

**TOWN OF LODI
TOWN BOARD MEETING MINUTES
TUESDAY, MAY 30, 2017**

1. Call to order & roll call: Meeting called to order at 6:10 by Chairman Marx. Board members present: Tom Marx, James Brooks, James Bechen, Jon Plumer. Absent (excused): Robert Benson. Also present: Town Atty. Lawrence Bechler, Kip & Maria Disrud, Ken Kolste, Patty Kolste, Anthony LaCrosse, Ben & Jessica Street, Dawn Joachim, Jerome Williams, Robert Collins, Roberta Arnold, Robert & Jennifer Zumm, Tamar Myers (Lodi Enterprise), Denise Patterson, Audrey Attoe, Larry Regula, Dave Attoe,

2. Pledge of Allegiance: lead by Chairman Marx

3. Citizen Input: Denise Patterson (E. Harmony Dr.) – the County cleaned up the pea gravel from last Fall off the roads, but they haven’t done the yards to-date as they stated they would do. Marx – I will check in to that.

4. Parcel 11022-43.01: Certified Survey Map, Rezone and Waiver of Access to create a new 5-acre lot for a Single-Family home. The 5-acre lot to be rezoned to from A-1 Agriculture to RR-1 Rural Residence and the remaining 30.16 acres would remain A-1 Agriculture but have would be restricted by a A-4 Agriculture Overlay, located in Section 3, owned by Kensel & Maria Disrud. Present: Kensel “Kip” and Maria Disrud.

(a) Public Input: none

(b) Board discussion: Plumer – is there a home currently on this parcel? Marx – no.

(c) Board action(s): *Bechen/Plumer motion to approve Rezone of 5-acre lot from A-1 Agriculture to RR-1 Rural Residence and the remaining 30.16 acres A-1 Agriculture w/A-4 Agriculture Overlay, and Waiver of Access (INSERT); MC 4-0.*

Plumer/Brooks motion to approve Certified Survey Map as presented, withholding signatures until proof of recording of the Restrictive Covenant prepared by Atty. Paul A. Johnson is provided; MC 4-0

5. Parcel 11022-646.02: Certified Survey Map & Waiver of Access to create a new 20-acre parcel, as part of future estate planning, from this 95.88-acre parcel, located in Section 32, owned by John & Phyllis Berry, W11683 State Road 60. Present: John Berry.

(a) Public Input: none

(b) Board discussion: Bechen – I went out and looked at this property and it is beautiful, and with the Restrictive Covenants the owners, or any future owners, will have to come before the Town Board before the develop the property. Atty. Bechler – the Plan Commission recommended a Declaration of Ingress/Egress Easement, which was prepared by Atty. Paul A. Johnson, and I have approved it.

(c) Board action: *Bechen/Brooks motion to approve Rezone and Waiver of Access (INSERT); MC 4-0.*

Bechen/Plumer motion to approve Certified Survey Map, withholding signatures until proof of recording of the Declaration of Ingress/Egress Easement is provided; MC 4-0

6. Parcel 11022-220: Variances to County Ordinance 16-110-030(2) Road Setback for proposed new second story residential addition to be 23.7 ft. from the road right-of-way and 50.2 ft. from the centerline of the road, and 7.3 ft. from the side yard, located in Section 5, owned by Benjamin & Jessica Street, W11619 Demyneck Road. Present: Ben & Jessica Street

(a) Public Input: none

(b) Board discussion: Bechen – the existing home doesn't have a front door (only an entrance from inside the garage). They're taking a nice piece of property and making it into a nice piece of property. Atty. Bechler – this is a policy decisions, and the Plan Commission brought this up, the reasons for the approval should be included in the motion.

(c) Board action: *Brooks/Plumer motion to approve variances requested for proposed new second story residential addition to be 23.7 ft. from the road right-of-way, 50.2 ft. from the centerline of the road, and 7.3 ft. from the side yard, as this request is in line with other homes on this same road and area; MC 4-0.*

7. Parcels 11022-87 & 11022-87. A: Certified Survey Map to combine parcels into one parcel for building purposes, located in Section 4, Owned by Kenneth Kolste, N2805 N. Lake Point Dr. Present: Ken & Patty Kolste

(a) Public Input: Ken Kolste – I'm hoping to remove the smaller of two detached garages currently on the property and add more garage space onto the larger one (with a door high enough to get my truck in to).

(b) Board discussion: Marx – there was 1 “no” vote to the Plan Commission recommendation for approval from Jack Pfister, his reason being that there was not adequate representation from the owners (not present at the Plan Commission meeting, they are present tonight). Atty. Bechler – this is considered a lot line adjustment, and if the 2 parcels being combined are owned by the same owner. It used to be you could just combine them without any board action. But now the County requires a CSM be done.

