

August 17, 2020

Sanitation/Planning & Zoning/Dog Control

Meeting called to order at 6:00 P.M. by Chairman, Alan McCoy.

Present: Alan McCoy, Mary Cook, Cedric Schnitzler, Ron Luethe and Sharon Folcey.

Also Present: Alison Elliott-Sanitation, Zoning, Dog Control Administrator, Jeff Leis, On-Call Humane Officer Dog Control, Chris Weaver-Sheriff's Department and Andy Kaftan-Corp. Council -Monroe Co.

Possible Corrections and Approval of July 20, 2020 Meeting Minutes.

A **Motion** was made by Ron Luethe and seconded by Mary Cook to approve the minutes from the July 20, 2020 meeting. Motion carried: 5-0.

Public Comments: (3 minutes each, one time only)-

The following residents spoke regarding the dog ordinance amendment with concerns and comments:

Randy Shaw: Randy stated that it is very difficult to control dogs barking. He has coonhound dogs and they are meant to bark for many reasons, they are hunting dogs. If his dogs see a vehicle, animals, people, etc. They will bark like other dogs but his dogs are also trained to bark for hunting purposes.

Dan Frei: Dan stated that he has dogs as well and feels that it is almost impossible to have a dog barking ordinance. He also stated that you can't always control dogs barking.

Linda Back: Owner of Woodsedge Campground, Town of Byron. Linda is in favor of adopting a dog barking ordinance because she owns a campground and her neighbor has coonhound dogs next to her that continuously bark. The neighbors have been complaining for years and would like to resolve this issue. She is asking for the County to please adopt an ordinance to resolve these issues. Linda recently had submitted a signed petition from surrounding neighbors in support of adopting a dog barking ordinance.

Joe Thomas: Joe stated that he has lived next to his neighbor for 15 years, (who happens to be Randy Shaw). He stated that the coonhound dogs bark continuously. He is in favor of having some type of ordinance to help control issues they have been dealing with for many year. He stated, "Something needs to be done". He also stated, "I can't even sit on my deck at night because the barking is so bad". There have been several occasions that the dogs have even been on his property running at large. He has even heard the owner yelling at his own dogs late in the evening for them to be quiet. He is tired of this and would like to see this resolved.

Allen Bernhardt: Town Chair for Byron: Allen stated this is the first time he has heard anything regarding this dog ordinance. He also stated that he has had no one call him asking if the Town of Byron has an ordinance regarding dog barking. (Byron is an unzoned municipality). He feels that this is a neighbor dispute and that everybody needs to work together. He feels that there are other options that could be put in place rather than having a dog barking ordinance that is going to be almost impossible to enforce. Perhaps fencing or a separate building for dogs to reside when barking, etc. "How are we going to enforce something like this?" He also felt that all the Towns should have been informed and have some input on this ordinance.

Public Hearings:

A petition by 27 XX, LLC, Rick Staff-Registered Agent, for a **change of zoning** district from General Agriculture-GA to Business for a parcel of land located at 10041 County Hwy XX Cashton, WI, in the NW¼ - SW¼ and SW ¼-SW ¼ Section 19, T16N, R3W, tax parcel # 046-00407-0000 & 046-00408-5000, Town of Wells, Monroe County, 5 acres.

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Rick Staff was not present.

Alison addressed the Committee and informed them that the petition by 27XX, LLC would like to have the existing property zoned Business. The property is currently zoned both Business and General Agriculture. They would like to have this property all zoned Business so that they could put storage units on the property that is currently zoned General Agriculture-GA.

Alison received an email from the Town of Wells stating they have no objection to approving this petition for the change of zoning.

Questions were asked about the storage units.

Alison stated this is just the first step and this public hearing is strictly for the change of zoning only. Next month more detailed information regarding the storage units would be addressed at the public hearing for the conditional use permit for the storage units themselves.

