

**TOWN OF MAY
WASHINGTON COUNTY
OFFICIAL TOWN BOARD MINUTES
December 3, 2009**

The Board of Supervisors of the Town of May met at their regular monthly meeting on Thursday, December 3, 2009, at the May Town Hall. Those present included Bill Voedisch, Board Chairman; John Pazlar, Supervisor; John Adams, Supervisor; Peter Kluegel, Building Inspector; Dave Snyder, Christine Eid, Attorney; Linda Klein, Town Clerk; Cheryl Bennett, Town Treasurer and residents of the Town of May. Absent: Diane Hankee, Town Engineer. Chairman Voedisch called the board meeting to order at 7:00 pm.

Voedisch moved, seconded by Pazlar, to approve the minutes of the November 5, 2009, Town Board meeting as presented. All approved.

Pazlar moved, seconded by Voedisch, to approve checks #15786 through 15824, including EFT transfer 1209 to IRS. All approved. Pazlar moved, seconded by Voedisch, to approve the Treasurer's report as presented. The report is attached to these minutes and serves as the official record. All approved. Voedisch moved, seconded by Pazlar, to authorize the treasurer to pay December bills before the close of the year, but prior to the next board meeting. Voedisch executed the pay document for the paving work on 127th Street.

The board discussed the disposition of escrows at the end of the year. They agreed to write off the Berglund mobile home escrow from many years past, to ask Attorney Snyder to send a letter to Brad Smith asking for payment of his remaining escrow, and to remove Kelley Farm escrow billings from the listing.

Planning Commission

Public Hearing

Withdraw Ballroom CUP Amendment

Paul Bergmann

Paul Bergmann has submitted an application for an amendment to the Withdraw Ballroom conditional use permit in order to add supplemental commercial uses and construct new structures on the site. The new commercial uses include: a greenhouse, garden center, limited sale of grocery staple goods, farmers' market, agri-entertainment, and outdoor sales of small sheds and gazebos, along with continued use of the ballroom for events, weddings, and dances. The request requires an amendment to the Zoning Ordinance text in order to add additional uses to the list of conditional uses in the General Business/Commercial District before an amendment to the CUP can be issued.

The site is located at 12169 Keystone Avenue North, at the intersection of Keystone Avenue/County Road 68 and County Road 7, in the southwest corner of the Town. The property includes three parcels, totaling 11 acres, is zoned General Business/Commercial, and has been operating under a Conditional Use Permit, last amended in 2006. The

Withrow Ballroom & Event Center is a ballroom and banquet facility established in 1928. The ballroom currently hosts events including wedding receptions, private parties, live bands, and dances.

In 2008, the Town approved an amendment to the Withrow CUP, allowing a conservatory addition to the ballroom and additional commercial buildings and activities on the site (greenhouse, garden center, agri-entertainment, outdoor sales, a café, wine tasting and sales, sale of limited grocery goods, and a farmers' market). The project never came to fruition. Paul Bergmann is purchasing the three parcels from the current property owners and is seeking approval to expand the uses on the ballroom site once again, but in a scaled-back version.

Mark Dupre, acting Planning Commission Chairman, provided a summary of the commission's deliberations and conclusions regarding this application. In summary, the commission recommended approval, with a few modifications to the details as itemized in the planning report.

Chairman Voedisch passed out two resolutions, then referred the board to the latest site diagram. He noted the greenhouse that was approved is 80 x 200, although the site diagram only shows it to be 80 x 100. Bergmann would like the opportunity to expand to 80 x 200, even though he may not start out that large. Voedisch came prepared with one resolution as suggested by the commission, and a separate resolution which differed somewhat from the PC approvals. Two key items were that accessory uses shall be accessory to the operation of a working ballroom, and that Sunday operations would cease at 6 pm rather than 8 pm. Additional changes involved the use of the adjacent land (Zahler land), how the new deck will be used, number of farmers' market days, and a clearer definition of number of signs and location of signs.

