

Minutes from the Town of Trenton Town Board Meeting

Date and Time: December 15, 2009 – 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, Supervisor Ed Doerr, Town Clerk Barbara Davies, Treasurer Monica Diaz, Deputy Clerk/Treasurer Cindy Komro, Building Inspector/Zoning Administrator Frank Mayer, Town Attorney Deb Hoffmann.

Affidavit of Posting:

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.

Pledge of Allegiance:

Chairman Gonnering invited all in attendance to join in saying the pledge of allegiance prior to the meeting.

Chairman Gonnering called the Meeting to order at 7:30 P.M.

Approval of Minutes – Town Board Meeting of December 1, 2009, Public Hearing of December 8, 2009:

It was moved by John Norman and seconded by Joe Gonnering to approve the Minutes of the 12/1/09 Town Board Meeting. Carried unanimously. It was moved by Ed Doerr and seconded by Joe Gonnering to approve the Minutes of the 12/8/09 Public Hearing. Carried unanimously.

Affidavit of Posting:

Chairman Joe Gonnering read the affidavit of posting, and stated that the Agenda for tonight's meeting had been posted as required and an affidavit of posting has been filed.

Comments and Questions from the Audience:

None.

Accept/Review Agenda:

It was moved by John Norman and seconded by Ed Doerr to approve the agenda with the following change: move agenda item #5, Zellmer Conditional Use Permit, down in the agenda order, to be considered after Attorney Hoffmann arrives. Voting aye: 3. Nay:0.

Plan Commission Recommendation: JT Roofing Rezoning Recommendation, E-A to CES-5:

Chairman Gonnering recused himself from the Board, citing a business relationship with JT Roofing. Frank Mayer told the Board members that the Plan Commissioners had attended the Public Hearing, reviewed the application, and had no objection to the desired rezoning to CES-5. It was moved by Ed Doerr and seconded by John Norman to approve the rezoning petition from E-A to CES-5. Voting Aye: 2. Voting nay:0.

Plan Commission Recommendation: JT Roofing, CSM Section 21, Two-Lot Land Division, South Oak Road:

Frank Mayer stated that the Plan Commission has no objections to the land division. Burt Naumann's requested corrections have all been made, with the exception of the soil borings requirement. Mayer said that a letter has been received from Baudhuin Engineering; the soil borings will be taken as soon as conditions allow. Road access has been removed from the CSM. It was moved by Ed Doerr and seconded by John Norman to approve the land division. Voting aye: 2. Nay: 0.

Chairman Gonnering rejoined the Board.

Approve Cable Provider Time Warner for Jim Reinartz, 360 Cedar Sauk Road:

Reinartz has requested Board approval for Time Warner installation, as Charter Cable does not offer service at this address and location in the Town. It was moved by John Norman and seconded by Ed Doerr to approve Time Warner as the cable provider at Reinartz' residence, 360 Cedar Sauk Road, Town of Trenton. Voting aye: 3. Nay: 0.

Approve Acceptance of Change in Condo Conversion Documents, Deerprint Enterprises (Tabled 12/1/09): Attorney Hoffmann reported that the Plan Commission would consider the changes first at its January 12 meeting. Chairman Gonnering asked that this matter be placed on the 1/19/2010 Town Board Agenda – no action taken.

Appoint Election Inspectors for 2010-2011 Election Years:

It was moved by John Norman and seconded by Ed Doerr to approve appointment of election inspectors as follows: Submitted by the Democratic Party: Joyce Clay, Mavis Du Brava, Larry Du Brava, alternate Marge Behlen. Voting aye: 3. Nay: 0.

Approval of Bank Statement Reconciliations:

Following review of the reconciliations, it was moved by John Norman and seconded by Ed Doerr to approve the November 30, 2009 bank statement reconciliations. Voting aye: 3. Nay: 0.

Plan Commission Recommendations:

None.

Review of Annexation Petitions:

None.

Reports:

Frank Mayer reported that 2009 would close with just three new home permits taken out.

Barb Davies reported that work is underway on the 2010 spring elections.

Attorney Deb Hoffmann gave Darryl and Kelly Zellmer a copy of the executed Conditional Use Permit following Zellmer's statement that he had not seen the final document. Chairman Gonnering asked that the Board finish "reports" while Zellmer reviews the document.

Attorney Deb Hoffmann reported that the Village of Newburg has filed an additional lawsuit against a buyer of one of the lots in Deerprint. The buyer being sued is an attorney, and there will be title insurance legal defense as well.

Hoffmann told Zellmers that their attorney Brian Brejcha has reviewed the Conditional Use Permit.

Chairman Joe Gonnering reported that Jim and Lance have been out doing lots of snow and ice control work. Power lines and phone lines are hanging so low on N. River Road near Wallace Lake Road that the garbage truck could not drive under the lines to pick up the garbage and recycling.

Supervisor Ed Doerr reported one road complaint after the recent snowfall.

Supervisor John Norman reported that he is working on updating the town's emergency plan.

Return to agenda item #5: Recommendation from Plan Commission, Court Order, Darryl Zellmer Conditional Use Permit Approval/Issuance:

Supervisor John Norman recused himself from the Board.

Attorney Deb Hoffmann explained that this is the final document. This permit incorporates the referee's order, court order, and judge's order as attachments to the Conditional Use Permit. There are conditions on both sides – the Town and Zellmers - to be fulfilled. Chairman Gonnering asked about the required commercial inspection, specifically who does it. Frank Mayer identified the commercial building inspector for Washington County and said that he had contacted her about the inspection. Zellmer will be required to furnish a copy of her report to the Town. Hoffmann will record the executed Conditional Use Order; the recorded copy will be returned to Houseman & Feind. It was moved by Joe Gonnering and seconded by Ed Doerr to approve the Conditional Use Order as drafted, being granted to Darryl and Kelly Zellmer doing business as Turf and Tree Worx. Voting aye: 2. Nay: 0.

Supervisor John Norman rejoined the Board.

Payment of Bills:

It was moved by John Norman and seconded by Ed Doerr to approve for payment bills in the amount of \$62,796.14, tax refunds \$2,548.07, and payroll of \$ 15,170.55. Voting Aye: 3. Nay:0.

Other Business:

None.

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 Ed Doerr to adjourn the Meeting at 8:10 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 December 18, 2009. Barbara J. Davies, Town Clerk