Variance, which included the following statement from the June's:

"Our builder informed us that he received the driveway permit when we hired him to build our new home as he wasn't the original applicant, however, he stated that he never received documentation as to what percent of slope had been listed on the initial application, nor anything documenting the town's ordinance. Due to the nature of the lot, coupled with the plot plan that was approved for the building permit, it would be unrealistic to assume the driveway would meet the 8% grade that had been applied for. Further, neither our builder or ourselves, were made aware of there being an issue with current grade during the building process, up until a couple of days before the driveway was set to be poured, at which time there was already a garage floor poured making any changes unrealistic without a significant capital impact to our family.

As homeowners, we understand the driveway was going to be steep based on the unique property conditions, which we accepted, not knowing that it could potentially be in violation of any ordinances.

We would ask that the town please take into consideration the above and that there was no intent during the construction process to circumvent any ordinances, as they would have been addressed accordingly. The violation, in our opinion, is a result of a series of casual mistakes by all involved parties, and we're hopeful that a variance is approved as this would create an unnecessary hardship on our family if we are required to make permanent changes to the structure."

Chris – I have been present when the Building Inspector has been present, and was never told that there was a problem with the driveway. I waited to hear from the Inspector before the driveway was poured after he told us not to. Due to heavy rains the erosion issues were made worse. Then I received a phone call from the Inspector

stating we were okay to go ahead with pouring, about 2 days after he'd told us not to pour the driveway. The estimate to bring this driveway anywhere near in compliance would be \$51,000, an extreme hardship for us. I think this is a huge series of miscommunications between the contractors, builders, Building Inspector and Town Engineer and us.

Plumer – this is a mess. When I built my home, my builder informed me that our planned driveway was too steep, so we had to curve it so as not to exceed the allowed slope. Inconsistencies between driveways and enforcement of our ordinances relating to them has long bothered me. We need to get our stuff together and be consistent. Marx – there are 3 other homes on Deer Run Drive (as is the June's) that have driveways with as steep of slopes as the June's driveway us. 1 was done before the ordinance was adopted in 1999, 2 were done after the ordinance came into effect. I did contact Atty. Bechler today regarding the town board's options for this variance and the effect of approving or not approving the variance. Approving it would set a precedent, but we could say that the other driveways that were built in violation after the ordinance came into effect were approved by the town's previous engineer/building inspector.

Bechen – your original driveway application states the slope would be 8%. So, when you didn't use the contractor that had applied for the driveway permit, you still used this same approved driveway permit with the new contractor – correct? Didn't he see this 8% on the application? The runoff from your driveway was due to poor erosion control, not because of the driveway. As far as I'm concerned, your builder/contractor is responsible for your driveway being done in violation of your permit and our ordinances. You were informed there was a problem before the concrete was poured. This slope limit is a county-wide ordinance, and should be known by reputable contractors. Your builder was told numerous times there were problems with the slope and not to pour the concrete. There is no hardship to the property owner, the hardship was created. There is a remedy to fixing your driveway without having to change your house, by relocating the beginning of the driveway to the side of your driveway and working it up to the garage without violating the slope allowed. Your current driveway faces north, and thus will never see the sun and will easily become a sheet of glare ice! Police, Fire and EMS wouldn't be able to get up the driveway in an emergency. If we approve a variance the town accepts liability for anything that happens on that driveway in violation of our ordinances. Approving this variance will set a precedent that would seriously hurt the town from enforcing our driveway slope ordinance in the future.

Chris – certainly I can appreciate everything Bechen has stated. The ball was dropped by all involved. As far as the driveway is concerned, we did have a surveyor come check the slope of our driveway, and it is 20%. Our neighbor's driveway is 24%. When it snows, I am out there immediately clearing, salting and sanding it. Neighbors say they park along the road when there's a snowstorm and can't get up their driveway. Goeske – the town has no on-street parking from November 15th – March 15th, per ordinance.

