

# MINUTES OF THE TOWN OF WASHINGTON BIMONTHLY TOWN BOARD MEETING

May 21, 2009

Members Present: Micheal Peterson, Charles Bauer, Donald Perry, Karen Tomesh, and Michael Stacy

Staff Present: Janelle Henning, Diane Krinkie

Members/Staff Absent:

A quorum being present Chrm. Peterson called to order the Bi-monthly Town Board meeting of the Washington Town Board at 7:00 p.m., on Thursday, May 21, 2009, at the Town Municipal Building, 5750 Old Town Hall Road.

## PLEDGE OF ALLEGIANCE

### Minutes:

Supv. Stacy moved TO APPROVE THE MINUTES OF THE MAY 7, 2009 BIMONTHLY TOWN BOARD MEETING. The motion was seconded by Supv. Perry.

Aye: 5, Nay 0

### Public Hearing:

Chrm. Peterson opened the public hearing for a Conditional Use Permit for Luck Trust of 2003 and Charles Cedarblade to operate two commercial operations on a single property to sell fireworks and to operate a contractors business from the property located at 5340 Friedeck Road.

Todd Andrews from Eau Claire County Planning and Development presented an overview of the analysis and staff recommendations from the Eau Claire County Planning & Development Department. The staff conclusions and recommendation concludes that the proposed Planned Unit Development for a contractors business and a temporary fireworks business meets all of the standards for approval of conditional use permits, and is consistent with the purpose of the zoning ordinance. Staff recommends approval of the conditional use permit for a Planned Unit Development. If the fireworks business does not operate at this location in any subsequent year, the conditional use permit shall lapse as provided.

Chrm. Peterson called the public hearing closed for further discussion by the Town Board.

Supv. Perry moved TO APPROVE THE CONDITIONAL USE PERMIT FOR LUCK TRUST OF 2003 AND CHARLES CEDARBLADE TO OPERATE TWO COMMERCIAL OPERATIONS TO SELL FIREWORKS AND TO OPERATE A CONTRACTORS BUSINESS FROM THE PROPERTY LOCATED AT 5340 FRIEDECK ROAD. The motion was seconded by Supv. Tomesh .

Aye 5, Nay 0

### Sustainability Presentation:

Meg Marshall, Mary Mickel, and Martha Munger from the Clear Water Eau Claire Sustainability Task Force presented a Sustainability presentation to the Town Board. Meg introduced the book Natural Step which is the framework to help communities of all sizes consider and modify the way they carry out their activities, in an effort to be more sustainable. Rick Beckler from Sacred Heart Hospital presented the steps Sacred Heart Hospital has taken related to sustainability.

**Administrators Report:**

Grinding of road surfaces for road reconstruction is complete. South Lowes Creek Road was resurfaced today.

The cemetery and grounds have been groomed and flags are in place for the Memorial Day weekend.

Admr. Henning received 3 complaints from residents in regard to the removal of street lights on Highway D.

A complaint was received related to an agricultural fence not being maintained by adjoining landowners. The complainant would like the Town to arrange a meeting between all residents. Admr. Henning will contact the complainant and involved residents to organize the meeting for discussion and resolution of the issue.

Police duties have been limited to responding to complaints in relation to ordinance violations and parking enforcement. The Town is no longer responding to emergency calls unless the request is made to the Administrator for traffic control. Staffing of police functions include parking enforcement by Brian Stabenow and court officer and ordinance violations by Mike Peterson.

No parking tickets have been issued. There was another ordinance violation related to cows and bulls at large. Chrm. Peterson issued a citation for public nuisance to Mr. Schumacher.

**Budget Amendment Approval - \$975.00 / Burning Barrel Inspection:**

Supv. Stacy moved APPROVAL OF THE 2009 BUDGET AMENDMENT APPROVAL OF \$975.00 FROM PUBLIC SAFETY OPERATING SUPPLIES (5885) TO TOWNSHIP FIRE DEPARTMENT, INC. (5902) FOR BURNING BARREL INSPECTION. The motion was seconded by Supv. Tomesh.

Aye 5, Nye 0

A roll call vote was taken with the following results: Supv. Stacy: yes Supv. Tomesh: yes Supv. Bauer: yes Supv. Perry: yes Chairman Peterson: yes

**State Investments Funds Transfer - \$1,814.00:**

Supv. Perry moved APPROVAL OF THE STATE INVESTMENTS FUNDS TRANSFER OF \$1,814.00 FROM RESERVE FUND # 3, ROADS TO # 6987, STREET OUTLAY. The motion was seconded by Supv. Tomesh .

Aye 5, Nye 0

**Clerk/Treasurer's:**

Admr. Henning reviewed the Town of Washington Financial Statement as of April 30, 2009.

**Checks:**

Supv. Perry moved TO APPROVE CHECKS #19231 THROUGH #19271 TOTALING \$26,842.09. The motion was seconded by Supv. Stacy.

