

Minutes from the Town of Trenton Town Board Meeting

Date and Time: September 4, 2007 – 7:30 P.M.

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

Present: Chairman Joe Gonnering, Supervisor John Norman, Town Clerk Barbara Davies, Treasurer Monica Diaz, Deputy Clerk/Treasurer Cindy Komro, Town Attorney Deb Hoffmann, Police Chief Joseph Gabrish, Police Sgt. Emmett Grissom, Police Sgt. Mike McNerney. Excused: Supervisor Ed Doerr.

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 7:30 P.M.

Approval of Minutes – Town Board Meeting of August 21, 2007:

It was moved by John Norman and seconded by Joe Gonnering to approve the Minutes of the August 21, 2007 Town Board Meeting. Carried unanimously.

Comments and Questions from the Audience:

Marilyn Jahn asked about the Journal article regarding the Village of Newburg's plan to sue the Town of Trenton. Chairman Joe Gonnering said that the suit has not been received yet, but it appears that it involves zoning on a piece of property in the Town of Trenton, on the borders of Newburg.

Jahn then asked about the conservation easement on the Trenton Business Center. Gonnering replied that the easement has been deeded to the DNR.

Bob Ksioszk also asked about Newburg laws, and the zoning change that is possibly causing the lawsuit. Attorney Deb Hoffmann said that the Town has not received a lawsuit yet, but it is believed that it involves zoning. Hoffmann explained extraterritorial zoning as it relates to the Town and Village of Newburg. Lengthy discussion followed.

Accept/Review Agenda:

It was moved by John Norman and seconded by Joe Gonnering to approve the Agenda as printed. Carried unanimously.

Consideration of Natural Lawn Complaint:

Chairman Joe Gonnering said that the Board had received a complaint on a natural lawn. Gonnering called on complainant Steve Merrick. Merrick said that he took issue with the lack of lawn upkeep on the property next door to his. Merrick stated that he thinks that the lawn next door to his property is in violation of the town's ordinances. Merrick asked the Board for a ruling on this issue. Merrick quoted from the Town ordinances, supporting his position. He told the Board that he wanted to see the natural lawn plan submitted in accordance with the ordinances. Neighboring property owners would have some right to approve any plan that is submitted. Gonnering called on Attorney Deb Hoffmann. Hoffman clarified some points on the ordinances re: natural lawns. Hoffman added that the Town cannot require a property owner to submit a plan for a natural lawn, but if no plan is submitted then a lawn exceeding 8" in length can be declared a nuisance. The Town can then abate the nuisance. Weed commissioner Ed Doerr would need to look at the lawn and make a finding as to whether or not it is a nuisance. Discussion followed.

Chairman Joe Gonnering then called on Karen Skuldt, owner of the property with the natural lawn. Skuldt said that she did not realize that she needed to file a plan for her natural lawn. Skuldt asked for and received a copy of Merrick's complaint. Skuldt said that she thought that Merrick has circulated false information about her. Discussion followed. Chairman Gonnering will ask Ed Doerr to inspect Skuldt's property as soon as possible. Lengthy discussion followed.

Skuldt said that she did not think that people realize that she lives in a house that dates from the 50's. When the new homes were built on Eastwood Trail things changed. Trees were removed to make room for the new homes. Skuldt is attempting to restore the woodlands that used to be there. Chairman Gonnering asked that this matter be tabled to the Town Board Meeting of 9/18/07.

Authorization to Proceed to Circuit Court to Seek Cleanup of Junk – Geib:

Police Chief Joe Gabrish told the Board that officers have visited Geib's property several times. On 8/6/07 Sgt. McNerney visited the property and listed various unregistered boats and vehicles on the property. A return visit by McNerney on 9/1/07 shows that one boat on the 8/6/07 list has been removed. Mr. Geib understands what needs to be done but won't do it. Boats belonging to other people are still stored there. Lengthy discussion followed. Attorney Deb Hoffman reviewed McNerney's pictures of the site. She advised proceeding to Circuit Court, seeking to have the junk declared as a nuisance. This would allow the Town to clean it up, and assess the cost to the property owner. Chairman Gonnering told Attorney Hoffmann that Mr. Geib is Gonnering's wife's cousin. Gonnering asked whether he should vote on any motion. Hoffmann asked Gonnering whether he felt he could make an unbiased decision. Gonnering said he could do so. It was moved by John Norman to authorize proceeding to Circuit Court to seek cleanup of the property. Gonnering seconded the motion. Carried unanimously.

