

Springdale Town Board Meeting Tuesday, November 19, 2019, 7 PM

Town Hall at 2379 Town Hall Road, Mt. Horeb, WI

MINUTES

Call to order Town Board Chair, Fagan at 7:00 PM

Town Board in Attendance: Town Chair, Fagan; Supervisor I, Rosenbaum; Supervisor II, Schwenn; and Clerk, Duerst Severson.

Certification of compliance with the Open Meeting Law NOTICE OF THE MEETING: pursuant to Wisconsin Open Meeting Law was confirmed. The final agenda was posted on 10/10/2019 at Riley Tavern, Town Hall, Mt. Vernon Family Auto, in the Town of Springdale as required by law. As a courtesy to the citizens, a notice of the meeting was published in the Mt. Horeb Mail on 11/15/2019 and on the Town Website.

Minutes of the previous Town Board Meetings:

Oct 7, Budget Workshop MOTION to approved Schwenn/Rosenbaum MOTION carried 3-0

Oct 21, Budget Workshop MOTION to approved Schwenn/Rosenbaum MOTION carried 3-0

Oct 25, Budget Workshop MOTION to approved Rosenbaum/Schwenn MOTION carried 3-0

Oct 31, DOT 90/10 Lewis Bridge w Primrose MOTION to approved Fagan/Schwenn MOTION carried 3-0

Public Input: Non-Agenda items;

- Rosenbaum presented an informational document to be sent to our email group about trash/recycling and some ways of controlling some of the cost of the spring clean-up.
- Fagan requested we set up a TB meeting at 6:45 Monday, prior to the scheduled PC meeting to take action to replace the salt shed door.

2020 Census– effect on town Dane Co. has provided handouts to encourage everyone to participate in the Census. Government funding is often distributed according to census populations; if you want it to trickle back to your community, you need to be counted!

Recap of Nov. 18 Elector’s meeting re 2020 budget On Nov. 18, TOS Elector’s voted to adopt the 1.02 increase over the 2019 tax levy limit. Elector’s also adopted the Town’s proposed 2020 budget of \$659,591. The Board adopted the Elector approved levy and budget.

Recap Nov. 14 Joint TB & PC meeting: PC & TB adopted Resolutions & Ordinances related to the Revision of Dane Co. Chapt. 10 & Our Land Use Plan

Annual Contribution to Upper Sugar River Watershed Association -Wade Moder, Executive Director explained the many ways Springdale, with our many waterways, benefits from the work their organization does. Our dollars stay close to home, funding educational opportunities for all ages, invasive species work in Mt Vernon Creek, pollinator projects, activities at Donald Park, and much more. The Farmer lead coalition continue to grow. The TB confirmed that they budgeted to contribute \$2850 again in 2020.

New Liquor License/Operators -The Historic Riley Tavern Charles & Kate Teasdale Discussion: Both the current owner, the Murphy’s and the prospective owners, Teasdale’s informed the TB of their plan to transfer the town issued liquor license from Murphy to Teasdale when the sale of the Tavern is finalized, which they expect to be late in December. The Teasdale confirmed receipt of a copy of the Conditional Use Permit (CUP), understand it. The Teasdale have no immediate plans to change daily operations and will be following the CUP put in place under Murphy. Teasdale’s will contact the TB for approval well in advance of any outdoor events with sound amplification. The Teasdale’s passed background checks and have paid the pro-rated cost of the

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Class B beer and liquor license. Murphy submitted written intent to surrender his liquor license with the condition of sale. A neighbor made it known that young children will be living next door; which the Teasdale's respectfully acknowledged. The Murphy's are to notify the town when the sale is final and the license can be transferred. MOTION Fagan/Rosenbaum to approve the transfer of the Class B beer and liquor license, and CUP, currently held by Murphy, to Teasdale upon confirmation of final transfer of ownership of the Historic Riley tavern with all the conditions of the CUP continuing. MOTION carried 3-0

MOTION Fagan/Schwenn to grant an Operator's License to Kathryn Teasdale. MOTION carried 3-0

