

# MINUTES OF TOWN OF PACIFIC BOARD MEETING

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Tuesday, October 18, 2022 6:00 PM Held at the Pacific Town Hall

**Call to Order:** The regular meeting was called to order by Chairman Devine at 6:00 p.m.

**Roll Call:** Chairman William Devine, Supervisors Craig Cawley, Julie Kayartz, Byron Kershaw, and Steven Pate were present.

**Others Present:** Clerk Gustafson, Treasurer Zimmerman, Town Attorney Miller, Town Engineer Roth, John Morauski, Dylan Doherty, Tom Weisenberger, Pat Schnering, Ellen Pulver, and Jim Watson were also present.

**Verification of Public Notice:** Clerk verified proper public notice was given.

**Town Agenda:** Motion by Cawley/Kayartz to approve the agenda as posted. All in favor by call of roll.

**Prior Month's Town Board Minutes:** Motion by Kayartz/Kershaw to approve the Town Board minutes of September 20, 2022 as presented. All in favor by call of roll, Cawley abstained.

**Building Permits Report:** Provided for review.

**Road Report:** Supervisor Cawley reported that he attended the County Highway fall meeting and gave information he learned at the meeting. He reported that he reminded the County to fix the shoulder washout on W. Bush Road.

**Cemetery Report:** There were no lot sales or funerals to report. Winter preparations will begin soon.

**Solid Waste & Recycling Center Report:** Supervisor Cawley attended the October meeting. There were no complaints. He reported that the County is attempting to eliminate the paid person on Tuesdays and Saturdays for Town residents. The Town and County have an agreement for these waste management services, and no changes can be implemented unless mutually agreed upon. Town Attorney Miller was instructed to send a letter to Corporate Counsel regarding the agreement.

**Building & Grounds Report:** Nothing new to report.

**Sheriff's Report:** There were 171 calls for September.

**Correspondence:** Columbia County Planning & Zoning Dept. sent a notice of an eligibility list of interested persons to be considered if there were to be a vacancy in the board of adjustments.

**Outside Meeting Attendance Report:** Supervisor Pate reported that he attended the WTA Convention in Appleton. Chair Devine reported that Aspirus Divine Savior cancelled the ambulance service contract with the City of Portage. Further discussion will be needed. He also reported that he met with Alliant Energy to discuss the importing of ash from Edgewater Generating Station to dump at the Columbia Energy Center. The Town Chair will contact the Wisconsin DNR to find out how this was permitted without Town or County knowledge.

**Report from Town Plan Commission:** Draft minutes were provided from the October meeting.

**Public Comments:** Ellen Pulver of Columbia County ATV/UTV Enthusiasts Club asked the Town Board to consider an open meeting for residents instead of an advisory referendum. Pat Schnering addressed the Town Board regarding high-speed internet and stated that the FCC made an error with her neighborhood and classified the area as having

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high-speed internet options, and she feels that there are not enough high-speed internet options. She encouraged the Town Board to adopt a Broadband Forward Community Ordinance.

**Treasurer's Report:** Pate asked questions about the Escrow Balance Summary Report. Motion by Cawley/Kershaw to accept the Treasurer's Report. All in favor by call of roll.

**Payment of Current Bills:** Motion by Pate/Cawley to approve payment of current bills with checks numbered 16327 through 16343 and electronic draws 22-39 through 22-42 in the amount of \$114,451.48. All in favor by call of roll.

**Investment Report:** A report with current CD/CDAR rates was provided. F & M Bank still has the best rates. Supervisor Kayartz reported that one investment came due in October, and three investments will come due in December. Treasury bonds are paying higher and should be looked into further. She also reported that Columbia County uses PMA, a financial advisory services company, and she will also look into that.

**Columbia County and Town of Pacific Waste Disposal Resolutions:** Provided for information to Town Board.

**Consider Advisory Referendum for ATV/UTV Usage on Town Roads:** Motion by Kershaw/Cawley to plan for an advisory referendum for the 2023 April Spring Election ballot. Motion carried with Cawley/Kershaw/Devine voting in favor; and Kayartz/Pate voting against. Working out the specific wording of the resolution/referendum question will be on the next Town Board agenda.

**Set Budget Workshop:** Motion by Kayartz/Cawley to set the budget workshop for Tuesday, October 25, 2022 at 5:00 p.m. All in favor by call of roll.

**Operator License Applications:** Motion by Cawley/Kayartz to approve as presented. All in favor by call of roll.

**Work in Town Right-of-Way Permit – Dylan Doherty W7815 North Star Road:** This was a Town enforcement matter for work in Town ROW that commenced without a permit. At the Town Board's direction, the Town Engineer contacted the owner, and then the owner submitted an application and fee. Town Engineer Roth determined that there was no impact to the Town road, the neighbors, or the utilities. He recommended issuing the permit. Motion by Kayartz/Cawley to accept the recommendation to approve the permit. All in favor by call of roll.

**Permit Amendment for 2022 Charter Communications – Work in Town Right-of-Way and Erosion Control Permits:** The current permits would be amended to include additional project activities for Craneview Subdivision, Pacific Ridge Subdivision, West Bush Road, Wardle Road, Jeri Drive, and Fair Winds Drive. Supervisor Pate reported that he is closely watching the restoration efforts. Motion by Kayartz/Cawley to approve the permit amendments. All in favor by call of roll.

**Conditional Use Permit Applications – Parcel 11032 225.01 at N6522 US Hwy 51, Portage, Suites A4, B1, B2, D & E:** Motion by Pate/Kayartz to approve with the recommended conditions approved by the Town's Plan Commission that the parking lot striping be completed by December 1, 2022, and landscaping of sign area with update of signage to be completed by September 1, 2023. All in favor by call of roll.

**Gallagher Variance Request from Planning & Zoning Dept. – Parcel 53:** John and Virginia Gallagher of N7565 Lakeside Drive, Portage, applied for a Variance with Columbia County Planning & Zoning Dept. The Town received the County's memo dated September 2, 2022. The Town did not receive the Town's application and fees from the applicants by the deadline to schedule a Public Hearing and Plan Commission meeting. On October 4, 2022, the Town's Plan Commission, after reviewing the County's memo, made a motion to send the memo to the Town Board

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without recommendation. Motion by Kershaw/Kayartz that if no extension for review is provided to the Town, the recommendation is to deny on the basis that the applicant failed to timely provide any supporting information required of the applicant under the Town of Pacific Ordinances. All in favor by call of roll.

**Approval of 2023 Local Roads Certification:** Motion by Cawley/Pate to approve. All in favor by call of roll.

**Approval of Bank Tax Collection Agreement:** Motion by Cawley/Kayartz to approve signing the agreement. All in favor by call of roll.

**Broadband Forward Community Ordinance and Application for Tele-Communications Construction in Town Right-of-Way:** Supervisor Pate provided information on a Broadband Forward Community Ordinance for the purpose of encouraging the development of broadband access by reducing administrative obstacles. It was discussed that other Town Ordinances that conflict with the proposed ordinance will have to be looked at for revisions. Supervisor Pate also provided information and a simplified application for Tele-Communications companies for construction in Town right-of-way. A question of liability was asked. The Town Attorney would look into any issues to be made aware of. Motion by Pate/Kayartz to add the Broadband Forward Community Ordinance and draft application for Tele-Communications companies to work in Town right-of-way to the next Town Board agenda. Motion carried with Cawley/Kayartz/Pate voting in favor; and Kershaw/Devine voting against.

**Adjourn:** Motion by Pate/Kayartz to adjourn at 7:31 p.m. All in favor by call of roll.

Marlo Gustafson, WCMC, Town Clerk