

TOWN OF SHELBY

County of La Crosse

State of Wisconsin



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Town Board Meeting Minutes

Date: Tuesday, June 21, 2022

Time: 5:00 p.m.

Location: 2800 Ward Ave, La Crosse, WI 54601

Town Officials Present: Chairperson Tim Candahl, Supervisors Renee Knutson, Marlene Heal, Tim Padesky, and Tim Ehler, Clerk Fortune Weaver, Administrator Christina Peterson, Treasurer Sara Jarr, and Fire Chief Tony Holinka.

Town Officials Excused: None.

Attendance List: Ben Tippetts (Owner of La Crosse Mobile Home Park, W7931 Cty Rd ZB), Marc Fortney (LAX Holding Trust, N1938 Summit Drive), Dan Miller (2 Copeland Ave), Weston Meyers (W4802 Meyers Road), Lawrence Wilcox (N2417 Three Town Road), Carl Kammel (N2422 Terry Ct), Tiffany McCorkle (W5379 Norseman Drive), Nicole West (W5369 Norseman Drive), Bernard Lenz (1624 Mississippi St), Bryant Klos (Attorney from Hale Skemp).

1. Town Board Meeting called to order by Chairperson Candahl at 5:00 p.m.
2. Approve Minutes from 5/17/2022. Motion by Knutson to approve minutes from 5/17/2022, second by Padesky with grammatical error changed. Motion carried unanimously.
3. Bills Payable. Motion by Heal, second by Padesky to pay open invoices in the amount of \$11,906.54. Motion by Heal to accept paid invoices in the amount of \$191,096.84 second by Knutson. Motions carried unanimously.
4. Citizen's Concerns. None.
5. Easement/Well Agreement in Nolop Park. Peterson introduced Attorney Bryant Klos from Hale Skemp. Peterson reviewed previous meetings and discussions on allowing placement of the well on town property. Peterson detailed what options are for moving forward and what Klos recommended in earlier discussions. Klos elaborated that an easement and a license can include the same language, however, license agreements are revokable, while an easement is not. With license agreements, mortgage companies typically do not lend money for homes that have a well that has rights that can be revoked. Klos noted this park was deeded as a park so the park cannot just be dissolved and sold to the homeowners. Carl Kammel provided information and pointed out the proposed location for the new well head and explained which residents are getting their water from each of the two wells. Klos recommends drafting an easement for both wells. Discussion on what is needed to get the wellhead installed and what language should be in the easement. Klos stated that the well head location language can be general. Klos noted the board has authority to allow the project to move forward while an easement is being drafted. Motion by Padesky to proceed with the well drilling with the understanding that the easement will be drafted and is to be signed after the fact due to the urgency of the situation, second by Ehler. Motion carried unanimously.
6. Purchase Agreement for Nelson Property (Parcels 11-358-0 & 11-375-0). Candahl provided information on the purchase agreement, detailing the cost of \$5,000.00 plus closing costs and legal fees. Peterson noted that outside funding was approved at the Blufflands Coalition meeting but needs to be reviewed at the County level. Peterson will take it to the parks committee before it goes to the County. Peterson is hopeful that funding will help cover the costs of the purchase. Motion by

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Ehler to purchase parcels 11-358-0 and 11-375-0 for \$5,000.00 plus closing costs and legal fees, second by Padesky. Motion carried unanimously.

