



Town of Vienna Web Site Address: [www.vienna-wis.com](http://www.vienna-wis.com)

February, 2020

## February Primary Election

The Town of Vienna will have a Primary Election on Tuesday, February 18th. There are 3 candidates running for Justice of Supreme Court. This is the only race that will be on the ballot. **Polls open at 7:00 AM and close at 8:00 PM.** In person absentee ballots for the February 18th election will be available in the clerk's office starting Tuesday, January 28th from 9:00AM to 3:00PM Monday through Friday. The last day to vote absentee in the office is Friday, February 14th from 9:00 AM to 5:00 PM. **There will be no voting allowed Monday, February 17th, due to State Statute.** Registration can take place at anytime throughout the year and/or on the day of an election. Are you registered to vote? Log in to [myvote.wi.gov](http://myvote.wi.gov) and search by your name or address to confirm. You can update information on this site or register online if needed. You can also review the ballot and verify where you should go on election day.

## Town Office Candidates

The following candidates have filed nomination papers to serve on the Town Board for another two year term beginning April, 2020. Incumbents Gary Endres, Town Supervisor III and Ron Rupp, Town Supervisor IIII will have their names on the ballots for the Spring Election on April 7, 2020. If you are interested in working the elections and becoming a election inspector, aka as a poll worker, for the Town of Vienna, please contact the office to discuss the training requirements. Additional information regarding the Spring

## Solar Panel Project Meeting

Are you aware that the Town of Vienna has been selected for a future site of a planned solar panel project? Although the town board has not been directly involved in the development of this project, the plan is moving forward. Many residents have questions about this which we have not been able to answer. The town electors (residents) have signed a petition to request the town board hold a special meeting, referred to as an advisory meeting, to address their questions and better understand how this will impact the towns agricultural status and future growth. Under Wis. Stat. § 60.12, the electors can request the elected officials hold a special town meetings of the electors if a written request or petition is signed by a number of electors equal to but not less than 10 percent of the registered voters and is filed with the town clerk. On Friday, January 21st, a petition with a couple hundred signatures was received. Therefore, a special meeting has been scheduled for Wednesday, February 19th at 7:00 PM. This is an open meeting for anyone interested in the discussion. No action will be taken at this meeting but the same rules of conduct will be imposed. If you have any questions regarding this, please contact the office or simply attend the meeting.

## Ordinance #2501-Alternate Side Parking

The Town of Vienna adopted this Ordinance on February 5, 2001 at a regular Board meeting. An Ordinance stays in effect indefinitely and is specific to a municipality when a state statute does not address specific guideline on certain subjects. With the last month of winter weather providing daily challenges to keep our town roads safe, this is a reminder our residents and commercial business owners should know about:

**Section 1. ALTERNATE SIDE PARKING**—Between December 1st and April 15th no person shall park, stop, or leave standing any vehicle between the hours of 6:00 AM and 6:00 PM on the even numbered side of any street, drive or road on the even numbered calendar days AND on the odd numbered side of any street, drive or road on the odd numbered calendar days-except as may be posted otherwise.

**Section 2. PENALTY**—Any person violating any provision of this ordinance shall be subject to a forfeiture or not more than \$30 for the first offense and not more than \$50 for the second or subsequent violations within one year. For the purposes of this ordinance, each 24 hour period shall be considered as a separate violation. **This ordinance can be found on our town website and should be considered on days were the plow trucks are on the roads salting for ice or clearing snow for safe driving.**

## Town of Vienna Board Minutes January 6, 2020

The regular meeting was called to order on Monday, January 6, 2020 at 7:00 PM by Chair Jerry Marx. Supervisors Steve Ruegsegger, Ron Rupp, Karen Ingalls, Gary Endres and Clerk Kathy Clark were present. Also present, Invenergy Local Representative Tracy Fillback

