

PUBLIC HEARING & MONTHLY MEETING – FEBRUARY 10, 2003

On Monday, February 10, 2003, the Town Board of the Town of Salem, held a Public Hearing for the purpose of receiving public comment on, and reaction to, a proposed amendment to the sanitary sewer service area for the Town of Salem. This public hearing is being sponsored by the Town of Salem and the Southeastern Wisconsin Regional Planning Commission (SEWRPC). A draft report describing the proposed sanitary sewer service area, including a map of the area, is on file at the offices of the Town Utility District and SEWRPC. The sewer service area amendment will be explained at the Public Hearing.

Chairman Boening opened the Public Hearing at 6:00 pm. She stated that there is a proposal to change the sewer service area – taking some properties out of the sewer service area, and adding some property to the sewer service area.

Chris Kaempfer, the Utility District Engineer, stated that the engineers identified the land that should be in the sewer service area and land that should not be in the area. They made some Land Use changes.

Mr. Bill Stauber, from SEWRPC, was present for the meeting.

He stated that there were three areas that have been added to the proposed sewer service area – one is a 23-acre piece; one is a 27-acre piece; and one is a 36 acre piece. These are all developable lands, proposed to be used as residential.

The affects of the change on the sewer plant would be minimal. There would be only a slight increase in flows.

Supervisor Brockhaus stated that he knew that Mr. Schaetten asked to be taken out of the sewer service area; but what about the others along Highway “B”?

Chairman Boening stated that is what this public hearing is all about.

Mr. Steve Arnold questioned the piece of property on Highway “C” being added to the sewer service. He was under the impression that this particular piece of property was to become light industrial.

If this piece of property is to become sewerred, will it be for mobile home expansion?

Chairman Boening stated that it would be for mobile home expansion; however, it would be for 55-years and older.

Mr. Michael Berkowitz, the owner of Carefree Estates Mobile Home Park, that this expansion would be an adult community only.

Mr. Arnold then asked about the property proposed to be in the sewer area, along “JF”?

Chairman Boening stated that would also become R-3 zoning.

Mr. Tom Steiner asked if someone moving into the adult mobile home park had children move in with them?

Mr. Berkowitz stated that would not happen; however, if it did, those people would be asked to leave the community.

Mr. Steiner asked if the Town gets a monthly fee from the mobile homes?

Mr. Berkowitz said that each mobile home is individually taxed.

Mr. Tom Gorlinski stated changing boundaries is atypical. The Town of Salem is trying to do a balancing act.

He also stated that the Land Use Plan should include a neighborhood plan; and parks; as well as which areas are serviced by sewers and schools. The existing Land Use Plan should be re-looked at.

Mr. Gorlinski would have no problem with changing the sewer service area boundaries; however, at this time, the Board should table this matter in order to allow them to take to look over the map.

Mr. Stauber stated that he received a telephone call from Kenosha County Zoning, and they would like the Board to table this matter.

Supervisor Tesar questioned the Highway "50" sewer extension?

Chairman Boening stated that after meeting with SEWRPC, they suggested that the Highway "50" extension be dealt with at a later date.

Mr. Dan Hoen asked if the boundaries would be permanent, or can they be changed again?

Mr. Robert Deimer, a property owner on Highway "C" and "B", would be against the proposal. He bought the property for the purpose of developing it someday.

At 6:40 PM, the public hearing was ADJOURNED.

At 7:00 PM, The Town Board held a Public Hearing regarding the issuance of a raze order regarding a barn located at the following address: **25510-89th Street; Parcel #65-4-120-151-0500.**

Mr. Jack Rowland, the Town's Building Inspector, stated that the barn needs to be taken down. He spoke with the Town's Public Safety Officer, and he also, was in favor of a raze order.

Mr. Jim Rinali, the nephew of the owners of this property, stated that he would like to keep this building for a storage building. He would like the chance to re-build the barn. However, if the Town tells him to take it down, he will.

Mr. Rowland said that the only part of the building that would be re-usable, would be the posts. Three years ago, the owners received a permit for a new building, but nothing ever came of it.

Supervisors Terry and Meier stated that they would like a time frame for the building to get done. Would 30 days be sufficient enough to get the job done?

Mr. Rinali stated that he couldn't get it done in that time, but it would be at least started in that time.

At 7:07 PM, the Public Hearing was closed.

At this time, the Town Board held their regular monthly meeting.