(c) Board action: *Bechen/Brooks motion to approve Certified Survey Map with the currently-existing 2 access/driveways allowed to remain; MC 4-0.*

8. Anthony LaCrosse re: Fire Run rebill Inv. 2017-15 dated 05/16/2017: LaCrosse – back in April 2017 I was at work and my wife was at home and smelled gas. I called MG&E and they called the Lodi Fire Dept. Then I received this invoice. I realize that fire protection isn't free, but I think \$425 is a lot for the LAFD just to come over and determine there was the gas leak we already knew was there. No one from our home requested the LAFD, they were called by MG&E. Yet I'm told if my house were on fire and the LAFD spent 10 hours fighting that fire the bill I'd receive would still be \$425.

Bechen – this is the standard bill the Town receives from the LAFD for each and every fire run. Your complaint should be with MG&E for calling LAFD instead of responding to your gas leak report themselves. Marx – we've had many discussions regarding this fee being the same for any and all fire runs. We are of different opinions, and we are working on a resolution. Brooks – I believe our taxpayer dollars pay for the fire calls. In the City of Lodi and the Town of West Point you're not rebilled for fire calls. Currently the City of Lodi and

Town of West Point are not interested in changing how fire calls billed by the LAFD, so any vote to change it wouldn't pass with those 3 votes opposing the 2 Town of Lodi votes. Brooks – I believe the LAFD should bill ala carte for each service provided like EMS does. Plumer – if I received this bill the first thing I'd do is call MG&E. With this one flat fee you're paying the same price for a cheeseburger as you would for a filet mignon. Atty. Bechler – the fire district is not just the Town of Lodi. It is the City of Lodi, Town of Lodi, and Town of West Point. Thus, we are required to pay the fire district for fire calls, either through taxes or through rebilling. This isn't something the Town can change on its own. Marx – the recommendation I made to our fire chief was that we deal with this at the annual meeting within the budget. Atty. Bechler – when you do that you will need to know whether this may affect the town's levy limits. Marx – I'm not hearing hardship, but I think you should talk to MG&E.

Bechen/Marx motion to deny Anthony LaCrosse's appeal of Invoice 2017-15; MC 4-0

9. Martin & M. Kay Wetzel re: Developer Legal rebill Inv. 2016-08 dated 11/29/2016: Marx – I did email Kay Wetzel on 1/26/17, which is in your packet. Kay – this is our first attempt to do anything new with our property. We didn't know that there would be any additional costs, other than the fee we paid. I know there's the "Notice" on each application, but that leads you to believe that there will be costs above and beyond the fee paid. I was not given a choice of whether I wanted input from the town's attorney or be delayed. If I had known I would have chosen to delay my business plans. Martin – I could understand a reasonable cost if it our request was a complicated requested. But in talking to the County they told us this was an easy request. When it's going to be like our \$600 we should have been notified first. Marx – when we are billed by Murphy Desmond S.C. for legal costs we receive separate invoices for each particular issue (such as Wetzel CUIP, Berry CSM, etc....) so that the costs rebilled are sent to the property applicant.

Brooks – I think the old motel building be used again is great and will improve the neighborhood. But, there is this notice on all applications:

NOTICE PER TOWN OF LODI CODE OF ORDINANCES:

Costs of Application Reviews

All reasonable costs incurred by the Town or its Agents in the course of reviewing any application shall be borne by the Applicant. This includes the original application fee, and may include any actual costs incurred by the Town it deems necessary for engineer, building inspector, legal, administrative or fiscal work relating to that application.

The Applicant shall pay the Town all fees required and at the times specified (within 15 days of each billing by the Town Clerk-Treasurer, unless otherwise indicated). In the event fees are not timely paid, the Town shall not be required to take any action with respect to the application. Non-payment of fees shall be deemed sufficient cause for rejection of the application.

Kay – I was the 6th person on the Plan Commission agenda that evening, yet I was billed for all the attorney's time at the meeting and mileage, plus additional time back at his office. Atty. Bechler – I'm not involved in an application until the town sends it to me. Once I open it then I review it to see how it applies to current laws. When it comes to meetings, I divide my time by the number of applications before the commission or board. If 15 minutes are spent on agenda item 2, and 20 minutes for agenda item 3, and 30 minutes for agenda item 4, that's how I bill each – for the exact amount of time I was at the meeting for their application, plus a prorated

amount for mileage charged to each applicant; no more, no less. When someone asks the town to do something there are costs related to that being done. There are 2 choices: the town absorbs, and thus all the taxpayers, absorb the costs; or the applicant covers the costs related to their request. So, do you ask the taxpayers to pay all the applicant costs, or do you ask the applicant.

