

TOWN OF SHELBY

County of La Crosse

State of Wisconsin



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Town Board Meeting Minutes

Date: Tuesday, September 20, 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 and Tim Ehler, Fire Chief Tony Holinka, Clerk Fortune Weaver, Administrator Christina Peterson, and Treasurer Sara Jarr.

Town Officials Excused: Supervisor Tim Padesky

Attendance List: Bryant Klos, Hale Skemp

1. Town Board Meeting called to order by Chairperson Candahl at 5:00 p.m.
2. Approve Minutes from 8/30/2022. Motion by Knutson to approve minutes from 8/30/2022, second by Heal. Motion carried unanimously.
3. Bills Payable. Motion by Knutson to pay open invoices in the amount of \$80,822.71 and to approve paid invoices in the amount of \$21,752.24, second by Heal. Motion carried unanimously.
4. Citizen's Concerns. None.
5. Fire Department Report. Holinka noted training continues at the training home on Highway 33, live burn tentatively scheduled for February. Trailer for UTV was purchased and is already in service. Lion's club golf outing went well considering rain, income will likely be less than other years. Testing the pump on engine one and rescue two will take place at the end of September. Holinka participated in Surface Transport Board Hearing for the merger Union Pacific and Kansas City South Rail Lines. Holinka prepared a speech and noted no impacts to Fire, and EMS response times mentioned in the study done for the merger. Holinka noted 3-8 more trains will likely be seen daily and that will impact response times in this area. SCBA testing was completed last week. One Department member Greg Tucker resigned. Increase in calls on Pine Bluff road, for EMS transport to the hospital. Candahl suggested meeting before Winter to make decisions on storage options and truck placement.
6. Settlement Agreement – Cochrane. Peterson noted Bryant Klos is here to discuss the settlement agreement. Peterson reviewed the history of this issue. Klos added additional history. Drainage Easement never got recorded with La Crosse County and was not disclosed to the buyer of the property. Lawsuit brought against the sellers and the Town by the buyer. Klos noted this case was dismissed without prejudice, meaning buyers are saying the unrecorded easement is valid and a new easement specifically naming the 5 acres of drainage are being recorded by the county. Insurance company is paying a settlement and the sellers are paying a settlement to the buyer. Discussion on best practices the town needs to implement going forward. Motion by Heal to sign the settlement agreement, second by Knutson. Motion carried unanimously. Klos noted the easement has already been filed. Further discussion on easements, ordinances, and best practices. Klos confirmed that the Town could get all town information to add to the town's records.
7. 2021 Financial Audit. Peterson noted the draft audit was just sent to the board to make sure they can look it over, no red flags or issues. Accounting is cleaned up after the transition in staff and software. Unlikely to change. Will help the town board during future budget discussions.

APPROVED

8. Date of October/November Meetings. Peterson noted November 15th will be the budget meeting and when town sets levy. Peterson hopes to have the proposed 2023 numbers for the next meeting. Peterson reminded the board that October 4th and October 25th will be the next meetings and there will only be one meeting in November (15th). Peterson noted that grant applications also need to be looked at during the October meetings. Budget will be approved at meeting in December.
9. Comprehensive Plan – Ordinance to Adopt. Peterson reviewed resolution passed by Planning Commission. Knutson asked if small changes can still be made. Weaver confirmed any suggestions will be reviewed within a few weeks. Motion by Heal to adopt Comprehensive Plan by ordinance, second by Knutson. Motion carried unanimously.
10. Variance Application 11-267-0. Peterson noted the Planning Commission discussed the variance for Fischer to build a garage closer to the road than the required setback says, because of the slope of the area and to avoid water damage. The Planning Commission recommended that the town recommend approval to La Crosse County. Peterson mentioned that they should also move to approve a second driveway, as parcels were recently combined, so it would be two driveways for one parcel that would not be in line with the town ordinance. Motion by Ehler to recommend approval of the variance to La Crosse County and to approve a driveway to the proposed garage, second by Heal. Motion carried unanimously.
11. CSM Review 11-530-0. Peterson stated no action necessary at this meeting. Variance process for public road frontage needs to be investigated because ordinance states it's a variance. Peterson noted difference between easement and ownership, discussion on what needs to be mapped out for CSM to be approved. Peterson noted the main goal is to get the map updated to see if the town needs to follow the variance process. Knutson noted that if Zoerb wanted to build, drainage issues, existing and/or potential, would be addressed at that time, Peterson confirmed. Peterson noted that ideally if Zoerb did build, he would use access off Floral Lane. For this the town ordinance requires public road frontage. Peterson noted that the ordinance should be reviewed. This matter will be tabled until the next meeting.
12. Detached Building 11-1527-0. Tabled until there is more information. **EDIT This was a variance for a building after the fact to bring it into compliance. No action needed.
13. Shelby Youth Ball Committee Appointments. Peterson noted the new appointments Sarah Melde has been an active parent and now has been appointed to the committee. Heal asked what position, Peterson noted she will be just a Committee Member, this will make 7 as Kristy Holinka is no longer on the committee. Sill has another in mind but has not confirmed if they're willing to serve on the committee. Motion by Heal to appoint Sarah Melde to SYB Committee, second by Knutson. Motion carried unanimously.
14. Shelby Youth Ball President Compensation. Peterson gave history of what compensation was given in previous years and in the past the board approved paying a coordinator. Peterson noted it is too difficult to hire a coordinator because of the need to know the program so well. Peterson stated Sill will step up as president but also will be coordinating a lot of the program. Peterson recommends paying Sill as the coordinator for 2023 season. Candahl recommends letting the administrator determine the compensation rate for all SYB employees. Peterson suggested \$4,000.00. Motion by Ehler to give authority to the administrator to set compensation for SYB committee and employees, second by Heal. Motion carried unanimously.
15. Administrator Report.
 - a. Peterson noted boundary agreement discussions will take place in closed session.