Clerk Seitz took roll call as follows: Present were, Chairman Shirley Boening; Supervisors, Diann Tesar; Joseph Meier; Dolores E. Terry; and Jake Brockhaus. Also present were: Deputy Clerk, Linda Terry; Town Treasurer, Chris Lamb; Building Inspector, Jack Rowland; General Highway Foreman, George Vujovic; Utility District Administrator, Brad Zautcke; Land Development Coordinator, Phil Cayo; Utility District Attorney, John Bjelajac; Utility District Engineer, Chris Kaempfer; and Town Attorney, Milt Konicek.

The Pledge of Allegiance was recited.

At this time, Chairman Boening wished a Happy Valentine's Day to all that have been in love, are in love and will be in love.

Minutes from previous meeting of 1/13/03 were APPROVED ON A MEIER/TESAR MOTION. MOTION CARRIED 5-0.

Christine Lamb read the Treasurer's Report as follows:

JANUARY, 2003 – CASH REPORT FOR THE GENERAL ACCOUNT:

January 1, 2003 – Beginning Balance	\$353,758.32
RECEIPTS	\$132,383.35
Transfer from Tax Fund\$ 1,592.64 Ck#4685	
	\$551,715.70 Ck#4667
DISBURSEMENTS	\$192,765.31
PAYROLL	<u>\$ 64,111.61</u>
Total	\$256,876.92
January 31, 2003 – Ending Balance	\$782,573.09

State Pool – General	\$463,748.86
General Checking	<u>\$318,824.23</u>
Totals	\$782,573.09

JANUARY, 2003 – CASH REPORT FOR THE TAX ACCOUNT:

January, 2003 – Beginning Balance **\$3,616,608.50**

RECEIPTS \$6,253,686.44

DISBURSEMENTS \$2,923,342.06

Transfer to Gen. Fund \$ 1,592.64 Ck#4685

\$551,715.70 Ck#4667

January 31, 2003 – Beginning Balance **\$6,393,644.54**

State Pool – Tax \$3,505,790.30

Tax Checking \$2,887,854.24

Total **\$6,393,644.54**

JANUARY, 2003 – CASH REPORT FOR THE PARK ACCOUNT:

January 1, 2003 – Beginning Balance **\$872,849.22**

RECEIPTS \$ 722.00

January 31, 2003 – Ending Balance **\$873,571.22**

State Pool – Parks	\$ 315,004.75
Zone 1	\$ 114,822.28
Zone 2	\$ 82,479.59
Zone 3	\$ 63,177.69
Zone 4	\$ 43,275.03
Zone 5	\$ 193,649.47
Zone 6	\$ 56,312.98
Zone 9	\$ <u>4,849.43</u>
Total	\$ 873,571.22

JANUARY, 2003 – CASH REPORT FOR THE TRAILS ACCOUNT

January 1, 2003 – Beginning Balance **\$154,634.68**

RECEIPTS \$ 181.22

January 31, 2003 – Ending Balance **\$154,815.90**

JANUARY, 2003 – CASH REPORT FOR THE MAINTENANCE ACCOUNT

January 1, 2003 – Beginning Balance **\$ 12,538.62**

RECEIPTS \$ 5.32

January 31, 2003 – Ending Balance **\$ 12,543.94**

**The Treasurer's Report was APPROVED ON A TERRY/TESAR MOTION.
MOTION CARRIED 5-0.**

Supervisor Tesar read the Vouchers as follows:

TOWN

End of January, 2003 = \$64,444.49

February, 2003 = \$74,094.08

UTILITY DISTRICT:

**Clean Water Fund =
\$16,300.87**

End of Jan., 2003= \$76,834.45

February, 2003 = \$61,275.43

**TOWN PAYROLL:
PAYROLL:**

#1A = \$45,243.08

#1B = \$ 4,155.15

#1C = \$ 109.80

2 = \$69,513.49

UTILITY DISTRICT

#1 = \$10,021.60

#2A = \$14,854.41

#2B = \$ 1,540.35

**The Vouchers were APPROVED ON A MEIER/BROCKHAUS MOTION.
MOTION CARRIED 5-0.**

CITIZEN COMMENTS:

At this time, Mr. Mike Berkowitz stated that he has been discussing the sewer service area expansion with the Town for seven years.

Mr. George Olson stated that he has a problem with the Steve Mills Development – Mill Creek East. He stated that he was never notified of the Plan Commission Meeting when the property was rezoned.

Linda Terry, Deputy Clerk, stated that she sent out notices to approximately 65 affected property owners, and Mr. Olson was one of those people.

Mr. Olson stated that he really doesn't have a problem with Mr. Mills building single family homes on the property, but not duplexes.

Mr. Tom Gorkinski stated that "Development in Salem is a Privilege, not a right."