Brooks – I agree with Bechen. But I don't believe the driveway is the June's fault, it's your contractor/builder's fault totally. They didn't do their homework. I don't think a variance is appropriate for this problem. Your issue is with your contractor/builder.

Marx – per Atty. Bechler if we deny a variance the June's have a reasonable amount of time to come up with a plan to resolve this issue. Could you (Chris & Nicole June) come back to the January 29th meeting with possible plans to resolve this issue?

Roberta Arnold – the Town makes a recommendation to the County regarding a variance, it's the County that takes the final action on whether to approve or disapprove it. Marx – I'm not sure that is the case, I will check with Atty. Bechler.

NOTE: Brooks excused at 7:00 p.m.

Chris – my frustration is that we were verbally told by the Building Inspector we could go ahead and pour the driveway. Brooks – how and why did our Building Inspector give an occupancy permit for this home with the driveway violation.

Marx – I've looked for a way to somehow come up with some flexibility for this issue. According to Atty. Bechler our ordinances take precedence over whatever our Building Inspector did or did not do.

Chris – if you deny this variance, what is our recourse? Marx – per Atty. Bechler the Town could file with the ECCJMC for the violation. But we'd like to work on correcting the problem, and maybe you (the June's) should check into your options to remedy this problem. Plumer – I agree, I feel your builder really let you down. Bechen – you should check your options and see what you can do to remedy this.

Chris – this is our dream home, and we really don't want to go after our builder. This all has been very stressful. Marx – the Town's biggest problem is the precedent that approving this variance would set for in the future with our potentially steep driveways. We have a preliminary plat before us now with several lots with driveway slope issues, and they have spent literally thousands of dollars planning those driveways, so they don't violate the slope.

Brooks – I think this should go to a vote tonight, and rather than starting fines daily tonight we give them a grace period to try to come up with solutions. Bechen – I suggest you get an engineer to look at designing the driveway differently.

Plumer/Henry motion to table this variance until the February 2019 meeting and that ordinance violation penalties will not be assessed during that time; Roll Call vote: Marx – yes, Brooks – yes, Bechen – yes, Henry – yes, Plumer – yes; MC 5-0.

6. Operator License(s) - Tekla Nimmow (Lucky's): *Bechen/Plumer motion to approve; MC 5-0.*

7. Transfer Site 2019-2020 Permit Update: Goeske - I've received a few quotes for both cards and stickers for you tonight. I need more specific information on the stickers before I can order them, such as size (2" x 3"), where they're to be placed in the vehicles (lower left corner of windshield), what adhesiveness (semi-removable), and how they're to be distributed (by Transfer Site employees). Permits will be a different color for each permit period and numbered. The number will be recorded as assigned to a person/address when distributed.

8. Chairman Reports: (a) I have been in contact with Mark Obois (Fitz's) and Rod Ripley (Lucky's) regarding special event dates they might have for next Summer that they might ask there be limited construction hours and been in contact with Ayres & Associates also regarding no construction on Friday nights after 4:00 p.m. from Memorial Day to Labor Day. (b) Have been contacted by Rich Murphy regarding branches in the boat launch on Red Cedar Drive; (c) Plan Commission Chairman Kris Krause and I will be representing the Town in the Boundary Agreement talks with the City of Lodi. (c) Update on WI River Bank – the bank has the past years paid a fee for a Letter of Credit (and not charged the Town that fee) to protect the town's funds. The current letter of credit expired at 4:30 p.m. on 12/3/18. After the board decided on October 30th to change banks and we notified WRB, we received an email from Wisconsin River Bank informing us that they had “in good

faith” renewed a Letter of Credit effective 11/01/18 (a month before the current one expired). We have not received that renewed Letter of Credit, nor have we signed it. We notified Federal Home Loan Bank - Chicago on 12/03/18 via phone, email and letter that we wanted we wanted the current Letter of Credit to expire at the above date/time noted. We then were informed that Wisconsin River Bank had withdrawn \$1,400 from our bank account to pay for the renewed Letter of Credit that we didn’t authorize, that was renewed over a month before the current one expired, and we have never signed. We have requested that Wisconsin River Bank refund that \$1,400 back into our account, which has not been done to-date.