Bergmann asked if the resolution could include both food and drink on the deck, and Voedisch agreed to add this. Pazlar stated it is important to stress that the board has previously approved an application similar to this in the past, and this new concept is still acceptable to him. Adams stated that he particularly appreciates the addition of the item stating that all other uses are accessory to the ballroom being the primary use.

Pazlar voiced some concern about the size of the proposed greenhouse (16,000 square feet). He suggested some type of bond be posted making it possible for the Town to remove the greenhouse should it fall into disrepair. The board agreed with this suggestion and incorporated it into the resolution.

Voedisch moved, via the amended Resolution 2009-13A and supporting Findings of Fact, to approve the Conditional Use Permit amendments and proposed text amendments to Town Code and approved in principal of revisions to Comp Plan 2030 for Paul Bergmann, representing the Withrow Ballroom & Garden Center. On a roll call vote: Adams, yes; Pazlar, yes; Voedisch, yes. Motion passes.

Voedisch noted that several topics will need to be noticed for the December 28 Planning

Commission meeting, including: an ordinance to add Bergmann's uses as new conditional uses in the Commercial zone; an ordinance that adds agri-entertainment uses to the RR and Ag zones; and a resolution that modifies the Comp Plan 2030 to include the Bergmann uses at the ballroom site.

Arcola Mills CUP Amendment

This issue was tabled at the Planning Commission and the public hearing was continued. The matter will be covered again at the December 28 Planning Commission meeting.

Roads and Engineering

Diane Hankee, Town Engineer, was not at the meeting, but she had sent the Board a listing of proposed Engineering Projects for the upcoming year. In discussing the Engineer's Report, the board noted that she incorrectly reported that the Square Lake Trail Court repaving project would be done in 2011 rather than 2010.

Old Business

201 Sewer Contract

Supervisor Adams brought forward the proposed new 201 Sewer Contract with the County for signature. A new provision in the contract, however, did not seem to be in the Town's favor, and the signature page was missing. The contract was turned over to Attorney Christine Eid for review at the law firm.

Taxing District Ordinance

Christine Eid brought forward the proposed ordinance rescinding the joint (May and Hugo) taxing district. It appeared, however, that it needed unique (non-matching) ordinance numbers for the two municipalities. It also was missing a signature block for Chairman Voedisch. Eid will bring it back with the proposed modifications.

Website Update

Supervisor Adams gave a brief website update. It was decided to add the Town Code if it can be done easily and to make sure the meeting minutes are complete. The goal is to announce the website in the February newsletter.

Old Business

201 Sewer Request

Mr. Gombold wrote to request relief on his 201 sewer bill, given that he was being billed for a year round residence, when he was only living in it seasonally. Voedisch moved, seconded by Pazlar, to give him credit for the difference between year round and seasonal on his 2010 invoice. All approved.

Town Clerk Health Insurance

The clerk proposed that she is able to obtain health insurance through her husband's AT&T retiree program at a substantial cost saving to the Town. The cost saving is due to

a large deductible for the AT&T policy. She asked if the board would be willing to pay the \$208 monthly premium (current policy costs the Town \$549 per month). Voedisch moved, seconded by Pazlar, to approve a monthly outlay of \$208 to AT&T benefits for the clerk's health insurance for 2010. All approved.

Budget/Levy Discussion

The treasurer provided the board with budget numbers from the previous year, and the board discussed road projects. The engineer is recommending no repaving of Square Lake Trail Court and no crack sealing or seal coating in 2010, to begin again in 2011. All Town officials will review the information and come prepared to set a preliminary budget at the January meeting.

The treasurer advised the board that the 2010 unallotment amount of \$11,036 needs to be incorporated into the 2010 budget and into the 2011 budget/levy.

Hearing no further business, Pazlar moved, seconded by Adams, to adjourn. All approved.

ATTEST: _____
Linda Klein
Town Clerk

Respectfully submitted,
William K. Voedisch, Chairman