UTILITY DISTRICT BUSINESS:

1. CONSIDERATION OF RESOLUTION 03-02-10, A RESOLUTION ADOPTING THE AMENDMENTS TO THE SANITARY SEWER SERVICE AREA AS SET FORTH IN A SEWRPC MEMORANDUM ENTITLED, "RESPONSE TO REQUEST BY THE TOWN OF SALEM TO AMEND THE SALEM SANITARY SEWER SERVICE AREA".

Chairman Boening stated that she does not want to rush into any decisions regarding the sewer service area. She would suggest tabling this matter at this time.

Supervisor Tesar would like one to two more months to review amending the sewer service area.

TABLE UNTIL THE MARCH 10TH MONTHLY MEETING, MADE ON A TESAR/TERRY MOTION. MOTION CARRIED 5-0.

2. CONSIDERATION OF PAY REQUEST PR-1210201-03 FOR THE LIFT STATION 19 RELOCATION PROJECT.

Mr. Zautcke stated that \$98,747.06, worth of work has been completed and verified.

APPROVE PAY REQUEST, MADE ON A BROCKHAUS/MEIER MOTION. Clerk Seitz polled the Board as follows: Tesar-aye; Terry-aye; Meier-aye; Brockhaus-aye; and Boening-aye. MOTION CARRIED 5-0.

3. DISCUSSION AND CONSIDERATION OF PURCHASING A NEW FOUR-INCH PORTABLE PUMP.

Mr. Zautcke stated that the money for this purchase will come out of the Wisconsin Department of Natural Resources Replacement Fund.

He also stated that the present pump is a 1978 model.

He received the following price quotes:

Lincoln Contractors Supply, Inc.,	\$2,593.49
Rental Service Corporation	\$2,867.15
United Rentals	\$2,698.00

APPROVE PURCHASE FROM LINCOLN CONTRACTORS SUPPLY, INC., IN THE AMOUNT OF \$2,593.49, MADE ON A TESAR/MEIER MOTION. Clerk Seitz polled the Board as follows: Tesar-aye; Terry-aye; Meier-aye; Brockhaus-aye; and Boening-aye. MOTION CARRIED 5-0.

4. DISCUSSION AND CONSIDERATION OF PURCHASING A DRAIN AND LATERAL CLEANING MACHINE.

Mr. Zautcke received two quotes for this purchase:

P.H. & I. Supply Co.	\$2,259.25
Granger	\$2,417.00

APPROVE PURCHASE FROM P.H. & I. SUPPLY CO., IN THE AMOUNT OF \$2259.25, MADE ON A TESAR/MEIER MOTION. Clerk Seitz polled the Board as follows: Tesar-aye; Terry-aye; Meier-aye; Brockhaus-aye; and Boening-aye. MOTION CARRIED 5-0.

TOWN BUSINESS:

1. COMMITTEE REPORTS:

The Park Commission will be meeting on Wednesday, February 19th at 7:00 PM, at the Salem Town Hall.

There is going to be a State Water Patrol Training in the Wisconsin Dells on March 25th. Officer Michael Whetstone has agreed to go on behalf of the Town.

APPROVE SENDING MIKE WHETSTONE TO WATER PATROL TRAINING IN THE DELLS, MADE ON A MEIER/BROCKHAUS MOTION. MOTION CARRIED 5-0.

Voltz Lake had their meeting. Mr. Tom Gorkinski is the new president of the Lake District.

2. DISCUSSION AND ACTION REGARDING RECOMMENDATIONS FROM PLANNING AND ZONING MEETING OF 1/22/03:

DISCUSSION AND POSSIBLE ACTION REGARDING CERTIFIED SURVEY MAP APPROVAL FOR SPLITTING ONE LOT INTO TWO; AND REQUESTING A 600 FOOT WAIVER OF LOT SIZE (15,000 FT. REQUIRED; LOTS HAVE 14,400 FT. EACH)/ JEFF NEAVE; PARCEL #65-4-120-131-0800 AND 65-4-120-131-0850 (LOT 1 & 2 IN MONTGOMERY LAKE HIGHLANDS, UNIT #2):

APPROVE PLAN COMMISSION'S RECOMMENDATION TO APPROVE CERTIFIED SURVEY MAP, AND WAIVER OF LOT SIZE, MADE ON A MEIER/TESAR MOTION. MOTION CARRIED 5-0.

DISCUSSION AND POSSIBLE ACTION REGARDING VARIANCE REQUEST FOR SIDE YARD SETBACK OF 4.5 FEET (5 FT. REQUIRED) FOR THE PURPOSE OF

ALLOWING A NEW GARAGE TO REMAIN / JEFFERY R. STEVENSON; 22341-116TH STREET; PARCEL #67-4-120-361-0400:

APPROVE PLAN COMMISSION'S RECOMMENDATION TO APPROVE VARIANCE REQUEST, MADE ON A TERRY/TESAR MOTION. MOTION CARRIED 5-0.

