

Minutes from the Town of Trenton Town Board Meeting

Date and Time: November 20, 2007 – 7:30 P.M.

Place: Town of Trenton Town Hall, 1071 Highway 33 East, West Bend, WI 53095

Present: Chairman Joe Gonnering, Supervisor Ed Doerr, Supervisor John Norman, Town Clerk Barbara Davies, Treasurer Monica Diaz, Deputy Clerk/Treasurer Cindy Komro, Town Attorney Deb Hoffmann, Building Inspector/Zoning Administrator Frank Mayer.

Prior to the Meeting, notice was properly posted on the Town Bulletin Boards and mailed to the West Bend Daily News and WBKV AM/FM.

Chairman Gonnering asked the citizens in attendance to join in saying the Pledge of Allegiance.

Chairman Gonnering called the Meeting to order at 7:33 P.M.

Approval of Minutes – Town Board Meeting of November 5, 2007; Public Budget Hearing 11/13/07; Special Town Meeting 11/13/07; Public Hearing (Zellmer) 11/13/07:

It was moved by Ed Doerr and seconded by John Norman to approve the Minutes of the November 5, 2007 Town Board Meeting, and the Minutes of the Public Hearings and the Special Town Meeting of November 13, 2007. Carried unanimously.

Comments and Questions from the Audience:

Attorney Brian Brejcha introduced himself, stating that he and Darryl Zellmer were present and available to answer any questions the Board might have on Agenda item #4, Conditional Use Permit Application, Darryl and Kelly Zellmer, Lawn Systems.

Accept/Review Agenda:

It was moved by John Norman and seconded by Ed Doerr to accept the agenda as printed. Carried unanimously.

Recommendation from Plan Commission: Conditional Use Permit Application, Darryl and Kelly Zellmer, Lawn Systems:

Supervisor John Norman recused himself from the Board and took a seat in the audience. Frank Mayer stated that the Plan Commission had recommended denial of the permit application, citing the permit's request for onsite employees in a residential area. Chairman Joe Gonnering stated that the Plan Commission has cited the Town ordinance section forbidding onsite workers or employees in a home-based business. Supervisor Ed Doerr asked when that ordinance section had become effective. The ordinances were recodified in October 2006, but the old ordinances had the same wording. It was moved by Joe Gonnering and seconded by Ed Doerr to deny the Conditional Use Permit, citing the same ordinance section as the Plan Commission. Only offsite employees are allowed. Doerr said that he would like to make a brief comment. Doerr said that the issue of his usage of the term "grandfathered" in regards to Zellmers' property keeps coming up. Doerr said it was his opinion that when the land was divided and zoned in 1996-1997, the owner (Ciriacks) had been told to keep 10 acres with the house and barn to allow operation of some types of businesses. Doerr said he thought that the fact that Zellmer ran a landscaping business was well known by everybody. Doerr said that this is what, in his mind, makes Zellmers' business a "grandfathered business". Attorney Deb Hoffmann asked, for clarification, who Doerr was referring to when he said "everybody" knew about Zellmers' business. Ed Doerr said he thought that that John Norman and the Plan Commission knew about Zellmers' business. There was no further discussion. Voting on the motion and second: Joe Gonnering, Aye; Ed Doerr, Abstain. The Conditional Use Permit Application is denied.

Supervisor John Norman returned to the Board table.

Falls Archery: Request to Amend M-1 Zoning, Town Code of Ordinances:

Frank Mayer told the Board that he had received a letter from the owner of Falls Archery, requesting that the Town add language to its ordinances that would allow him to operate his business in the town's industrial park, currently zoned M-1. Mayer said that he had met with planner Martin Marchek; Marchek suggests making this a condition use (requiring a Conditional Use Permit) in M-1 zoning. Discussion followed. Falls Archery would also be applying for a beer license for a snack bar in the facility. The request was discussed at length, including possible conditions for a conditional use permit. Ed Doerr said he was concerned with the beer and archery mix. Jim Wollner asked if a CUP could be set for a 1-year review/renewal. Attorney Deb Hoffmann said it could be reviewed annually. Mike Bykowski suggested that no exterior signs advertising beer be allowed. The Board asked that Falls Archery's request be sent to the Plan Commission for input and review, with a Public Hearing to be scheduled in January on the requested ordinance amendment.

Report on Water and Land Use, SEWRPAC Report, Marilyn John:

Marilyn John reported attending a major meeting at Riveredge Nature Center; there was a disappointing turnout for the meeting. The SEWRPAC maps used for review were all dated 2000. SEWRPAC says that the maps are changed every decade. John thought that update just once every decade was unacceptable. John questioned the designation of some wetland on Poplar Road as a "disturbed lowland hardwoods stand". That same information is carrying forward into the SmartGrowth Plan. John characterized it as high value wetland. She encouraged all residents and officials to be more vigilant about what we have in the Town, and suggested that permitted building, planning and zoning should not destroy it. John said that there is a meeting on the groundwater issues etc. coming up, and she thought the Town should have someone attend. She suggested creation of a water management policy. Supervisor John Norman thanked Marilyn for her work on these issues.

