

**PROCEEDINGS OF THE TOWN OF VERNON BOARD OF SUPERVISORS**

Thursday, June 2, 2005

**7:00 PM**

Vernon Town Hall Meeting Room  
W249 S8910 Center Drive

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1. CALL TO ORDER. Chairman Al Kunert called the meeting to order.
2. PLEDGE TO FLAG. Town Board recited the Pledge of Allegiance.
3. MOMENT OF SILENCE. Town Board had a moment of silence.
4. ROLL CALL. Supervisors Paff, Mueller, Tylinski, Fieber, Chairman Kunert, Clerk Gresch and Department of Public Works Director Salentine.
5. OPEN MEETING LAW COMPLIANCE CHECK. Chairman Kunert asked the Clerk if the agenda was properly noticed. Clerk Gresch stated yes.
6. MOTION TO OPEN MEETING TO PUBLIC COMMENTS (Please be advised per Wisconsin Act 123, the Town Board will receive information from the public for a three minute time period, with time extensions per the Chairperson's discretion, per person; be further advised that after the public comments are completed, the Town Board Supervisors may have limited discussion on the information received, however, no action will be taken under public comments.)

**MOTION Supervisor Paff moved to open the meeting to public comments, seconded by Supervisor Mueller, carried by voice vote.**

**Gary Wilde, Millbrook Circle**, stated he is here this evening for item #7d, to be appointed to the Big Bend/Vernon Fire Commission. He stated he has been a resident for 29 years, active in the recreation department coaching, was a member of the Fire department, retiring as a Captain. He stated he was also on the Town Board for eight years. He stated he and Mrs. Shea have knowledge of the Fire Department. He stated he knows Fire Commission Chairman John Maney and knows he will work well with him. Chairman Kunert stated because of those qualifications, that is why Mr. Wilde and Mrs. Shea are being appointed.

7. MISCELLANEOUS MATTERS. The following matters will be discussed and possible action taken by the Town Board:
  - a. Removal of Walt Pladies from the Big Bend Vernon Fire Board.

**MOTION Supervisor Fieber moved to approve the removal of Walt Pladies from the Big Bend Vernon Fire Board, seconded by Supervisor Tylinski, carried by voice vote.**

- b. Appointment of Carol Shea to the Big Bend Vernon Fire Board.

Chairman Kunert stated Mrs. Shea is present and was a Town Board Supervisor for five years, runs a business and has been very involved in the Town of Vernon. Mrs. Shea stated she has lived in the Town of Vernon for 31 years and is very active in the Town of Vernon. She stated she was active on the Town Board when the Fire Board and Fire Commission were created. She stated she appreciates the Town Board's support and would like to hear about any problems if there are any.

**MOTION Supervisor Paff moved to approve the appointment of Carol Shea to the Big Bend Vernon Fire Board, seconded by Supervisor Fieber, carried by voice vote.**

- c. Removal of Jeff Seefeld from the Big Bend Vernon Fire Commission.

Chairman Kunert stated we received a letter of resignation from Mr. Seefeld about two months ago.

**MOTION Supervisor Fieber moved to approve the removal of Jeff Seefeld from the Big Bend Vernon Fire Commission, seconded by Supervisor Tylinski, carried by voice vote.**

- d. Appointment of Gary Wilde to the Big Bend Vernon Fire Commission.

**MOTION** Supervisor Paff moved to approve the appointment of Gary Wilde to the Big Bend Vernon Fire Commission, seconded by Supervisor Fieber, carried by voice vote.

Chairman Kunert stated Fire Commission Chairman John Maney submitted a statement to be read into the record. Chairman Kunert stated Mr. Jeff Seefeld's term as a Fire Commissioner expired on May 31, 2005. Jeff has indicated to me that he will not seek another term with the Big Bend Vernon Fire Commission. On behalf of the Big Bend Vernon Fire Commission members, I thank Commissioner Jeff Seefeld for his five years of service on the Big Bend Vernon Fire Commission. During his five year term, he has attended just about every meeting that we have had. He was always available to sit in on interviews for any new recruits that came into the department. I think both the Town of Vernon and Village of Big Bend should acknowledge Jeff's hard work and determination that he has shown thru his term on the Commission. I know we will all miss Jeff. Supervisor Paff asked if the new committee members will be taking an oath of office. Chairman Kunert stated the Fire Board should do their own oaths of office.

- e. Class A Beer, Liquor and Cigarette license for the 2005-2006 licensing year for Kenneth Cerny d/b/a Cerny's Midway Market.

**MOTION** Supervisor Paff moved to approve the Class A Beer, Liquor and Cigarette license for the 2005-2006 licensing year for Kenneth Cerny d/b/a Cerny's Midway Market, seconded by Supervisor Fieber, carried by voice vote.