Aye 5, Nye 0

**Licenses:**

None.

**Chairman's Report:**

Chrm. Peterson and Admr. Henning met with AICP Planner John Stockham at the Town of Washington. At 5:00 p.m. Chrm. Peterson, Admr. Henning, AICP Planner John Stockham, and Attorney John Hibbard met with the other Town Chairman. The Board received copies of

the minutes from the meeting. The next meeting will be held on Tuesday, May 26 at 5:00 p.m. at the Town of Washington.

**Supervisor's Report:**

Supv. Stacy – Suggested having coffee and dessert for Tom Hanson prior to one of the June Board meeting at 6:15 p.m. in appreciation for Mr. Hanson serving on the Town Board. Supv. Stacy will contact Mr. Hanson to determine when he will be available.

Supv. Tomesh – The Plan Commission held an open house this evening for review of the Comprehensive Plan they have been working on for the last several years. During the meeting a resolution was passed recommending adoption of the Comprehensive Plan which was passed by the Town Plan Commission. Supv. Tomesh will sign the resolution as chairperson for the committee; it will also be signed by Clerk Henning. Once signed, the Town it will move forward with notice for public hearing.

No other reports.

**Temporary Use Ordinance 18.30.280:**

Having the ordinance in place would make the approval process for the temporary use permit easier. The charge for the permit would be fifty dollars. The ordinance will be presented by the Committee on Planning and Development to request it be scheduled for public hearing.

In the ordinance there is a list of temporary uses outlined and various temporary uses. A new permit is required for each calendar year the temporary use operates.

If five of the nine townships which have county zoning determine they do not support the ordinance it will not go forward. The permit required would be a Land Use permit and issuance would be handled by the Eau Claire County Planning and Development Department.

If the Town of Washington would like to be notified of Temporary Use Permit/Land Use Permits issued, Eau Claire County would need to receive a request in writing.

Supv. Stacy moved TO APPROVE THE TEMPORARY USE ORDINANCE 18.30.280. The motion was seconded by Supv. Tomesh.

5 Aye, 0 Nye

**Board of Review Membership:**

Supv. Tomesh stated a year ago as a Town Board they went through a process of changing the clerk position from an elected to an appointed position. This transition officially occurred after the April election in the spring of 2009. The Town Board according to State Statues would include the Town Clerk and the Supervisors who are elected. Since the Clerk position is no longer and elected position, as a Board we will need to take action to appoint the Clerk to sit as a member on the Board of Review. In addition, modification to the municipal code that refers to the Board of Review will need to be made.

Code currently states: The Town Administrator and the Town Clerk are members.  
Change to language to read: The Town Administrator and the Town Clerk are residents and appointed by the Town Board.

Chrm. Peterson stated after April elections during the first meeting in May members will be approved to the Board of Review by the Town Board. Supv. Tomesh will work with Admr. Henning on revised language to the Town of Washington Municipal Code.

Supv. Tomesh moved TO APPOINT CHAIRMAN PETERSON, SUPERVISOR STACY, CLERK/TREASURER HENNING TO THE BOARD OF REVIEW. The motion was seconded by Supv. Perry.

Aye 5, Nye 0

**Citizen's Input:**

Mr. Leo Bunderson – asked about a personnel matter for an employee. Chrm. Peterson advised Mr. Bunderson to have the employee contact Attorney Hibbard.

Cliff Spickler, 1500 Birch Hills Drive – stated his defense against revoking his Conditional Use Permit.

Chrm. Peterson stated he was advised by the attorney not to take any stand with this issue.

Todd Andrews from Eau Claire County Planning and Development stated there has been a staff report prepared for the meeting on Tuesday, May 26, 2009 to revoke the Conditional Use Permit issued. The report notes several items that are contrary to Mr. Spickler's defense including constructed facility without obtaining appropriate permits. The staff report does not state the Town should take action on this issue.

**Future Zoning Requests:**

None.

**Items for Next Meeting Agenda:**

Supv. Perry requested the following be added to the June 2 agenda:

- Usage of the Towns meeting room from outside groups and associated fees.

Representation from the Fire Department will be requested.

**Adjournment:**

Supv. Stacy moved TO ADJOURN. The motion was seconded by Supv. Tomesh. The meeting adjourned at 8:35 p.m.

THE BOARD'S NEXT MEETING WILL BE AT 7:00 P.M. ON THURSDAY,  
JUNE 4, 2009, AT THE TOWN MUNICIPAL BUILDING,  
5750 OLD TOWN HALL ROAD.

Diane Krinkie  
Deputy Clerk/Administrative Assistant

Attendance: Laurie and Steve Doose, Debi and Cliff Spickler, Martha Munger, Meg Marshall, Mary Mickel, Charles Cedarblade, Monroe Yule, Rick Beckler, Tom Anderson, John and Susan White, Todd Andrews, Leo and Marlene Bunderson