Employee Handbook, Employee Vacation Policy:

Cindy Komro handed out copies of the draft copy of the handbook. She asked all Board members and employees to review the policies, mark any corrections or additions on the draft, and return the copies to her mailbox as soon as possible. Final review will be scheduled for the 12/18/07 Town Board meeting.

Employee vacation policy was discussed, particularly vacation carryover of unused days. Comments are to be submitted to Barb Davies or Cindy Komro.

Weidemeyer Certified Survey Maps:

Frank Mayer told the Board that the maps would go back to the engineer, as too many corrections were needed.

Approval of New Home Plans – Jamestowne:

Frank Mayer said that the Plan Commission has recommended approval of the plans submitted for Lot 53. It was moved by Ed Doerr and seconded by John Norman to approve the home plans for Lot 53, Jamestowne subdivision. Carried unanimously.

Washington County, County Wide Radio System and Truck Report:

Jim Wollner handed the Board a copy of the mutual aid agreement for West Bend, which has been verbal in the past. Attorney Deb Hoffmann will review it. Wollner reported that he and Lance Unger had attended a countywide meeting re: radio system. The estimated cost is now \$13,200,000.00. The County will pay for police and fire department equipment. The Town's Public Works Department will have to purchase the radios out of its budget, and this will have to be done by 2013 at the latest. Wollner suggested purchasing two portables at \$1700 each in 2008. Washington County will be the radio service provider. Radio towers are or will be located throughout the County. Mobile radios cost \$2500 each. Wollner suggested purchase of two mobile radios in 2009, and purchase of a radio a year after that as needed for the plows. Joe Gonnering discussed the radio towers and implementation of the radio system.

Truck Report:

Lance Unger reported that the two new trucks should be coming shortly. Unger suggested outfitting the plows with a pre-wetting system to reduce salt usage and keep more salt on the road. The cost would be about \$4000 per truck and should be recovered within the first year due to reduced use of salt. It was moved by John Norman and seconded by Ed Doerr to designate \$8000 of the 2007 budgeted road, snow and ice contingency fund for purchase of the two prewetting systems. Carried unanimously. Unger asked the Board if the Town might consider keeping one of the old trucks to plow the subdivisions, a time-consuming process with the smaller patrol truck.

Stormwater Management Agreement – Bruce Muckerheide:

Attorney Deb Hoffmann said that she is making the corrections noted by Burt Naumann. The document should be ready for the 12/4/07 Town Board meeting.

Approval of 2008 Town Budget:

It was moved by John Norman and seconded by Ed Doerr to approve the 2008 Town Budget as presented. Carried unanimously. The \$10,000 capital expenditure budgeted for repair of the salt shed will be used to purchase radio equipment when available, as the salt shed repairs are complete.

Plan Commission Recommendations:

None.

Review of Annexation Petitions:

Chairman Gonnering asked Deb Hoffmann to review a Creek Drive annexation petition. The annexation map shows a 5' wide strip designated as Town land to prevent creation of a Town island. Gonnering questioned how the Town would ever maintain that 5' strip.

Reports:

Frank Mayer had nothing further to report.

Cindy Komro reported that the 11/6/07 election has been closed out with SVRS. Komro and Davies attended mandatory election training 11/15/07 in West Bend. The Mid Moraine Municipal Court will meet at the Town Hall 11/27/07 at 11:00 AM.

Monica Diaz reported that Deb Hoffmann has sent a letter to delinquent personal property taxpayers, requesting payment of the tax due. Bankruptcy declarations are being received from mortgage companies.

Barb Davies reported a large turnout for the 11/6/07 School Referendum election.

Deb Hoffmann updated the Board on discussions with Grota Appraisals regarding Wiredata's request for assessment records in electronic form. A case is pending in the state Supreme Court, and Hoffmann told the Board that the Court's decision will determine whether or not the Town will need a separate contract with Assessment Technologies to comply with Wiredata's request. The Diggers Hotline resolution will be ready for the 12/4/07 Town Board meeting. A letter has been received regarding snowplowing on Deerview Court.

Chairman Joe Gonnering had nothing further to report.

Supervisor Ed Doerr asked if a date had been set for the Christmas party. Doerr pointed out that the first Tuesday in January is 1/1/08, so a replacement meeting date will be needed.

Supervisor John Norman said he is watching congressional progress on cable options and alternatives.

Payment of Bills:

It was moved by Ed Doerr and seconded by John Norman to pay bills totaling \$68,427.06 and payroll of \$12,884.67. Carried unanimously.

Other Business:

Jim Wollner asked if Southview Circle would be plowed by the Town this year. It will not be plowed – it is not a Town road.

Consideration of any Preliminary Plat or any Final Plat which may be submitted pursuant to Chapter 236, Wisconsin Statutes:

None.

Action on Authorization Allowing Town Officials to Attend Seminars:

None.

Action on any Ordinance, Resolution, Report or Recommendation already Pending Before the Town Board:

None.

Adjournment:

It was moved by Ed Doerr and seconded by John Norman to adjourn the Meeting at 9:34 PM. Carried unanimously.

Respectfully submitted,

Barbara J. Davies
Town Clerk

Affidavit of Posting:

These Minutes were posted on the Town of Trenton Town Hall Bulletin Board at 1071 STH 33 East, West Bend, WI on Friday, November 30, 2007. Barbara J. Davies, Town Clerk