Review Draft Chapter XIII – Comprehensive Plan:

This is the Economic Development Element of the SmartGrowth Plan. Chairman Gonnering asked that this be tabled to the Town Board Meeting of the 18<sup>th</sup> to allow comment from the Plan Commission, meeting on the 11<sup>th</sup>.

Stormwater Management Agreement – Bruce Muckerheide:

Attorney Hoffmann said that the format is fine, but asked that Burt Naumann look at the map included in the agreement and identify any corrections that may need to be made. Tabled to the Town Board Meeting of 9/18/07 to allow comment from Burt Naumann.

Approval of Winter Weather Service Contract:

It was moved by John Norman and seconded by Joe Gonnering to approve the Winter Weather Service Contract (snow and ice warnings) for winter 2007-2008. Carried unanimously.

Attendance at Winter Road Maintenance Seminar:

It was moved by John Norman and seconded by Joe Gonnering to approve the attendance of Jim Wollner and Lance Unger at the Winter Road Maintenance Seminar on 10/3/07 in Waukesha. Carried unanimously.

Sand Drive Sanitary District:

The Sand Drive Sanitary District has asked for advice on liquidating the balance in its checking account. The Board agreed that the Sanitary District should consult its attorney for advice.

2008 Capital Purchase – Squad Car:

Police Chief Gabrish told the Board that Ewald has won the state bid. The department's current sedan squad is 7+ years old, and has logged 115,000 miles since it was placed in service. Gabrish said that in the past year, maintenance has centered on just keeping it running, but not putting costly improvements in it. A new squad, if ordered now, would arrive in January 2008. It would cost \$24,842; the current squad would probably sell for

about \$2500. It was moved by John Norman and seconded by Joe Gonnering to approve including \$22,342.00 (net) in the 2008 budget as a capital outlay for a squad car. Carried unanimously.

**DNR Recycling Grant Resolution:**

It was moved by John Norman and seconded by Joe Gonnering to approve authorizing Joe Gonnering to submit a recycling grant application for financial assistance for recycling to the Department of Natural Resources for 2008. Carried unanimously.

**Plan Commission Recommendations:**

None.

**Annexation Petitions:**

None.

**Reports:**

Police Chief Gabrish reported that he had sent out letters to two residents regarding livestock in residential zoning, and cats at a vacant farm property.

Cindy Komro reported that she is working on re-scanning in the voters from the last election, as the Town's records don't match SVRS.

Monica Diaz reported that the Peachtree software update for the payroll will need to be purchased for 2007 W-2's and 2008 tax tables.

Barb Davies reported that Representative Mark Gottleib will be at the Town Hall Friday, 9/7/07 from 11:00 to noon.

Deb Hoffman asked that she be notified in the event the lawsuit from Newburg is received. Richfield's incorporation petition has been approved by the Department of Administration.

Joe Gonnering reported that the dispute resolution subcommittee met tonight, working on intergovernmental cooperation. Gonnering received notice of the meeting just ½ hour before the meeting. The WisDOT roads certification forms have arrived and are due by 10/1/07.

John Norman stated that he wanted to commend Cindy Komro on a great job on the newsletter.

**Payment of Bills:**

It was moved by John Norman and seconded by Joe Gonnering to pay bills totaling \$18,602.68 and payroll of \$12,701.96. Carried unanimously.

**Other business:**

Karen Skuldt said she wanted to add that several neighbors have harassed her over the years. She asked how she should deal with that. Discussion followed. Marilyn Jahn reported attendance at the West Bend Airport meeting for Land Use and Transportation Group of the SmartGrowth project.

**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 John Norman and seconded by Joe Gonnering to adjourn the Meeting at 9:15 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, September 14, 2007.

Barbara J. Davies, Town Clerk