

MONTHLY MEETING – NOVEMBER 18, 2002

On Monday, November 18, 2002, the Town Board of the Town of Salem held their regular monthly meeting. Chairman Boening called the meeting to order at 7:00 PM. The Pledge of Allegiance was recited. Clerk Seitz took roll call as follows: Present were – Chairman Shirley Boening; Supervisors, Diann Tesar; Dolores Terry; Joseph Meier; and Jake Brockhaus. Also present were: Clerk, Toni Seitz; Deputy Clerk, Linda Terry; Town Treasurer, Chris Lamb; Utility District Administrator, Brad Zautcke; General Highway Foreman, George Vujovic; Emergency Services Director, Mike Slover; Utility District Attorney, John Bjelajac; Land Development Coordinator, Phil Cayo; and Utility District Engineer, Chris Kaempfer.

Minutes from previous meetings of 10/7/02; 10/24/02 and 11/4/02, were **APPROVED ON A TESAR/MEIER MOTION. MOTION CARRIED 5-0.**

Chris Lamb read the Treasurer’s Report as follows:

OCTOBER, 2002 CASH REPORT FOR THE GENERAL ACCOUNT:

October 1, 2002 – Beginning Balance **\$1,226,211.16**

| | | |
|------------------------|---------------------|---------------------|
| RECEIPTS | | \$153,601.35 |
| Transfer from Tax Fund | \$ 3,112.11 Ck#4584 | |
| DISBURSEMENTS | | \$421,721.29 |
| PAYROLL | | <u>\$ 89,868.52</u> |
| TOTAL | | \$511,589.81 |

October 31, 2002 **\$ 871,334.81**

| | |
|----------------------|---------------------|
| State Pool – General | \$661,084.75 |
| General Checking | <u>\$210,250.06</u> |
| Totals | \$871,334.81 |

OCTOBER, 2002 – CASH REPORT FOR THE TAX ACCOUNT:

October 1, 2002 – Beginning Balance **\$ 40,746.34**

| | |
|-----------------------|------------------------|
| RECEIPTS | \$ 22,404.74 |
| DISBURSEMENTS | \$ 19,263.60 |
| Transfer to Gen. Fund | \$ 3,112.11 (ck #4584) |

October 31, 2002 – Ending Balance **\$ 40,775.37**

| | |
|------------------|---------------------|
| State Pool – Tax | \$ 5,466.96 |
| Tax Checking | <u>\$ 35,308.41</u> |

Total \$ 40,775.37

OCTOBER, 2002 – CASH REPORT FOR THE PARK ACCOUNT:

October 1, 2002 – Beginning Balance \$ 812,931.18

RECEIPTS \$ 6,792.55

October 31, 2002 – Ending Balance \$ 819,723.73

| | |
|--------------------|--------------------|
| State Pool – Parks | \$300,801.35 |
| Zone 1 | \$ 81,308.74 |
| Zone 2 | \$ 81,318.36 |
| Zone 3 | \$ 62,058.83 |
| Zone 4 | \$ 42,200.94 |
| Zone 5 | \$193,219.04 |
| Zone 6 | \$ 54,233.42 |
| Zone 9 | <u>\$ 4,583.05</u> |
| Totals | \$819,723.73 |

OCTOBER, 2002 – CASH REPORT FOR THE TRAILS ACCOUNT:

October 1, 2002 – Beginning Balance \$ 104,205.47

RECEIPTS \$ 144.58

October 31, 2002 – Ending Balance \$ 104,350.05

OCTOBER, 2002 – CASH REPORT FOR THE MAINTENANCE ACCOUNT:

October 1, 2002 – Beginning Balance \$ 12,516.31

RECEIPTS \$ 10.64

October 31, 2002 – Ending Balance \$ 12,526.95

The Treasurer’s Report was APPROVED AS READ, ON A MEIER/TERRY MOTION. MOTION CARRIED 5-0.

