

**REGULAR TOWN BOARD MEETING
JUNE 8, 2009**

Chairman Leair called the meeting to order at 7:03 p.m. Present were Supervisors Morris, Ross, Schmittinger and Reid. Also present were Administrator/Planner Herrmann and Clerk Whitmore.

Discussion/action – Minutes to be approved –

Regular Town Board Meeting of May 11, 2009- Reid made motion to approve, Morris seconded, motion carried unanimously. **Executive Session of May 18, 2009 –** Schmittinger made motion to approve, Morris seconded, motion carried unanimously. **June 1, 2009 –** Morris made motion to approve Reid seconded, motion carried unanimously.

Monthly report from Wales-Genesee Fire Chief Greg Jezak

Chief Jezak was at a conference, a copy of his report was placed on file.

Discussion/action – Request to extend premise on July 26, 2009 to tent in parking lot – Wern Valley Sportsmen Club

Morris made motion to extend the premise on July 26, 2009 to the parking lot for Cancer Shoot, Ross seconded, motion carried unanimously.

Discussion/action – Request to extend date for second lift of asphalt to July 1, 2010 – Stoneridge Estates

Discussion. Schmittinger made motion to approve the request to extend the date for the final lift of asphalt to be placed to July 1, 2010 with the condition the engineer review the letter of credit to be sure it will cover the costs. Morris seconded, motion carried unanimously.

Discussion/action - Rezoning request (SCZ-819B), Sunset Genesee LLC c/o James Derrick, 21401 W. Orchard Dr., New Berlin, WI 53146, to amend existing conditional B-3 General Business District Zoning on property, Tax key Number GNT 1487-999-005 to allow several additional business uses on the property and to rezone portions of the property from A-2 Rural Home and A-B Agricultural Business Districts to a conditional B-3 General Business District zoning to match the remainder of the parcel.

The Plan Commission did recommend approval of this request with restrictions of the uses, there will be no used car lots, no storage of cars or vehicles the conditions are very specific. Morris made motion to approve Resolution 09-9R approving the Zoning Amendment request of James Derrick, Ross seconded, motion carried unanimously.

RESOLUTION 09-9R

TOWN BOARD OF THE TOWN OF GENESEE

A Municipal Corporation

WHEREAS, a Zoning Amendment request was filed by James Derrick to amend the Town of Genesee District Zoning Map of the Waukesha County Zoning Code from the A-2 Rural Home and A-B Agricultural Business Districts to a conditional B-3 General Business District, on the following described properties:

GNT 1487.999.005: Lot 3A, Certified Survey Map No. 8403, being a part of the SW ¼ and SE ¼ of Section 12, T6N, R18E, Town of Genesee, containing approximately 15.72 acres;

GNT 1487.996: Being a part of the SW ¼ of Section 12, T6N, R18E, Town of Genesee, containing approximately 0.44 acres; and

GNT 1487.997: Being a part of the E ½ of the SW ¼ of Section 12, T6N, R18E, Town of Genesee, containing approximately 0.85 acres.

In addition the petitioner is proposing to amend the previously imposed conditions of Enrolled Ordinance 163-22 to allow repair and service shops for automobiles, motor cycles, lawn mowers and other small engines; garages for storage of vehicles used in conjunction with the operation of a permitted business; cabinet and furniture construction and assembly (wood working); contractor's offices and warehouse; indoor storage associated with an office use; professional offices and studios; light assembly; metal fabricating in conjunction with equipment repairs; welding; engine repairs; equipment painting; mini-warehouse/ storage buildings and any other similar use as may be allowed by the Town Plan Commission and the Zoning Administrator.

WHEREAS, A Joint Public Hearing was held by the Town of Genesee Plan Commission and the Waukesha County Department of Parks and Land Use on May 27, 2009 at the Genesee Town Hall located at S43 W31391 Highway 83 Genesee Depot, Wisconsin to consider said request: and

WHEREAS, the Town of Genesee Plan Commission held a public meeting to discuss said request. After discussion in regards to said request, by motion, properly made and seconded, the Genesee Town Plan Commission voted to recommend to the Town Board an approval of the request.

