

Town of Perry
Minutes of Town Board Meeting
Tuesday, August 8, 2023
Perry Town Hall

Teleconference - 425-585-6272 access - 394-722-206

1. Call to order. Chairman Roger Kittleson called the meeting to order at 7:30PM. Supervisors Ken Hefty and Mick Klein Kennedy, Treasurer/Deputy Clerk Stephanie Zwettler and Clerk Mary Price were present. Also in attendance: Mark Eastman, Michele Kittleson, Jim Way, Mary Ann Nelson, Laura Morland, Pat Heim, Jim Donlin, Pat Downing, Ryan Oehlhof, David Jelle, Larry Price, Nina Moyer Fink and Christine Milovani, Doug King, and Atty. Ryan Braithwaite via teleconference.

Pledge of Allegiance. Chairman Roger Kittleson led the Pledge of Allegiance.

2. Announcements. Clerk Mary Price presented the preliminary Equalized Valuation data from WI Dept. of Revenue.

3. Land Use:

- a. Jim Donlin, 1375 STH 78 – accessory building permit. Ken Hefty presented the Land Use Committee's recommendation to approve the accessory building permit as submitted by Jim Donlin, 1375 STH 78. Mick Klein Kennedy moved and Ken Hefty seconded a motion to approve the building permit. Motion carried.
- b. Pat Heim, 1511 Sutter Rd. – ground-mounted PV solar array permit. Ken Hefty reported the Land Use Committee's recommendation to approve the amended permit application submitted by Pat Heim, 1511 Sutter Rd., for a ground-mounted PV solar array, contingent on adjusting the installation from Choice soil, approximately 15 feet, and to allow electric trenching to temporarily disturb Choice soil for installation. Mick Klein Kennedy moved and Ken Hefty seconded a motion to approve the permit as amended. Motion carried.
- c. Ryan and Lori Oehlhof, 365 Tyvand Rd. – zoning change - 3 acres from RR-8 to TFR-08, site plan, driveway, Conditional Use Permit - detached ADU (accessory dwelling unit). Ken Hefty reported the Land Use Committee postponed action on the application to obtain legal clarifications.

Ryan Oehlhof presented information to explain their family's need for an ADU and reported a building addition to their residence is not feasible.

Chairman Roger Kittleson explained the process for a joint Town Board and Land Use Committee meeting.

Ken Hefty noted that no density unit remains on this parcel.

David Jelle reported the 1999 land transfer required no more than one residential unit for a single family residence.

Ryan Oehlhof opined the Town is required to approve the ADU to comply with the Fair Housing Act.

Pat Downing indicated observations at the Land Use Committee meeting and interpretations of the Fair Housing Act.

Jim Way requested clarification on the septic requirements for an ADU.

Mick Klein Kennedy moved and Ken Hefty seconded a motion to postpone action on this application to obtain further legal clarification on the effect of ADUs on the Town's Land Use Plan and Density policy. Motion carried.

- d. Brady Gomez, 313 STH 78 – review buildings, permits, update. Deputy Clerk Stephanie Zwettler presented the builder's offer to identify the buildings constructed via the aerial photos.

Ken Hefty moved and Mick Klein Kennedy seconded a motion to direct Dep. Clerk Zwettler to obtain the building permit applications from the builder and present these applications to the Land Use Committee for consideration. Motion carried.

4. Roads, Equipment, Facilities – Road Patrolman Mark Eastman presented ordering information for Town Garage concrete barriers @ \$45.00 each.

Mick Klein Kennedy moved and Ken Hefty seconded a motion to authorize the order and installation of up to three concrete barriers for the Town Garage. Motion carried.

Chairman Roger Kittleson and Mark Eastman reported information received from contractors to install solar panels at the Town Garage. Solar installation at the Town Garage will be included in the 2024 Budget discussions.

Road Patrolman Mark Eastman indicated the Town's new truck will be built and delivered in mid-2024 as contracted.

Roger Kittleson and Mark Eastman met with an agent requesting support for increased truck weight limits on local roads. A proposal will be discussed at the next meeting.

5. Mt. Horeb Fire Dept. – budget, equipment, grant updates. Mark Eastman, the Town's representative on the Board of the Mt. Horeb Fire Dept., reported the Dept.'s new ambulance will be delivered soon.

The Mt. Horeb Fire Dept. will hold the meeting to begin the 2024 budget process and will discuss the distribution of the 2024 Act 12 grant and the 2% fire dues refunded by the WI Dept. of Commerce.

