MINUTES OF A TOWN BOARD REGULAR MEETING

Town of Janesville, Wisconsin

May 6, 2024

Posted: May 2, 2024 at the town office, Station 51, and Consolidated School.

Members Present: Chair Bruce Schneider, Supervisors David Rebout, Ryan Nass, Janet Kassel and Lon Coplien.

Members Absent: none

Others Present: Town Clerk Don Blakeney, Treasurer Peggy Augustine, Town Attorney Holly Jensen, Town Constable David Henkelmann, (26) members of the public.

Meeting called to order, by Chairman Schneider, at 7:39 p.m., at the Town Hall, 1628 N. Little Court, Janesville, WI. Followed by the pledge of allegiance.

1. **Minutes of previous meetings: Supervisor Nass moved to accept as written the April 3, 2024 Town Board minutes. This motion was seconded by Supervisor Coplien and passed by a unanimous voice vote.**

2. **Financial Report:**

   Moved by Supervisor Coplien, seconded by Supervisor Kassel, that the financial report, ending April 30, 2024 be accepted as read by Treasurer Augustine. Motion carried on a unanimous voice vote.

3. **Citizen Participation:**

   A. Citizen Laureen Presny of 5335 N River Road reported "third hand" on an incident of gunfire at 5263 N River Road. A Rock County Sherriff Officer who responded to the call, investigated and reported at the meeting that the individual at 5263 N River Road was within his legal rights to fire a gun on his own property at an animal. The evidence showed that no shots were fired in the direction of the neighbor or any habitable building.

   B. Citizen Judy Grunzel spoke of the lack of progress on the property maintenance complaint she brought last month against 4500 N County Road F. The Board agreed to have the issue on the agenda next month.

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4. **Committee Recommendations:**

1. **Discussion and possible action on a recommendation from the Planning and Zoning Committee** on a request from Neal Schneider 5931 Hwy 14 Janesville WI 53548 for a Minor Land Division. The property is described as part of the NE ¼ of the NE ¼ of section 3, T.3nR.12E of the 4th P.M. Town of Janesville, Rock County Wisconsin. Mr. Schneider is asking to divide the 24-acre parcel into three, three (3.0) acre buildable lots and one fifteen (15) acre buildable parcel. After many dissenting opinions from the citizens attending the meeting and questions whether the subdivision and rezone fits with the Janesville Comprehensive Plan this and item 2 were tabled for up to one year for further investigation.

2. **Discussion and possible action on a recommendation from the Planning and Zoning Committee** on a request from Neal Schneider 5931 Hwy 14 Janesville WI 53548 for a re-zone. The property is described as part of the NE ¼ of the NE ¼ of section 3, T.3nR.12E of the 4th P.M. Town of Janesville, Rock County Wisconsin. The land division item A. above would require the three acre lots to be re-zoned from their current A-3 to A-2 zoning. This item was tabled for up to one year for further investigation.

3. **Discussion and possible action on a recommendation from the Planning and Zoning Committee** on a request from David and Christopher Yahnke 3372 Stone Farm Road, Edgerton, WI 53534 for a Minor Land Division. The property is described as part of governmental lots 6 and 7 and part of the SE ¼ of the NE ¼ of fractional section 5 T.3N R12E of the 4th PM Town of Janesville, Rock County, Wisconsin. The request is for two twenty-one (21.0) acre lots and one five-point-four (5.4) acre lot.

   After discussion Supervisor Coplien made a motion to approve the Minor Land Division. The motion was seconded by Supervisor Kassel and passed on a unanimous voice vote. A second Motion was made by Chair Schneider which stated that the land division was contingent upon the re-zone (item 4 this agenda) be successful. This motion was seconded by Supervisor Coplien and passed on a unanimous voice vote.

