

CLOSED SESSION AND MONTHLY MEETING – SEPTEMBER 8, 2003

On Monday, September 8, 2003, the Town Board of the Town of Salem held a Special Meeting. Chairman Walsh called the meeting to order at 6:00 PM. Roll call was taken as follows: Present were Chairman Tom Walsh; Supervisors, Dennis Faber; Diann Tesar; and Joseph Meier. Also present were Town Clerk, Toni Seitz; Deputy Clerk, Linda Terry and Utility District Administrator, Brad Zautcke. Supervisor Patrick O’Connell arrived at 6:25 PM. At 6:05, the Board convened to Closed Session pursuant to Wi. State Statutes #19.85(1)(e) for the purpose of deliberating the proposed purchase of property located at 28711-Wilmot Road, **ON A TESAR/MEIER MOTION. The Board was polled – MOTION CARRIED 3-0.**

After discussion regarding the above, the Closed Session Meeting was **ADJOURNED AT 6:40 PM, ON A TESAR/MEIER MOTION. MOTION CARRIED 4-0.**

At 7:00 PM, the Board held their regular monthly meeting. The Pledge of Allegiance was recited. In addition to the previously mentioned persons, also present were: Deputy Treasurer, Crysti Neuman; General Highway Foreman, George Vujovic; Land Development Coordinator, Phil Cayo; Utility District Attorney, John Bje lajac; and Town Attorney, Milton Konicek.

Minutes from previous meetings of 8/7/03 and 8/11/03 were **APPROVED ON A MEIER/O’CONNELL MOTION. MOTION CARRIED 4-0.**

Deputy Treasurer Neuman read the Treasurer’s Report as follows:

August, 2003 – CASH REPORT FOR THE GENERAL ACCOUNT:

August 1, 2003 – Beginning Balance	\$1,226,241.24
RECEIPTS	\$126,062.50
Transfer from Tax Fund	\$763,405.84
Transfer from Capital	\$ 0.00
DISBURSEMENTS	\$249,927.51
PAYROLL	<u>\$ 64,457.75</u>
Total	\$314,385.26
August 31, 2003 – Ending Balance	\$1,774,324.32

State Pool – General	\$1,608,516.48
General Checking	<u>\$ 165,807.84</u>
Total	\$1,774,324.32

AUGUST, 2003 – CASH REPORT FOR THE TAX ACCOUNT:

August 1, 2003 – Beginning Balance **\$1,085,225.40**

RECEIPTS \$ 790,748.44

DISBURSEMENTS \$1,104,769.40

Transfer to Gen. Fund \$ 736,405.84

August 31, 2003 – Ending Balance **\$ 34,798.50**

State Pool – Tax \$ 26,035.43

Tax Checking \$ 8,763.07

Total **\$ 34,798.50**

AUGUST 2003 – CASH REPORT FOR THE PARK ACCOUNT:

August 1, 2003 – Beginning Balance **\$ 902,009.00**

RECEIPTS \$4,046.00

August 31, 2003 – Ending Balance **\$ 906,055.96**

State Pool – Parks	\$ 326,820.10
Zone 1	\$ 116,196.78
Zone 2	\$ 84,724.35
Zone 3	\$ 68,295.59
Zone 4	\$ 49,304.53
Zone 5	\$ 195,296.01
Zone 6	\$ 60,425.14
Zone 9	\$ <u>4,993.46</u>

Total **\$ 906,055.96**

AUGUST, 2003 – CASH REPORT FOR THE TRAILS ACCOUNT:

August 1, 2003 – Beginning Balance **\$ 155,791.51**

RECEIPTS \$136.82

August 31, 2003 – Ending Balance **\$ 155,928.33**

AUGUST, 2003 – CASH REPORT FOR THE MAINTENANCE ACCOUNT:

August 1, 2003 – Beginning Balance **\$ 12,574.96**

RECEIPTS \$ 4.80

August 31, 2003 – Ending Balance **\$ 12,579.76**

AUGUST, 2003 – CASH REPORT FOR THE CAPITAL PROJECT ACCOUNT:

August 1, 2003 – Beginning Balance **\$161,620.51**

RECEIPTS \$ 141.94

Transfer to Gen. Fund 0.00

DISBURSEMENTS \$ 0.00

August 31, 2003 – Ending Balance **\$161,762.45**

The Treasurer's Report was **APPROVED ON A TESAR/O'CONNELL MOTION. MOTION CARRIED 4-0.**

Supervisor O'Connell read the Vouchers as follows:

TOWN

UTILITY DISTRICT

General Account:

End of August, 2003 = \$77,038.54

End of August, 2003 = \$15,189.31

September, 2003 = \$195,749.85

September, 2003 = \$24,857.82

**TOWN PAYROLL:
PAYROLL:**

UTILITY DISTRICT

#17 = \$37,533.56
\$14,914.15

#17 =

#18 = \$47,812.70
\$14,811.51

#18 =

Vouchers were **APPROVED ON A MEIER/TESAR MOTION. MOTION CARRIED 4-0.**

CITIZEN COMMENTS:

NONE

UTILITY DISTRICT BUSINESS:

1. DISCUSSION AND CONSIDERATION OF PURCHASING ADJACENT TO THE WASTEWATER TREATMENT PLANT:

Mr. Zautcke stated that the Town has received an appraisal of the property.

AUTHORIZE THE TOWN'S ATTORNEY TO OFFER THE SUM OF \$110,000.00, WITH THE CONTINGENCY OF HAVING A PHASE #1 INSPECTION DONE FOR POSSIBLE POLLUTION, MADE ON A MEIER/O'CONNELL MOTION. MOTION CARRIED 4-0.

2. DISCUSSION AND CONSIDERATION OF THE NOTICE OF FINAL COMPLETION AND FINAL PAYMENT FOR THE LIFT STATION #19 RELOCATION PROJECT:

Mr. Zautcke stated that all work has been done. The only delay they are having is the fact that the Heath sisters have not signed the proper paperwork. The sisters are stating that the crops won't grow now that the lift station project has been completed.

Attorney Bjelejac would suggest the Board approve this matter, due to the fact that the project is done to the satisfaction of the Utility District, but the sisters do not want to sign the release forms. He also stated there is no evidence of any problems growing crops.

APPROVE FINAL ACCEPTANCE, MADE ON AN O'CONNELL/MEIER MOTION. MOTION CARRIED 4-0.

APPROVE FINAL PAYMENT, MADE ON AN O'CONNELL/MEIER MOTION. MOTION CARRIED 4-0.

3. DISCUSSION AND CONSIDERATION OF BRAD ZAUTCKE AND GARY CAPUTO ATTENDING THE ANNUAL WISCONSIN WASTEWATER OPERATOR'S ASSOCIATION MEETING IN WISCONSIN DELLS, OCTOBER 21 – 24, 2003:

APPROVED ON A MEIER/TESAR MOTION. MOTION CARRIED 4-0.

4. DISCUSSION AND CONSIDERATION OF PURCHASING A NEW MONUMENT SIGN FOR THE WASTEWATER TREATMENT PLANT:

Chairman Walsh asked if the colors that are proposed could be changed?

Mr. Zautcke stated that the prices he received were for the signs themselves, not any specific colors; yes, the colors can be changed.

Mr. Zautcke received the following quotes for double-sided signs:

Millenium Signs

J. Ewens Design

48 x 96 = \$3775.00

(2) 48 x 96 x 1.5 = \$6562.00

48 x 120 = \$4176.50

(2) 48 x 72 x 1.5 = \$5420.00

48 x 144 = \$4680.50

(1) 48 x 72 x 1.5 = \$4988.00

Mr. Zautcke stated that the Millenium quotes do not include posts, installation (\$275.00) or cement.

