

TOWN OF FULTON

Town Board & Fulton Sanitary District #2 Meeting
2738 W Fulton Center Dr. Edgerton, WI 53534

Tuesday, Sept. 11th 2007

7:00 PM

MINUTES

1. **Call to Order** - at 7:30 pm by Chairman Sayre. Present were Sayre, Hull, Farrington, Christianson, Guisleman and Clerk Zimmerman.
2. **Confirmation of Meeting Notice** – Zimmerman confirmed the noticed was published in the Edg. Reporter, and posted at CKSD, Edg. City Hall, Fulton Town Hall, and the website. Christianson asked for a moment of silence. Christianson asked the board for a moment of silence in remembrance of the families of Sept. 11th.
3. **Approval of Agenda - Motion** (Hull, Farrington) to approve agenda. Carried.
4. **Approval of Aug. 14, 2007 Meeting Minutes - Motion** (Guisleman, Christianson) to approve 8/14/07 minutes. Carried.
5. **Public Participation** - Chairman Sayre explained he would like to continue to have public participation, but people need to keep to their limit of speaking, and not have any hidden agendas.
 - A. Citizen Brown – asked about item 6-B on the agenda and asked why the board is getting ready to pass a complicated set of paper work and unnecessary bureaucracy to deal with a very rare problem that is easily handled by the existing nuisance ordinance.
 - B. Citizen Marilyn Eyster asked if Mr. Linsley will be here to talk about the fire department. Chairman Sayre said he is out of town. She asked how Mr. Linsley voted on appealing the case to the Supreme Court. Chairman said he would cover that under the fire district report.
 - C. Charles Mess advised he received a raze order on a barn on Miles Rd. He said he will take the barn down. Sayre asked what the time frame he was looking for. Mess said he could have it down by Jan. 1st, 2008. Sayre stated he couldn't act on it right now, but he would take that under advisement.
 - D. Alicia Rice, owner of Soap by Mom on Hillside Rd. submitted a list of damage that was sustained from the flood, which she requested to submit to the board. She said she wanted to submit it to them because the flooding issue has been an ongoing problem for several years. She advised the cost for repair would be between \$8,000-10,000 to renovate the ditch, which she cannot afford to do. She said she doesn't feel it is appropriate to sustain business losses. She asked if they could help her with the losses and she would try to patiently wait. Sayre asked her if she submitted anything to FEMA. Clerk Zimmerman provided her with the information for contacting FEMA.
6. **Recommendations from Planning & Zoning Committee**
 - A. **Certified Survey Map – Land division, property owner Nina Finucan, 2939 W Cox Rd.** – Steve Lathrup advised he sees no reason that P&Z recommended to deny it, because they are within the A2 zoning. Farrington explained his position that he doesn't feel a house should be built on it. Sayre said the substantial income criteria most likely cannot be met, and if they are going to use that then likely most A2's wouldn't qualify. He stated the wording needs to be changed if we are going to use that as a condition. Guisleman stated he isn't comfortable with approving, and at the same time stated he isn't opposed to looking at possibly amending the ordinance. Sayre stated the problem needs to be addressed. **Motion** (Hull) to table to next month. Motion failed. **Motion** (Guisleman, Farrington) to deny the land division as proposed, based on the concern of farmland preservation as well as the recommendation by P&Z. Christianson asked for clarification that as it is proposed today, it doesn't go, but there might be an alternative way to do this. Carried.
 - B. **Draft Ordinance amendment for Outdoor Wood Stoves requiring a Conditional Use Permit.** **Motion** (Christianson) to table this because he was still not happy about how we would

go about enforcing it. Motion failed. Christianson clarified that this ordinance essentially prohibits these burners in residential areas. Sayre agreed. **Motion** (Guisleman, Hull) to accept the draft with the noted change to section 425-121(B) to 300 feet instead of 40 feet. Carried.

C. Preliminary Approval of Plan Preface and the Issues & Opportunities Chapter for the Smart Growth plan – Motion (Hull, Farrington) to preliminarily approve the Plan Preface and the Issues & Opportunities Chapter. Carried.

D. Information/Discussion re: Rock River Leisure Estates – Declaration of Covenants, rules and additional covenants - full time residency – Sayre advised that the Town’s association attorney indicated that Rock River Leisure Estates Board needs to enforce their covenants. Christianson asked about a legal agreement between the town and RRLE that ended the litigation between the Town and the Board of RRLE. Hull stated that was for the personal property taxes. Christianson stated he thought it was a negotiated settlement that allowed the park to keep so many permanent residences. Lichtfuss advised she said there are lots that are designated for year round homes, but there are also vacation lots and RV lots. She said the litigation she remembers, but thought it was on a tax issue many years ago. Zimmerman explained we have the original covenant that she was told hasn’t been amended and it was submitted when the original PUD that was approved by Rock Co. **Motion** (Farrington, Guisleman) to table until further information is obtained. Carried.

E. Proposed Draft Ordinance for Exterior Lighting Sayre advised P&Z tabled. **Motion** (Hull, Guisleman) to table.

Sayre asked for a motion to move agenda item #10 up next so the person could be on his way back to Milwaukee. **Motion** (Guisleman, Hull) to alter the agenda and move #10 up. Carried.