### **Pledge of Allegiance was recited**

**Public Comment:** Endres reported his neighbor had come to open book and spoke with the assessor regarding his assessment. They said they would look into it and get back to him but they never did. Since they didn't get back to him, he did go to Board of Review. Endres said he followed the proper procedures but just wanted to let the board know about his issue. Endres asked about lowering the base for taxing purposes. The same base is used for School Districts, Fire and EMS. The state Department of Revenue requires the values stay above 90%. Tracy Fillback introduced herself as the current local representative for the Badger Hollow Solar Farm Project and has worked on the project for about last two years. Fillback is wrapping up with that and will become the local representative for Vienna Project, aka Great Dane Solar Project. She explained the process at the early stages. Endres asked what amount of energy does the project has to produce for the state to regulate it and it's anything over 99 megawatts. Fillback explained that by Wis. State Law, it is required to have 25% more land than needed to create a large solar project. She explained that poor communication was an issue on the Badger Hollow Project so her role is to ensure questions are answered. Ingalls asked about a map and one is not available at this time. An invitation only meeting is being held Thursday, January 9<sup>th</sup> with local land owners. An open house meeting will be held in the future, once the Invenergy has most of the land rights in place and is ready to move forward. She will be stopping in every few months to update and address any new questions.

**Approval of Minutes:** Motion by Ruegsegger, second by Rupp to approve the minutes of December 16, 2019 town board. Motion carried (5-0).

**Operator's License:** None

**Town Supervisor Reports:** Supervisor Ruegsegger meeting with the DeForest Area Senior Center is scheduled for Tuesday, January 14<sup>th</sup>. Supervisor Rupp's meeting with Dane-Vienna Fire was held on Monday, December 23rd and there is nothing new to report. Supervisor Ingalls meeting with Waunakee EMS is scheduled for Thursday, January 9<sup>th</sup>. Supervisor Endres meeting with Waunakee Fire Department was held on December 30<sup>th</sup>. They hired a part time Clerk/Treasurer to take care of the book and are looking to hire a full time Fire Chief.

**Town Clerk's Report:** Clark informed the board there will be a working meeting on Schumacher Road with the town engineer and staff on Thursday, January 9<sup>th</sup> at 10am to go over preliminary information. Also, there is a Dane County round table meeting on Emergency Management preparedness in the event of a natural disaster. The Town's version needs contact information updated along with some other new committee's that have been put in place by the county for disasters. Agreements with surrounding equipment owners needs to be updated as well, to ensure their willingness to aid the town if needed. Ruegsegger asked when the next meeting will be held as follow up to the water issue along County Highway I. This will added to the next meeting for further discussion.

**Review and authorize payments of current town and utility bills, wages and expenses:** Motion by Ruegsegger, second by Ingalls to approve the current town bills as stated and submitted in the amount of \$37,323.82; Payroll \$23,497.08; Town Bills \$13,202.68; Utility 1 \$598.69 and Utility 2 \$25.37. Motion carried (5-0)

**Adjourn:** Motion by Ruegsegger, second by Endres to adjourn. Motion carried (5-0). Meeting adjourned at 7:33 PM.

**Prepared by:** Kathleen Clark, Town Clerk

**Note:** These draft minutes are subject to approval at the January 20, 2020 Town Meeting.

## Town of Vienna Plan Commission Minutes Monday, January 13, 2020

The Town of Vienna Plan Commission meeting was called to order at 7:00 PM by Chair Brian Meinholz. Commissioners Todd Mallon, Cate Heath, Supervisor Karen Ingalls and Clerk Kathy Clark were present. Also present was Jerry Marx, Gary Endres, Richard Jensen, and Tony Jakacki. Jim Koch was excused.

### **Recite the Pledge of Allegiance**

**Public comment:** None

**Approve the minutes:** Motion by Ingalls, second by Heath to approve the minutes for the November 11, 2019 Plan Commission meeting. Motion carried (3-0). Mallon abstained.