Supervisor Tesar stated that the Town only paid \$900.00 for the signs that they have.

Chairman Walsh asked if this sign is lighted?

Mr. Zautcke stated that there is a lighted pole at the spot.

A MOTION WAS MADE TO TABLE THIS MATTER BY DENNIS FABER. THE MOTION DIED FOR LACK OF A SECOND.

MOTION TO APPROVE THE PURCHASE OF A 48 X 120 SIGN FROM MILLENIUM, CONTINGENT ON GETTING A ZONING PERMIT FROM KENOSHA COUNTY, MADE ON AN O'CONNELL/MEIER MOTION. MOTION CARRIED 4-0.

5. DISCUSSION AND CONSIDERATION OF PURCHASING A WIRE FEED WELDER AND ALUMINUM SPOOL GUN WITH THE HIGHWAY DEPARTMENT:

Mr. Vujovic stated that the Utility District does not have a welder – they are using an employee's welder. The highway department has a welder that they would give to the Utility District; however, the Utility District would need to pay for one-half of this new welder. Two quotes have been received for the welder – as follows:

Bentley Welding Supply \$ 2500.00

AGA Gas, Inc. \$ 2503.58

It was stated that the welder of choice would come from AGA Gas, Inc.

APPROVE PURCHASE OF WELDER FROM AGA GAS, INC., MADE ON A TESAR/MEIER MOTION. MOTION CARRIED 4-0.

6. DISCUSSION AND CONSIDERATION OF AGREEMENT BETWEEN DANE LULLING AND THE UTILITY DISTRICT FOR FUNDING OF CONNECTION TO SANITARY SEWER:

Attorney Bjelajac stated that the agreement will be for this project only.

This will not be setting a precedence for any future connections. Each project will be handled on a case by case basis.

The Lullings will pay the appropriate amount; however, they will have 10 years to pay it, with 12% interest.

APPROVE AGREEMENT, MADE ON A MEIER/O'CONNELL MOTION. MOTION CARRIED 4-0.

7. DISCUSSION AND CONSIDERATION OF A SANITARY SEWER PROJECT ALONG STATE HIGHWAY 50:

Mr. Zautcke stated that this involves the Steve Mills project along Highway 50. This will not affect SEWRPC's decision on Salem's Sewer Service Area Amendment.

Attorney Bjelajac is in favor of this.

APPROVE AUTHORIZING ATTORNEY BJELAJAC TO DRAFT THE PROPER PAPERWORK FOR THIS SEWER PROJECT, MADE ON A MEIER/TESAR MOTION. MOTION CARRIED 4-0.

TOWN BUSINESS:

1. COMMITTEE REPORTS:

Hooker Lake Management will be meeting September 25th at 7:00 PM, at the Town Hall.

The Park Commission will be meeting on September 29th at 7:00 PM, at the Town Hall.

Supervisor O'Connell stated that Voltz Lake Committee had a meeting – the Lake is in good shape as far as the weeds are concerned.

Supervisor Faber stated that Camp/Center Lake Rehab. District had a meeting on August 23rd. There are 2546 parcels in CCLRD. Their budget will be increased by 15%.

The Personnel Committee will be meeting to fill the vacancy on the Plan Commission.

Highway Department Committee will be getting a letter together for the purpose of asking for extra patrol from the Sheriff's Department for a stretch of Highway "W".

Building Committee will be setting a date for "Grand Opening" of the new Town Hall Addition, sometime in December.

The mosquito situation seems to be under control.

2. PLANNING AND ZONING MINUTES OF: 8/27/03:

DONALD & MARILYN HANNAN/JUDE T. TINDALL; DISCUSSION AND POSSIBLE ACTION REGARDING FRONT-YARD AND SIDE-YARD SETBACKS, FOR PROPERTY LOCATED AT 28701-HIGHWAY "F"; PARCEL #65-4-120-174-0310 (FOR THE PURPOSE OF BUILDING A NEW TWO-STORY HOME WITH ATTACHED GARAGE:

APPROVE PLAN COMMISSION'S RECOMMENDATION FOR APPROVAL, MADE ON A MEIER/TESAR MOTION. MOTION CARRIED 4-0.