4. **Discussion and possible action on a recommendation from the Planning and Zoning Committee** on a request from David and Christopher Yahnke 3372 Stone Farm Road, Edgerton, WI 53534 for a re-zone on a property described as part of governmental lots 6 and 7 and part of the SE ¼ of the NE ¼ of fractional section 5 T.3N R12E of the 4th PM Town of Janesville, Rock County, Wisconsin. Item C this agenda would require the rezoning of the land from A1-FP to A2 on the larger parcels, the owner would like to keep these in Farmland Preservation which is acceptable with the new State rules and the 5.4-acre lot re-zoned to A-3, this parcel to be removed from Farmland Preservation.

   After discussion it was determined that due to State changes it is possible to have land in Farmland Preservation (FP) less than the thirty-five acres the Janesville Town Zoning Ordinance requires therefore Chair Schneider made a motion to

rezone the two larger parcels to A-2 without removing them from FP and rezone the 5.4-acre parcel to A-3 and remove it from FP granting that it meets the 4 necessary criteria to be removed. The motion was seconded by Supervisor Rebout and passed on a 4 to 1 voice vote with Supervisor Kassel opposed.

5. Unfinished Business:

A. **Discussion and possible action** on noise/nuisance complaints from Partridge Hollow and 5436 N Consolidated School Rd from motorized off road bikes being ridden on or next to Single Family Rural Residential Zoned properties.

1. Chair Schneider read a letter submitted by Hetty Hartmann which explained her position that the noise coming from the neighbor is a violation of the town's ordinance. The Town Constable offered that he has investigated with a certified decibel meter and the readings do not exceed the limits set by the ordinance. After board discussion Supervisor Kassel made a motion to have the Town Attorney send a letter to the neighbor citing the Town's Noise and Nuisance Ordinance with suggestions to remedy the situation to include attending the next Town Board meeting. The motion was seconded by Supervisor Coplien and passed by unanimous voice vote.
2. The Helme's of 5436 N Consolidated School Road and several neighbors were in attendance. A productive discussion was had in an attempt to compromise and the parties agreed to continue talking outside of the meeting setting in the future in an attempt to find a suitable compromise.

B. **Discussion and possible action** on ongoing illegal occupancy of a building at 5263 N River Road. Based on new information the Board directed the Town Attorney to file the legal complaint which was held last month.

6. New Business

A. **Building Inspector Report**: Clerk reports that the monthly bill and report from General Engineering will be available to the public when it arrives.

B. **Discussion and possible action** regarding authorizing the $195 plus shipping and handling cost of maintaining the Town's Piccolo II Sound Meter. Chair Schneider made a motion to approve the cost of maintaining the Sound Meter, Supervisor Kassel seconded the motion and the motion carried by unanimous voice vote.

C. **Discussion and possible action** regarding a formal agreement for the process including an intergovernmental agreement and picking an engineer for the Multi Municipality Newville Road project. Supervisor Rebout made a motion to enter into said agreement when it arrives, Supervisor Coplien seconded the motion and the motion carried by unanimous voice vote.

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D. **Review, discussion and action on the road proposals approved at the Annual Meeting.** Discussion and recent road trips with Rock County personal by the Chair caused some rearrangement of priorities of roadwork for this year compared to what was discussed at the Annual Meeting. A complete list of road work to be authorized this year will be available at the Clerk's office.

7. **Reports by Town Attorney: None**

8. **Reports by Town Constable: None**

9. **Reports by Town Clerk: None**

10. **Correspondence:**

    A. Sheriff report - on file with Clerk

11. **Vouchers**

    Moved by Supervisor Rebout, seconded Supervisor Kassel, that Voucher #130 through and including #170 be approved for payment. Motion carried on voice vote.

12. **Adjournment**

    Moved by Supervisor Coplien , seconded by Supervisor Kassel, to adjourn. Motion carried on a unanimous voice vote.

Meeting adjourned at 10:03p.m.

Minutes approved ( ) with (X) without corrections, _June 3, 2024_____

David Rebout

Bruce Schneider, Chairman

David Rebout Acting Chairman

D Blakeney

Don Blakeney, Town Clerk