**Discussion and possible action on Jakacki Conditional Use Permit (CUP) for B&B:** Jakacki informed the commission he came up with the idea as he started building his duplex; he thought it would be a good use to start a Bed & Breakfast. Jakacki had two large drawings of what the building will look like upon completion. Ingalls asked if he is still building it as a duplex with a fire wall between the units. Jakacki stated there was, the building is two separate units for now. He did have the builders frame in a doorway so that in the future they could interconnect the units so it could be one unit. There are 4 bedrooms in each unit but in the future it could have up to 7 bedrooms available and he and his wife would stay in the master bedroom of the one unit. Ingalls asked if they were moving into the duplex and he said eventually they would. Jakacki had put up some advertisement for short term rental of the B&B. The responses he received were good. One was a large group celebrating a 30<sup>th</sup> birthday, some were from coaches and families during the cross fit times, families visiting during graduation week at the college versus staying at a hotel. This is the hot thing right now. The negative about short term rentals is the location but that doesn't apply here since the property is in the middle of nowhere. It would also generate revenue for the town by collecting room tax. Ingalls asked it was still being built as a duplex with two kitchens, separate entrances for two separate residential rentals. building. Jakacki stated short term rental is a permitted use under his property's zoning. Heath stated that under the current Dane County zoning, renting up to two bedrooms is permitted use without a CUP. With this new use, it becomes more of a commercial use. Meinholz explained that B&B or short term rentals are highly discouraged in the town's comprehensive plan. Multi housing such as duplex or multiplex are also discouraged but due to the pre-existing zoning, your duplex was approved for building.

Jakacki stated short term rental is a permitted use under his property's zoning. Heath stated that under the current Dane County zoning, renting up to two bedrooms is permitted use without a CUP. Ingalls asked about his pole building, the size and what is stored. Jakacki said it is a 48x112 and he has his family and his vehicles stored in it. He also restores pontoon boats which he just bought one and is working on it. Mallon noted that the commission approved the request for building a large pole building with the understanding that it would be used by the family and the renters in the duplex. Since the town is primarily agricultural, the commission would like to support the comprehensive plan. Jakacki clarified that community use is a permitted use under the property zoning, or assisted living arrangement. Clark noted the primary requirement is for the owner to reside in the building. Motion by Ingalls, second by Heath to deny recommendation for approval of a CUP for a B&B. Motion carried (4-0)

**Discussion and possible recommendation on Endres Endres Revised CSM:** Clark informed the plan commission that the first Certified Survey Map (CSM) presented to them in October 2019 showed the new parcel split of 5 acres as lot 1 and the remaining land of the parcel as lot 2. Endres filed a rezone application with Dane County Zoning and was required to do another CSM, creating 3 lots out of the original parcel. The 5 acre parcel would remain as lot 1 and the rest of the parcel would be divided into lots 2 & 3 due to the unique layout of the land. No other changes were made. Motion by Mallon, second by Ingalls to recommend approval of the Endres revised CSM and deed restricts lots 2 & 3 for any further splits or development. Motion carried (4-0)

**Discussion on Transfer of Development Rights (TDR) and Purchase of Development Rights (PDR):** At the last meeting, Clark was directed to contact Attorney Mitby to discuss the options of transfer or purchase development rights for future preservation of farmland. The issue with the TDR process is limited to only the location designated for future development. For Jensen exploring this procedure, this program would not work for the purpose he was looking for. Under the PDR process, this would benefit the town more so than farmers in the area to preserve land as conservation land to keep it from future development. This would be a cost to the town which would have to plan for and inserted into the comprehensive plan. Jensen requested Clark show the location of his property for the commission to view, which is located in the ETZ area of town, near Morrisonville Jensen thanked the commission for looking into this and continuing exploring the concept. Clark will continue to work on the future land use plan as instructed to incorporate changes into the updated comprehensive plan.