6. Recycling Center operation – recycling electronics. Recycling opportunities by the Village of Mt. Horeb semi-annually and other options were reported. Recycling attendant shifts were completed by Mick Klein Kennedy and Mark Eastman while the attendants were on vacation.

7. Fly Dane 2024 project. The Town Board reviewed the proposal to acquire high resolution digital aerial imagery of each Section by Fly Dane 2024 @\$5,400.00. The Town will continue to use the mapping and aerial functions of Access Dane.

8. Treasurer's Report. Treasurer Stephanie Zwettler presented the monthly report – permit fees collected; Shared Revenues; 2% fire dues; building inspection fees. The Town Board reviewed the bank accounts. Mick Klein Kennedy moved and Ken Hefty seconded a motion to close the Town's Lake Ridge Bank checking account and transfer the proceeds to the Town's Peoples Community Bank interest-bearing municipal checking account. Motion carried.
9. Perry cell tower easement offers – SBA Comm., Landmark Div. Larry Price prepared information for consideration. The Town Board will convene in Closed Session on Thursday, August 24, 2023 at 9:00AM to consider easement buyout offers.
10. Town Hall Renovation - committee report and recommendations. Mick Klein Kennedy, committee chair, reported the committee's recent activities – plan revisions and other options, financing, and requested guidance to determine which best option for the Town – renovate the existing Town Hall, build a new Town Hall or construct a Town Hall addition at the Town Garage.
Roger Kittleson moved and Ken Hefty seconded a motion to authorize the Town Hall Renovation committee to revise the plan to renovate the existing Town Hall and to obtain construction bids. Motion carried.
11. Friends of the Parks of Perry update. Mick Klein Kennedy, Friends of the Parks of Perry president, reported a meeting with Groundswell to review the area included in the conservation easement; Groundswell staff has scheduled a hike of the easement area on Aug. 12; Groundswell is preparing a Habitat Management Plan.
12. Parks and Open Space Committee – report and recommendations.
 - a. Hauge Park restroom project update – topographical survey. Committee chair Doug King and Supervisor Mick Klein Kennedy reported the topographical survey work is completed; the restroom building vendor will deliver the restroom in five weeks and payment will be due in 30 days following delivery; partial grant funding can be advanced.
Ken Hefty moved and Mick Klein Kennedy seconded a motion to authorize Doug King to apply for an advance on the DNR approved grant - \$5,000.00 for partial payment of the restroom invoice. Motion carried.
Ken Hefty moved and Mick Klein Kennedy seconded a motion to pay the restroom invoice balance when billed, to be reimbursed when grants are received from WI DNR and the Friends of the Parks of Perry. Motion carried.
 - b. Broadband service. Doug King reported some progress to obtain improved broadband service to be provided by Mt. Horeb Telephone Co. Summarized results of the Town's Comprehensive Plan survey will be helpful.

13. Comprehensive Plan amendments – community survey update. Deputy Clerk Stephanie Zwettler presented the Comprehensive Plan community survey update – 360 surveys were mailed to Town residents; 176 surveys – 49% - were returned. All comments and responses have been entered into an Excel spreadsheet for analysis and will be compiled for review.
14. Dane Co. Towns Association discussions. Mick Klein Kennedy indicated the Association's July meeting was cancelled.
15. Minutes of Previous Meetings – July 11, 2023 meetings. Ken Hefty moved and Mick Klein Kennedy seconded a motion to approve the minutes of the Town Board meetings held on July 11, 2023 as presented. Motion carried.
16. Pay Bills due. The Board reviewed the invoices presented for payment. Ken Hefty moved and Mick Klein Kennedy seconded a motion to pay the bills. Motion carried.
17. Closed and Open Session. Dane Co. Circuit Court case 15CV0065 DSG; Ken Hefty moved and Mick Klein Kennedy seconded a motion to convene a closed session under WI § 19.85(1)(g) to confer with legal counsel concerning strategy. Roll call – Ken Hefty, Yes; Mick Klein Kennedy, Yes; Roger Kittleson, Yes. Motion carried.
Ken Hefty moved and Mick Klein Kennedy seconded a motion to reconvene the open session under WI § 19.85(1)(g) to confer with legal counsel concerning strategy. Roll call – Ken Hefty, Yes; Mick Klein Kennedy, Yes; Roger Kittleson, Yes. Motion carried.
18. Adjournment. Ken Hefty moved and Mick Klein Kennedy seconded a motion to adjourn. Motion carried. The meeting adjourned at 10:15PM.

Mary L. Price, Town Clerk
