

**REGULAR TOWN BOARD MEETING
MARCH 8, 2010**

Chairman Leair called the meeting to order at 7:00 p.m. Present were Supervisors Reid, Morris, Ross and Schmittinger. Also present were Planner Herrmann and Clerk Whitmore.

**Discussion/action – Awarding of bids –
Roadside Weed Cutting**

The following bids were received and opened on March 4th

Roadside Mowing

	<u>Base Bid/hour</u>
Riehle Outdoor	\$47.00
Northern Exposure	85.00
Genesee Nursery	45.00
Eric Jacobson Trucking	46.75
J & N Lawn Care	45.00
Watertown Evergreen	47.00
Butterfield Trucking	45.45
Watering Systems, Inc.	68.00
Granite Ridge	75.00

Earle stated the town received nine (9) bids and several were very close. Earle figured the rates differently this year, using the width of the mower (what can go on the ground) and divided that by the hourly rate, this brought the top three bids within .20 cents of what we would pay per foot. Those rates were Watertown Evergreen at \$4.48; Jacobsen Grading at \$4.68 and J & N Lawn Care at \$4.69. Based on this rate Earle recommended to the board they award the bid to Watertown Evergreen at \$47.00, discussion. Schmittinger made motion to hire Watertown Evergreen at \$47.00 per hour, Morris seconded. Leair stated this would be the most cost effective for the town. Schmittinger complimented Earle on running the calculations, using the flat rate per foot; the town had never done that before. Motion carried unanimously.

Lots, Fields and Vacant Lots

	<u>Base Bid/hour</u>
Butterfield	\$47.45
Riehle Outdoor	47.00
Grade Tech Pavers	48.50
Genesee Nursery	45.00
Eric Jacobson Grading	50.00
J & N Lawn Care	45.00
Watertown Evergreen	50.00
Watering Systems, Inc.	68.00
Granite Ridge	75.00

Earle recommended to the board they accept the bid from Genesee Nursery who's bid was the same as J & N Lawn Care, however, Genesee Nursery is in the middle of the town, there were only two lots cut last year, that it may not even pay for J & N to come this far to cut two lots at \$45.00 an hour. Ross agreed since the rates were the same to accept the local bidder. Ross made motion to award the lots, fields and vacant lots mowing to Genesee Nursery at \$45.00 per hour, Schmittinger seconded, motion carried unanimously.

Discussion/action – Minutes to be approved – Regular Town Board Meeting of 2-8-10

Schmittinger made motion to approve, Morris seconded, motion carried with Ross abstaining.

Monthly report from Wales-Genesee Fire Chief Greg Jezak

The chief was unable to attend tonight's meeting, Board members were copied with the monthly report.

Discussion/action – Letter from Wales-Genesee Department regarding driveway access

The town has received no new information regarding this item

Discussion/action Purchase of House/Fire Numbers

Leair told the board Wales was going to send out a survey to its residents regarding the house numbers. Schmittinger stated he has been talking to area residents and only one person felt the current house numbers we are using are adequate, everyone else thought this was a good idea. Ross stated in driving through the area most towns do have identifying markers.

Discussion with Mark Lange of Lange Enterprises on how multiple houses on the same private road would be shown. A summary sign would be used in these areas stating the lowest number through the highest number. Lange told the board they would start making the signs as soon as the addresses are verified as the prices are very good right now on the aluminum they use and the galvanized posts are a good price right now also. They would make the signs and then sit on them until fall, with the prices locked in. The signs would be installed by the second week of November. The town would then be invoiced with either a 30 or 60 day net due, there would be no money down.

Discussion of the possibility of sending out a survey to residents with the newsletter going out in April. It was agreed information should be placed in the upcoming news letter and also posted on the web with a picture of the sign and description. The web site could be set up with a click for a yes or no if residents would want the signs. It was also agreed that the final action on the signs will be at the June 14th Board Meeting.

Discussion/action – Acceptance of proposal for Engineering Services (grading & drainage design) at Genesee Sunset Park – Ron Hill

Ron Hill, Chairman of the Park Board was present to recommend the Town Board accept the proposal from Ellena Engineering Consultants, LLC. There were three proposals received –

Ellena Engineering	\$ 9,850.00
CJ Engineering	\$ 12,800.00
Bonestroo	\$ 41,250.00

Hill explained we will write our own contract stating what Ellena is responsible for and will correct problems that arise. They want to be sure the water problems are taken care of before they build a building. Hill felt the contract would be for three or four seasons, discussion.

Ross made motion to approve the proposal of Ellena Engineering for \$9,850.00 for the work at Sunset Park, Morris seconded, motion carried unanimously. The engineer will oversee the entire project from design to planting the grass; they hope to complete the work this year.