Discussion was held:

A **motion** was made by Cedric Schnitzler, seconded by Ron Lueth to approve the petition by 27 XX, LLC, Rick Staff-Registered Agent for a change of zoning from General Agriculture to Business for a parcel of land located at 10041 Co Hwy XX, Cashton, WI. Town of Wells. Resolution will be forwarded to the full county board on Wednesday, August 26, 2020. Motion carried: 5-0.

Sanitation & Zoning:

FEMA Floodplain Mitigation Grant/DNR Municipal Flood Control Grant

Alison had nothing new to report at this time. There has not been any further feedback on the grants.

Dog Control:

Proposed amendment to the resolution to amend Ch 5 Animals to include dog barking as a nuisance.

Alison handed out an email string with samples of other municipality's ordinances pertaining to dog barking.

Issues and concerns were discussed between the Committee members and Andy Kaftan as well as Town Chairman from Town of Byron.

Cedric Schnitzler stated he has concerns for both the campground and Randy Shaw and understands everyone's concerns and frustration. He asked Andy Kaftan for his input if he could explain the difference between County Ordinances vs. Town Ordinances and who is in charge of enforcing them. Cedric asked which one would apply if both the Town and County has ordinances addressing the same subject.

Andy stated that they are two separate ordinances and that you can have both. Andy handles enforcement of County ordinances while the Towns need to handle their own enforcement through their own representative (attorney). Resources are needed for both Town and County ordinances.

Alison explained the difference between a Condition Use permit for a Kennel as defined in the Monroe County Zoning Code which only pertains to Zoned Towns vs. a Multiple Dog License which is just a different way to purchase the annual State required dog tag.

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Cedric would like to propose to County Board to get feedback from the Towns both zoned and unzoned before moving forward with wording.

Ron Luethe asked if the Sheriff's department had any feedback regarding this ordinance.

Chris Weaver-Sheriff's Department- spoke and stated that they feel that this could be enforced. He stated rarely to the municipality's that already have a dog barking ordinance (City of Tomah & City of Sparta) have to go as far as issuing citations for dog barking. Most of the time the issue can be resolved with owner education.

Discussion was held:

The Committee agreed to recommend the resolution pass as presented and that they would like more time to evaluate options for a dog barking ordinance amendment. They would like feedback from the Towns.

Ron Luethe made a **motion** to recommend to the County Board approval of the resolution Ch 5 Animals as presented without amendment and to request the County Board give the Dog Control Committee more time to develop wording for a dog barking amendment in order to get input from the Towns, seconded by Cedric Schnitzler. Motion carried: 5-0.

Financial Report

FINANCIAL REPORT - VOUCHERS - INTER-DEPARTMENTAL TRANSFERS – CREDIT CARD EXPENDITURES – LINE ITEM TRANSFERS – BUDGET ADJUSTMENTS

Discussion was held and the financial report was reviewed by the Committee.

JUNE 2020

| Department Vouchers | | Interdepartmental Transfers | | Credit Card Voucher | |
|----------------------------|------------------|------------------------------------|--|----------------------------|---------------|
| Sanitation | 2851.09 | Sanitation | | Sanitation | 55.00 |
| Zoning | 114.97 | Zoning | | Zoning | 66.90 |
| Dog Control BOA | 2624.18 54.90 | Dog Control | | Dog Control | 310.84 |
| Total | 5645.14 | 0 | | | 432.74 |

Set Date for Next Meeting and Possible Agenda Items.

The next meeting will be held Monday, September 28, 2020 (one week later than usual) and will start at 6:00 pm at the American Legion Post 100 1116 Angelo Rd, Sparta, WI (NOTE CHANGE OF LOCATION).

Possible agenda items: Currently have Three Conditional Use Permits, could possibly have two more. Andy Kaftan will also be present to discuss Shoreland Zoning violation in the Town of Wilton (Borntreger).

A **Motion** to adjourn was made by Ron Luethe, and seconded by Cedric Schnitzler. Motion carried: 5-0.

Meeting adjourned at 7:03 p.m.

Recorded by Gretchen Jilek