

TOWN OF FOND DU LAC

FOND DU LAC COUNTY

PUBLIC HEARING

DECEMBER 9, 2024

7:00 PM

The Public Hearing concerning the Fred-Land storage units Special Use Permit (SUP) was called to order by Chairman Jeff Montsma.

Chairman Montsma noted that the owners of Fred-Land Storage have been working with the Planning Commission and the Town Board on the SUP.

There being no discussion, the Public Hearing was adjourned to the Monthly Meeting.

MONTHLY MEETING

The Monthly Meeting was called to order by Chairman Jeff Montsma. Present were Chairman Montsma, Supervisors Aaron Kuhls, Jessica Allender, Jennifer Janeczko, David Washkoviak, Clerk Patti Supple, Treasurer Brenda Post, Attorney Matt Parmentier and various Town residents. Confirmation was made of open meeting notice.

The Pledge of Allegiance was recited.

3. Motion was made and seconded to approve the minutes from the November 11, 2024 Budget Hearing and the November 11, 2024 Monthly Meeting. Motion carried.

4. *David Supple handed out copies of the Condominium Declaration and the Special Exception document. Attorney Matt Parmentier also had copies of the Special Exception documents for the Board to review. Mr. Supple noted the documents are in place to protect the interests of the Town and the Fred-Land project. However, he notes some of the requirements are open to interpretation and could cause issues in the future with a new Planning Commission Board or Town Board. He noted the Fred-Land project has been totally financed by the owners and has created no cost to the Town. It also has provided much financial gain to the Town. Therefore, he would like to address some of the issues with the SUP documents. While pages one and two are not at issue, page three has some issues.*

1. The non-modification of the condo docs cannot be modified without prior Town approval. After discussion, it was agreed that the Town Board must be notified of modifications,

2, Compliance with the site plan. The Condo Docs do state the site plan might be modified to combine lots. This was discussed and the Planning Commission had no issues with the combining of lots. This will be amended to note the combining of lots is allowed.

3. *Notification on sale of units. After discussion, it was agreed that the Town will be notified by email or phone call of the sale of a unit. This is to keep track of the business or use in the building.*

4. *The parking issue is handled in the Condo Docs and not needed.*

5. *Lease and/or sublet is addressed in the Condo Docs and not needed.*

6. *Limit of the sale to 7 condo units. This becomes an issue for keeping the business growing, if after only 7 sales, there is a need to come back to Planning and the Town Board. Mr. Supple noted the Planning Commission requirements are already covered in the Condo Docs. He also noted the lack of compliance falls on the Fred-Land owners. He noted with the financial investment in the project, they do not want to create any issues. The Town already has the option to deny a building permit if the rules are not followed. After discussion, this was modified to allow for 14 SUP permits and that those allowed uses are not part of the 14 SUP permits.*

7. *Up to 28 units allowed.*

8. *What is this for? Compliance with the Restrictive Covenants? Basically, the units will follow the C-2 zoning and the Fred-Land Storage Condo Docs.*

After discussion, motion was made by Supervisor Washkoviak and seconded by Chairman Montsma to approve the SUP based on the recommendations above. Motion carried 4 aye and Supervisor Allender nay.

5. Members of a local ATV club were present to request a change to operation hours for ATV's and UTV's. The request would change the Town's ordinance to allow for operation from 5:00 am to midnight. Chairman Montsma noted that Sheriff Ryan Waldschmidt had sent a letter to the Village of Oakfield concerning the need for consistency of hours and the future of ATV/UTV use on County Roads. It was noted there have been no issues reported in the Town of FDL. After discussion, motion was made by Chairman Montsma and seconded by Supervisor Washkoviak to amend the Town Ordinance to allow for consistency in hours for use. Motion carried.

6. An update on the Farmland Preservation Ordinance is to eliminate the non-farm residency restriction and to amend the zoning map to align with the County map. There will be 4 lots to take out, and one addition of @ 160 acres. In addition, Attorney Parmentier is recommending not numbering definitions and adding the standards for Special Exceptions per the State requirements. Motion was made and seconded to eliminate the numbering system for definitions. Motion carried.

7. Chairman Montsma noted the need for a ZOOM account has dwindled and is recommending eliminating the account. Motion was made and seconded to discontinue the account. Mary Keding noted that in talking with a former Board member, the account is needed since it doesn't cost that much. Harland Keding agreed. Chairman Montsma noted the need during COVID but is there still a need. Attorney Parmentier noted only about 20% of the Town he works with still have a ZOOM account. The Clerk will check further on the cost for the January meeting

8. Motion was made and seconded to appoint John Zorn to the Planning Commission as an alternate. Motion carried. Motion was made and seconded to accept the resignation of Tyler Mengel. Motion carried.

9. Motion was made and seconded to approve the Provisional Operator's License for Gabrielle Kohlman at JP's Four Mile House. Motion carried.

10. a. The manhole cover off the riser will be repaired on Highway 23.

b. Chairman Montsma noted the hiring of Harold Haney to the DWP Department. The Pacer ratings have been finalized. There was a trial run on the plowing equipment with the recent snowfall. He held a meeting with the plowing crew and will be updating the GIS road map for plowing routes.

c. Mr. Haney reported on activities with the DPW Department including the organization of the shop, brushing on Van Dyne Road, running boards for the trucks, and issues with the water in the DPW building.

11. There were no Public Comments.

12. Chairman Montsma noted that there is an issue with the pump for the water silo. Both the regular pump and the back up pump will need to be replaced. Cost estimates are coming. Christmas lights were put up at Simon Riverside Park. In addition at the Park, weed spraying is needed and more weed trimming will be done next year. The field by the entrance floods, and will need to have a French drain installed. Merry Christmas!

Supervisor Allender requested more signatures for her nomination papers. She is recommending an iceskating rink at the Park

Supervisor Janeczko stated a pickle ball court would be great too.

Clerk Supple noted that in talking with Julie at the Law Office, the ordinance books need to be redone. It was recommended to double check to make sure the updates are all added. The GFL trash and recycling calendar is on the Town website.

Treasurer Post reported the tax bills have been sent out!

Fire Chief Birschbach reported a new Fire Inspector has been hired. The Fire Ordinance might need to be updated to include fire violation citations. He also recommended being careful on the ice.

13. There are no Board of Appeals meetings. The Planning Commission will meet in January to review the General Ag ordinance for allowing shed storage.

14. FINANCIAL REPORT: November 2024

General Account received: \$441,608.50

Orders: 80,939.42

Balance: \$463,068.94

Road, Bridge, Culvert & Eq: \$63,757.67

Park: \$40,335.42

Hall CD: \$26,875.39

Fire Dept. CD: \$17,109.29

Motion was made and seconded to approve the Financial Report. Motion carried.

PAYMENT OF BILLS:

Bills: \$128,730.37 Wages: \$13,321.85

Motion was made and seconded to approve the Payment of Bills. Motion carried.

The Town Board intends to convene into closed session pursuant to Wis. Stat. 19.85 (1) (g) for the purpose of conferring with legal counsel for the Town who is rendering oral or written advice concerning strategy to be adopted by the Town with respect to litigation in which the Town is or is likely to become involved. By voice vote Kuhls, aye; Allender, aye; Janeczko, aye; Washkoviak, aye; Montsma, aye. The Board convened into closed session.

After the closed session, motion was made and seconded to adjourn. Motion carried.

Submitted by Patti Supple, Town Clerk