Discussion/action – Request for Fireworks Sales License – Heather & Vince Siegel

Herrmann told the board this company has sold fireworks on the Ebert property for the past several years; there were no complaints last year. He recommended approval of the license. Reid made motion to approve the license for Heather & Vince Siegel (American Fireworks)

Discussion Liquor License Establishment – Tina Heinonen
Extend premise outdoors

Discussion of the request from Tina & Jason Heinonen of the Genesee Depot Café to allow for the serving of

liquor on the attached deck of their café. Leair stated the Plan Commission, through the plan of operation, allowed wine and beer to be served at Catherine's Corner with menu items with parameters, there would be a time limit, no music, customers must stay in the designated area with entrance from inside the building, no alcohol could go into the parking lot. Discussion, it was agreed that each establishment would have to request the premise they want licensed. It was agreed that any outside area should be contained that there should be fencing around a delineated area, there was also discussion on the size the outside area could be. Schmittinger liked the condition listed on the statement from Cornerstone that there could be no more drinks served than the number of chairs per table. He also felt that the outside seating should not exceed the number of inside seats.

Outdoor smoking areas

The board was copied with a question/answer sheet from the Wisconsin Town's Association magazine.

Discussion/action – Certified Survey Map, Tom & Lynne Saxe, Highway 18

Herrmann explained the lot being created is basically from the parking lot/volley ball area on the west to the Pick N' Save site, a long narrow lot. DOT approval is needed for access onto U.S.H. 18 from lot 1 and the access location. There are also some technical changes to be made. Ross made motion to approve the certified survey for Saxe's subject to the Planner's recommendations of February 15, 2010, Morris seconded, motion carried unanimously.

Discussion/action – Extension of premise and liquor license conditions for Lilies Place – Catherine Witkowski

Discussion of the request from Cathy Witkowski to change the premise of her liquor license application for Lilies Place to the following areas – The kitchen area, entire dining area, basement, deck and gazebo. Board Members were copied with the list of conditions of approval from the Plan Commission; three items should be included in the Board's approval. 5. Documentation shall be submitted to the Town Planner that the Town of Genesee Town Board has issued a Liquor License for the exact premise of the proposed operation, prior to the sale of any alcoholic beverages. The Town Board shall state if any alcohol is permitted on the deck/gazebo. 6. Documentation shall be submitted to the Town Planner that the Wisconsin Department of Revenue has approved the issuance of a liquor license for Lilies Place with the knowledge that Pal's Ice Cream Shoppe & Grill will be located in the same building without a liquor license. 14. If alcohol is permitted on the deck/gazebo, the deck/gazebo shall only be accessed via the restaurant. No alcohol shall be taken off the deck/gazebo. Absolutely no alcoholic beverages shall be allowed on the patio. There shall be no outside music on the deck/gazebo. The conditions on the back of the license shall be re-worded. Ross made motion to approve the change of premise for Lilies Place to include the kitchen area, entire dining area, basement deck and gazebo, subject to the conditions of plan commission and site plan/plan of operation. Morris seconded, motion carried unanimously.

Discussion/action – Request for Temporary Class "B"/"Class B" Retailers License - Genesee Rebels

Herrmann stated he checked with our insurance agent and was told the Rebels should carry a one million dollar policy with the town listed as an additional insured. Mark Wershay from the Rebels stated they do not make enough from the beer sales to cover that type of coverage. Discussion. Board members felt there was no concern; there have been no problems with this license. Morris made motion to approve the application for the Genesee Rebels for the area immediately surrounding 3 ball diamonds. The entire park is not under this license or reserved for the Rebels sales. 2010 regular season games, rain dates and post season games, also the Gibson Memorial Tournament. Ross seconded, motion carried unanimously.

Discussion/action – Conditional Use requirement for fence - Wolf Paving, Inc.

Herrmann told the Board Wolf Paving, Inc. is modifying their c/u, and according to the county zoning code, section 3.08(7) (S) 3d 2 a., A fence or other suitable barrier shall be erected and maintained around the site or around portions of the site where in the determination of the Town Board such fencing or barrier is necessary for the protection of the public and shall be of a type approved by the Town Board. Areas that are currently fenced shall be identified on the Site Plan. Herrmann stated there has never been a problem, the pit sits back off the road, and Herrmann did not feel a fence would be necessary, discussion. Schmittinger made motion the town does not require a fence, Ross seconded, motion carried unanimously.

Discussion/action – Ordinance to establish Weight Limits for Vehicles on Town of Genesee Roads

It was agreed the weight limits should be based on a flat weight since the town does not have a scale, it was also agreed the fines should be substantial. It was suggested and agreed upon that the first fine be \$250.00 the second would be \$750.00. All roads with weight limits will be clearly posted. Herrmann will put the ordinance in final form for approval at next month's meeting.

Discussion/action – Maintenance of central island plantings of roundabouts on highway 83 & CTH X and highway 83 at highway 59; potential design items

Discussion, Schmittinger made motion the town inform the DOT the Town has no interest in maintaining their round about, Morris seconded, motion carried unanimously.