9. Clerk-Treasurer Reports:

(a) Minutes of November 27, 2018 Town Board: *Henry/Marx motion to approve minutes as prepared; no vote taken.* Bechen – a few items need to be struck from the minutes. In agenda item # 6(a) the entire first sentence *"Goeske – I asked residents whether they’d prefer permit cards or stickers; 90% said they don’t want any more stickers to put on their windows, they prefer the cards."* should be deleted. Marx - it was said at the meeting. Henry – why should we remove it? Bechen – it was an unsolicited opinion. *Henry/Marx motion to amend his motion to approve the minutes with that struck from the record; MC 3-0-1 (Plumer abstained, not present at that meeting).*

(b) 2018 Revenues vs. Expenditures thru 12/14/18: Bechen – has anyone notified LJS Cleaning that they are not to clean the Okee School for the winter? Goeske – yes. Bechen – the \$6,000 to the library has not been sent? Gawlikoski – I’m asking you. It’s budgeted, so does it automatically get paid even if they don’t request it. Henry – the library is currently closed due to issues, and the 2 co-directors will no longer be employed there. Marx – go ahead and send it to the library.

(c) Payment of Bills: *Bechen/Plumer motion to approve the following; MC 4-0.*

**Disbursements Summary
for Town Board Authorization**

11/21/18	Nov 21 – Dec 14, 2018					12/15/18
Last #	Count	Type	Begin #	End #	Amount	Next #
EP0006	3	Electronic Payments	EP0007	EP0009	\$3,584.90	EP0010
DC0044	2	Debit Card Transactions	DC0045	DC0046	\$133.49	DC0047
DD1033	7	Direct Deposit Paychecks	DD1034	DD1040	\$5,921.54	DD1041
22449	37	Checks	22450	22486	\$43,079.06	22487
	49	Disbursements Totaling:			\$52,718.99	

Prepared by Deputy Clerk-Treasurer Jay Gawlikoski

(d) 2018 Building Permits thru 12/14/18: Goeske to check that the formula is correct for the total year-to-date figure, and showing 15 new home permits.*

ISSUE DATE	# 18-	OWNER(S) AND/OR CONTRACTOR	SITE ADDRESS	PROJECT COST	PROJECT DESCRIPTION
01/04/18	01	DENNIS & MARY HARRIS	W11533 Island View	25,000	finish basement
01/04/18	02	JACK JOHNSON	N2715 Cross	500	service upgrade
01/15/18	03	GREGORY SCHMITZ	W11550 Demyneck	5,000	shed
01/15/18	04	JOE FOBES/VICKIE NICHOLS	W11514 Demyneck	125,000	SINGLE FAMILY RESIDENCE 1