7. Conditional Use Permit – Parcel 11-996-0 (Tiffany McCorkle, W5379 Norseman Drive). Peterson noted that the planning commission has reviewed this request and recommends that the town board recommend approval to La Crosse County. Motion by Ehler, second by Padesky to recommend approval to La Crosse County. Motion carried unanimously. Knutson wanted to verify that the land use and zoning is in line with the county to approve, Peterson confirmed. Nicole West (co-owner) provided additional information on why the house was purchased. Tiffany McCorkle (co-owner) provided information on their due diligence for the individuals they allow to rent the home. Heal asked if they have had any renters permanently or semi permanently, McCorkle and West responded they have not had long-term renters. Candahl noted the Fire Department and Police Department should be aware of short-term rentals in the event of an emergency. Knutson commented on concerns with garbage pickup, asked if there were any issues. West noted two garbage cans and two recycling cans are placed at the house, and there have been no issues so far.
8. Certified Survey Map – Parcel 11-1527-0 (Tippetts Rentals, LLC, 4625 Mormon Coulee Road). Peterson provided additional information about the CSM, basically this is a lot split, with a shared driveway. Knutson asked about dirt road between the house and the garage. Tippetts was unsure who uses that road. Candahl noted that could be a utility easement. Tippetts stated he has never seen it being used. Peterson noted planning commission recommended approval. Motion by Heal, second by Padesky to approve CSM. Motion carried unanimously.
9. Certified Survey Map – Parcel 11-11-1 (Weston Meyers, W4802 Meyers Road). Peterson reviewed the CSM discussion from planning commission. Peterson reminded the board of the ordinance and explained how it applies to this split. Both parcels would have required 60-foot frontage on a public road. Peterson explained the concern about the pinch point on the proposed map. Planning commission recommended the pinch point should be wider, measuring 25 feet minimum. Knutson asked Meyers what his future plans are for these two parcels. Meyers explained that he wants the parcels separated for the loan. Mr. Meyers has no intention of selling the parcels at this time. Discussion about access to the parcel that would be split off, additional discussion on the easement on the west side of the parcel that Meyers shares with family. Candahl noted previous requests for plats for developments by previous owners of the acreage in this area. Meyers noted that he has no intention to develop that area. Motion by Padesky, second by Ehler to approve the CSM with the change that the pinch point is 25 feet wide on the east corner. Motion carried unanimously.
10. Variance Request – Parcel 11-2515-0 (LAX Holding Trust, N1938 Summit Drive). Peterson noted planning commission recommended approval. Dan Miller (contractor) explained project details. Because of the house positioning, there is no way to attach a garage without moving the well. The garage will be 10-15 feet away from the house anything measuring over 1,080 square feet needs further review. A 1,400-1,500 square foot garage is being proposed. Architecturally and aesthetically the garage will match the house. Peterson noted that if the garage was attached, they wouldn't have the limitations for size. Miller further commented that setbacks are met, every other qualification is met, but not the size because it's not attached. Miller reiterated all erosion control and setback criteria is being met with proposed plan. Motion by Ehler, second by Padesky to recommend approval of the size variance request to La Crosse County. Motion carried unanimously.