WHEREAS, the Genesee Town Board held a public meeting on Monday, June 8, 2009 to discuss said request. **BASED UPON THE SAME:**

IT IS HEREBY RESOLVED BY THE TOWN BOARD OF THE TOWN OF GENESEE, it being the Town affected by said proposed zoning amendment, **THAT**, the request for the petitioner be approved subject to the following conditions:

1. The businesses permitted on the above described properties shall be repair and service shops for automobiles, motor cycles, lawn mowers and other small engines; garages for storage of vehicles used in conjunction with the operation of a permitted business; cabinet and furniture construction and assembly (wood working); contractor's offices and warehouse; indoor storage associated with an office use; professional offices and studios; light assembly; metal fabricating in conjunction with equipment repairs; welding; engine repairs; and equipment painting; mini-storage facilities and any other similar use as may be allowed by the Town plan Commission and Zoning Administrator.

2. A Deed Restriction shall be recorded in the Waukesha County Register of Deeds Office within six (6) months of passage of this Ordinance by the County Board of Supervisors stating that the rights granted herein

are only transferable to any subsequent owner of the property upon approval of the Town Genesee Board. Proof of filing shall be submitted to the Town Clerk prior to this Ordinance becoming Effective.

AND FURTHER BE IT RESOLVED;

BY THE TOWN BOARD OF THE TOWN OF GENESEE, that the Town of Genesee does hereby give notice to the County that it approves the zoning amendment request of James Derrick

Dated this _____ day of _____, 2009

Sharon L. Leair, Chairman

Barbara A. Whitmore, Town Clerk

Discussion/action – Request for Holding Tank Agreement – Sunset Genesee, LLC – James Derrick

A holding tank had been installed for a trailer illegally; this agreement is for a new tank with today's standards and agreements. Ross made motion to approve the holding tank agreement subject to filing of the bond and a copy of the filing document being submitted to the Clerk, Morris seconded, motion carried unanimously.

Discussion/action – Certified Survey Map, highway 18 – Tom and Lynn Saxe

No action was taken this evening.

Discussion/action – Request for music, outdoor lighting and parking on town road at outdoor reception on August 8, 2009 – Ron Olson & Patti Nolan, W302 S5348 Hwy. 83

Mr. Olson explained they will be getting married that day and would like to hold the reception in the stable. The plans are to invite approximately 180 people, bring in porta-potties, parking will be on the property, if rainy they would like to park on the roads in Kettle Ridge subdivision, temporary lighting will be place in the stable for safety. An Irish folk band will play from 5 to 7 pm and a live guitar band from 7:30 to 11:30 will play in the indoor arena. Discussion, Mr. Olson was told to contact Tom McAdams for permission to park on the roads in Kettle Ridge subdivision; these are not accepted town roads. Morris made motion to approve the request, Ross seconded, motion carried unanimously.

Discussion/action – Approval of Town Depositories

Whitmore explained these are the same institutions as last year. Schmittinger made motion to approve, Ross seconded, motion carried unanimously.

RESOLUTION DESIGNATING DEPOSITORY FOR	Town of Genesee
TREASURER	Carol J. McCormick
Address	S43 W31391 Hwy. 83
	P.O. Box 242
	Genesee Depot, WI. 53127

RESOLVED, that the following banking institutions:

NAME	CITY	STATE
Chase Bank	Delafield	WI

Citizens Bank of Mukwonago	Genesee Depot	WI
Associated Bank	Waukesha	WI
Waukesha State Bank	Waukesha	WI
State of Wisconsin	Madison	WI
Sunset Bank	Waukesha	WI
Town Bank	Wales	WI

qualified as public depositories under the laws of the State of Wisconsin, shall be and are hereby designated until further action, as public depositories for all public moneys coming into the hands of the Treasurer of the Town of Genesee, Waukesha County, State of Wisconsin.

