

MINUTES WILL BE POSTED ON THE WEBSITE AFTER BOARD APPROVAL

TOWN OF BRISTOL
Regular Town Board Minutes
April 13, 2009

The notice for the regular semi-monthly meeting of the Bristol Town Board had been posted at the Municipal Building, Bristol Post Office, Benson's Corners, Woodworth Post Office, and the Town Website on April 10, 2009. The agenda was faxed to Rainbow Manor the Kenosha News, and the Westosha Report on that date.

1. The meeting of the Bristol Town Board was called to order at 7:00 p.m. by Chairman Richard Gossling. In attendance at the meeting were Supervisors Atwood, Fisch, Owens and McCabe, Administrator Randy Kerkman, Clerk/Treasurer Amy Klemko, Chief Peter Parker, Town Attorney Stephanie Czukas and thirty-six constituents.
2. Chairman Gossling led in the pledge of allegiance to the flag. Chairman Richard Gossling, Supervisors Ruth Atwood and Carolyn Owens and Judge Fred Ekornaas were sworn in by Clerk/Treasurer Amy Klemko.
3. Approval of Agenda: A motion was made by Supervisor McCabe and was seconded by Supervisor Fisch to approve the agenda. The motion was carried unanimously.
4. Approval of the minutes of the March 23, 2009 Regular Town Board Meeting. A motion was made by Supervisor Atwood and was seconded by Supervisor Owens to approve the minutes of the March 23, 2009 Regular Town Board Meeting. The motion was carried unanimously.
5. Clerk/Treasurer's Report: A motion was made by Supervisor Fisch and was seconded by Supervisor Atwood to receive and file the treasurer's report written by Clerk/Treasurer Amy Klemko showing \$9,596,844.33 as the cash and investment balance. The motion was carried unanimously.
6. Approval of Bills: A motion was made by Supervisor McCabe and was seconded by Supervisor Owens to approve the bills. The motion was carried unanimously.
7. Citizen's Comments:
Audrery VanSlochteren congratulated Chairman Gossling and Supervisors Atwood and Owens on their re-election to office. (On file)
8. Chairman's Comments: Chairman Gossling thanked everyone for their support in re-electing him as chairman. He also presented the monthly Sheriff's Department report for March 2009. He ended his comments by reading Shirley Davidson's resignation from the Plan Commission and stated that she will be deeply missed. He also stated that alternate Bill Glembocki would step-up as a plan commission member.

9. Supervisor's Comments:

Supervisor Atwood gave heartfelt thanks to the backbone of Bristol for re-electing her to help guide our town as she will do her best. (On file)

Supervisor Fisch congratulated the candidates and thanked everyone for voting.

Supervisor Owens also thanked everyone for coming out to vote and for re-electing her to another term in office.

Supervisor McCabe congratulated the three board members.
10. Administrator's Report: Administrator Kerkman congratulated the re-elected board.
11. Public Works:
 - a. A motion was made by Supervisor McCabe and was seconded by Supervisor Owens to award the 2009 lawn mowing bid to Premier Lawn Care as the lowest bidder at \$665.00/per cutting. The motion was carried with 4 Ayes and 1 Nay (Supervisor Atwood).
12. Public Safety: None.
13. Fire Department:
 - a. The Fire Department's monthly report was presented by Chief Peter Parker.
 - b. A motion was made by Supervisor Atwood and was seconded by Supervisor McCabe to table the presentation of the AED from the Bristol Fireman's Association to the Fire Department for the Bristol Sheriff's Squad because Sheriff's Department personnel were unable to attend. The motion was carried unanimously.
 - c. A motion was made by Supervisor Fisch and was seconded by Supervisor Atwood to award the bid to 5 Alarm Fire & Safety Equipment Company, LLC for \$42,070 to purchase grant fund equipment. The motion was carried unanimously.
 - d. A motion was made by Supervisor McCabe and was seconded by Supervisor Owens to approve the agreement between the Wisconsin DOT and the Town of Bristol Fire Department. The motion was carried unanimously.
14. Planning Commission Recommendations:
 - a. Review and consider for approval the Hollister Hollow Developers, LLC request for the removal of the PUD Planned Unit Development Overlay District Zoning Classification from the Detached Single-Family Lots Portion of the Hollister Hollow Subdivision; and the Hollister Hollow Developers, LLC Proposed "Hollister Hollow Subdivision" Revised Final Subdivision Plat (7 Sheets, dated Revised 1/28/09 as prepared by Michael A. Greeson, RLS), "Hollister Hollow North" Revised Final Condominium Plat (16 Sheets, dated Revised 1/22/09 as prepared by Michael A. Greeson, RLS), and "Hollister Hollow South" Revised Final Condominium Plat (16 Sheets, dated Revised 1/22/09 as prepared by Michael A. Greeson, RLS) Generally located at the SW Corner of the Intersection of STH 50 and USH 45.

