

**TOWN OF PARIS
MONTHLY MEETING
DECEMBER 20, 2005**

The December 20th, 2005, monthly meeting of the Paris Town Board was called to order by Chairman Gentz at 7:02 p.m. with all members in attendance. The pledge of allegiance preceded the meeting.

Minutes were read from the November 22nd, 2005, monthly meeting. Virgil noted that he abstained from voting on the Fillmore petition last month because he is a neighbor. He also noted that he contacted Deputy Puidokas informing him that we do not have anyone contracted to pick up dogs. Minutes approved as read.

The treasurer's report had a balance in the general account of \$48,227.51 at the end of November, \$5,991,145.16 in the State Investment Pool and \$4,629,439.38 in the Money Market Account. Report approved as read.

FIRE/RESCUE

Chief Beetschen informed the board that Mid-America Truck, Lakeside International and U. S. Tanker all inspected truck 5511. The unanimous consensus was that the frame has excessive spreading, flattening, and spreading. Mid-America suggested that the truck is unsafe for highway use. Money was set aside in the 2006 budget for a new truck. After much discussion about its safety, leasing or purchasing options, Chairman Gentz asked Ken to work with Chief Beetschen on legal issues, lease questions and specs for a truck.

TABLED PETITION FROM MARGARET FLYNN

This petition was not acted upon at the Plan Commission meeting and it will stay tabled.

**PETITION FOR A VARIANCE FROM THE KENOSHA COUNTY ZONING
ORDINANCE WITH REGARD TO SIGN HEIGHT FROM EPEASE
PROPERTIES LLC**

John Holloway reported to the town board that the plan commission unanimously recommends the approval of the variance as stated due to a hardship of the buildings structural detail and design. The letters will be 4' high instead of 5' high and be internally illuminated. The sign will be on the front of the building and not be above the top of the building. Ashmus made a motion, Monson a second to allow the variance to Epease Properties LLC for a wall sign 43' in height instead of the maximum 20' at the Super Mix batch plant located at 1810 – 120th Avenue on tax parcel #45-4-221-241-0200. The approval is due to the hardship of the building structure and design. Motion passed with all yes votes on a roll call vote.

PETITION FROM EPEASE PROPERTIES LLC FOR AN AMENDMENT TO A CONDITIONAL USE PERMIT

John Holloway reported to the board that the plan commission unanimously recommends this petition from Epease Properties for a diesel fuel storage system as presented subject to: approval of the town fire department, all applicable state codes and regulations be followed, that it be a double wall tank with monitoring equipment; that the tank and related equipment be inspected annually at the expense of Epease Properties with a report to be filed with the town, that a spill containment kit be on site and regularly maintained and the Super Mix drivers be trained to minimize spills during refueling. Monson requested that barriers be around the fuel tanks. Ashmus made a motion, Monson a second to approve the amendment of the conditional use permit for the Super Mix concrete plant be allowed to have an above-ground diesel fuel tank and pump on tax parcel #45-4-221-241-0200, subject to the conditions set out by the Plan Commission. Motion passed on a roll call vote with all yes votes.

UPDATES FROM JOHN HOLLOWAY

John reported that Margaret Flynn's property is currently in violation with 12 cars and one panel van parked on the property. Until she brings the number down to 5 cars and no van, her petition will stay tabled.

John is trying to coordinate a date for the two Land Planners to attend a joint Plan Commission and Town Board meeting. Possible dates are January 18th, February 7th, 8th or 21st. He also received notice of a DOT meeting, in Waukesha, on January 5th at 10:00am to discuss changes to I-94 at Hwy. 158 and 60th Street.

APPROVAL OF RESOLUTION 12-20-05 TO AMEND CODE OF ORDINANCE

Gentz made a motion, Monson a second to approve Resolution 12-20-05 to amend the Code of Ordinance Chapter 2, Section 2-21, for the appointment of a Deputy Clerk-Treasurer. Motion passed with all yes votes.

APPOINTMENT OF DEPUTY CLERK-TREASURER

Terri informed the board that three people inquired about the deputy clerk-treasurer position and a resume was requested from them by December 16th. Only one resume was submitted by prior town treasurer, Rita Arnold. Terri recommended that the town board approve Rita Arnold because of her prior experience and knowledge. Monson made a motion, Gentz a second to confirm the appointment of Rita Arnold as Deputy Clerk-Treasurer as recommended by Clerk-Treasurer, Terri Fonk. Motion passed with all yes votes.

DISCUSSION/HIRING OF ATTORNEY TO WORK WITH TOWN BOARD FOR LANDFILL NEGOTIATIONS

Ashmus informed the other board members that he talked with two other attorneys about the Siting Committee and the town using the same attorney for landfill negotiations and they suggested it was a conflict of interest. The town should have their own attorney to represent their views and communicate those with the attorney for the Siting Committee. He would like to see the town hire Atty. Nancy Wilson to represent the town board.

Gentz would like the board to use Atty. Mike Carlton who was appointed as Attorney for the Siting Committee and does not see there being any conflict of interest. We are working toward the same goal and the town and Siting Committee have always had the same attorney. Carlton is the most qualified and has a wealth of experience in negotiations.

Ashmus stated that the town board's concerns are not being addressed but the Siting Committee continues to move forward.

Monson stated that the concerns of Ashmus make sense. He talked to both Nancy Wilson and Mike Carlton over the phone and Mike didn't have any problem working with another attorney. It makes sense to have Atty. Wilson be a liaison between the town and the Siting Attorney. Atty. John Knuteson stated that the Siting Committee does the negotiating and senses the Supervisor's frustration with Matt Quinn. He urged the supervisor's to let Atty. Carlton know their concerns and he can take them back to the Siting Committee for negotiations. Ashmus does not see a problem spending \$5,000.00 when it comes to a \$55 million contract. Gentz would like to plan a Siting Committee meeting for January 18th and the town board could have a closed meeting prior to that date.

Ashmus made a motion, Monson a second that the town board hires Atty. Nancy Wilson to review the existing contracts and the recent draft contract. A closed meeting will then be scheduled to discuss our concerns to be taken to the Siting Committee. Motion passed with all yes votes.

SUPERVISOR COMMENTS

Ashmus questioned the status of the Junk Car Ordinance regarding the Werr property on 128th Avenue.

Monson noted his disappointment with Payne and Dolan laying gravel on frozen ground on the shoulder of 128th Avenue. He would like to hold up payment until we see what happens there.

UPCOMING MEETINGS

All meetings were mentioned as listed on the agenda, with the addition of a possible Siting Committee meeting on January 18th.

CLOSED SESSION

Monson made a motion, Ashmus a second, to go into closed session, at 9:37pm, pursuant to WI Stats. 19.85(1)(e) regarding negotiations. Motion passed on a roll call vote with all yes votes. Gentz noted he invited Plan Commission Chair John Holloway to be present during the closed session.

OPEN SESSION

On an Ashmus/Gentz motion and second, the board reconvened into open session at 11:10pm. No further business was discussed.

ADJOURNMENT

On a Monson/Ashmus motion and second, the meeting was adjourned at 11:10 p.m. to pay the bills.

Respectfully submitted,

Terri Fonk
Town of Paris
Clerk-Treasurer