3. PARK COMMISSION MINUTES OF 8/20/03:

Supervisor Tesar gave a report on the Park Commission meeting.

MINUTES WERE APPROVED ON A MEIER/O'CONNELL MOTION. MOTION CARRIED 4-0.

4. UPDATE ON 116TH STREET PROJECT / RICHARD DRAZEWSKI:

Attorney Konicek stated that another appraisal was requested on August 20th. The Town should have this appraisal by the October Board Meeting.

TABLE THIS MATTER UNTIL OCTOBER 13, 2003, MADE ON A MEIER/TESAR MOTION. MOTION CARRIED 4-0.

5. UPDATE ON POSTING OF FOX RIVER:

TABLE THIS MATTER UNTIL FURTHER INFORMATION IS RECEIVED, MADE ON AN O'CONNELL/TESAR MOTION. MOTION CARRIED 4-0.

A memo will be sent to the Town's Water Patrol Chief regarding this matter.

6. DISCUSSION AND POSSIBLE ACTION REGARDING DRAINAGE ISSUES IN STONEHEDGE SUBDIVISION / BRUCE RILEY:

Mr. Riley was present for the meeting.

Mr. Vujovic stated that he has shot the grade on each lot in this subdivision. There is only one homeowner not in compliance at this time.

It was suggested that a letter be sent to the property owner regarding this problem.

MOTION TO TAKE CARE OF THE INDIVIDUAL PROBLEM IN CORRECTING THE CULVERT AND SEND THE BILL TO GUSTAVESON, PER AGREEMENT, MADE ON A MEIER/TESAR MOTION. MOTION CARRIED 4-0.

MOTION TO AUTHORIZE GEORGE VUJOVIC TO SEND OUT LETTER TO HOMEOWNERS WHO ARE NOT IN COMPLIANCE WITH AGREEMENT, AND HAVE THEM IN COMPLIANCE BY JUNE 1ST, OR THE TOWN WILL CONTRACT THE JOB OUT AND BILL HOMEOWNER, MADE ON AN O'CONNELL/FABER MOTION. MOTION CARRIED 4-0.

7. DISCUSSION AND POSSIBLE ACTION REGARDING AMENDING THE PRESENT DOG ORDINANCE:

Mr. Tim Anderson was present for the meeting, along with neighbors. It was stated that on July 8th, a woman in his neighborhood was bitten by a pit bull dog. This was not the first victim of this dog. He and the neighbors would like the Town to add a “vicious dog ordinance” to the Town’s ordinances.

Mr. Steve Arnold stated that his dog had been attacked by a dog – would the vicious dog ordinance cover this too?

The attorney will check into that matter.

A woman asked if the owners of the dog could be ordered to have the dog wear a muzzle?

Ms. Carol Kellum suggested the town doing their homework on this matter before suggesting that a dog be “put down”.

MOTION TO AUTHORIZE THE TOWN’S ATTORNEY TO CHECK INTO THIS PARTICULAR VICIOUS DOG, MADE ON A MEIER/FABER MOTION. MOTION CARRIED 4-0.

MOTION TO AUTHORIZE THE TOWN ATTORNEY TO AMEND THE PRESENT DOG ORDINANCE TO INCLUDE A PROCEDURE FOR HANDLING VICIOUS DOGS, MADE ON AN O’CONNELL/FABER MOTION. MOTION CARRIED 4-0.

Supervisor Tesar stated that Mr. Anderson did not come to this meeting to have the dog put to sleep; however, he would like to see something done.