DISCUSSION AND POSSIBLE ACTION REGARDING REZONING PETITION FOR PATHWAY DEVELOPMENT FROM R-2 AND C-1 TO R-2 AND B-4; PARCEL #67-4-120-351-0311 / KEITH JOHNSON:

APPROVE PLAN COMMISSION'S RECOMMENDATION TO APPROVE REZONING FROM R-2 TO B-4; C-1 WILL REMAIN "AS IS", MADE ON A MEIER/BROCKHAUS MOTION. MOTION CARRIED 5-0.

DISCUSSION AND POSSIBLE ACTION REGARDING CONCEPTUAL LAND DIVISION AND CONDOMINIUM PLAN FOR "MILLS SITE", LOCATED ON HIGHWAY 50, WEST OF STH 83; PARCEL #65-4-120-044-0100:

APPROVE PLAN COMMISSION'S RECOMMENDATION TO APPROVE LAND USE PLAN AMENDMENT TO REFLECT R-1 ZONING, MADE ON A TERRY/TESAR MOTION. MOTION CARRIED 5-0.

3. DISCUSSION AND ACTION REGARDING RECOMMENDATIONS FROM PARK COMMISSION MEETING OF 1/28/03:

NO ACTION TAKEN.

4. CONSIDERATION OF RAZE ORDER FOR 25510-89TH STREET:

Supervisor Tesar stated that she would be in favor of granting a 30-day extension on this matter.

MOTION TO GRANT A 30-DAY EXTENSION ON RAZE ORDER – THIS ITEM WILL BE PLACED ON THE MARCH 10, 2003, TOWN BOARD AGENDA, MADE ON A TESAR/MEIER MOTION. MOTION CARRIED 5-0.

5. DISCUSSION AND CONSIDERATION OF TRAFFIC PATTERNS AROUND WILMOT HIGH SCHOOL AND MOVE TO ONE-WAY STREET:

Mr. David Newberry, from Wilmot High School, was present for the meeting. He would like 111th Street changed from a one-way street (approved at the 1/8/03 meeting), back to a two-way street.

Mr. Mike Kratz, a resident of 112th Street, doesn't really want a one-way street in front of his house; however, if it needs to be a one-way street for safety purposes for the children, he will get accustomed to it. Deputy Gene Lake, stated that the original intent of the school was to make 308th Avenue a one-way street. However, having 312th, one-way as well, will make the traffic flow much easier.

Mr. Phil Dziki asked how this will affect the parents picking up their children from school?

Mr. Vujovic stated that it will become more streamlined.

Supervisor Terry asked if the School Board is aware of these plans?

Mr. Newberry stated that they are.

APPROVE HAVING 308TH AVENUE AND 112TH STREETS ONE-WAY, MADE ON A TESAR/MEIER MOTION. MOTION CARRIED 5-0.

6. CONSIDERATION OF VACATING THE ABANDON FIRE LANE ON 109TH STREET IN SHOREVIEW SUBDIVISION / JIM AHLER:

Chairman Boening stated that there had been a Public Hearing regarding this vacation in October of 2001.

Mr. Larry Parent stated that he is against this vacation. There will be no place for the trucks to access the lake if another lake project is done.

Mr. Sanfilippo was present for the meeting. He would like to develop his property; however, he cannot, unless this property is vacated.

Mr. Phil Cayo stated that there have been new Kenosha County zoning changes made. Mr. Sanfilippo and Mr. Ahler may want to look into those changes before asking for a road vacation. They still may not be able to develop, even if the road is vacated.

TABLE THIS MATTER UNTIL MARCH, 2003, MADE ON A BROCKHAUS/MEIER MOTION. MOTION CARRIED 5-0.

7. UPDATE ON 116TH STREET ROAD EXTENSION:

Attorney Konicek stated that there are still a lot of questions that need to be answered. He is still waiting to see the survey.

8. CONSIDERATION OF UPDATE ON MILES/EPPING PURCHASE OF OLD COUNTY HIGHWAY DEPARTMENT GARAGE:

Attorney Konicek stated that Mr. Epping is ready to sign the paperwork; however, Mr. Miles still has some concerns. The closing will hopefully be next week sometime.

9. DISCUSSION AND POSSIBLE ACTION REGARDING AN INTERGOVERNMENTAL AGREEMENT BETWEEN THE TOWN OF SALEM AND SCHOOL DISTRICTS (This was previously tabled):

Supervisor Tesar stated that the Park Commission was told, from SEWRPC, that an Intergovernmental Agreement is necessary if the Town wants to apply for grants.

