

Town of Perry
Minutes of Town Board Meeting
Tuesday, September 12, 2023
Perry Town Hall

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, Cindy Way, Jenny Minter, Mike Kellesvig, Dean Vogel, Bird Cupps, David Jelle, Jonathan Jeglum.

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

2. Announcements. Clerk Mary Price announced the Open Book session will be held on Sept. 25; WI Dept. of Administration's preliminary population estimate is 737; "Bike The Barn" event will be held Sept. 17 and cyclists will use parts of CTH A and JG in the Town; Town of Primrose is recruiting a Clerk and Deputy Clerk; new absentee ballot envelopes have been ordered to comply with new WEC design and grant will be available; the annual DNR recycling grant application has been submitted.

3. Mt. Horeb Fire Dept. – 2024 Budget. Jenny Minter, Chief of the Fire Department of Mt. Horeb, presented the Dept.'s proposed 2024 budget, explained the staffing and equipment needs due to increased call levels, and grant opportunities through WI Act 12 funding.

Mick Klein Kennedy moved and Ken Hefty seconded a motion to authorize Town Board members attending the Fire Dept. of Mt. Horeb's annual meeting on Sept. 27, 2023 to vote on the Town's behalf. Motion carried.

4. Land Use:

- a. 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 presented the Land Use Committee's recommendation to deny approval based on the Town's Density Policy.

The Town Board reviewed the application, the recorded deed restriction, the Town's Density Policy and other information received from the WI Towns Association.

Mick Klein Kennedy moved and Ken Hefty seconded a motion to deny the zoning change, site plan, driveway and Conditional Use permit based on the Land Use Plan Density Policy as submitted by Ryan and Lori Oehlhof. Motion carried.

- b. Brady Gomez, 313 STH 78 – review buildings, permits, update. Ken Hefty presented the Land Use Committee's recommendation to approve the building identified as #8, with a variance due to agricultural use, as submitted by the owner's agent.

The Town Board reviewed other accessory buildings and additions constructed without Town permits.

Bird Cupps, Land Use Committee member, advised a substantial fine should be considered.

Mick Klein Kennedy moved and Ken Hefty seconded a motion to enforce the Town's Building Ordinance Section 1.08 and levy a fine of \$700.00, \$100.00 per building, for seven buildings constructed without Town permits by Brady Gomez. Motion carried.

- c. Pat Heim, 1151 Sutter Rd. – ground-mounted solar PV array permit. Ken Hefty presented the Land Use Committee's recommendation to approve the site plan as revised.

Mick Klein Kennedy moved and Ken Hefty seconded a motion to approve the revised site plan to construct a ground-mounted solar PV array as submitted by Pat Heim. Motion carried.

- 5. Comprehensive Plan amendments – community survey update. Deputy Clerk Stephanie Zwettler presented compiled results of the recent community survey. The survey results will be formatted for presentation at a Town meeting.

- 6. Dark Sky Lighting Ordinance amendment process. Clerk Mary Price reported Atty. Mark Rooney is reviewing the proposed amendments with the Town's Building Inspector and Doug King. Amendments will be presented to the Town Board at the Oct. 10, 2023 Town Board meeting for review.

Doug King presented Clark Street Community School's astronomy class request to visit the Hauge Historic District Park during evening hours in October, 2023.

Mick Klein Kennedy moved and Ken Hefty seconded a motion to approve Clark Street Community School's request to visit the Hauge Historic District Park on the evening of October 10, 11 or 12, 2023 for Dark Sky observations. Motion carried.

- 7. Dane Co. Ordinance Amend. OA-009 – salvage operations amended text. The Town Board reviewed the proposed amendments.

- 8. Roads, Equipment, Facilities –

- a. Legal weight limits – proposed letter. Chairman Roger Kittleson reported no response to requests for a template letter.

- b. 2023-2024 Snowplowing contracts – Perry Lutheran Church and Holy Redeemer Church. The Town Board reviewed current labor, salt, equipment rates and previous contracts. Ken Hefty moved and

Mick Klein Kennedy seconded a motion to approve the 2023-2024 Snow Removal Contract at \$100.57.00 per ½ hour. Motion carried.

c. WI DOT – Hwy. 78 resurfacing project – preliminary design. The Town Board discussed WI DOT's request to schedule the information meeting on September 26, 2023. Notices will be published in the *Mt. Horeb Mail* and *Pecatonica Valley Leader*, the Town's signposts and website.

d. Road Patrolman Mark Eastman presented Truck Country's contract, request for down payment, and delivery information.