- f. Class B Beer, Liquor and Cigarette licenses for the 2005-2006 licensing year for:
- i. Frederick L Millies d/b/a Edgewood Golf Course, Inc.
  - ii. Kim Hallenbeck d/b/a It Ain't Heaven
  - iii. William Patch d/b/a MorningStar Golfer's Club

Clerk Gresch stated she included a memo in the packets about the Fire Department inspections and asked the Town Board to approve the licenses subject to the two conditions stated in her memo. Clerk Gresch stated due to the recent annexation of the Bourdo property, Mill Pond Tavern will be in the Village of Big Bend by July 1, 2005, therefore we do not need to approve a license for Mill Pond Tavern.

**MOTION** Supervisor Fieber moved to approve the Class B Beer, Liquor and Cigarette licenses for the 2005-2006 licensing year for Frederick L Millies d/b/a Edgewood Golf Course, Inc., Kim Hallenbeck d/b/a It Ain't Heaven and William Patch d/b/a MorningStar Golfer's Club, subject to the following conditions:

1. All violations be corrected subject to Fire Department inspection and approval by Wednesday, June 29, 2005.
2. The Town Clerk write letters to the establishments with violations indicating that they have until Wednesday, June 29, 2005 to address and correct all violations.

**Seconded by Supervisor Paff, carried by voice vote.**

- g. Class B Beer & Liquor license for the 2005-2006 licensing year for:
- i. Julie Beronja d/b/a Jimmy Wade's Heaven City Restaurant
  - ii. Craig Hein d/b/a Vernon Valley Golf Course.

Clerk Gresch stated because one of the two establishments had violations, we need to approve the two establishments separately.

**MOTION** Supervisor Paff moved to approve the Class B Beer, Liquor License for the

**2005-2006 licensing year for Craig Hein d/b/a Vernon Valley Golf Course, seconded by Supervisor Mueller, carried by voice vote.**

**MOTION** Supervisor Paff moved to approve the Class B Beer, Liquor license for the 2005-2006 licensing year for Julie Beronja d/b/a Jimmy Wade's Heaven City Restaurant, subject to the following conditions:

- 1. All violations be corrected subject to Fire Department inspection and approval by Wednesday, June 29, 2005**
- 2. The Town Clerk write letters to the establishments with violations indicating that they have until Wednesday, June 29, 2005 to address and correct all violations.**

**Seconded by Supervisor Mueller, carried by voice vote.**

- h. Request from Midwest Portraits Company to waive the Peddler's License Application Fees for the Big Bend Vernon Fire Department Fundraiser.

Chairman Kunert stated Midwest Portraits Company is asking that the Town of Vernon waive the Peddler's License Application Fees since the fundraiser is for the Fire Department. Clerk Gresch stated she makes the applicants a photo ID, they will go door to door around town, ask people if they want a photo taken for a donation to the Fire Department. She stated the photo can be a family photo, pets, etc., She stated the Fire Department is doing this fundraiser so they can buy a new piece of equipment. Clerk Gresch stated she cannot remember what piece of equipment they want to buy. She stated the Town Board would have to ask the Fire Chief if they have any questions about the fundraiser. Supervisor Paff asked if someone with be monitoring this. Chairman Kunert stated the Fire Chief will be monitoring this. Supervisor Tyliniski asked if this will be every year. Chairman Kunert stated he is only aware of this one time, because they have other ways of raising money.

**MOTION** Supervisor Fieber moved to approve the request from Midwest Portraits Company to waive the Peddler's License Application Fees for the Big Bend Vernon Fire Department Fundraiser, seconded by Supervisor Mueller, carried by voice vote.

- i. 30-Day Peddlers Licenses for Midwest Portraits Company for the Big Bend Vernon Fire Department Fundraiser for the following people:
- i. Douglas Alexander
  - ii. Daniel Dykstra
  - iii. Jeffery Martin
  - iv. Melissa Johnson
  - v. Brian Visconti

Clerk Gresch stated she sent out a background check to Illinois two weeks ago and has not heard anything back. Chairman Kunert stated the Town Board can approve the Peddler's Licenses subject to a clean background check.

**MOTION** Supervisor Fieber moved to approve the 30-Day Peddlers Licenses for Midwest Portraits Company for the Big Bend Vernon Fire Department Fundraiser for Douglas Alexander, Daniel Dykstra, Jeffery Martin, Melissa Johnson and Brian Visconti, subject to a clean background check, seconded by Supervisor Paff, carried by voice vote.

- j. Recommendation from the Park & Recreation Committee to purchase a new automatic power field liner at a cost not to exceed \$5,000.

