

**Minutes of Land Use, Parks and Environment (LUPE) Committee
May 16, 2017**

Chair Zimmermann called the meeting to order at 8:30 a.m.

Committee Members Present: Dave Zimmermann, Tom Schellinger, Ted Wysocki, Robert Kolb, and Keith Hammitt. **Absent:** Kathleen Cummings and Bill Mitchell

Also Present: Legislative Policy Advisor Sarah Spaeth, Planning Manager Jason Fruth, Parks System Manager Steve Brunner, Landscape Architect Nicki Jenson, Environmental Health Manager Sarah Ward, Humane Animal Officer Jill Miorana, Corporation Counsel Christopher Morgan, Senior Financial Analyst Mark Yatchak, and Senior Financial Analyst Steven Trimborn. Minutes Recorded by Beth Schwartz, County Board Office.

Approve Minutes of April 18, 2017

MOTION: Kolb moved, second by Hammitt to approve the minutes of April 18, 2017. Motion carried 5-0.

Executive Committee Report of May 15, 2017

Zimmermann reported on the following items discussed at the last Executive Committee meeting:

- Discussed and considered audit of the Public Works Department: Highway Operations Division
- Discussed Proposed Scope for Health & Human Services Public Health Audit
- Considered extension of Waukesha Freeman legal advertising contract
- Discussed and considered four appointments to the Community Development Board
- Heard an update on the Regional Transit Leadership Council Executive Committee and Wisconsin Workforce Development Association Board
- Heard standing committee reports by committee chairs

Future Meeting Date: June 20, 2017

Legislative Update

Spaeth reported the legislature is reviewing the governor's budget. Flat funding was approved for circuit courts. The State will develop a 911 council. The issue was moved to Military Affairs from the Department of Justice. Joint finance committee looked at income maintenance and added fraud funding to the governor's budget. Veteran's services shifted to a block grant. Next week they will be reviewing Children & Family Aids. The State is also working on transportation funding proposals, including lower gas mark up, eliminating the sales tax exemption, and increase registration on hybrid cars. The bill to allow advertising on bus shelters located on state trunk highways has support and will soon see committee action.

Discussed and Considered Ordinance 172-O-001: Amend The Town Of Oconomowoc District Zoning Map Of The Waukesha County Zoning Code For The Town Of Oconomowoc By Conditionally Rezoning Certain Lands Located In Part Of The Se ¼ Of Section 11, T8n, R17e, Town Of Oconomowoc, From The FLP Farmland Preservation District To The R-1 Residential District (CZ-1845)

Fruth said the subject property in Oconomowoc is fifteen acres with 50 additional adjoining acres. The existing land use is agricultural with three accessory buildings on the fifteen acres and the zoning is Farmland Preservation District. The proposed land use is to create a three-acre single family residential lot and change the zoning to R-1 Residential District. The proposal to rezone the three acres is consistent with plan recommendations that call for a maximum density of one dwelling unit per 35 acres. The

current farm holdings consist of two adjacent tax key parcels. The 50-acre parcel has a narrow access to County Trunk Highway (CTH) CW to the north, the Ashippun River to the west, and Union Pacific Railroad to the southwest. There is limited wetland, primary environmental corridor, and floodplain along the river. The Wisconsin Historical Society has the accessory farm buildings listed on the Wisconsin Architecture and History Inventory. The town and county believe the proposed three-acre parcel is sited in the most practicable location.

MOTION: Schellinger moved, second by Hammitt to approve Ordinance 172-O-001. Motion carried 5-0.