Supervisor Tesar read the Vouchers as follows:

TOWN:

End of October, 2002 = \$82,972.20
November, 2002 = \$232,062.44

UTILITY DISTRICT:

End of October, 2002 = \$102,749.61
November, 2002 = \$179,137.32

TOWN PAYROLL:

| | | |
|-----|---|-------------|
| #21 | = | \$37,581.21 |
| #22 | = | \$37,743.61 |
| #23 | = | \$43,013.36 |

UTILITY DISTRICT PAYROLL:

| | | |
|-----|---|-------------|
| #21 | = | \$15,706.51 |
| #22 | = | \$13,741.79 |
| #23 | = | \$14,349.27 |

Vouchers were APPROVED ON A TERRY/MEIER. MOTION CARRIED 5-0.

**CITIZEN COMMENTS:
NONE**

**DISCUSSION ONLY WITH WE ENERGIES, GENERAL MANAGER, MIKE RAU,
REGARDING WATER SERVICE:**

At this time, Mr. Mike Rau, from WE Energies spoke at the meeting, regarding supplying water within the Town of Salem.

Chairman Boening made it very clear that the Town is not planning on getting Municipal Water; Mr. Rau is here for informational purposes only.

Mr. Rau stated that the best place to start water service would be in a new subdivision. There have been some issues raised regarding fire protection.

Mrs. Sue Rogers questioned where the water would come from?

Mr. Rau stated that it would come from the sandstone aquifer.

A gentleman from the audience suggested having a questionnaire for residents to fill out regarding such a service.

UTILITY DISTRICT BUSINESS:

**1. CONSIDERATION OF REQUEST BY JAMES A. BECKER, SR., FOR A
SANITARY SEWER EXTENSION ALONG 221ST AVENUE AND 116TH STREET:**

Attorney Bjelejac stated that this is just a conceptual discussion. This project would be small enough to be done on a voluntary special assessment.

Mr. Chris Kaempfer agreed that this would be a small, short, sewer extension that would actually benefit one property, but could service five properties. Thus, the cost of \$56,000.00 would be divided five ways.

Mr. Glen Hill, Mr. Vaughn, and Mr. Jim Cross were opposed to the sewer extension being done.

Mr. Zautcke stated that this project would be cost prohibited.

Also, Mr. Becker has not come to any meetings.

**MOTION TO RECEIVE AND FILE REQUEST, MADE ON A TERRY/MEIER
MOTION. MOTION CARRIED 5-0.**

**2. CONSIDERATION OF REQUEST BY SHAWN RUXTON TO DIVIDE
COMBINED LOTS IN MONTGOMERY LAKE EAST SUBDIVISION AND
CONNECT BOTH TO THE SANITARY SEWER:**

It was stated that this is R-4 zoning; and, as such, it will require 90 feet of road frontage. This will need to be checked into further.

TABLED ON A TERRY/TESAR MOTION. MOTION CARRIED 5-0.

**3. CONSIDERATION OF REPLACING 1986 ASTRO VAN WITH WDNR
REPLACEMENT FUND MONEY:**

Mr. Gary Caputo, from the Utility District, stated that he received bids from the following businesses, for a full-size SUV:

| | |
|-----------------|--------------|
| Lyons-Ryan Ford | \$ 25,461.00 |
| Martin Ford | \$ 31,200.00 |

| | |
|--------------------|--------------|
| Hartnell Chevrolet | \$ 31,550.00 |
| Raymond Chevrolet | \$ 32,351.00 |

Mr. Zautcke stated that the Replacement Fund will be paying for this vehicle.

APPROVE FULL-SIZE SUV FROM LYONS-RYAN FORD, FOR THE SUM OF \$25,461.00, MADE ON A MEIER/BROCKHAUS MOTION. Clerk Seitz polled the Board as follows: Tesar-aye; Brockhaus -aye; Meier-aye; Terry-aye; and Boening-aye. MOTION CARRIED 5-0.

4. CONSIDERATION OF PURCHASING NEW PICK-UP TRUCK FOR THE UTILITY DISTRICT:

Again, Mr. Caputo received the following bids:

| | |
|--------------------|-------------|
| Lyons-Ryan Ford | \$22,736.00 |
| Martin Ford | \$26,500.00 |
| Hartnell Chevrolet | \$26,195.00 |
| Raymond Chevrolet | \$26,100.00 |

APPROVE PURCHASE OF NEW PICK-UP TRUCK, FOR THE SUM OF \$22,736.00 FROM LYONS-RYAN FORD, MADE ON A TERRY/MEIER MOTION. . Clerk Seitz polled the Board as follows: Tesar-aye; Brockhaus -aye; Meier-aye; Terry-aye; and Boening-aye. MOTION CARRIED 5-0.