Discussion/action – Resolution 10-2R To Adopt the Charges and Fee Schedule for the Town of Genesee

Whitmore told the Board there are only two changes on the fee schedule, the planner is now \$84.00 per hour. The Public Site/Park Dedication fees are now \$421.00 for studio or 1 bedroom units, \$563.00 for two bedroom dwellings and \$844.00 for three or more bedroom dwelling unit or single family home, these fees went up 2.7% per the consumer price index. Schmittinger made motion to approve the fee schedule, Ross seconded, motion carried unanimously.

Set date for 2010 Liquor License Hearing

Discussion, the 2010 Liquor License Hearing will be at 6:15 p.m. on Monday, June 14, 2010.

Discussion/action – approval for increased cost to matting at Zimmerman pond

The estimate amount of matting figured by the DNR was short, the town feels about 480 feet more will be needed, and this is 5 rolls of matting material at \$96.00 per roll. Originally the town authorized \$250.00 for the matting; it is now believed to be \$480.00 to \$500.00. Schmittinger made motion to approve up to \$500.00 for the matting at the Zimmerman pond, Ross seconded. Mr. Zimmerman asked the width of the matting, he was told 8 x 12 feet wide. Mr. Zimmerman stated that some areas are 14 feet wide, he wanted the town to know this so they weren't short again, and also wanted to know when this work would be done. Leair stated the start date is up to the DNR, the town will be ready to act when the DNR completes the seeding. Schmittinger amended his motion to reflect the town cost should not exceed \$750.00, Ross seconded, motion carried unanimously

Discussion/action – Operator permits

There were no applications this month.

Discussion/action – 2009 Budget Amendments

Discussion, Ross made motion to approve the 2009 Budget Amendments, Morris seconded. Roll call vote, Leair, aye; Ross, aye; Schmittinger, aye; Morris, aye; Reid, aye, motion carried unanimously.

PLEASE TAKE NOTICE THAT the Town of Genesee Board at a Regular Town Board Meeting of March 8, 2010, amended the 2009 Budget. Said amendments were approved unanimously by a roll call vote.

General Fund	Budget		Proposed
	<u>Current</u>	<u>Amended</u>	<u>Amendment</u>
Expenditures			
General government:			
Clerk	79,678	84,068	4,390
Outside services	68,875	63,922	(4,953)
Insurance	18,150	18,713	<u>563</u>
Net increase in expenditures			<u>-</u>
Net use of general fund surplus			<u>-</u>

Barbara A. Whitmore, WCMC
Town of Genesee Clerk

Reports –

Public Works Supervisor – Tom Earle

Update on snow & ice control contract

Earle and Herrmann are working on the report.

Update on brushing work

There is still quite a bit of snow on the ground, they are hoping the rain this week will take the snow down some so they can get closer to the ground, Watertown Evergreen should be done by the end of the month, depending on the weather. If we receive more snow Earle would give them an extension of time.

Review of possible Street Sweeping bid

Discussion on doing street sweeping, this is mandated per the MS-4 requirements. The town will be discussing with the DNR if we have to do the entire town or if we could do certain roads, or possibly half of the town one year the other half the next, as we have reduced the amount of sand used this last year.

Earle reported he and Mark Mickelson of Yaggy Colby went over Holiday Road today, surprisingly the road is not in bad shape but the drainage is a problem. Alternative roads maybe Point Drive, there is a spot that is failing; Morris Road. Discussion of the possibility of chip sealing some town roads this year.

Chairman – Sharon Leair

Update on legislation affecting Towns

Leair read sections of the Wisconsin Towns Association magazine regarding the Wood v. City of Madison on the State Assembly passage of AB260.

Administrator/Planner – Jeff Herrmann

Update on reallocating the 2009 tax levy between the general fund and debt service fund in the amount of \$8,513.00

Herrmann explained the final billing for the trunked radio was actually budgeted in 2008 and 2009; the auditor reallocated the 2009 levy between the general fund and the debt service fund to clear up the dollars in the debt fund account.

Purchase Agreement between the Wisconsin DOT and Town of Genesee for new cul-de-sac off CTH “X”

This agreement is for purchase of right of way along highway 83; the town will receive \$1,700.00 for the land and \$100.00 for the easement. Herrmann told the board he would have Chairman Leair sign the agreement.

Discussion of town logo – Charlie Ross

Ross will have something from the printer to look at next month.

Treasurer – Carol McCormick

McCormick gave the board copies of the monthly reports

Discussion/action – Bills to be presented

Whitmore asked a check for \$455.00 be added to the list to the Dept. of Natural Resources for the yearly fee for the non-metallic mining permits in the town. Schmittinger made motion to approve the bills as presented and to add the check for \$455.00 to the DNR, and to hold the Butterfield check until Tom & Jeff can review the invoicing, Ross seconded, motion carried unanimously.

Correspondence

Board members were copied with the correspondence; discussion on the article in the Journal Sentinel regarding the City of Waukesha's boundaries for water service from Lake Michigan which included a portion of the town.

Schmittinger made motion to adjourn, Morris seconded, motion carried unanimously. Meeting adjourned at 9:08 p.m.

Respectfully submitted,

Barbara A. Whitmore, WCMC
Town Clerk