Steve Arnold asked what the agreement is for?

This agreement would help in having the Town and the Schools work together.

**APPROVE CONCEPT OF INTERGOVERNMENTAL AGREEMENT;
AUTHORIZE THE TOWN ATTORNEY TO PREPARE A DRAFT AGREEMENT,
MADE ON A TESAR/MEIER MOTION. MOTION CARRIED 5-0.**

10. CONSIDERATION OF MUTUAL RELEASE AGREEMENT BETWEEN THE TOWN OF SALEM, SALEM UTILITY DISTRICT #2 AND ECHO LANE, LLC, PRIME DEVELOPMENT, INC., AND ROBERT B. CLEMEN:

Ms. Lamb stated that at the present time, Mr. Clemen is delinquent in his taxes.

Attorney Konicek would suggest approving this agreement.

APPROVE AGREEMENT, MADE ON A MEIER/TERRY MOTION. MOTION CARRIED 5-0.

11. CONSIDERATION OF REQUEST TO CLOSE 307TH AVENUE IN WILMOT AND PURCHASE SAID ROAD / MAURY LAKE:

Mr. Lake stated that it is actually 306th Avenue. He presently has two lots, and 306th Avenue is between the two of them.

TABLE THIS MATTER TO ALLOW MR. LAKE TO PROVIDE THE BOARD WITH ADDITIONAL PAPERWORK, MADE ON A TERRY/MEIER MOTION. MOTION CARRIED 5-0.

12. CONSIDERATION OF CONTRACT WITH PATRICK MEEHAN FOR PROFESSIONAL PLANNING SERVICES:

Supervisor Brockhaus questioned which contract the Town would be considering? Also, on two of the contracts, the price is \$108.00/hour and on the other one, his fee is \$110.00/hour.

APPROVE CONTRACT FOR AN INCREASE IN FEES FROM \$105.00/HOUR TO \$108.00/HOUR, MADE ON A TESAR/MEIER MOTION. MOTION CARRIED 5-0.

Mr. Steve Arnold questioned interviewing other planners?

Chairman Boening stated that when the Town hired Mr. Meehan, others were interviewed.

Supervisor Tesar stated that she does not necessarily want Mr. Meehan to do the Town's Park Plan; SEWRPC has stated that they could do the Plan for substantially less money.

Mr. Slover, the Emergency Service Director, stated that the Town has been paying Mr. Meehan \$110.00/hour for his services in doing the work for the Emergency Service Department.

13. CONSIDERATION OF PURCHASING "PRO-CHOPPER" FOR HIGHWAY DEPARTMENT AND BANNERS FOR TOWN / GEORGE VUJOVIC:

Supervisor Terry would like the purchase of the Pro-Chopper tabled. She would like more information on this item.

TABLE THE PURCHASE OF THE PRO-CHOPPER, MADE ON A TERRY/TESAR MOTION. MOTION CARRIED 5-0.

Mr. Vujovic stated that he has checked into the purchase of banners for the Town, per the request of Supervisor Meier.

The banners would be placed on poles through Salem, Trevor, Wilmot and Camp Lake.

The approximate cost of thirty-three (33) flags with 6' inch pole and bracket; holiday banners; and heavy duty banner bracket systems, would be approximately \$5,705.00.

APPROVE THE PURCHASE OF THE FLAGS; BANNERS AND BRACKET, IN AN AMOUNT NOT TO EXCEED \$5,705.00, MADE ON A TESAR/MEIER MOTION. Clerk Seitz polled the Board as follows: Tesar-aye; Terry-aye; Meier-aye; Brockhaus-aye; and Boening-aye. MOTION CARRIED 5-0.

At this time, Mr. Vujovic stated that he would like to look into the purchase of another dump truck.

Chairman Boening asked what would be done with the old one?

Mr. Vujovic stated that it could be traded in.

This will be on the March Town Board agenda.

14. CONSIDERATION OF 2003 KENNEL LICENSE:

MISTY-DAWN ACRES – 122ND STREET, TREVOR

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

15. CONSIDERATION OF OPERATOR’S LICENSES PENDING CLEAR RECORD CHECKS:

Gary Little

Dawn Klinefelter

Lisa Morris

Robert Piper

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

At 8:45 PM, THE MEETING WAS ADJOURNED ON A TERRY/TESAR MOTION. MOTION CARRIED 5-0.

Minutes submitted by: _____ Town Clerk.

Minutes prepared by: _____ Deputy Clerk