

**TOWN OF PARIS
MONTHLY MEETING
SEPTEMBER 27, 2005**

The September 27th, 2005, monthly meeting of the Paris Town Board was called to order by Chairman Virgil Gentz at 7:00 p.m. with all members in attendance. The pledge of allegiance preceded the meeting.

Minutes were read from the August 23rd, 2005, monthly meeting and were approved as read.

The treasurer's report had a balance in the general account of \$240.07 at the end of August, \$5,490,159.46 in the State Investment Pool and \$3,914,041.59 in the Money Market Account. Report approved as read.

CITIZEN'S COMMENTS

Connie Bevy, 3900 – 200th Avenue, read a letter to the board informing them of her and Ken's concerns of upcoming negotiations with Waste Management. They are displeased with the town having used Dr. Singh to do a water study and the feasibility report is not yet complete.

Judy Sommers, 4002 – 200th Avenue, questioned whether notices of the landfill meeting were sent to all 36 people on the list from Waste Management. She feels notices should be sent to every resident of the town.

FIRE/RESCUE

Fire Chief Bill Beetschen informed the board of the quote he received from R/C Electronics for broadband wireless internet service and Direct TV. He received two other quotes that were more expensive. The board would like to see some other comparable quotes. Chief Beetschen noted that Fire Prevention Week is coming up in October and on Saturday, October 8th, the Public Safety Fair will be at the Factory Outlet Mall. He also noted that truck 5512 has been reconfigured by U. S. Tanker and that expense was budgeted for.

RELEASE OF AGENT

The board received a letter from Craig Hartung informing the board of his intentions to sell Whispering Oaks and give up his current liquor license. Ashmus made a motion, Gentz a second to acknowledge Craig Hartung's request to be released as agent of Whispering Oaks. Motion passed with all yes votes.

ACTION ON LIQUOR LICENSE APPLICATION

Monson made a motion, Ashmus a second to approve a Combination Class “B” Liquor License for Richard A. & Vanessa M. Bailey, Agents dba Whispering Oaks. Motion passed on a roll call vote with all yes votes.

APPROVAL OF BERM FOR JEFF BADTKE

The town ordinance states that a berm permit is needed when a berm is more than 18” high. Frank Christensen stated the berm is nice, but it does need board approval. Monson made a motion, Ashmus a second, to approve a berm permit for Jeff Badtke. Motion passed with all yes votes.

PETITION FROM RICHARD and LAURA GRABOT

John Holloway reported to the board that Grabot’s are requesting a variance to allow an accessory building in the street yard due to a self imposed hardship from building his home. The Plan Commission unanimously approved the variance with some stipulations. Ashmus made a motion, Gentz a second to approve the variance to the Kenosha County Zoning Ordinance for tax parcel #45-4-221-311-0150, with the following stipulations: The home site is secluded and the improvements are not visible from the road, owner stipulates that the accessory building will be a framed building, moving the building site to the side or rear yard would mean removal of major trees, the outbuilding would be approximately 100’ from the house and prior to construction, the owner shall stake out the building site, which will be subject to inspection and approval of Frank Christensen. This variance will allow for an accessory building in the street yard at 4872 – 200th Avenue. Motion passed with all yes votes.

PETITION FROM ALVIN WILKS

John informed the Board that the Plan Commission unanimously approved this petition based on the proposed lot size being appropriate with neighboring properties. Monson made a motion, Ashmus a second, to approve the petition for rezoning a portion of Tax Parcel #45-4-221-341-0111 from C-2 (upland conservancy) to R-2 (residential) noting that the house on the property has a historical connection with the Wightman property and this split would preserve the uniqueness of the property in the area. The split would be 300’ x 200’ and include the existing single-family home located at 4700 – 152nd Avenue. Motion passed with all yes votes.

PETITION FROM JANE FILLMORE TRUST

John noted that Richard and Alice Daly, who were present at the meeting, don’t have any drainage problems or concerns with this particular split. It passed unanimously with the plan commission with no stipulations. No deed restriction would be needed because the remaining acreage on the property is more than 35 acres. Ken noted he has concerns about water and drainage. Ashmus made a motion, Gentz a second, to approve rezoning 11.38 acres of tax parcel #45-4-221-281-0400 from A-1 to A-2. The parcel to be created would have 507 feet of frontage on 169th Avenue, a depth of 978 feet and be split from the north end of the current parcel. Motion passed with all yes votes.