Discussed and Considered Ordinance 171-O-002: Amend The Text Of The Town Of Lisbon Zoning Code Relating To Chapter 11, Sections 26, 30, 31, 4(H)31, 32 And 4(H)36 Relative To Mini-Warehouses/Self Service Storage Units (ZT-1701C)

Fruth said the town of Lisbon requests amendments to the zoning ordinance relative to self-service storage from B-3 General Business District to Conditional Uses. The inclusion of mini warehouse self-service storage units in the B-3 District took place during the town’s 2010 zoning ordinance update. Over the past several years the town has received several requests for the use and is concerned about oversaturation. Requiring a conditional use versus a permitted use will allow Lisbon to approve the use while provide adequate light, air, access, safety of public streets, and preserve the general welfare of the community environment.

MOTION: Hammitt moved, second by Kolb to approve Ordinance 171-O-002. Motion carried 5-0.

Discussed and Considered Ordinance 171-O-003: Authorization To Accept And Expend Grant Funding From The Southeastern Wisconsin Fox River Commission (SEWFRC) For The Mukwonago Park Shoreline Restoration Project And Modify The Department’s 2017 Budget

Brunner and Jenson discussed this ordinance which authorizes the Department of Parks and Land Use to accept a The Southeastern Wisconsin Fox River Commission (SEWFRC) grant totaling \$21,475 to purchase supplies and materials for shoreland restoration and improvements to the Mukwonago Park swim pond. The cost sharing agreement with SEWFRC requires a 10% matches share of total project costs, which Brunner said staff will fulfill with staff labor in assisting with the project implementation. Brunner explained that there is a large geese population and this project implements counteracting measures including reducing areas where they congregate and converting the area from turf to native vegetation.

Brunner said one temporary solution to the problem is bringing in a company that has a dog chase the geese off the land. However, changing the habitat that attracts them is the permanent solution. In answering Zimmermann’s question, Brunner said the department looked into a number of options and feels this is the best approach. Kolb asked if there are any problems from residents with reducing the size of the park. Brunner said this section is unused by people and it is not an issue. Brunner said this project was recommended in the watershed plan because even without the geese problem, reducing the size saves the county money by also reducing the grass mow and fertilizer areas. Zimmermann said he agrees with changing the habitat, but thinks other solutions should be explored.

MOTION: Schellinger moved, second by Hammitt to approve Ordinance 172-O-003. Motion carried 5-0.

Heard an Overview of the Humane Officers Program

Ward provided an overview of the Humane Officers program, which consists of several parts. The rabies control program does bite report investigations, quarantine orders and observations, lab submissions and

public inquiries. She discussed cruelty, abuse, and neglect investigations. The largest number are hoarding cases, which are considered a mental health issue not a criminal one. The County recently formed a Hoarding Task Force.

Ward discussed the dangerous animal process, updated in 2015. A declared dangerous animal bites, scratches or attacks in a menacing fashion or injures without provocation causing bodily harm. An animal is declared prohibited dangerous if they inflict severe bodily harm or death. When an animal is considered dangerous there is an administrative review. If someone wants a re-consideration of the decision, Director of Parks and Land Use Dale Shaver reconsiders the decision. A second request for reconsideration can be made, which includes a fact-finding hearing where witnesses and evidence is heard and the County Board of Supervisor's Executive Committee makes a final decision. In answering questions from the committee, Miorana spoke to a current situation in administrative review process. Schellinger asked how the communication between surrounding communities with enforcing the restrictions once an animal is declared dangerous or prohibited dangerous. Ward said it is getting better.

Some of the other parts of the program include surveillance and emergency response and planning for animals in case of a disaster. The program also engages in public education such as providing veterinary clinics with a rabies refresher, and a kids camp for humane animal education. Zimmermann asked how many humane officers there are, and Ward said there is one full time employee, Miorana, and three on-call officers. Commonly mistaken, Humane Officers do not handle barking complaints, which go to local law enforcement. They also do not handle stray animals, which go to the Humane Animal Welfare Society (HAWS) and Elmbrook Humane Society.

MOTION: Wysocki moved, second by Kolb to adjourn the meeting at 9:28 a.m. Motion carried 5-0.

Respectfully submitted,

Keith Hammitt
Secretary