Department of Public Works Director Salentine stated they feel an automatic sprayer will be faster and more efficient. He stated he agrees with the committee, and the committee will be using their money. Supervisor Paff asked if we will get rid of the old sprayer. Director Salentine stated we will keep it for a back up, and doesn't want to throw it away, and it does not have any

value. He stated the machine costs about \$2,600 but the committee is looking at buying at attachments for the machine. Director Salentine stated the seasonal workers will be using the machine for the summer.

**MOTION** Supervisor Fieber moved to approve the recommendation from the Park & Recreation Committee and authorize the purchase of a new automatic power field liner at a cost not to exceed \$5,000, which will be paid for from the Park Fund, seconded by Supervisor Mueller, carried by voice vote.

- k. Recommendation from Plan Commission to approve the Final Certified Survey Map for Wayne Borchardt.

**MOTION** Supervisor Fieber moved to approve the recommendation from the Plan Commission to approve the Final Certified Survey Map for Wayne Borchardt, subject to the Planner's and Attorney's conditions, seconded by Supervisor Paff, carried by voice vote.

- l. Recommendation from Plan Commission to approve the rezoning request of Ronald S. Gasser, (CZ-1573), to amend the District Zoning Map of the Waukesha County Zoning Code, from the A-5 Mini Farm District requiring 5 acre minimum lot sizes to the B-2 Local Business District and B-3 General Business District to the Town Board and County Zoning Agency approval, subject to all Planner's and Attorney's conditions.

Chairman Kunert stated because the reason there are two zonings, is because of the two residences on the property. He stated they had to be zoned differently from the portion of the property that has the business on it. Supervisor Tyliniski asked how high the fill to the freeway will be. Chairman Kunert stated as high as the freeway.

**MOTION** Supervisor Paff moved to approve the recommendation from Plan Commission to approve the rezoning request of Ronald S. Gasser, (CZ-1573), to amend the District Zoning Map of the Waukesha County Zoning Code, from the A-5 Mini Farm District requiring 5 acre minimum lot sizes to the B-2 Local Business District and B-3 General Business District, subject to all Planner's and Attorney's conditions, seconded by Supervisor Fieber, carried by voice vote.

- 8. REVIEW OF RECENT CORRESPONDENCE.
  - a. Email from Encourage America.

Chairman Kunert stated this is for the Town Board's reading pleasure.

- b. Letter and maps from RSV Engineering to the Village of Big Bend regarding the Data Review of the Payne & Dolan Proposed Lake Park Development.

Chairman Kunert stated the Village of Big Bend is meeting on this issue tonight.

- c. Letter from the Wisconsin Department of Administration about the legislature's Joint Finance Committee voting to eliminate Smart Growth.

Chairman Kunert stated this is for the Town Board's reading pleasure. Supervisor Paff asked if we have heard anything about this. Chairman Kunert stated it is on the Governor's desk right now.

- d. Village of Mukwonago Plan Commission Minutes.

Chairman Kunert stated the minutes are periodic, and we have asked the Village President and Clerk to send the minutes.

9. **ANNOUNCEMENTS.** The following individuals will be given the opportunity to make announcements at the meeting in regards to activities undertaken since the previous meeting on behalf of the Town, future activities and citizen contacts. It is not contemplated that these matters will be discussed or acted on but referrals to the appropriate committees and/or individuals will be made.

a. Town Board, Department of Public Works Director, Town Clerk, Town Treasurer and Building Inspector.

- Chairman Kunert stated the Special Recycling Day is Saturday, June 11 from 8AM to Noon. He stated the Waukesha County Chairs under Waukesha County Zoning meet again on June 8 to discuss more changes to the Waukesha County Zoning Code.
- Supervisor Fieber thanked the Troops for their service.
- Supervisor Tylinski stated people who have a problem with the Payne & Dolan development, should contact the Village of Big Bend since it is a Village of Big Bend issue. He stated the Town Board has expressed their concerns and hopes that the Village of Big Bend hears the complaints.
- Supervisor Mueller stated he has no announcements. Chairman Kunert stated he has been receiving complaints about loud noise and asks that the Public Health & Safety Committee contact the Sheriff's Department to help resolve the issue.
- Supervisor Paff stated he is happy to see that the Gayle Schmitt issue was approved at the Plan Commission and hopes that Waukesha County approves it as well and doesn't drag their feet. He stated Waukesha County gave her bad and inconsistent advice. He stated that is a very good reason for the Town of Vernon to get out of Waukesha County Zoning.
- Department of Public Works Director Salentine stated Dave Link is working half days after coming back from this shoulder surgery. He stated he is interviewing for the 6<sup>th</sup> highway man. He stated brush chipping is two weeks behind. He stated our seasonal workers started this past Tuesday. He stated there was an accident report in the packets for Walter Chrisman. Supervisor Fieber asked if it was just the windshield. Director Salentine stated yes, only the windshield. Supervisor Tylinski thanked Director Salentine for fixing the child swing and slide in the parks.
- Clerk Gresch stated she has no announcements.