5. RATIFICATION OF HIRING JODY AWE AS LAB TECHNICIAN FOR THE UTILITY DISTRICT:

APPROVED ON A MEIER/TESAR MOTION. MOTION CARRIED 5-0.

6. CONSIDERATION OF RESOLUTION #02-11-18A, A RESOLUTION WAIVING THE SANITARY SEWER ASSESSMENT FOR PARCEL #65-4-120-164-0190; A PARCEL PURCHASED BY THE TOWN:

APPROVE RESOLUTION #02-11-18A, MADE ON A TESAR/TERRY MOTION. MOTION CARRIED 5-0.

TOWN BUSINESS:

1. COMMITTEE REPORTS:

There will be a park meeting on Wednesday, November 20, 2002, at 7:00 PM, at the Salem Town Hall.

Camp/Center Lake Rehab. District held their meeting. The bids came in for the rip/rap work to be done. The cost is approximately \$1800.00, which the Town will cover.

At this time, Chairman Boening stated that the Town Board is willing to work with the Village of Paddock Lake; however, it is not the intention of the Town Board to allow a Village to take away the Town.

Supervisor Meier gave a report of the happenings from the Emergency Services Committee. This report is attached to these minutes.

2. TOWN BOARD ACTION REGARDING MINUTES FROM THE PLAN COMMISSION MEETING OF 10/30/02:

DISCUSSION AND POSSIBLE ACTION REGARDING SILVER CREEK ORCHARD/SKETCH PLAN REVIEW:

Chairman Boening stated that she is in favor of the Commercial Development, but not the Residential; Supervisors Tesar and Terry felt the same way. She also stated that tomorrow (11/19/02), she and Utility District Administrator, Brad Zautcke were going to be going to

Southeastern Wisconsin Plan Commission's office to petition for sewer along Highway 50, for the purpose of Commercial Development.

Mr. Wienke stated that the developers wished to sell-off parcels of the residential development, to finance the commercial part of the development.

APPROVE PLAN COMMISSION'S RECOMMENDATION TO APPROVE LAND USE PLAN AMENDMENT AS SUBMITTED, WITH THE MODIFICATION TO CARRY THE COMMERCIAL TO THE CREEK AND PUT IN AN ACCESS ROAD ON THE MAP, MADE ON A BROCKHAUS/MEIER MOTION. Clerk Seitz polled the Board as follows: Tesar-naye; Meier-aye; Terry-naye; Brockhaus-aye; and Boening-naye. MOTION DENIED 3-2.

DISCUSSION AND POSSIBLE ACTION REGARDING CERTIFIED SURVEY MAP FOR GEORGE AND DOROTHY WOHLFORD; FOR PROPERTY LOCATED AT THE CORNER OF HIGHWAY "F" AND HIGHWAY "SA":

APPROVE PLAN COMMISSION'S RECOMMENDATION TO APPROVE CERTIFIED SURVEY MAP SUBJECT TO OUTLOT #1 BEING CHANGED TO DEDICATED PUBLIC ROAD RIGHT-OF-WAY, MADE ON A TERRY/MEIER MOTION. MOTION CARRIED 5-0.

DISCUSSION AND POSSIBLE ACTION REGARDING REVIEW FOR U.S. CELLULAR'S PROPOSED ADDITION TO ITS GROUND EQUIPMENT AT EXISTING SITE LOCATED AT THE CORNER OF HIGHWAY "83" AND HIGHWAY "C": (Tabled until further information received – to date, no new information received):

Chairman Houtz stated that the Town received a sketch plan today.

APPROVE PLAN COMMISSION'S RECOMMENDATION TO REQUEST, SUBJECT TO PETITIONER MEETING ALL OF KENOSHA COUNTY'S REQUIREMENTS, MADE ON A MEIER/TERRY MOTION. MOTION CARRIED 5-0.