Broadband- Town partnering with MHTC - John Dunbar, Assistant General Manager with MHTC, estimated that approximately 230 citizens of Springdale would be affected by the proposed expansion of MHTC's broadband service. He explained that historically, grants have a much higher success rate when the application is partnered by a municipality. MHTC is asking the TOS to partner with MHTC in applying for The State of Wisconsin Broadband Expansion Grant Program Fiscal Year 2020 grant (deadline Dec 19). MOTION: Rosenbaum/Schwenn- Recognizing the expected benefit to certain unserved or underserved TOS residents and businesses, to approve partnering with MHTC in applying for the WI Broadband Expansion grant. If, and only if the grant is won, the TOS will provide \$500 toward the cost of the project. MHTC being responsible for the cost of the project that exceeds the contributed funds. MOTION carried 3-0

Public Hearings - Plan Commission Recommendations.

1. Carol Holler lands -CSMs and rezoning's CTH P/Sec. 4,

Discussion: PC recommendation "Per the 2003 Town approved concept plan, six development areas for the Holler lands were identified in addition to the historical farmhouse. Since 2003, the farmhouse is located on LotCSM #_____. A development area #1 was assigned to a vacant Lot...CSM #_____. Development area #2 is the current residence on this 76 acre lot being divided. Development area #3 will be located on the proposed new 60.93 acre CSM lot. The three remaining development areas will be assigned to the 49.18 acre parcel located near the corner of Bakken Road and CTH P." They found both lots to be consistent with the concept plan approved in 2003. Comprehensive Revision to the Dane County Code of Ordinances Chapter 10, the lands will be reclassified- Dane County Zoning recommends the 60+ acre parcel be zoned RM-16 to accommodate a single-family residence and agricultural use. The AT-35 zoning district does not pertain since only an agricultural residence would be permitted and the smaller parcel to be zoned RM-8. MOTION Rosenbaum/Fagan to approve both CSMs with Dane Co. clarifying zoning under the new Chapter 10 agreement. with no further division of either Lot per the Town of Springdale Land Use Plan; and with designated development area/building envelopes in the Northeast corner of the 60 acre CSM, at the edge of the farmland, as depicted on the map filed in the Town Hall. Building envelopes to be approved by the town. MOTION carried 3-0

2. Syed Nizamuddin - CTH S/Sec. CSMs, access points on CTH S, revised concept plan to be consistent with an approved concept plan and rezoning, CSMs. PC finding and recommendation:

Discussion: Fagan referred to discussions and finding made at the Oct. 25 PC meeting as follows: Background: Contiguous acres owned on the effective date of the Plan = 116 acres with an existing farmhouse. Option 1 = 5 new lots, Option 2 = 7 new lots and Option 3=8 new lots. The Nizamuddin lands extend on the North and South side of County Road S, a Dane County Highway Department controlled access highway. Prior to 2002 and the adoption of the Plan, the landowner developed 4 lots by CSM on the North side of CTH S and 2 lots by CSM on the South side of CTH S. (Dane County Highway required the existing farmhouse access point on the South side of the highway to be moved to the West to be shared with the two new lots on the South side.) Overview of recent PC meetings outlined by PC Chair Jester:

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PC meeting on March 27, 2006: An Option 1 concept plan for 5 lots was presented to the PC by the landowner. It was denied at the March 2006 meeting because:

1. In 2006 it was stated that it did not meet the standards of the *Policy for New Town Roads*.** "... It is not the policy of the Town to approve a new town road for the sole purpose of enabling a landowner to develop land that otherwise would not have been developable. A proposed new town road must be clearly in the public interest, public good. Since CTH S is a limited access highway per Dane County Highway requirements, the shared driveway now serving the farmhouse, one newer house and a CSM lot is the only access permitted by Dane County. Therefore, without a new town road, no further development could occur. Historically, it was the policy of the Town to not approve any new town roads. The *Policy for New Town Roads* was adopted on 4/12/2004 (**and amended on 10/21/2013) to establish standards if a new town road were being considered. For example, a new town road would be worthy of consideration if development could have occurred and the new town road would improve the development and serve the public good ...**"
2. In 2006 it was stated that it did not meet the standards required for an Option 1 division with a new town road because of its negative impact on the farmland.

