

April 12, 2021  
Town of Tomah  
Monthly Board Meeting

Those Present: Breanne Zarembo, Teresa Hubert, James Hill, Brian Hubert, Dick Baumgarten, Daniel T Shrock, Vaughn Kuehl, Randie Johns, Howard Hanson, Jerry Moser, Terry Christian, Debra Malenowski, Gale Alderman, Alberta Alderman, Paul Dwyer, Rhonda Phillips, Dawn Harmon, Marilyn Janke, John Janke, Todd Zarembo, Richard Fischer, Kevin Schmitz, and Allan Bartels.

The meeting was called to order at 7:30 p.m. by Chairman Hanson.

The clerk's report was read. Randie Johns made a motion to accept the clerk's report. Allan Bartels seconded the motion. The motion carried.

The treasurer's report was read. Allan Bartels made a motion to accept the treasurer's report. Randie Johns seconded the motion. The motion carried.

#### Review of Town Insurance/Renewal of Insurance

Terry Christian from Tricor was present to discuss the insurance package with the board. No real changes have occurred for this year. He has provided an application for extra Cyber Crime Coverage. A quote will be provided and discussed at a later date. The quote for the next year insurance coverage was \$15,495. The board would like to get a quote on increase the replacement cost coverage on equipment. A quote will be provided and discussed at a later date. Howard Hanson made a motion to accept the quote for the Insurance package presented from Tricor Insurance for \$15,495, with quotes for Cyber Crime and extra equipment coverage to be discussed at a later date. Randie Johns seconded the motion. Motion carried.

#### Daniel Shrock Kennel License Conditional Use Permit

Daniel Shrock was present to ask the board to approve his kennel license application. Without the kennel license, he can only have 5 animals on the property, but they currently have 7 German Shepherds and 1 farm dog on the property, along with 1 young dog under 5 months. As of the meeting, all dogs have been vaccinated and licensed with the county. Shrock is currently licensed with the State of Wisconsin to be a dog breeder, so he is subject to surprise inspections from the state. He would like to train and sell the dogs. Al Bartels asked how he will control the barking. Shrock stated that yes, they will bark, but he is willing to keep them in the shed to reduce some of the noise. Jerry Moser says that he lives nearby and hears lots of barking. He walks the road, and is concerned that the dogs will approach him or his son while walking, and he doesn't know if they will be violent. He also says he has dogs coming onto his property and chasing deer. Shrock says his personal dogs are locked up, they may be dogs from other properties or his parents' dog. Randie & Al both would like to limit how many dogs are on the property and ask if he can make it work with 8 dogs max. Shrock says he will follow whatever the board tells him. Randie Johns made a motion to recommend approval of the conditional use permit for Daniel T Shrock to have a kennel license with the stipulation that he has 8 adult dogs maximum. Al Bartels seconded the motion. The motion carried.

### Open Sealcoat Bids at 8pm

Bids were sent from Fahrner Construction and Scott Construction. Fahrner Construction bid \$22,287.80 for the specs in the bid notice. They did not include a Bid Bond in their envelope. Scott Construction bid \$20,372.00 for blue granite chips, and the specs in the bid notice. All required information was included. Randie Johns made a motion to accept the Bid from Scott Construction. Al Bartels seconded the motion. The motion carried.

### Change in zoning for Phillips Property

William & Rhonda Phillips have applied to the county to change the zoning of a parcel of their land from General Agriculture to Business. They would like to sell the land to Paul Dwyer so he can put up a building to house and service bulk milk trucks.

- Rhonda Phillips stated that they want to sell the land so that it can be improved and increase tax dollars, and they also feel it will help make the land drain better.
- The proposed building will be roughly 100' x 200' with 20' ceilings. A driveway will be placed on County CM, and it will be kept gravel until the second year when it will be blacktopped. Sewer & well will be on the west side, no perk test has been done, and the bays will all be drive-thru. Paul Dwyer wants to buy the property to improve the lot, they plan to move black dirt within the parcel to fill what they need to.
- Randie Johns asked what the hours will be—Dwyer says 5am-5pm, but sometimes starting at 3am.
- James Hill provided the board members with a handout he had prepared. He has concerns about the zoning change. The comprehensive plan for the Town does not agree with the proposed zoning change. He feels that once the parcel is rezoned, it will stay rezoned, it won't go back to General Ag. When the parcel is zoned business, there are 32 other business uses the property could be used for, not just for what Paul Dwyer would use if for. The extra traffic from the trucks would cause wear & tear on the roads. There are many pedestrians and bicyclists that use both Gondola Rd. and County CM, and the truck traffic could cause an added risk to those people. He feels that the decision is not whether the business and people are good, rather will its presence be good for the Town. He asks the board to turn down and deny the request.
- John Yanke just purchased the house across the road from William & Rhonda Phillips. He did not purchase it view a business out his front window. He wants to make improvements to the home, the proposed business would obstruct the view from his front window.
- Debbie Malenowski was present and spoke on behalf of her parents, Gale & Alberta Alderman. They are concerned about how busy Gondola currently is, with 2 blind spots and kids traveling the road. Paul Dwyer advised that his trucks do not travel Gondola, but Howard Hanson countered, saying he sees trucks on that road all the time. Dwyer said they are not supposed to be on there and would look into it.
- Paul Dwyer countered the Yanke's claim that their view will not be obstructed, that he will be bettering the town, and paying taxes to the town, but the board is trying to stifle businesses that are trying to grow.
- Richard Fischer spoke up and asked how the taxes would work. Howard Hanson explained that only 12% of the tax money actually stays in the town, the rest is divided between the schools, WTC, Monroe County, and the State. Fischer then asked whether milk trucks are exempt from weight limits. Going from farm to market they are exempt,

but empty they could be questioned. Dwyer stated all his trucks comply with weight limits when they are empty.

- Howard Hanson stated that the proposed change does not fit with the Town's comprehensive plan. The county would follow the comprehensive plan as well. Placing the business on Hwy 131 would also improve the town, it doesn't have to be at that location. He is not a fan of spot zoning and placing something in the middle of where it doesn't belong. At he understands the neighbors' concerns about health and safety issues.
- Al Bartels states it is a great business, but he is not in favor of the location, there are other areas that it would be better suited.
- Randie Johns was on the planning commission board, knows the time and money that went into creating the comprehensive plan, he would like to see it stay General Ag.
- Randie Johns made a motion to recommend that the change in zoning from General Ag to Business be denied. Al Bartels seconded the motion. The motion carried unanimously.
- All adjoining landowners were encouraged to attend the county zoning meeting next Monday, April 19 at 6pm.

Howard Hanson noted there was an article in the Monroe County Herald about money the town would receive from the government. There is no detailed guidance on how the money is supposed to be used, but the town could potentially receive around \$150,000 that must be used for COVID relief, and infrastructure—which includes water, sewer & broadband. The State of Wisconsin is supposed to be working on further guidance to decide what the money could specifically be used on.

A motion was made by Randie Johns to adjourn the meeting. Allan Bartels seconded the motion. The motion carried.

Respectfully Submitted,

Breanne Zaremba