**Adjourn:** Motion by Ingalls, second by Meinholz to adjourn. Meeting was adjourned at 7:55 PM

**Prepared by:** Kathleen Clark, Clerk

**Note:** These draft minutes are subject to approval at the next Plan Commission Meeting.

## Town of Vienna Board Minutes January 20, 2020

The regular meeting was called to order on Monday, January 20, 2020 at 7:00 PM by Chair Jerry Marx. Supervisors Steve Ruegsegger, Karen Ingalls, Gary Endres and Clerk Kathy Clark were present. Also present was resident Cory Clemens. Supervisor Ron Rupp was excused.

### **Pledge of Allegiance was recited**

**Public Comment:** Clemens informed the board that he applied for a conditional use permit (CUP) to put up an accessory building on his land zoned FP35. Dane County denied his request since some of his commercial equipment would be stored in this building as well. Only agricultural equipment can be stored in an accessory building on land zoned land. Clemens does have a parcel zoned LC1 but the maximum size of commercial buildings cannot exceed 10,000 square feet. The current building on this parcel is 7,800 square feet so there is not enough footage left on this parcel for another commercial building. The only way this could be accomplished is by rezoning some of the FP35 land to accommodate the new building. The board directed Clemens to take it in front of the Plan Commission next month for consideration.

**Approval of Minutes:** Motion by Endres, second by Ingalls to approve the minutes as amended for the January 6, 2020 town board meeting. Motion carried (4-0).

**Discussion and possible action on Endres Revised CSM:** The original Certified Survey Map (CSM) reflected two lots, the newly created 5 acres parcel, lot 1 and the remaining land as lot 2. Dane County required the original parcel be divided into 3 lots based on the unique layout of the land. No other changes were made. Motion by Ruegsegger, second by Ingalls to approve Endres revised CSM and deed restricts lots 2 & 3 for any further splits or development. Motion carried (3-0) Endres abstained

**Operator's License:** None

**Town Supervisor Reports:** Supervisor Ruegsegger meeting with the DeForest Area Senior Center was held on Tuesday, January 14<sup>th</sup> and there was nothing new to report. Supervisor Ingalls meeting with Waunakee EMS was held Thursday, January 9<sup>th</sup> and Ingalls was not able to attend. Supervisor Endres meeting with Waunakee Fire Department is scheduled for Monday, January 27<sup>th</sup>.

**Town Clerk's Report:** Clark reported at last week's Plan Commission meeting, an application for a CUP to open and operate a Bed & Breakfast (B&B) was reviewed and denied. The applicant is in the process of building a duplex and thought it would be a good location to open a B&B on both sides of the duplex instead of renting it on a long term basis. The Plan Commission motion to deny recommendation to the Town Board for approval based on the town's Comprehensive Plan. The board directed Clark to start working on an Ordinance that would more controls for the town to enforce the operations of short term rentals in the future.

**Review and authorize payments of current town and utility bills, wages and expenses:** Motion by Ruegsegger, second by Endres to approve the current town bills as stated and submitted in the amount of \$20,041.80; Payroll \$6,070.53; Town Bills \$9,186.37; Property Tax Refunds \$4,138.07; Utility 1 \$507.75 and Utility 2 \$139.08. Motion carried (4-0)

**Adjourn:** Motion by Ruegsegger, second by Endres to adjourn. Motion carried (4-0). Meeting adjourned at 7:52 PM.

**Prepared by:** Kathleen Clark, Town Clerk

**Note:** These draft minutes are subject to approval at the February 3, 2020 Town Board Meeting

**Vienna Town Board Meeting Agenda  
Monday, February 3, 2020**

The Vienna Town Board will meet on Monday, February 3, 2020 at 7PM at the Town Hall, located at 7161 County Highway I, DeForest, WI. The agenda for this meeting includes the following items:

- Call the Town Board meeting to order
- Recite the Pledge of Allegiance
- Public comment
- Approve or amend the minutes of the January 20, 2020 Town Board meeting
- Operator's License
- Town Supervisor Reports
- Town Clerks Report
- Electors Special Meeting on Solar Panels-Wednesday, February 19th
- Review and authorize payments of current town and utility bills, wages and expenses
- Adjourn