DISCUSSION AND POSSIBLE ACTION REGARDING SKETCH PLAN REVIEW FOR JAMES & SUE ROGERS/JIM WALTERS; PARCEL #66-4-120-241-0100 AND 66-4-120-134-0100:

Chairman Boening was concerned that this proposed development is not in the sewer service area of the Town. She felt that the applicants did not understand exactly what Kenosha County is looking for.

Mr. Jim Walters and Mr. Lon Wienke, both felt they submitted a sketch plan that was in accordance with what the County was looking for.

APPROVE PLAN COMMISSION'S RECOMMENDATION TO PROCEED WITH A LAND USE PLAN AMENDMENT APPLICATION, MADE ON A TESAR/MEIER MOTION. Clerk Seitz polled the Board as follows: Tesar-aye; Meier-aye; Terry-aye; Brockhaus-aye; and Boening-naye. MOTION CARRIED 4-1.

DISCUSSION AND POSSIBLE ACTION REGARDING LOT LINE ADJUSTMENT AND CERTIFIED SURVEY MAP APPROVAL FOR WILLIAM URCHIK; 23521 – 82ND PLACE:

APPROVE PLAN COMMISSION'S RECOMMENDATION TO APPROVE LOT LINE ADJUSTMENT AND CERTIFIED SURVEY MAP CONTINGENT ON DEDICATING 5.25 FEET ON 84TH STREET AND ALSO, THERE WILL BE NO ACCESS ON 84TH STREET TO PROPOSED LOT #1, MADE ON A TERRY/MEIER MOTION. MOTION CARRIED 5-0.

DISCUSSION AND POSSIBLE ACTION REGARDING CERTIFIED SURVEY MAP APPROVAL FOR DONALD J. KRAHN FOR PROPERTY LOCATED ON 98TH STREET:

APPROVE PLAN COMMISSION'S RECOMMENDATION TO APPROVE CONTINGENT ON THE SURVEYOR ADDING 8.25 FEET OF ROAD RIGHT-OF-WAY ON 98TH STREET, MADE ON A MEIER/TESAR MOTION. MOTION CARRIED 5-0.

3. TOWN BOARD ACTION REGARDING MINUTES FROM THE PARK COMMISSION MEETING OF 10/23/02:

Chairman Boening stated that the Park Commission really took no action at their October 23rd meeting.

Supervisor Tesar would like to make a clarification on the following paragraph that was made a part of the Park Commission Minutes:

“The Park Commission would like it documented that the Commission is NOT recommending to the Town Board, or any other governmental body, that the Town combine Emergency Services, physically. It was brought up last year that we would have liked to combine the municipal fire, rescue and highway buildings in the DISTANT future, IF we were to purchase the proposed Krahn property. That, however, is not going to happen anytime soon, therefore, we need to put the rumors to rest. We are comfortable with the four services set up the way they are.”

Supervisor Tesar would like to stress that by saying the Park Commission is comfortable with the four services set up the way they are; it is meant that the Park Commission is comfortable with the way things are being done now – the services working together.

4. DISCUSSION AND POSSIBLE ACTION REGARDING THE SALE OF THE KENOSHA COUNTY GARAGE:

Chairman Boening has heard from the Town's Attorney, and has been informed that Mr. Miles and Mr. Epping will be purchasing the property jointly in the very near future.

5. DISCUSSION AND ACTION REGARDING AGREEMENT BETWEEN THE TOWN AND CONCEPT COMPUTER TO PROVIDE WEB-SITE MAINTENANCE:

Clerk Seitz stated that the person that does the web-site maintenance should definitely have extensive computer knowledge, and an employee should not be made to do the task. She also recommended that the Board hire Bryan Stevens, due to his availability.

Chairman Boening stated that Mike Marchuk has been working on the computers; however, and it is not really possible to have two people working on the computers.

APPROVE HIRING BRYAN STEVENS TO WORK ON THE TOWN COMPUTERS AND TO PROVIDE WEB-SITE MAINTENANCE, MADE ON A MEIER/TERRY MOTION. MOTION CARRIED 5-0.

6. DISCUSSION AND ACTION REGARDING REFUND ON BUILDING PERMIT FEES (previously tabled):

Mr. Jack Rowland, the Town's Building Inspector, submitted a memo for the Town Board, stating that he felt that the sum of \$350.00 should be retained by the Town - \$100.00 for plan review fee and state seal; and \$250.00 for attorney fees that were incurred.