Linda Terry informed the Town Board members that something needs to be done with the present dog ordinance regarding repeat offenders.

At this time, Supervisor Tesar made a motion to have the Town’s Public Safety Officer issue a citation to the dog’s owners (Wallrafs) regarding not having the dog licensed, MADE ON A TESAR/MEIER MOTION. MOTION CARRIED 4-0.

8. CONSIDERATION OF FINAL ACCEPTANCE OF 122ND STREET EXTENSION / GEORGE VUJOVIC:

This is for Pathway Development.

APPROVE FINAL ACCEPTANCE OF 122ND STREET EXTENSION, MADE ON A MEIER/TESAR MOTION. MOTION CARRIED 4-0.

9. CONSIDERATION OF REQUEST TO DONATE FOUR LOTS TO THE TOWN:

Mr. Vujovic stated that the four lots are land-locked.

MOTION TO SEND LETTER DECLINING OFFER, MADE ON A MEIER/TESAR MOTION. MOTION CARRIED 4-0.

10. CONSIDERATION OF RESOLUTION #03-09-08A, AMENDING “THE TOWN OF SALEM FIRE/RESCUE DEPARTMENT AND OFFICE OF FIRE CHIEF”:

APPROVED ON A MEIER/O’CONNELL MOTION. MOTION CARRIED 4-0.

11. CONSIDERATION OF RESOLUTION #03-09-08B, AMENDING THE DESIGNATED POLLING PLACES IN THE TOWN:

APPROVED ON A TESAR/FABER MOTION. MOTION CARRIED 4-1, WITH CHAIRMAN WALSH IN OPPOSITION.

Supervisor Faber stated that he felt this was a good idea. The Town is in the process of bringing the fire/rescue departments together, thus, bringing the polling places together is a good idea.

Supervisor Tesar is in favor of the idea; however, she feels that this will deter people from voting.

12. CONSIDERATION OF RESOLUTION #03-09-08C, AUTHORIZING THE TOWN CHAIRMAN TO ACT ON BEHALF OF THE TOWN REGARDING RECYCLING APPLICATION TO DNR:

APPROVED ON A TESAR/MEIER MOTION. MOTION CARRIED 4-0.

13. CONSIDERATION OF RESOLUTION #03-09-08D, REGARDING UNCOLLECTABLE DELINQUENT PERSONAL PROPERTY TAXES:

The following businesses are delinquent:

AJ’S Extra Innings

H & R Block

J & A Greenhouse

Midwest Novelty

Sequel Capital.

Tracy’s Studio

Trenditions

West Display

APPROVED ON A TESAR/O’CONNELL MOTION. MOTION CARRIED 4-0.

14.DISCUSSION AND POSSIBLE ACTION REGARDING ALL SUBDIVIDER'S AGREEMENTS/PHIL CAYO:

Mr. Cayo stated that there are still proposed subdivisions in the Town, that owe the Town money for engineering costs and/or attorney fees.

It was stated that, as Mr. Zautcke takes on the position of Land Development Coordinator, he will keep the Town Board abreast of any subdivisions indebted to the Town.

15.CONSIDERATION OF CLASS "B" PICNIC LICENSE FOR CENTER LAKE WOODS PROPERTY OWNER'S ASSOCIATION ON 9/27/03:

APPROVED ON A TESAR/MEIER MOTION. MOTION CARRIED 4-0.

16.CONSIDERATION OF OPERATOR'S LICENSES PENDING CLEAR RECORD CHECKS:

DENISE PAYNE	STACIE COLEMAN
SHARON ROTH	OANGE BURNETT
PATRICIA HOFF	

APPROVED ON A TESAR/MEIER MOTION. MOTION CARRIED 4-0.

At 9:00 PM, the meeting was ADJOURNED ON A TESAR/MEIER MOTION. MOTION CARRIED 4-0.

Minutes submitted by:_____Town Clerk.

Minutes prepared by:_____Deputy Clerk.