Ken Hefty moved and Mick Klein Kennedy seconded a motion to amend the 2023 Town Budget to include the new truck purchase to be delivered in 2024 – est. \$124,907.00. Motion carried.

Ken Hefty moved and Mick Klein Kennedy seconded a motion to authorize the down payment to Truck Country, Inc. for the new truck to be delivered in 2024. Motion carried.

9. Recycling Center operation – The Town Board reviewed recent operations.

10. Treasurer's Report. Treasurer Stephanie Zwettler presented the monthly report: DNR restroom grant was received; tire collections; as directed, the Town's Lake Ridge Bank account was closed and the balance was transferred to the Town's interest bearing account at Peoples Community Bank.

11. Town Hall Renovation - committee report and recommendations. Mick Klein Kennedy, Town Hall Renovation Committee chair, reported the committee's discussions and recommendations and reviewed the revised bid package.

Roger Kittleson moved and Ken Hefty seconded a motion to authorize a survey of the Town Hall parcel to verify parcel boundaries. Motion carried.

Ken Hefty moved and Roger Kittleson seconded a motion to authorize discussions with Public Health of Madison and Dane Co. to determine current septic system and requirements. Motion carried.

Roger Kittleson moved and Ken Hefty seconded a motion to authorize Town Hall renovations up to \$347,000.00 with funding from the American Rescue Plan Act @ \$82,000.00 and the remainder funded with grants and other income. Motion carried.

12. Friends of the Parks of Perry update. Mick Klein Kennedy announced the Friends will assist with the Hauge Historic District Park restroom installation.

13. Parks and Open Space Committee – report and recommendations.

a. Groundswell Conservancy hike report. Doug King, Parks Committee Chair, and Mick Klein Kennedy presented notes and other

- information about the Groundswell Conservancy hike on August 12, 2023.
- b. Hauge Park restroom project update – Doug King reported permits, grants, installation schedule for the Hauge Park restroom project.
 - c. Hauge Park access. The Town Board developed a request for the Hauge Log Church Preservation Association to consider restoration of a pedestrian passageway to the Park. Ken Hefty moved and Mick Klein Kennedy seconded a motion to authorize a letter from the Town Chairman to the Hauge Log Church Preservation Association requesting a pedestrian passageway from the historic site to the Park. Motion carried.
 - d. Broadband service. Doug King provided copies of letters sent to elected representative that included the Town's speed test results in the Comprehensive Plan survey.
 - e. Committee appointment. Chairman Roger Kittleson appointed Nina Moyer Fink to the Parks and Open Space Committee. Mick Klein Kennedy moved and Ken Hefty seconded a motion to ratify this appointment. Motion carried.
14. Dane Co. Towns Association discussions. Mick Klein Kennedy reported the Dane Co. Towns Association is reviewing options for mineral extraction site zoning and permitting.
15. Minutes of Previous Meetings – August 8 and August 24, 2023 meetings. Ken Hefty moved and Mick Klein Kennedy seconded a motion to approve the minutes of Town Board meetings held on August 8 and August 24, 2023 as presented. Motion carried.
16. Board of Review – appoint alternates. Ken Hefty moved and Mick Klein Kennedy seconded a motion to appoint Michele Kittleson and Larry Price to serve as Board of Review alternates as needed. Motion carried.
17. Pay Bills due. The Town Board reviewed the invoices presented for payment. Ken Hefty moved and Mick Klein Kennedy seconded a motion to pay the bills. Motion carried.
18. Closed 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. Roll call – Ken Hefty, Yes; Mick Klein Kennedy, Yes; Roger Kittleson, Yes. Motion carried.

19. Closed Session. Cell Tower Lease buyout bid negotiations; Ken Hefty moved and Mick Klein Kennedy seconded a motion to convene a closed session under WI § 19.85(1)(e) to consider cell tower lease buyout bids. 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. 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 accept the cell tower lease buyout bid proposed by SBA, current lessor, \$305,000.00 pending approval by the electors at a special meeting of the Town's electors on October 10, 2023 at 7:30PM. Motion carried.

20. Adjournment. Ken Hefty moved and Mick Klein Kennedy seconded a motion to adjourn. Motion carried. The meeting adjourned at 10:35PM.

Mary L. Price, Town Clerk

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