- PC meeting on June 25, 2018: Per the request of the landowner, information about an Option 3 clustered rural subdivision was discussed.
- PC site visit on July 11, 2018: A site visit was conducted by the PC on the Nizamuddin lands with discussion about an Option 3 development.
- PC meeting on Sept. 24, 2018: The agent for the landowner presented an Option 2 concept plan to the PC which was approved contingent upon information from Dane County Highway about: additional access points on CTH S, number of homes to be served on the access point, necessary amendments to the existing shared driveway agreement serving three residences if it were to be expanded to serve more homes; and Town Board consideration of a new town road and its compliance with the Policy for New Town Roads.
- Town Board in Sept. 2018: The Town Board consideration of a proposed new town road hinged on the understanding that more than one Dane County Highway access point on CTH S was feasible.
- PC meeting on June 3, 2019: The landowner submitted a 4-lot CSM as part of the 7-lot layout on the concept plan. The PC voted that it appeared consistent with the concept plan and was approved with the caution that the TB needed to approve the proposed new town road. Subsequently, this 4-lot CSM was denied by Dane County Land Division Review Office because the lot layout did not meet the standards for frontage on a cul-de-sac and width of lots.
- TB meeting on Sept. 19, 2019: The TB encouraged the landowner to contact Dane County Highway about additional access points on CTH S to approve adherence with the Town Policy for New Town Roads.
- PC meeting on Sept. 23, 2019: The landowner submitted a revised preliminary CSM with a significantly longer proposed new town road that was inconsistent with the approved concept plan. Therefore, in the meeting discussion with the landowner, he was encouraged to discuss additional access points on CTH S with Dane County Highway and/or to consider an Option 3 development.
- PC meeting on Oct. 28, 2019: The Town had been notified by Dane County Land Division Review Office that a 4-lot preliminary CSM had been submitted to their office by the landowner and Town action is needed per the Town of Springdale Land Division and Subdivision Code for lots by CSM.

Since there is no approved concept plan consistent with the 4-lot CSM dated 10/14/2019, the application is deemed incomplete and the landowner may not be eligible for a new town road unless an Option 3 development is proposed or additional access points exist on CTH S. It is not the policy of the Town to approve a new town road just to increase the number of lots for development. A new town road shall be in the public interest, the public good. The PC voted to recommend denial of the proposal to the TB for the November TB meeting agenda. The *Policy for New Town Roads –Adopted by the Town Board 102113-Town of Springdale, Dane*

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County, Wisconsin was presented as a Power Point slide during the PC and TB meetings. A copy is on file at Town Hall and at the end of these Minutes.

Fagan explained that at this time, only an Option 3 would potentially allow for a Town Road. Further, with no additional access points available on Hwy S, Options 1 and 2 are not applicable to this land. Nizamuddin could petition Dane Co. to allow him an additional access point on Hwy S and if permitted, there could then be further discussion. MOTION: Fagan/Schwenn to deny proposal as presented. MOTION carried 3-0

Appoint election inspectors: Discussion: WI Election Commission requires Chief Election Inspectors to have at least 6 hours of approved Election training. All three of our Chiefs have more than met the requirement during 2018-19 which makes them eligible for Elections in 2020 & 2021. WEC does not have training requirements for other Election Inspectors; but, expects Towns to provide adequate training. We encourage all Inspectors to participate in WEC Webinars and invite them to view as a group in Town Hall. MOTION: Fagan/Schwenn to appoint the following Election Inspectors to work at TOS Elections for a two-year term of January 1, 2020 through December 31, 2021

Abby Berude	Diann Chapman	Mary Cook	*Loretta Docken	Esther Esser
*LaVonne Evenson	Tia Fagan	Steve Gauger	Gina Gessler	Scott Grabins
Barbara Hartman	Rich Henderson	Stan Hook	Evelyn Hruska	Sharon Hughes
Cindy Jaggi	Kelly Keyes,	Joanne Landry	Sheila Mittelstaedt	Sandra Osborn
David Potter	Luann Smith	*Carol Statz	Jan Swartz	Cheryl Sutter
Sue Welch	Trouti Winkelman			* Indicates Chief Inspectors

MOTION carried 3-0 Thank you to all who have signed up to help. 2020 should be interesting!