Kay – but why was my application sent to the attorney, I thought the Plan Commission was to do all the reviewing?

Bechen – I’m on the Plan Commission, and I remember there was a lot of discussion at that meeting regarding your application. You signed the application with the notice. Martin – but the notice says, “reasonable costs”, \$677.70 is not reasonable.

Plumer – I understand that it is a hardship, but any project I’ve ever undertaken I’ve always added a 10-15% to my anticipated costs for unexpected expenses.

Kay – your notice should state that the applications WILL be sent to the town attorney, engineer, etc....

Marx – towns have levy limits set by the State, and if the town does not rebill for developer costs (and fire calls) that will affect the budget, and that would reduce the already tight money for other areas of the budget.

Kay – can I get better details of what the attorney did for 3.25 hours on my application? Atty. Bechler – the policy is whether private individuals can interfere with the attorney-client privilege between the Town Board and my office. I strongly recommend you not request that I provide further details. Marx – I am fully confident in Atty. Bechler’s skills, the work he does, and how he bills us.

Brooks/---motion to deny the appeal, with a waiver of all late fees/penalty; MF due to lack of 2nd.

Bechen/Marx motion to deny request for reduction of the bill, and that if Wetzel’s wish to have the late fees waived they are to pay the original invoice in full; MF 2-2

Plumer/Brooks motion to reconsider first motion made by Brooks, and make a motion to deny the appeal, with a waiver of all late fees; MC 3-1 (Bechen – no).

10. 2017-2018 Intoxicating Liquors, Fermented Malt Beverages, and Tobacco Products licenses:

- (a) Amaron’s Inc. (Harmony Grove BP); N2695 Park Street; Rattan S. Ghotra
 - (1) Class A Combination Intoxicating Liquor & Fermented Malt Beverage
 - (2) Tobacco Products
- (b) Fitz’s Pub & Grill, Inc.; W11602 County Road V; Mark Obois
 - (1) Class B Combination Intoxicating Liquor & Fermented Malt Beverage
- (c) KD’s Bar & Grill, LLC; N1434 Fair Street; Katie Larrabee-Lane
 - (1) Class B Combination Intoxicating Liquor & Fermented Malt Beverage
- (d) Lucky's on the Lake, LLC; W11579 County Road V; Rodney Ripley
 - (1) Class B Combination Intoxicating Liquor & Fermented Malt Beverage
- (e) Smokey Hollow Campground, LLC; W9935 McGowan Road; Bud Styer

- (1) Class B Combination Intoxicating Liquor & Fermented Malt Beverage
- (2) Tobacco Products

Marx – this year we will only be giving an Operator License to the applicant for each license, but any family members of age that live with that applicant who apply for an Operator license will be charged the regular fee.

Brooks/Plumer motion to approval renewal of all licenses listed above; MC 4-0.

11. Transfer site use and entrance: Bechen – recently when I’ve been at the Transfer Site that have been allowed to use the Transfer Site without any card showing in their vehicle giving them permission to use, and we’ve had several people come in and use the Transfer Site and sign invoices with addresses that aren’t in the town, and must not have a card.

Pfister – I agree and have seen the same when I’ve been at the Transfer Site.

Marx – when a fee is paid for bringing items to the Transfer Site that fee doesn’t cover 100% of the town’s costs, so when non-residents use the Transfer Site the taxpayers of the Town are paying for them using the site. This will be put on the next agenda, including what the new permits will be (cards, stickers, etc....).

12. Skid steer lease renewal: Marx – 2 years ago we leased a skid steer for the Transfer Site which has been very useful. We now either have to renew the lease, not renew the lease, or buy it out. Benson talked to me and says he recommends purchasing the skid steer.

Plumer – what is the cost to return this one and lease a new one. Brooks - \$400/month (Goeske – it’s currently \$250/month). Bechen – we’ve also purchased attachments for the skid steer.

Marx – we have 3 different leases in front of us. 1-year lease extension of current skid steer would be \$350/month, leasing a new one will be \$400/month. Brooks – the buyout is \$29,423 to purchase the current skid steer. Plumer – I suggest we extend the current lease for another year. Brooks – and we can possibly put purchase in next year’s lease. Bechen – I think we should do the buyout.

Plumer/Brooks motion to extend the current lease for another year; MC 4-0.