NOT APPROVED

- b. Peterson noted the Bluffland Coalition wants to know how the town of Shelby feels about selling Five Pines properties. Discussion will take place on October 4th to give formal response to this. Tim Candahl noted this board will want all property to stay in Shelby. Knutson suggested MOU stating if the land is in Shelby now, it will stay in Shelby. Peterson recommended working with Bluffland and ORA to get their proposal so that the town has enough information to proceed. La Crosse County will not pay for their website anymore, so Blufflands won't have a website.

16. Public Works Report.

- a. Peterson noted Cliffside Drive construction is beginning, all but one property owner has signed agreement to pay to connect their stormwater sewer. Jarr will get assessments going, and the City will be provided with that information.
- b. Well 2 – still working on the iron issue, hoping to see improvement soon.
- c. Peterson noted the Intern, Kyle, has been working on GIS. Everything is set up in the map, specific locations will be put in by public works. Public works went through the training to place those locations.
- d. Public Works completed retaining wall in Hillcrest, Hickory is still being worked on
- e. Forest Ridge Drive is not paved yet, the Town is waiting on Mathy
- f. Flood projects are all completed, invoices need to be submitted by the end of September.
- g. WDF Wisconsin Disaster Fund – Town already budgeted to receive \$300,000.00.
- h. Peterson noted hot mix patching being worked on.

17. Chairperson/Supervisor Reports.

- a. Knutson asked if Horton has been contacted about speed sign in terraces, Peterson noted he hasn't been contacted. Peterson will have Horton place it out in the terraces, specifically on Hiawatha Ave, Starlite Dr. and Glenhaven Dr. as residents have expressed concerns.
- b. Knutson noted residents have expressed concerns about garbage and waste that is being left behind after trash pickup, unsure if it's a hilltopper issue or if residents are not bagging their garbage. Knutson suggested an educational piece on fb about bagging garbage and Hilltopper should be contact about the other issue. Knutson also noted staining on roads that needs to be addressed.
- c. Candahl is providing information to Wright about what signs need to be placed and removed.
- d. Candahl will follow up on Cliffside Drive with Mr. Happel. Candahl noted only one more person needs to sign. One person stated they will not sign because they don't want to tie into the storm sewer. City negotiations about tying into the storm sewer will be discussed, City has stated it will not be allowed in the past, Peterson and Candahl will continue discussions.
- e. Mormon Coulee Lions Club presented a check for \$6,900.31 check so they have donated approximately \$7,000.00 every year. Total paid so far is now \$49,622.13 of the \$75,000.00 pledged.

18. Parks Committee

- a. Knutson noted proofs for disc golf signage for course/whole map. Just waiting for the town logo and any feedback.
- b. Knutson noted Facebook update, 423 followers, 69% of those are women, 31% men majority are roughly 35-54 years old
- c. Knutson noted logos that were picked. Another round of informal voting for the logo designs got the top votes.

NOT APPROVED

19. Closed Session. Motion by Heal to go into closed session at 6:28 p.m., second by Ehler. Motion carried unanimously.
20. Open Session. Motion by Heal to return to open session at 7:27 p.m., second by Ehler. Motion carried unanimously.
21. Adjournment. Motion by Heal second by Ehler to adjourn Town Board Meeting at 7:28 p.m. Motion carried unanimously.

Next regular meeting will take place Tuesday, October 4, 2022 @ 5:00 p.m.

Respectfully Submitted, Fortune M. Berg, Clerk

NOT APPROVED