PLAN COMMISSION’S REQUEST FOR TOWN BOARD DIRECTION

John informed the board that Clyde and Jane Fillmore would like to have three land divisions allowing for residential development. Two of them would be sold and the other retained by the Fillmore’s. The plan commission would like the board’s direction on a possible creation of a Developer’s Agreement for the proposed land division and for similar requests in the future. Monson suggested this wait until after we move forward with Smart Growth and an updated land

use plan. He also commented that the land owner would be responsible for all costs of a developer's agreement. Ashmus commented on this being a unique situation and would be in favor of the Fillmore's working with Plan Commission on a Developer's Agreement at their expense. Smart Growth will be in effect in 2010 and that would be unfair to make the Fillmore's wait that long. Chairman Gentz commented on the need to update our land use plan in regards to what farmer's can do with their land and Smart Growth is far away. He would be in favor of looking into a Developer's Agreement for those three parcels which would be written by our town attorney with input from the Fillmore's, Plan Commission and the Town Board. John suggested the Plan Commission put together some proposed ideas in respect to sizes of divisions, etc. Gentz made a motion, Ashmus a second, to refer this discussion back to the Plan Commission for recommendation of a Developer's Agreement for land splits on tax parcel #45-4-221-281-0400 owned by the Jane Fillmore Trust. Motion passed with all yes votes.

DONATION FOR PSO HALLOWEEN PARTY

Gentz made a motion, Monson a second, to approve a \$200.00 donation to the Paris School Organization to help defray costs with their annual Halloween Party. Motion passed with all yes votes.

APPROVAL OF OPERATOR'S LICENSE

On a Monson/Ashmus motion and second, a one year Operator's License was approved for Earl Zahn. Motion passed with all yes votes. Monson made a motion, Ashmus a second, to approve a two year Operator's License for Diane Frump. Motion passed with all yes votes. Both applicants completed the responsible beverage course and had a satisfactory record check.

APPROVAL OF BID PROPOSAL FOR 128TH AVENUE

Monson questioned whether it was too late in the year to do this work. When 169th Avenue was ground up and relayed, the road was too high and he does not want to do that again. Ashmus made a motion, Gentz a second to move forward with the bid proposal for 128th Avenue. Motion passed with two yes votes and Monson voting no.

ACTION ON HIRING NEW TOWN ATTORNEY

Current town Atty. Matt Quinn will be retiring effective Nov. 1st, but he will continue working with the Landfill Siting Committee during the negotiations with Waste Management. Board members called neighboring municipalities to find out who they use and how they decided on their attorney. Virgil would like to see us stay with Knutson, Powers & Quinn and work with John Knutson, who specializes in municipal law. Matt would be able to continue working out of their office as needed for landfill issues. Gentz made a motion to approve the firm Knutson, Powers & Quinn, primarily John Knutson, until the 1st of April, 2006, and review the relationship at that time. With no second, motion failed. Monson made a motion to retain John Knutson, as interim town attorney, on a month to month basis until the board decides which direction to take. Ashmus made the second. Motion passed with all yes votes on a roll call vote.

UPDATES FROM JOHN HOLLOWAY

John noted that Verizon withdrew their prior petition. Kenosha Beef has had some odor problems with their lagoon. He has met with Dennis Vignieri and they will consult with someone from UW-Madison to locate the exact reason for the odor.

SUPERVISOR COMMENTS

Ashmus noted his concern of traffic and safety issues at 169th Avenue and 38th Street. He suggested the use of factory type mirrors in order to see oncoming traffic better. Gentz suggested he talk with Gary Sipsma of the Highway Department.

Monson thanked Frank Christensen for the good job on the Memorial Garden project. He commented on the need to protect the walkway from the snowplow during the plowing season. Ken also questioned the brush on 128th Avenue that needs to be cut prior to the road going down. Gentz noted that he contacted Bob Epping regarding cement blocks to protect the Memorial Garden from snowplows. He also feels the need for an architect to correct the problems with the safety building. He also suggested looking into converting our holding tank into a mound system since the laws have softened recently. He met with Allan Kehl about the problem on Hwy. D and this situation will be discussed at the Parks and Building Committee meeting on Oct. 3rd at 6:30pm.

ANY OTHER BUSINESS ALLOWED BY LAW

Mike Christensen informed the board that the Memorial Committee met and discussed a date of November 12th for the Dedication of the Memorial.

UPCOMING MEETINGS

All meetings were mentioned as listed on the agenda with the addition of the Siting Committee meeting tomorrow night at 6:00pm.

ADJOURNMENT

On a Monson/Gentz motion and second, the meeting was adjourned at 10:35 p.m. to pay the bills.

Respectfully submitted,

Terri Fonk
Clerk-Treasurer
Town of Paris