A motion was made by Supervisor Atwood and was seconded by Supervisor McCabe to recommend the removal of the PUD Planned Unit Development Overlay District zoning classification from the Hollister Hollow Subdivision single-family dwelling unit area of the subdivision based upon the applicant's inclusion of the Town of Bristol's architectural guidelines within the proposed Hollister Hollow Subdivision protective covenants along with the pre-approved Natural Resource Plan after it is reviewed by the town's attorney. The motion was carried unanimously.

A motion was made by Supervisor Atwood and was seconded by Chairman Gossling that the first phase of construction begin within a three year time frame of the execution of agreement and recording of the Final Plat and that subsequent phases begin in two years and then two year increments after that time. The motion was carried with 4 Ayes and 1 Nay (Supervisor Fisch).

A motion was made by Supervisor Atwood and was seconded by Supervisor McCabe that the conditional approval of the proposed "Hollister Hollow Subdivision" Final Subdivision Plat (7 Sheets, dated revised 1/28/09 as prepared by Michael A. Greeson, RLS) subject to:

- a. All of those documents submitted by the applicant and enumerated earlier in this memorandum and as said documents may be required by the Town of Bristol to be revised and resubmitted and subject to conditions set forth as numbered items 15, 19 through 22, 24, 25, 27, 68, and 71 through 75 of Meehan & Company, Inc.'s memorandum to the Plan Commission dated February 28, 2009;
- b. The Town Attorney addressing and commenting on numbered items 8, 13, 16, 18, 66i, and 72 of Meehan & Company, Inc.'s memorandum to the Plan Commission dated February 28, 2009;
- c. The Town Engineer addressing and commenting on numbered items 6a(1) and 73 of Meehan & Company, Inc.'s memorandum to the Plan Commission dated February 28, 2009 and subject to the approval of all engineering plans by the Town Engineer as applicable.

The motion was carried unanimously.

A motion was made by Supervisor Atwood and was seconded by Supervisor Fisch to recommend the conditional approval of the proposed "Hollister Hollow North" Final Condominium Plat (16 Sheets, dated revised 1/22/09 as prepared by Michael A. Greeson RLS) subject to:

- a. All of those documents submitted by the applicant and enumerated in of Meehan & Company, Inc.'s memorandum to the Plan Commission dated February 28, 2009 and as said documents may be required by the Town of Bristol to be revised and resubmitted and subject to conditions set forth as numbered items 34 through 43, 45, 63, 69, and 71 through 75 of the February 28, 2009 memorandum;

- b. The Town Attorney addressing and commenting on numbered items 30, 32, 35 through 37, 48, and 72 of Meehan & Company, Inc.'s memorandum to the Plan Commission dated February 28, 2009;
- c. The Town Engineer addressing and commenting on numbered item 73 of Meehan & Company, Inc.'s memorandum to the Plan Commission dated February 28, 2009 and subject to the approval of all engineering plans by the Town Engineer as applicable.

The motion was carried unanimously.

A motion was made by Supervisor Atwood and was seconded by Supervisor McCabe to recommend to the Town Board the conditional approval of the proposed "Hollister Hollow South" Final Condominium Plat (2 Sheets, dated revised 1/22/09 as prepared by Michael A. Greeson, RLS) subject to:

- a. All of those documents submitted by the applicant and enumerated in Meehan & Company, Inc.'s memorandum to the Plan Commission dated February 28, 2009 and as said documents may be required by the Town of Bristol to be revised and resubmitted and subject to conditions set forth as numbered items 34, 38 through 43, 45, 53, 63, 70, and 71 through 75 of the February 28, 2009 memorandum;
- b. The Town Attorney addressing and commenting on numbered items 32, 35, 36, 37, and 72 of Meehan & Company, Inc.'s memorandum to the Plan Commission dated February 28, 2009;
- c. The Town Engineer addressing and commenting on numbered item 73 of Meehan & Company, Inc.'s memorandum to the Plan Commission dated February 28, 2009; and subject to the approval of all engineering plans by the Town Engineer as applicable.

The motion was carried unanimously.

- b. Consider for approval the request of Jaimie and Julie Sokolski 21801 107th Street, Bristol, WI 53104 (Owners) requesting a Variance to build a new single-family residence with an attached garage on parcel #35-4-121-171-0130. This property is part of the NE ¼ of NE ¼ SEC 17 T1 R21, Town of Bristol, Kenosha County, Wisconsin. For informational purposes this property is located at 8656 184th Avenue and is on the West side of Highway D between Highway C and 83rd Street.