Election Security Requirements -Grant funds Wisconsin Elections Commission offered subgrant fund to municipalities to offset cost of assuring high level election security is met. TOS applied for and were awarded the maximum grant fund allowed. Funds will be applied toward computer hardware/software (\$600), professional IT support (\$500), and Election Security training. (\$100). Funds have already been received!

WI DOT Multimodal Local Supplement (MLS 90/10) Road Maintenance Funding -Lewis Rd Bridge On Oct. 31 Town of Primrose Chair, Patrolman, and Clerk met with TOS TB, Patrolman, and Clerk to draft a joint application for WI DOT MLS funding to replace the bridge on Lewis Rd. Funding could be awarded to supplement up to 90% of the cost of the project. Post the Oct. 31 meeting, the Clerks worked jointly to get a draft to all participants for review. The final application is now being presented to the Board for approval. MOTION Fagan/Schwenn to approve joint application as presented. MOTION carried 3-0. Primrose will present the application to their TB on Dec. 2 and submit to WI DOT by the deadline of Dec.6.

Calendar of upcoming events:

- November 25, Monday:
 - Town Board Special Meeting Re: Salt Shed Door 6:45 PM
 - Plan Commission Meeting, 7:00 PM
- December 17, Town Board Meeting, 7:00 PM
- December, No Plan Commission Meeting

Dog License Fee -Dane Co has invested heavily in dog parks across the county. In November, they passed an increase at all levels of \$5/dog. MOTION Fagan/Schwenn to pass the additional cost onto dog licensees. Effective 1/1/20 the TOS fee for neutered/spayed dogs will be \$17 and the cost for unneutered/spayed dogs will be \$22... MOTION carried 3-0

Bills –Treasurer Report;

Resolution 2019-11-3 2019 MOTION: Fagan/Rosenbaum Due to recent receipt of unanticipated - unbudgeted revenue from FEMA, \$56608.52 (toward 2018 storm damage repair), and contractor payment for ROW damage, \$5000 (to be applied towards the repair in 2020) the TB resolves to move from the Intergovernmental Fund as follows: \$55,000 to cash on hand to be used on Public Works Expenses including the ROW repair in 2020, and \$6608.52 to the Public Works Expense to be used in 2019. MOTION carried 3-0

Adjourn. MOTION Schwenn/Fagan to adjourn. MOTION carried 3-0

Post/Publish 11/15/19 Town Clerk, Susan Duerst Severson

***Policy for New Town Roads –Adopted by the Town Board 10/21/13-
Town of Springdale, Dane County, Wisconsin***

- 1. A proposed new town road must be clearly in the public interest/good.*
- 2. A new town road may be accepted for an option 3 development.*
- 3. A new town road may be accepted for an option 2 development only when the proposed new road, or the extension of an existing road, clearly improves compliance with the Land Use Plan, Residential Density Option 2, Sections (B) and (C), and meets all the following goals from option 3:*
 - a. Residential development (lots) shall be clustered on twenty-five (25) percent of the contiguous acres owned on plan effective date. Additionally, shared driveways may be required to enhance the effect of clustering development areas.*
 - b. Residential driveways shall be sited and constructed in a manner which best minimizes their impact on agricultural land.*
- 4. A new town road may be accepted for an option 1 development only when the proposed new road, or the extension of an existing road, clearly improves compliance with the Land Use Plan, Residential Density Option 1, Sections (B) and (C), and meets all the following goals from option 2:*