THIS IS TO CERTIFY, that the foregoing is a true and correct copy of a resolution duly and legally adopted by the Town of Genesee, at a legal meeting on the _____ day of _____, 2009.

Barbara A. Whitmore, Town Clerk

Discussion/action – Mutual Aid Box Alarm System Agreement

Discussion/action – Resolution 09-7R Addendum “B” to Mutual Aid Box Alarm System Agreement

Discussion/action – Resolution 09-8R Addendum “C” to Mutual Aid Box Alarm System Agreement

Discussion of the revisions to the Mutual Aid Box Alarm System Agreement, most of the revisions were due to revised language in the state statutes. Morris made motion to approve the revised Mutual Aid Box Alarm System Agreement, Ross seconded, motion carried unanimously.

Resolution 09-7R -

Schmittinger made motion to approve, Morris seconded, motion carried unanimously.

Resolution 09-8R –

Morris made motion to approve, Ross seconded, motion carried unanimously.

Reports –
Chairman

Report on state budget

Leair gave the Board an update on the latest information we have regarding the state budget.

Discussion of contract with North Prairie Fire Department

The Board briefly talked about future fire service in the town, she will contact the Village of North Prairie President to introduce herself and talk about the upcoming contract.

Administrator/PlannerUpdate on Countywide Mutual Aid Agreement

Several surrounding towns have signed the agreement, discussion. By participating we were able to get FEMA Funding for the snow storm and flooding last year.

Update on highway 59 and 83 development

Discussions are still going on for this intersection development, who will be responsible for costs between the developer, state and town has to be worked out. Leair and Herrmann will be meeting with the bank representative and the DOT on Monday.

Roads – Jim MorrisUpdate on road work

The sweeping is done and the culvert replacement on Road DT has been completed. They are doing the roadside cutting right now.

Update on culver replacement on McAllister Way

This will probably have to be done by time and expense; we will have Tom look at this when he starts.

Update on brushing work

The brushing contract work will start shortly; Morris has been in touch with Watertown Evergreen who was awarded the contract.

Discussion on 2009/10 snow season

Herrmann and Morris will start discussion with Tom regarding the snow and ice control contract shortly after Tom starts.

Clerk – Barb WhitmoreDiscussion/action – carpet and painting proposals for town hall

We received three proposals for the work, Kelmann Corporation at \$39,800.00; Ford Construction at \$25,217.00 and RPB had a range from \$24,478.75 to \$32,688.09 depending on the grade of carpet and this also did not include the cost to move the furniture, discussion.

Ross made motion to use Ford Construction for the work as the proposal is within the budgeted amount. Morris seconded, motion carried unanimously.

Treasurer – Carol McCormickUpdate on unpaid 2008 unpaid personal property tax bills

We are still receiving personal property taxes, there are several left.

Discussion of the monthly reports, due to the statements the revenue reports will be from the prior month.

Discussion/action – Bills to be presented

Whitmore asked check 24217 in the amount of \$334.64 be added to the list for the Wisconsin Dept. of Transportation, this is final billing for the lights at highway 18 and highway C. Schmittinger made motion to approve the bills as presented including check 24217 for \$334.64

Correspondence

Whitmore reported the final snow and ice control billing for the season is complete, the total for the 2008/09 season was \$435,550.73 at a rate of \$5,399.30 per mile. The 2007/08 season total was \$628,850.09 at \$7,860.63 per mile. The amount spent so far in 2009 is \$188,914.18.

Board members were copied with correspondence.

Ross made motion to adjourn, Reid seconded, motion carried unanimously. Meeting adjourned at 8:50 p.m.

Respectfully submitted,

Barbara A. Whitmore
Town Clerk