A motion was made by Supervisor Atwood and was seconded by Supervisor Fisch to approve the variance because the frontage is not 300', the barn is already there and the buildings have to be set back because of this. Also with the proposed homesite being on higher ground it will not interfere with the flow of water through the property.

The motion was carried unanimously.

- c. Consider for recommendation the approval of the Draft of Chapter XIV “Intergovernmental Cooperation Element” (dated 3/10/09) of SEWRPC Community Assistance Planning Report No. 299, A Multi-Jurisdictional Comprehensive Plan for Kenosha County: 2035.

A motion was made by Supervisor Atwood and was seconded by Supervisor McCabe to recommend that certain modifications be made to the referenced draft Chapter before it is finalized and adopted as outlined in the memorandum of Meehan & Company, Inc. dated March 16, 2009 (on file). The motion was carried unanimously.

15. Unfinished Business: None.

16. New Business:

- a. A motion was made by Supervisor McCabe and was seconded by Supervisor Fisch to approve the following **Class “B” Beer/ Class “B” Liquor Combination License** for Grizzly – SIN Saloon Inc., Cynthia Winburn, Agent on tax parcel #35-4-121-333-0410, located at 12711 Bristol Rd., Kenosha, WI 53142. With no objections from the audience the motion was carried unanimously.
- b. A motion was made by Supervisor Fisch and was seconded by Supervisor Atwood to approve RESOLUTION NO: 6-2009: TO ADOPT THE TOWN OF BRISTOL/TOWN OF BRIGHTON COOPERATIVE PLAN UNDER SECTION 66.0307, WISCONSIN STATUTES AND TO AUTHORIZE TRANSMITTAL OF THE COOPERATIVE OF PLAN TO THE STATE OF WISCONSIN DEPARTMENT OF ADMINISTRATION. On a roll call vote of 5 Ayes and 0 Nays the motion was carried unanimously.
- c. A motion was made by Supervisor McCabe and was seconded by Supervisor Owens to approve RESOLUTION NO: 7-2009: TO ADOPT THE TOWN OF BRISTOL/TOWN OF PARIS COOPERATIVE PLAN UNDER SECTION 66.0307, WISCONSIN STATUTES AND TO AUTHORIZE TRANSMITTAL OF THE COOPERATIVE OF PLAN TO THE STATE OF WISCONSIN DEPARTMENT OF ADMINISTRATION. On a roll call vote of 5 Ayes and 0 Nays the motion was carried unanimously.
- d. A motion was made by Supervisor Atwood and was seconded by Supervisor Fisch to approve RESOLUTION NO: 8-2009: TO ADOPT THE TOWN OF BRISTOL/TOWN OF SALEM COOPERATIVE PLAN UNDER SECTION 66.0307, WISCONSIN STATUTES AND TO AUTHORIZE TRANSMITTAL OF THE COOPERATIVE OF PLAN TO THE STATE OF WISCONSIN DEPARTMENT OF ADMINISTRATION. On a roll call vote of 5 Ayes and 0 Nays the motion was carried unanimously.
- e. A motion was made by Supervisor Fisch and was seconded by Supervisor Atwood to approve RESOLUTION NO. 9-2009: RESOLUTION OPPOSING PROPOSED CHANGES TO PREVAILING WAGE LAW. On a roll call vote of 5 Ayes and 0 Nays the motion was carried unanimously.
- f. A motion was made by Supervisor Fisch and was seconded by Supervisor

McCabe to approve the Jurisdictional Transfer Agreement between the Wisconsin DOT and the Town of Bristol. The motion was carried unanimously.

- g. A motion was made by Supervisor Owens and was seconded by Supervisor McCabe to accept the proposal from Strand Associates not to exceed \$10,500 to update the fee schedule associated with new connections in sanitary sewer and drinking water systems, this will also include Water Facility Needs Assessment which is required by Wisconsin State Statutes 66.0617 prior to inacting the impact fee (this will be paid by UD1, UD3, UD4 and the water utility) for all new construction. The motion was carried unanimously.
- h. A motion was made by Supervisor McCabe and was seconded by Supervisor Owens to approve RESOLUTION NO. 10-2009 TO OPPOSE INCREASE IN TIPPING FEES FOR LAND FILLS. On a roll call vote of 5 Ayes and 0 Nays the motion was carried unanimously.
- i. A motion was made by Supervisor Atwood and was seconded by Supervisor Fisch to approve the hiring of Tom Wachholder to fill the public works position. The motion was carried unanimously.

17. Communications and Announcements:

The Town Annual Meeting is April 14, 2009 at 7:00 p.m.

18. Adjournment: A motion was made by Supervisor Atwood and was seconded by Supervisor Owens to adjourn the meeting at 9:00 p.m. The motion was carried unanimously.

Respectfully submitted,

Amy E. Klemko, Clerk/Treasurer WCMC