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11. Multiple Dog Applications. Weaver provided information about the Multiple Dog Applications. No issues or violations. Motion by Padesky, second by Knutson to approve Multiple Dog Applications. Motion carried unanimously.
12. Engineering Services Contract – CBS Squared. Peterson noted CBS squared history and history with Bernie Lenz formerly of City of La Crosse. Peterson noted Lenz and CBS Squared are working with Sanitary District No. 2 for a sewer study, Peterson is impressed with the firm and wants to move forward with master agreement for services. Peterson noted a master agreement would establish an hourly rate when CBS Squared assists with smaller projects that occur day to day. Lenz and Peterson stated that larger projects would require a separate agreement. Motion by Padesky to retain CBS Squared for engineering services on an hourly basis, second by Knutson. Motion carried unanimously. Peterson mentioned the additional benefit that CBS squared is recognizing La Crosse as an office location to keep travel costs low.
13. Fire Department Report.
 - a. Holinka noted 3 new hires added to the Fire Department: Maggie Schuh, Abdul Cole, and Cara Shanley. Holinka reminded the board that last month 5 people left the Fire Department.
 - b. Lobbyist from State Fire Chief Association provided information on the acquisition of Canadian Pacific and Kansas City Southern Railway. This acquisition will increase the amount of train traffic next to the fire station. It was recommended that the US Surface Transportation Board do a risk assessment study. Increased traffic will likely affect call response times. Depending on what time of day the train comes by it could affect 24% of responders coming to the station from their homes.
 - c. Holinka and Proksch have experienced increased difficulty to respond in personal vehicles because of road construction and traffic. Holinka noted the use of lights and sirens on personal vehicles come from old SOG's not ordinance 2.02. Holinka is asking for the board to contemplate discussion on having an indicator on personal vehicles. Holinka noted that indicators would also assist during mutual aid calls because then other departments would know what vehicles belong to bystanders and what vehicles are belong to responders. Holinka can look up case studies and examples for the board.
14. Administrator Report.
 - a. Peterson recalled budget work session, big picture discussions, how to get new revenue and how to cut expenses. Once research is completed, another meeting and more planning can take place.
 - b. SYB has been going strong and hopefully over the hump. Concession stand is not getting many volunteers. Some teenagers hired, ex this weekend is tournament and not a single parent has volunteered. If you go to the SYB website under concession it takes you to sign up for each weekend. Peterson noted talks of a deposit and if you volunteer then you get that money back. Peterson noted issues with deposit and issues with hiring out workers.
 - c. Comprehensive Plan Public Hearing at All Star on 19th July at 6pm
 - d. Hired teenagers for Shelby Youth Ball concessions: Isabel Klose, Anaya Seay, Abigail Smanski, and Ella Delap.
 - e. Peterson updated the board on the new well in Arbor Hills. Team has tried several different tactics in testing to determine cause. Recently had the well pulled, and televised, unsure what the outcome is. Sanitary District Meeting on Thursday will have the engineer giving a report and hopefully will have more information.

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- f. City has not commenced pre-construction for Cliffside Drive, and the contractor has not committed to a start date.

15. Public Works Report.

- a. Peterson noted Dirt Monkey graded the infields. It did not drain properly. Dirt Monkey will come fix it.
- b. Peterson noted signage ordered that says “No Parking on Concrete \$1,000 Fine” for Mormon Coulee Park Shelter because there has been an issue with individuals parking on the new concrete patio, warnings were issued and ignored.
- c. Candahl asked about blacktop and seal coat work that needs to occur in the town. Candahl will draw a map and will communicate with Public Works and Peterson for planning.
- d. Peterson noted seal coating will be beginning soon. The crew has been working to prep roads. Scotts will hopefully begin work next week.
- e. Peterson noted the crew is 75% done with flood repair. Peterson filed for extension until end of September for 70% reimbursement funding for State of Wisconsin.
- f. Peterson reviewed new hires and returning employees for Public Works Frank Sedevie, Grant Gerke, and Randy Hass are returning from previous years. Brad Fitzgerald, Jon Baumler, Christian Blank, and Paul Flottmeyer are new hires this year.

16. Chairperson/Supervisor Reports.

- a. Candahl wants to work on flood mitigation projects. Candahl wants to investigate flood mitigation options to offset the thousands the town spends in repairs when major rain events occur. Storm water runoff drains should be investigated. Candahl wants to investigate where the greatest damage has occurred in Shelby likely Seven Springs Area, River Hills, Boma Road and Willow Way West are the most common areas.
 - b. Candahl noted no response sent back to the City for Boundary Agreement; Peterson is working on it.
 - c. Budget workshop scheduled for July 12th at 4:00 p.m.
17. Motion to go into closed session pursuant to Wis. Stat. 19.85(1)(e) for the purpose of deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified business in relation to the following parcel: 11-1031-0 by Heal, second by Knutson. Motion carried unanimously at 6:16 p.m.
18. Motion to re-enter into open session by Padesky, second by Knutson at 6:42 p.m. Motion carried unanimously.
19. Adjournment. Motion by Padesky, second by Heal to adjourn Town Board Meeting at 6:43 p.m. Motion carried unanimously.

Next meeting will take place Tuesday, July 12, 2022 @ 5:00 p.m.

Respectfully Submitted, Fortune M. Weaver, Clerk

NOT APPROVED