01/15/18	05	JOE FOBES/WICKIE NICHOLS	W11514 Demyneck	(62,400)	raze home
01/16/18	06	DENNIS & KAREN NEFF	N2847 Demyneck	30,000	kitchen/bath remodel
01/22/18	07	STEVEN DICK	N2106 Back Forty	15,000	garage electrical
01/24/18	08	KATIE LARRABEE-LANE	N1434 Fair	20,000	raze garage/new garage
01/29/18	09	TYLER HAARKLAU/KIMBERLY LEHR	W10906 Lakeview	1,500	garage electrical
01/30/18	10	GREGORY SCHMITZ	W11550 Lakeview	2,500	basement elec/plumb
02/13/18	11	GERALD & DONNA WRZESZCZ	N2507 Rapp	800	electrical repairs
02/13/18	12	KYLE & AMANDA PASKEY	W9797 CTH K	35,000	garage/electric
02/28/18	13	PAUL & DIANE LARSON	W11064 N. Lake Point	80,000	detached garage
02/28/18	14	DUSTIN ALVERAZ	N2715 Cross	15,000	interior remodel
03/05/18	15	DEREK & DEANN DREGER	W10933 Arbor Valley	1,000	add garage door openings
03/07/18	16	SCOTT BOLICK/BRITTANY LOTHE	W11395 CTH V	25,000	basement remodel
03/13/18	17	THOMAS & RUTH THIELKE	W11545 Island View	9,000	elevator shaft modification
03/13/18	18	BILL GROVES (FRANCIS GROVES TRUST)	W11373 CTH J	1,000	electric service upgrade
03/15/18	19	TOM & LUCY JASINSKI	N2859 N. Lake Point	625,000	SINGLE FAMILY RESIDENCE 2
03/15/18	20	CHRIS & NICOLE JUNE	W11043 Deer Run	287,000	SINGLE FAMILY RESIDENCE 3
03/26/18	21	COLUMBIA COUNTY HIGHWAY DEPT.	W11698 CTH V	(8,000)	raze home
03/29/18	22	TOM DUNN & JANE ZAVORAL	N1533 Pleasant Valley	54,415	swimming pool
03/29/18	23	THOMAS & LUCY JASINSKI	N2859 N. Lake Point	(24,100)	raze home
03/20/18	24	ARTHUR & MARY BAUMAN	N2782 N. Lake Point	1,000	electric upgrade
04/05/18	25	STEVEN CRAMER	W10486 STH 60	95,000	ag storage building
04/10/18	26	JAMES SAWYER	W10595 River	2,620	fence
04/16/18	27	TED & JANE POELMA	N2815 Demyneck		bath remodel
04/16/18	28	TONY GALLAGHER	W11527 CTH V		finish basement
04/16/18	29	BEN & JESSICA STREET	W11619 Demyneck	15,000	deck
04/18/18	30	JEFF & ANDREA SIMMONS	W11614 Demyneck	30,000	finish lower level
04/23/18	31	GENE & INGRID FLEMING	W10593 E. Harmony	10,000	garage addition
04/23/18	32	WILLIAM & KATHY SELLNER	W11494 Reynolds	60,000	pool
04/23/18	33	TRAVIS TROY & MEGAN FECHT	N636 STH 113	8,000	kitchen remodel
04/23/18	34	PREMIER BUILDERS	W10995 Lakeview	35,000	remodel
04/27/18	35	DEAN STRANDER	N2535 CTH V	1,000	electric service upgrade
05/01/18	36	WILLIAM & KATHY SELLNER	W11494 Reynolds		deck
05/03/18	37	STEVE SCHILZ/DIONNE BOEDEKER	W11515 Demyneck	288,000	SINGLE FAMILY RESIDENCE 4
05/07/18	38	KP CATTLE EXCHANGE LLC (PROSA)	W11453 Reynolds	30,000	Ag shed
05/07/18	39	ERIK & DANYEL O'CONNOR	Parcel 290.101 High Point	0	access/driveway
05/09/18	40	MITCH & ASHLEY TANNER	W10962 Arbor Valley	15,000	detached garage
05/09/18	41	JACK & VICKI HILL	W10939 Arbor Valley	12,000	shed
05/09/18	42	BRAD & NICOLE SKRUM	N1738 STH 113	(154,500)	raze home
05/09/18	43	BRAD & NICOLE SKRUM	N1738 STH 113	290,000	SINGLE FAMILY RESIDENCE 5
05/10/18	44	MIKE FORSLUND	N2857 N. Lake Point	10,000	remodel
05/10/18	45	JAMES SKAAR	W11452 Bay	3,000	electric service upgrade
05/14/18	46	ROBERT NOLAN / LOIS BEECHAM	W11074 Rodney	100,000	remodel
05/22/18	47	ERIK & DANYEL O'CONNOR	W11387 High Point	800,000	SINGLE FAMILY RESIDENCE 6
05/29/18	48	DIANN SYPULA	N2682 Smith	2,500	deck
06/07/18	49	BRADY CUMMINGS	N2780 Cross		fence
06/14/18	50	JOHN & PEGGY ANKER	W10984 Eagle	2,000	deck
06/14/18	51	MICHAEL & SARAH FORSLUND	N2857 N. Lake Point	2,500	electric service upgrade
06/14/18	52	RANDY & LINDA PATRICK	W10729 CTH V	2,000	ramp
06/18/18	53	JUSTIN & HEATHER SCHILLING	W11355 Red Cedar	2,000	electric service upgrade