10. **REPORTS.** Information on discussion and action taken at previous meetings, future agenda items and upcoming scheduled meetings.

a. Building Inspection-Monthly Building Inspection Report (if applicable)

- Chairman Kunert stated this will be available at the next meeting. He also stated the Town of Vernon will be going thru a re-val this year.

b. D.P.W. Committee

- Department of Public Works Director Salentine stated the committee meets next on June 20 at 5 PM.

c. Fire Department

- Chairman Kunert stated the Fire Board will elect their President and Vice President at their next meeting on June 20. He stated the elections will be moved to January once the new ordinance is adopted.

d. Ordinance Committee

- Supervisor Fieber stated we are still working on outdoor wood burning furnaces. He stated we have a glitch and are not sure if the furnaces are allowed anywhere in Waukesha County. He stated we will be working on the 911 uniform house numbering ordinance. He stated this will give everyone standardized house numbers. He stated we will be working on specs for the signs such as height, location, etc... Chairman Kunert stated he has been seeing these signs everywhere and blue and white sticks out

very well. Supervisor Fieber stated the committee is working closely with the Public Health & Safety Committee. Supervisor Tylinski asked if the committee has determined who will be installing the signs. Supervisor Mueller stated the companies that sell the signs also install the signs.

- e. Park & Recreation Committee
  - Chairman Kunert stated we will have the Recreation Director at the next Town Board meeting.
- f. Plan Commission
  - Chairman Kunert stated the Plan Commission met May 26 and had four public hearings, discussed rezonings, lot not abutting a public road, two accessory buildings, Final Certified Survey Map, and heard Town Planner reports.
- g. Public Health & Safety
  - Supervisor Mueller stated the committee meets next on June 28. He stated the committee had a full house at their last meeting with complaints about ATVs. He stated there is one track in the Town of Vernon that has parties until 4AM with multiple cars pulling ATVs. He stated there are a couple other tracks around town. He also stated he is going to make sure that the Sheriff's Department is present at the next meeting. He stated the tracks on are private land, but they have jumps. Supervisor Paff asked if there are rules on earth altering. Chairman Kunert stated you can't move more than 22 yards without a permit. Supervisor Mueller stated ATVs will be on the next agenda for discussion. Chairman Kunert suggested that Supervisor Mueller call Waukesha County to see if a permit is needed to create large jumps in the track. He stated Waukesha County should determine if the jumps are a zoning violation. Chairman Kunert stated the Sheriff's department should be called if they are riding past dusk.
- h. SE WI Fox River Commission
  - Chairman Kunert stated the committee meets in July.

11. FINANCES.

- a. Motion to approve Accounts Payable.

**MOTION Supervisor Paff moved to approve the Accounts Payable in the amount of \$31,606.92, seconded by Supervisor Tylinski, carried by voice vote.**

12. MINUTES.

- a. Motion to approve previous minutes.
  - i. May 19, 2005 Town Board

**MOTION Supervisor Paff moved to approve the Town Board minutes as printed, seconded by Supervisor Fieber, carried by voice vote.**

13. MOTION TO OPEN MEETING TO PUBLIC COMMENTS (Please be advised per Wisconsin Act 123, the Town Board will receive information from the public for a three minute time period, with time extensions per the Chairperson's discretion, per person; be further advised that after the public comments are completed, the Town Board Supervisors may have limited discussion on the information received, however, no action will be taken under public comments.)

**MOTION Supervisor Paff moved to open the meeting to public comments, seconded by Supervisor Mueller, carried by voice vote.**

Chairman Kunert stated we open the meeting up to public comments again in case residents have questions after what the Town Board has discussed.

**Carol Shea, National Avenue,** stated she likes the public comments on the agenda and that this wasn't on

the agenda when she was a Supervisor. She strongly urges this Town Board to be involved with what is going on in the Village of Big Bend with regards to the Payne & Dolan project. She stated the business organization in that area is having problems. She stated there is supposed to be a public hearing on this issue, but is not sure when that will be. Supervisors Paff and Tylinski stated they have been to the meetings they had on this issue. Carol Shea stated the next public hearing will be moved to Mukwonago due to the large number of people that are going to attend. She also stated she does not think this development is a good idea.

14. MOTION FOR ADJOURNMENT.

**MOTION** Supervisor Fieber moved to adjourn, seconded by Supervisor Mueller, carried by voice vote.

**Meeting adjourned at 7:50 p.m.**

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Gina C. Gresch, CMC  
Clerk

APPROVED:

As printed ( )

With amendments ( )

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Alan Kunert, Chairperson

Date: \_\_\_\_\_