13. Roads:

(a) W10615 Airport Road drainage issue: Marx to go ahead and get price for work to be done, have it done, unless the cost is such that he feels it needs to come back to the board.

(b) Eagle Drive cul-de-sac drainage issue: Marx – we do not have a cost. The engineer did look at it and recommend an off-road small retention pond. I don’t anticipate a large cost. I will bring you back estimates at the next meeting.

(c) Reynolds Road: Marx – the City of Lodi has approached the town asking if we want to go into a joint improvement of the section of Reynolds Road off the end of Sauk Street which is ½ the City and ½ the Town. The City was going to have figures for us tonight, and Director of Public Works Director Kennan Buhr gave me some figures on a sheet of paper this morning, which I told him was insufficient to present to the board tonight. So this will be on our next agenda. If the town was ever going to consider going in on this we’d need something to get the town’s money back if the land on the town’s side gets annexed into the city.

Bechen – why would we expect our taxpayers to pay for a road improvement for a road that is likely to soon get annexed into the city! As our attorney said, “that would be unwise”.

Roberta Arnold – do you know how the city will pay for their ½? Will they special assess the property owners on the city side? So, could the town special assess the property owner(s) on the town’s side. Goeske – but the 2 properties on the city’s side are owned by the same owner and the school is going to be built on them, so who would they special assess. Note: the properties on the town’s side are owned by one owner also (not the same owner as the city’s side). Arnold – I believe I read in the Lodi Enterprise that the owner on the town’s side has stated she is interested in annexing to the city.

(d) Digital Speed Signs: Marx – we have had a number of individuals on Fair Street, Lake Point Drive, N. Lake Point Drive, Lake View Drive, etc.... with speeding issues. The Lodi PD is allocating 15 hours/week of time starting this week for speed enforcement. There are a number of municipalities that have digital speed signs.

Brooks – there are 2 types of signs, stationery and mobile (on trailers). The prices are all over the board from \$2,500 - \$5,713 for signs on a post, and \$5,000 - \$7,900 for mobile units. The Village of Dane has an Elan City sign for \$2,500 solar pack (mounts on pole).

Marx – I have 2 quotes from SA-SO, the first for a SR102 Solar or A/C Powered Radar Sign, bracket, data tracking software, and bracket for \$3,710; the second for a SR101 Solar or A/C Powered Radar Sign and bracket for \$3,195.00.

Goeske – can it be moved from pole to pole? Brooks – yes. The one in Dane has 2 solar pack batteries. It’s connected with 3 hose clamp brackets. Marx – I’ve been told it can also be attached to a trailer.

Marx – is this something the board would like to see us proceed with? Plumer – yes. Brooks – the recent speed tests done on Fair Street (which is 25 mph) showed a huge problem with speeding, some up to 65 mph. Marx – recently Lodi PD set up speed enforcement on N. Lake Point and said the maximum speed was 33 mph, but that happens when people see a squad car. Brooks – Dane says there’s been a drastic decrease in speeding in Dane since they put up their sign. Pfister – Lake Point Drive is basically Road America racing. I agree you need a sign that is movable.

Bechen/Brooks motion to approve Solar Evolis Radar Speed Sign from Elan City not to exceed \$3,500 for unit, pole, etc. MC 4-0.

14. Chairman Reports: none

15. Clerk-Treasurer

(a) Town Board meeting minutes of April 25, 2017: *Bechen/Brooks motion to approve as prepared; MC 4-0.*

(b) Revenues vs. Expenditures as of May 26, 2017: Bechen – did you realize that there is a franchise fee added on each Charter customer’s bill? I’m impressed with revenues. Street brushing – we need to put an end as to when Columbia County does brushing, which they just go and do without asking first.

Brooks – we sent them a letter last year stating we won't pay for brushing they do that is not approved by us prior to being done. Marx – we will remind the county of that.

(c) Payment of Bills: Mortgage ACH + Checks #21691 through #21738 totaling \$49,176.94. *Plumer/Bechen motion to approve as presented; MC 4-0.*

(d) Building Permits:

Issue Date	# 17-	Owner or Contractor	Site Address	Est. Cost	Project Description
11/04/16	16-87	PETER BONERT	W10924 W. Harmony	5,000	shed
12/12/16	16-91	STEVEN/DOREEN POWERS	N2738 Cross	2,000	replace old service panel
01/03/17	01	MICHAEL POTTER	W11043 W. Harmony	5,000	remodel entry
01/12/17	02	BRIAN/JENNIFER HENRY	W11298 CTH V	20,000	remodel entry/laundry
01/12/17	03	BRIAN/JENNIFER HENRY	W11298 CTH V	inc in above	fence
01/18/17	04	PESCH CONSTRUCTION	W11460 CTH V	0	raze house
01/24/17	05	STEPHEN/JANE PETRAKIS	W10971 Bay View	80,000	addition/remodel
02/15/17	06	TIM/TERESA ESCHER	N2378 Summerville Park	17,000	remodel
02/27/17	07	KEN ENDRES	W11354 Bay	20,000	addition/remodel
03/01/17	08	JON/CHRISTINE PLUMER	W11404 High Point	57,700	in-ground pool
03/06/17	09	RON/HEATHER TREINEN	Parcel	1,000	farm access
03/08/17	10	TIMOTHY/KIMBERLY STREIT	W10675 Gallagher	10,000	basement remodel
03/08/17	11	BENJAMIN/AMANDA SITZMAN	Richards Road	1,000	access permit
03/16/17	12	GREGORY/COLLEEN STANGL	N2864 N. Lake Point	17,000	remodel & bedroom addition
03/20/17	13	JOHN/JULIE CAKANIC	W11031 Lake View	2,200	fence
03/27/17	14	JOHN ARMBRECHT	W10974 Lake Point	500	tub & faucet replacements
04/05/17	15	DOROTHY KRUEGER	N2736 Smith	15,000	accessory building
04/05/17	16	JOE WAJNERT	W10902 Lakeview	180,000	NEW HOME
04/13/17	17	MARY SEE	N2118 Shamrock	2,500	deck
04/13/17	18	MIKE/KARLA FAUST	N2828 Demyck	3,500	driveway
04/13/17	19	RICHARD/CONSTANCE NESS	CTH J/Pleasant Valley	4,000	access/driveway
04/13/17	20	JODY/TAMARA FRIEDERS	W11067 Deer Run	75,000	addition/remodel
05/01/17	21	TYLER HAARKLAU/KIMBERLY LEHR	W10906 Lakeview	25,000	detached garage
05/01/17	22	RICHARD/CONSTANCE NESS	N1545 Pleasant Valley	398,573	NEW HOME
05/08/17	23	ALICIA HOFFMAN	W10675 Airport	2,000	fence
05/09/17	24	STEPHEN/JOANN STORMER	W10962 Bay View	2,000	replace deck
05/12/17	25	AUSTIN/AMBER ANDERSON	W10702 Airport	1,500	fence
05/12/17	26	TEAM SERVICES	N2787 Smith	8,000	cell tower
YEAR-TO-DATE:				955,473.00	

(e) Animal Control Officer Log: none

(f) Communications: 05/01/17 received Spring 2017 Update received from Harmony Grove Lake Protection & Rehabilitation District; 05/10/17 received Public Notice of an Air Pollution Control Permit Application Review for Columbia Energy Center @ W8375 Murray Road, Pardeeville, WI (on STH 115 between Portage and Poynette); 05/15/17 received letter from Prairie Elementary 3rd Grade Students in Waunakee, WI re: “Get Ready! The Monarchs are coming!”; notice of Groundbreaking celebration for the new Lodi Primary School on June 15th @ 4:00 pm @ 1307 Sauk Street.

16. Commissions/Committees/Districts/Departments:

(a) Plan Commission (Marx/Bechen): 05/23/17 meeting acted on Parcel 43.01 Disrud - certified survey map, rezone and waiver of access; Parcel 646.02 Berry - certified survey map and waiver of access; and Parcel 220 Street - variances; Parcels 87/87. A Kolste - certified survey map.

(b) Park Commission (Bechen): did not meet in May due to weather, but children are definitely using the new equipment at the various parks and loving it.

(c) Any other commission/committee/district/department reports: Lodi Area Fire Commission (Brooks): haven't heard if we have or have not received a grant for the air packs.

Minutes received of: 03/13/17 Harmony Grove Lake Protection & Rehabilitation District; 03/16/17 Lodi Area Emergency Medical Service; 03/16/17 Lodi Area Emergency Medical Service – Directors Report.

17. Upcoming meeting date(s): June 14th Fire Commission, June 21st Park Commission, June 27th Town Board, June 15th EMS Commission, July 27th Board of Review

18. Future agenda item(s): Reynolds Road, Eagle Drive, Transfer Site permits, costs for Transfer Site stickers (get from Col Co Solid Waste; James will get cost from State). Goeske employment agreement.

19. Adjourn: *Bechen/Plumer motion to adjourn at 9:00 pm; MC 4-0.*

April D. Goeske
Clerk-Treasurer