APPROVE RETURNING ALL BUT \$350.00 OF THE BUILDING PERMIT FEE FOR THE SERPE'S, MADE ON A BROCKHAUS/MEIER MOTION. MOTION CARRIED 5-0.

7. DISCUSSION AND POSSIBLE ACTION REGARDING PURCHASE OF A VEHICLE FOR EMERGENCY SERVICES DIRECTOR:

Mr. Slover received the following bids:

| | |
|--------------------|--------------|
| Lyons-Ryan Ford | \$ 25,679.00 |
| Martin Ford | \$ 26,500.00 |
| Hartnell Chevrolet | \$ 31,550.00 |
| Raymond Chevrolet | \$ 32,351.00 |

APPROVE PURCHASE OF A FULL-SIZE SUV FROM LYONS-RYAN FORD AT A COST OF \$25,679.00, MADE ON A TESAR/MEIER MOTION. MOTION CARRIED 5-0.

**8. DISCUSSION AND POSSIBLE ACTION REGARDING CONTRACT WITH MEEHAN AND COMPANY REGARDING NEEDS ASSESSMENT FOR FIRE PROTECTION AND EMERGENCY MEDICAL FACILITIES:
APPROVED ON A MEIER/TERRY MOTION. MOTION CARRIED 5-0.**

9. DISCUSSION AND POSSIBLE ACTION REGARDING 116TH STREET IN VOLTZ LAKE / G. VUJOVIC:

Mr. Vujovic stated that the Tow should commence action to acquire property to get an easement.

APPROVE TO PROCEED TO AUTHORIZE FOR THE ACQUISITION OF PROPERTY FOR EASEMENT PURPOSES, MADE ON A TERRY/TESAR MOTION. MOTION CARRIED 5-0.

**10. DISCUSSION AND POSSIBLE ACTION REGARDING FORMAL ACCEPTANCE OF 265TH COURT IN VICTORIA OAKS SUBDIVISION/G. VUJOVIC:
APPROVED ON A MEIER/TESAR MOTION. MOTION CARRIED 5-0.**

11. DISCUSSION AND POSSIBLE ACTION REGARDING CHANGE IN ELECTION HOURS:

Clerk Seitz stated that she has had numerous request for the polling hours to be changed from 8:00 am – 8:00 pm to 7:00 am – 8:00 pm. She would like the Board to authorize the Town Attorney to amend the Ordinance regarding Polling Times, to reflect this change.

AUTHORIZE TOWN ATTORNEY TO AMEND THE ORDINANCE TO CHANGE POLLING TIMES, MADE ON A MEIER/TERRY MOTION. MOTION CARRIED 5-0.

**12. BOARD APPROVAL OF RECERTIFICATION CLASS FOR PUBLIC SAFETY OFFICER, RON KURYANOWICZ FOR DECEMBER 17TH – 19TH, OR JANUARY 28TH – 30TH, AT GATEWAY IN KENOSHA:
APPROVED ON A MEIER/TESAR MOTION. MOTION CARRIED 5-0.**

13. DISCUSSION AND POSSIBLE ACTION REGARDING CHANGE OF USE PENALTY:

Town Treasurer, Chris Lamb, has contacted the Town's Attorney regarding people who may become delinquent in paying for their change of use penalty.

He informed her that the Town could either send a bill, or take the persons to small claims court.

AUTHORIZE WHATEVER IS NECESSARY TO COLLECT THE PENALTY AMOUNTS, MADE ON A MEIER/TESAR MOTION. MOTION CARRIED 5-0.

14. BOARD ACTION REGARDING OPERATOR'S LICENSES PENDING CLEAR RECORD CHECKS:

**Kathleen Ultsch
Jennifer Waterman
Bridget Best**

APPROVE OPERATOR LICENSES PENDING CLEAR RECORD CHECKS, MADE ON A TERRY/TESAR MOTION. MOTION CARRIED 5-0.

At 9:10 PM, the meeting was ADJOURNED ON A TERRY/TESAR MOTION. MOTION CARRIED 5-0.

Minutes submitted by: _____ Town Clerk.

Minutes prepared by: _____ Deputy Clerk.