

MINUTES

8/17 SPRINGDALE TOWN BOARD MEETINGS

Meeting 1: Public Hearing

Tuesday, August 17, 2021 at 6:00 p.m.

1. **Call to order** by Rosenbaum at 6:00 p.m. Supervisors Schwenn and Rosenbaum present in Town Hall, along with 1701 Ben Franklin resident Brett Kraus. Other viewers and Admin/Clerk present via Zoom.
2. **Certification of compliance with Open Meetings Law.** Clerk confirmed meeting was posted online 8/12; posted at Town Hall 8/13, and Mt. Horeb Mail was notified 8/8.
3. **Weed Commissioner Report regarding 1701 Ben Franklin St. Mt. Vernon.** Commissioner Eric Birschbach confirmed that weeds exceeded the 12” stated in the ordinance. Rosenbaum provided background information prior to the hearing. Complaints have been received two years in a row regarding owner’s failure to mow. To date, the Town sent 3 notices with no compliance. Sup. Rosenbaum visited the property and knocked on the door to deliver the last notice but no one answered. Multiple phone numbers were called but the owners could not be reached. **Springdale Ordinance 6-1-4** allows the Town to abate a nuisance via a process ultimately resulting in a town-ordered mowing at the owner’s expense.
4. **Public Hearing regarding Town intent to mow, 1701 Ben Franklin St. Mt. Vernon.** Brett Kraus, resident, testified that they haven’t seen letters until now (Saturday). Maybe because they had his father’s name (deceased) they got thrown away? He has been wanting to purchase a lawnmower. Due to financial difficulties and various health issues for himself and his mother recently, have been unable to do so. Apologized to the Town and neighbors for what he admits is an eyesore. Will look to rent a mower or a weed-whacker; would like more time to do this. 6:11 p.m. Rosenbaum opened to public comment. None received. Opened to Board comments. Schwenn strongly encouraged Brett to obtain a mower; weeds will not grow back as vigorously as the growing season wanes. Rosenbaum questioned whether or not, after the cutting, the lawn could be maintained. Brett apologized and assured the Board he would maintain the lawn going forward. 6:15 p.m.
MOTION (Rosenbaum) to declare that the Board finds that 1701 Ben Franklin qualifies as a public nuisance under Ordinance 6-1-4. The Board will proceed to make its findings written and will deliver them to the Krauses. Within 5 days of receiving the determination they will need to mow. Schwenn seconded. No further discussion. 2 ayes, 0 nays, motion carried.
5. **Adjournment.** 6:16.
MOTION (Rosenbaum) to adjourn the public hearing. Schwenn seconded. No further discussion. 2 ayes, 0 nays, meeting adjourned.

Meeting 2: Town Board Meeting

Tuesday, August 17, 2021 at 7:00 p.m.

1. **Call to order** by Rosenbaum at 7:00 p.m. Supervisors Schwenn and Rosenbaum present in Town Hall. Admin/Clerk and other viewers present via Zoom.
2. **Certification of compliance with Open Meetings Law.** Clerk confirmed meeting was posted online 8/12; posted at Town Hall 8/13, and Mt. Horeb Mail was notified 8/8.
3. **Approval of the agenda.** Rosenbaum removed item 15 due to further action needed by Dane Co.
4. **Minutes of previous Town Board meetings**
 - 7/20 - **MOTION** (Rosenbaum) to approve 7/20 TB minutes with no changes. Schwenn seconded. Motion carried.
 - 7/26 - **MOTION** (Rosenbaum) to approve 7/26 joint minutes with no changes. Schwenn seconded. Motion carried.
 - 7/30 - **MOTION** (Rosenbaum) to approve 7/30 TB minutes with no changes. Schwenn seconded. Motion carried.
5. **Public input/non-agenda items.** S. Gauger said that no parking signs on TH Rd. seem to be working; only a few people have disobeyed the signs. Rosenbaum mentioned Carol Statz’s upcoming retirement party. W. Hefty submitted comments suggesting Mt. Horeb Police may be amenable to contract with the Town to help patrol Town Hall Rd.; he will find out more. Will also draft request for speed study for Dane Co. and send to the Admin/Clerk.
6. **Statement from treasurer.** Treasurer not present; no statement.
7. **Wayne Hefty Town Hall Rd. speed limit update.** Hefty mentioned that per Pam Dunphy at Dane Co., the Town will likely need a speed study and that his interpretation of the semi-urban district classification applying to Town Hall Rd. was incorrect. Will need an RFP to get the speed study cost; Pam estimates \$500 - \$1,000.