06/18/18	54	DANIEL & KATHLEEN VAUGHT	W11040 Rodney		shed
06/25/18	55	DEAN LIZOTTE	W10982 Bayview	2,000	electric service upgrade
07/10/18	56	GENE & GRETCHEN EDWARDS	W10909 W. Harmony	4,000	bath remodel
07/11/18	57	RICHARD ZOERNER	N2550 CTH V	0	access/driveway
07/11/18	58	BARBARA DREMEL	W11041 Rodney	0	access/driveway
07/11/18	59	DAMIAN & JOY WEYER	W11026 CTH V	560,000	SINGLE FAMILY RESIDENCE 7
07/16/18	60	MICHAEL POTTER	W11043 W. Harmony	8,000	bath remodel
07/23/18	61	ROBERT BLOSSER	Smith Rd.	0	access/driveway
07/23/18	62	JAMES WAGNER	N1755 Ryan	15,000	bath remodel
07/31/18	63	VERNON & JONI GREIBER	W11641 CTH V	400,000	SINGLE FAMILY RESIDENCE 8
08/14/18	64	ROBERT BISHOP	W10522 River	10,000	kitchen remodel
08/20/18	65	STEVEN & JOYCE CRAMER	W10486 STH 60	1,000	Ag electric
08/20/18	66	JAMES & BONNIE WAGNER	N1755 Ryan	20,000	remodel
08/23/18	67	DANIEL & HEIDI (MABIN) PARSONS	W10921 Arbor Valley	1,300	shed
09/04/18	68	JAMES DAWSON/SUZY PIORIER	N2841 Lakepoint	2,000	deck
09/06/18	69	JAMES & MARY WARTINBEE	W11406 Bay	(84,200)	raze home
09/10/18	70	JOHN & TANYA SEBERT	W10918 Lakeview	20,000	basement finish
09/10/18	71	TIM & TERESA ESCHER	N2360 Summerville Park	5,000	deck repairs
09/10/18	72	PAUL KUEHN	Shamrock Road	0	access/driveway
09/12/18	73	BARBARA SCHWEITZER	W10797 E. Harmony	242,400	SINGLE FAMILY RESIDENCE 9
09/17/18	74	THOMAS LANGE	N2132 Shamrock	400,000	SINGLE FAMILY RESIDENCE 10
09/19/18	75	PETER FRANKLIN	CTH V	0	driveway
09/20/18	76	JAMES & MARY WARTINBEE	W11406 Bay	700,000	SINGLE FAMILY RESIDENCE 11
09/25/18	77	WILLIAM & AMY JO KERRY	N2728 Demyneck	10,000	deck, additions & repairs
09/25/18	78	KYLE KURT & LINDSAY MANNING	W11207 STH 60	200,000	SINGLE FAMILY RESIDENCE 12
09/26/18	79	SHERYL PLAYTER	W10995 W. Harmony	13,000	bathroom remodel
09/27/18	80	PETER & JULIE FRANKLIN	W11036 CTH V	375,000	SINGLE FAMILY RESIDENCE 13
10/01/18	81	TONY GALLAGHER	W11527 CTH V	50,000	additions/decks
10/01/18	82	JACOB MCNEELY	N2703 Raymond	5,000	deck
10/08/18	83	MATTHEW HARMON/VICTORIA KAMIN	N2684 CTH V	15,000	garage addition
10/08/18	84	KEVIN STEINMETZ	W10706 Airport	2,000	electric service upgrade
10/08/18	85	FANNING FAMILY TRUST	W11125 Clar Mar	30,000	additions/decks
10/08/18	86	ROBERT & LORI BLOSSER	N2607 Smith	750,000	SINGLE FAMILY RESIDENCE 14
10/08/18	87	CHAD & DONNA MILNE	Bay	0	access/driveway
10/12/18	88	MARGARET MOCKLER	N2381 Rapp	(29,800)	raze SFR
10/25/18	89	TONY GALLAGHER	W11517 CTH V	20,000	remodel
10/26/18	90	JOSEPH PROSA	W11453 Reynolds	2,000	electric service upgrade
10/26/18	91	JENNIFER SEVERSON	N2799 CTH V	10,000	deck
10/31/18	92	CHRISTOPHER ROLL	W10664 Airport	5,000	basement finish
11/01/18	93	NATHAN & MELISSA DORSHORST	N2877 Smith	38,000	shed/chicken coop
11/20/18	94	BRIAN & LAURIE BARCHUS	N2800 Demyneck	13,000	addition/remodel
11/20/18	95	JAMES & BONNIE WAGNER	N1755 Ryan	8,000	master bathroom remodel
11/26/18	96	TIMOTHY & MICHELLE MEIER	N2793 Cross	30,000	kitchen remodel
11/26/18	97	ROBERT & JENNIFER BURKE	N1350 STH 113	23,500	3-season porch
12/04/18	98	DIANA REINEN	N2503 CTH V	2,000	electric service upgrade
12/13/18	99	KYLE KURT & LINDSAY MANNING	W11207 STH 60	10,000	pole shed