7. **Update/Discussion re: Letter mailed to McDonald’s Corp. requesting they review the access and driveway situation as it exists today.** Sayre explained that when the semi trucks come out of McDonald’s the front wheel goes across the road and the truck is across the road coming out. He explained we contacted McDonald’s about the issue. Mike Mead - Project Manager explained this has been this way for approximately 15 years. Sayre advised the parking lot has been changed. Chief Larson said there are more semi’s using the restaurant, and it isn’t safe the way it is now, and we are asking for improvements for safety. Chief Larson thinks it got altered slightly from the grade alone. Farrington asked if there was a way to get them out on the road safer. Mead stated he thought it could be done by possibly adding an acceleration lane. He advised it can be fixed, it was just a matter of how it will be done.

8. **Discussion Piers/Docks owned by Fulton Township** – Sayre explained he spoke to John Heller and he could remove it when the water went down. Guisleman advised that there are several. He explained these docks are on land owned by Fulton Township. Guisleman said another concern if we allow people to repair these docks, what is to prevent them from expanding these docks. Citizen Larry Wendorf said this happened in northern WI, where the township still owns the land, and a list was provided of who wants to maintain the dock, then that township would lease the land, and that person would be responsible for maintenance and liability insurance, etc. Sayre said there are only a few in our township that are used. Guisleman said the land most likely was originally set up for canoes to be carried down. Sayre said he felt it was for people across the way to walk to the river. **Motion** (Hull, Guisleman) to remove any docks on our public land as they are identified. Carried.

9. **Resolution #07-9 for Inclusion under the Income Continuation Insurance Plan through the Employee Trust Funds – Motion** (Hull, Christianson) to approve resolution #07-9. Carried.

10. **Discussion reference Website/Webmaster** – Sayre explained the Gazette printed an article comparing websites, and stated ours scored lower than some of them. He explained that if we find the need to improve our website, then it will cost more money.

Chairman Sayre called for a short break.

11. **Operator’s License – (Martin Walsh, Laura Vohs, Janell Foreman, Barbara Harding, Kimberly Baker, Jeannie Rains) Motion** (Christianson, Guisleman) to approve the listed operators licenses, including Elizabeth Horn who was omitted from the list Carried.

12. **Report from adhoc committee reference review of new ordinance book** – Zimmerman advised Lichtfuss' finished with reviewing the zoning portion. She said she will contact board members once all the clarification is received from General Code for the board members to review in the office. Sayre thanked the Lichtfuss' and also the adhoc committee for working on the review.
13. **Building Inspectors Report** – Harold advised it was a slow month. He mentioned he received a call from someone on Badger Heights who is renting his house out often, wondering what can be done. Carl Lichtfuss stated a lot of the Northern WI Counties have ordinances that say they cannot. Blaine advised he has had complaints too. Sayre advised we need to look into it.
14. **Police Report** – Blaine advised the Threshere went really well. He stated he thinks next year Fulton Officers won't be working the parking area end of it, we'll just be swinging by, checking on it. Blaine also advised he wants to add music limitations to the points violation ordinance, and asked the board members to talk to some of the bar owners about what times they suggest would be good for stopping outdoor music. He asked that this be on next month's agenda.
15. **Approve Voucher list & Financial Statement Motion** (Farrington, Christianson) to approve the voucher list and financial statement. Carried.
16. **Pay Bills/Sign checks** – Hull and Farrington signed the checks, while Guisleman and Christianson reviewed the list of bills.
17. **Water Utility Report** – Zimmerman advised they meet next Tuesday and the board will be reviewing another software demonstration and working on their budget.
18. **Lake District Report** – Christianson said there have been no meetings.
19. **Boat Patrol Report** – Sayre advised the no wake is still on the river.
20. **Fire District Report** – Farrington advised they met for 3-4 closed sessions after they received the ruling from court. He advised they are working on trying to settle, but they got down close to the deadline to appeal, so they voted to appeal in case the negotiations don't go anywhere. Sayre advised they are willing to negotiate. Farrington advised they came up with some type of settlement package, and advised the Union came back with an astronomical response. Sayre read out loud a fire district update that Fire Dist. Representative Jim Linsley submitted which indicated the board voted to file an appeal, and the district will continue to negotiate a reasonable settlement. The report also said that a work session for the 2008 budget was set for Sept. 27th at the Fire Station. The report also said a public hearing for the 2008 budget will be held on 10/4/07.
 - A. **Discussion re: Fire Dist. Appointee** – Sayre advised if citizens want Mr. Linsley to come to the board meetings to give a report then we will have to change our meeting date as he has a prior commitment on the night we meet. Sayre explained when he took that job, we had our meetings on a different day. Citizen Marilyn Eyster asked if Mr. Linsley will present the fire dept's district's budget for the board's approval. Citizen Rippberger asked if we could see why we only have one rep for our township when we pay 38%. Farrington advised the rep is based on population, and the 38% is based on equalized value. Sayre said we could look into it.
21. **Consolidated Koshkonong Sanitary District Report** - Lichtfuss stated they are working on budget. She advised they have submitted 2 offers to the Arnold Trust, and both been rejected. She advised they will continue to work on it, and will apply for the grants.
22. **Fulton Sanitary District Report – review financial documents, pay bills – Motion** (Christianson, Guisleman) to approve report and bills to be paid. Carried.
23. **Correspondence**
 - A. Announcement that CTH M at the intersection of CTH's H & M will be closed beginning 9/10/07 for bridge work – Zimmerman advised the bridge work is scheduled to be completed on approximately Nov. 16th.
 - B. Hull advised a Hunters Safety class will be starting Oct. 15, here at the town hall.
24. **Adjournment - Motion** (Farrington, Guisleman) to adjourn at 9:25 pm. Carried.

Submitted by,

Connie Zimmerman
Clerk/Treasurer

** These minutes are not official until approved by the Town Board.