8. **Riley Tavern outdoor music events approval** August 28th from 3p-7p & September 25th from 4p- 8p. Rosenbaum commented that the music at the Tavern is generally pretty low-key.

MOTION (Rosenbaum) to approve outdoor music for the August 28 and September 25 events. Schwenn seconded. No further discussion. 2 ayes, 0 nays, motion carried.

9. **Marty Hendrickson driveway, Lot 3 Bruner Rd.** Shared driveway agreement with required language absolving the Town from liability has still not been submitted. M. Hendrickson present, said working to get the agreement notarized.

MOTION (Rosenbaum) to approve Hendrickson driveway contingent on receiving proper agreement, with the understanding that the old driveway will need to be abandoned. Schwenn seconded. 2 ayes, 0 nays, motion carried.

10. **Pat Matts/R&J Acres LLC driveway, 054/0607-254-8335-8 Springrose Rd.** Rosenbaum commented that once some of the trees are cut, the sight lines will be fine for the proposed driveway location.

MOTION (Rosenbaum) to approve R&J Acres LLC driveway contingent on the removal of trees to improve the sight lines. Schwenn seconded. 2 ayes, 0 nays, motion carried.

11. **Malcolm DeCamp/ DeCamp Living Trust driveway, Lot 2 CSM 11112.** Rosenbaum mentioned that the driveway does not cut across any agricultural land like it may appear on the map shown. Shared driveway agreement with satisfactory language already submitted.

MOTION (Rosenbaum) to approve DeCamp driveway. Schwenn seconded. 2 ayes, 0 nays, motion carried.

12. **Marca Andriess/Schlomo Calvo CUP #02516 consideration/approval for attached accessory dwelling unit, 8283 N. Riley Rd.** Rosenbaum commented that this is not a public hearing; no changes are being proposed since the April meeting, and reiterated that the owner of the primary dwelling must be on the premises. Land contract has since been drawn up and the septic system replaced to accommodate 7 bedrooms. As of July, Carolyn Bradt no longer appears on the deed. October is when Marca's and Shlomo's payments start. Rosenbaum went over the list of conditions recommended by the PC from April PC meeting.

MOTION (Rosenbaum) to approve the Plan Commission recommendations for attached accessory dwelling unit for 8283 N. Riley Rd. as it meets the County standards for a CUP. Schwenn seconded. 2 ayes, 0 nays, motion carried.

13. **Hearts and Hands signage review/approval, 8900 Ridgeview Rd.** Josh Crowe from sign company in attendance. Proposed location for the sign is right next to the front door. Rosenbaum's concern is the size - Town Ordinance (Title IX, Chapter 4) says that areas zoned commercial are limited to signs 6 sq. ft. in size. Proposed sign is 8 sq. ft., asking for special consideration. Rosenbaum - won't vote against the ordinance. Schwenn - thinks there is a difference having the sign by the door vs. by the road, more like part of the school. Rosenbaum - should table to wait and see what Dane County proposes for their sign ordinance revisions currently pending, and then perhaps coordinate with them. Either need to revise our ordinance or the sign needs to be downsized. Crowe asked if there was an option for a variance on a school building.

MOTION (Schwenn) to table this proposal to look at further ideas. Rosenbaum seconded. No further discussion. 2 ayes, 0 nays, motion carried.