YEAR-TO-DATE: 7,092,535

Removed from 2018 list as it won't be officially submitted/issued in 2018

<i>in process</i>	<i>xx</i>	<i>PAUL KUEHN CONSTRUCTION INC</i>	<i>Shamrock Road</i>	<i>279,000</i>	<i>SINGLE FAMILY RESIDENCE 15</i>
-------------------	-----------	------------------------------------	----------------------	----------------	-----------------------------------

** Single Family Residence 15 was removed prior to submission of the list presented at this Town Board meeting, and thus the Year-to-Date amount and # of new homes was changed from last report on 11/28/18.*

(e) Communications: none

10. Commissions/Committees/Districts/Departments:

(a) Plan Commission (Marx/Bechen): Met on December 11, 2018 for the following: Fern Glen Farms: Preliminary Plat involving Parcels 11022-453; 11022-455; 11022-465 (W11381 CTH J); 11022-465.A (W11373 CTH J); 11022-466; 11022-476 & 11022-480 all located off CTH J. Owned by Francis W Groves Rev. Trust; c/o Jackie Groves, 1365 E. Corniche Ct., Boise, ID 83706.

Goeske – Surveyor Jim Grothman stopped into the office yesterday and stated that another issue came up since this meeting, and it may require it to come back before the Plan Commission on January 8th January before it goes to Public Hearing and Town Board on January 29th.

(b) Other commission/committee/district/department reports: Transfer Site (Henry) – purchased a 1,100-gallon vertical storage tank (water storage) for the Transfer Site, I will be going to Oconomowoc to pick it up Saturday. **Park Commission (Bechen)** – Corey Detert resigned, I will have a name for appointment at our next Town Board meeting. **EMS Commission (Marx)** – the EMS Commission approved the contract with Dane, as the current Intermunicipal Agreement allows. But when we work on amending the Intermunicipal Agreement by September 2019 we will have to make sure that power is changed so that the Commission doesn't have the power to make a decision that affects municipal budgets.

11. Upcoming meeting date(s): 01/08/18 Plan Commission; 01/29/18 Town Board

12. Future agenda item(s):

13. Adjourn: *Bechen/Plumer motion to adjourn at 7:30 p.m.; MC 4-0.*

April D. Goeske
Clerk-Treasurer