14. **Ordinance 2021-08-1 (Board of Review composition) adoption.** Admin/Clerk drafted ordinance to remove outdated language including the Town Clerk as a member of the BOR, and to allow for the Town Board to name as many alternates as needed to fill vacancies that may impact the BOR for 2021 and in the future.

MOTION (Rosenbaum) to approve ordinance 2021-08-1 as presented. Schwenn seconded. No further discussion. 2 ayes, 0 nays, motion carried.

~~15. Dane Co. Ordinance 2021 OA 002, discussion/vote to approve (amend Dane Co. code ch. 10, revising sign regulations)~~

16. **Town policy to refund liquor license fees for unused months, adoption.** Admin/Clerk drafted policy to allow for the Board to refund a liquor license for unused months. Rosenbaum reviewed historical bar turnover in the Town and the need for a refund policy.

MOTION (Rosenbaum) to approve refund policy. Schwenn seconded. 2 ayes, 0 nays, motion carried.

- 17. Accurate Assessor contract expiration.** Rosenbaum - should put it out for bid. In 2020, Accurate was very late in finishing assessments, confusion in February/March over revaluation year. Schwenn - agree, but very unusual year due to COVID. Rosenbaum volunteered to assemble an RFP, saw a model RFP advertised in WTA magazine.
- 18. Southwest Dane Outreach Board member opening.** Senior Center in Mt. Horeb serves neighboring towns, Board meets 6x/year, would like a resident from each muni on the Board. Leonna Svyrud retiring from the Board. Cheryl Sutter volunteered to replace her. Cheryl formerly clerked in Mt. Horeb, very familiar with the budgeting process.

MOTION (Schwenn) to approve Cheryl Sutter as volunteer representative to the SW Dane Outreach Board. Rosenbaum seconded. 2 ayes, 0 nays, motion carried.

- 19. New Town tech company update.** Admin/Clerk provided brief update on discussions with new companies. Waiting to hear back from 3rd company.
- 20. Appointment of temporary town board chair and temp. town board supervisor due to current chairman's temp. leave.** Rosenbaum provided an update that Mike Fagan is still on a medical leave, not sure when he will be able to return. Should have a third board member to help with responsibilities and to have a tie-breaking vote.

MOTION (Schwenn) to nominate Supervisor Rosenbaum as temporary town board chair. Rosenbaum seconded. No further discussion. 2 ayes, 0 nays, motion carried.

Schwenn - need a supervisor to replace Rosenbaum. Former Town Supervisor Wayne Hefty volunteered to help the Board during this time. He was formerly on the Plan Commission and helped develop the Town Land Use Plan. Detail oriented, good with numbers.

MOTION (Schwenn) to nominate Wayne Hefty as temporary Town Board Supervisor. Rosenbaum seconded. No further discussion. 2 ayes, 0 nays, motion carried.

MOTION (Schwenn) to pay Rosenbaum as Chair and Hefty as 1st Supervisor starting in September. Discontinue Fagan payroll until he returns. Rosenbaum seconded. No further discussion. 2 ayes, 0 nays, motion carried.

21. Calendar of upcoming events:

- Board of Review, Thursday, 8/26, 4 - 6 p.m.
- Carol Statz retirement party, Sunday 8/29, 2-4 p.m.

- 22. Bills.** Patrolman updated that TDS knifed through one of our culverts, trying to get them to pay for half of the culvert. Will send documentation to TDS to be reimbursed.

MOTION (Schwenn) to pay the bills. Rosenbaum seconded. 2 ayes, 0 nays, motion carried.

23. Adjournment.

MOTION (Schwenn) to adjourn. Rosenbaum seconded. 2 ayes, 0 nays, motion carried.

John Rosenbaum, Interim Chair for Mike Fagan; minutes taken and submitted by Jackie Arthur, Admin/Clerk