

## **PUBLIC HEARING & MONTHLY MEETING - MARCH 8, 2004**

On Monday, March 8, 2004, the Town Board of the Town of Salem held a Public Hearing, pursuant to the Town of Salem Code of Ordinances, to determine whether an order should be issued to property located at 11409-276<sup>th</sup> Avenue; Parcel #66-4-120-283-0665, requiring that the subject building or structure be razed.

Chairman Walsh opened the Public Hearing at 7:00 PM.

Jack Rowland, the Town's Building Inspector, stated that he has requested this public hearing, pursuant to a request from Trevor Battalion Chief, Tom Seep; and Fire Chief Slover. This home is a hazard - half of the foundation is gone and the home has asbestos.

Chairman Walsh asked if the home was fixable?

Mr. Rowland stated that anything is fixable.

Mr. Joseph Carban, the property owner, was present for the meeting. He also stated that the property had been vandalized. He also stated that he had this property for 19 years; two years ago his mother, who lived in the home, passed away, and since that time, the home has been closed up. He had a contractor look at this.

Supervisor Meier asked why Mr. Carban waited two years to do anything?

Mr. Carban stated that he recently found out that the property was vandalized, and he has since that time, filed a police report.

Mr. Rowland stated that the mildew in the home would have to be taken care of by an environmental engineer.

Chairman Walsh asked Mr. Rowland what he would like to see done within one month?

Mr. Rowland stated that is up to the Board. However, he would like to see the walls exposed; and replace floor joists. Permits would need to be obtained prior to any work being done - a raze (demolition) permit is the first permit to be obtained.

Supervisor Meier stated that if this is on the agenda again next month and nothing has been done, he does not want to hear any excuses.

**At 7:10 PM, the Public Hearing was closed, and the Town Board held their regular monthly meeting.**

The Pledge of Allegiance was recited. Roll call was taken as follows: Present were: Chairman Tom Walsh; Supervisors, Diann Tesar; Joseph Meier; Patrick O'Connell and Dennis Faber. Also present were: Town Clerk, Toni Seitz; Deputy Clerk, Linda Terry; Town Treasurer, Christine Lamb; Town Building Inspector, Jack Rowland; Land Development Coordinator/Utility District Administrator, Brad Zautcke; Director of Public Works, George

Vujovic; Town Planner, Patrick Meehan and Utility District Engineer, Chris Kaempfer.

Minutes from previous meetings of 2/9/04; 2/19/04; and 3/1/04, were APPROVED ON A TESAR/O'CONNELL MOTION. MOTION CARRIED 4-0.

Christine Lamb read the Treasurer's Report as follows:

**FEBRUARY, 2004 - CASH REPOT FOR THE GENERAL ACCOUNT:**

**February 1, 2004 - Beginning Balance**

**\$1,339,108.79**

RECEIPTS	\$	121,818.87
Transfer from Tax Fund	\$	1,099,454.60
DISBURSEMENTS	\$	253,345.38
PAYROLL	\$	80,156.80
Total	\$	333,502.18

**February 29, 2004 - Ending Balance**

**\$2,226,880.08**

State Pool - General	\$	1,782,999.85
General Checking	\$	443,880.23
Totals	\$	2,226,880.08

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**FEBRUARY, 2004 - CASH REPORT FOR THE TAX ACCOUNT:**

**February 1, 2004 - Beginning Balance**

**\$6,723,397.94**

RECEIPTS	\$	1,191,733.56
DISBURSEMENTS	\$	6,325,462.48
Transfer to General Fund	\$	1,099,454.60

**February 29, 2004 - Ending Balance**

**490,214.42**

**\$**

State Pool - Tax	\$	31,099.23
Tax Checking	\$	459,115.19
Total	\$	490,214.42

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**FEBRUARY, 2004 - CASH REPORT FOR THE PARK ACCOUNT:**

February 1, 2004 - Beginning Balance \$  
986,699.04

RECEIPTS \$ 548.27

February 29, 2004 - Ending Balance \$  
987,247.31

State Pool - Parks	\$347,379.87
Zone 1	\$151,765.27
Zone 2	\$ 91,795.95
Zone 3	\$ 70,425.73
Zone 4	\$ 54,326.00
Zone 5	\$204,602.88
Zone 6	\$ 61,556.58
Zone 9	\$ 5,395.03
<b>Totals</b>	<b>\$987,247.31</b>

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**FEBRUARY, 2004 - CASH REPORT FOR THE MAINTENANCE ACCOUNT:**

February 1, 2004 - Beginning Balance \$  
23,784.12

RECEIPTS \$8.48

February 29, 2004 - Ending Balance  
\$23,792.60

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

Chairman Walsh read the Vouchers as follows:

**VOUCHERS:**

**TOWN**  
End of Feb., 2004 = \$184,991.49  
\$31,864.46  
March, 2004 = \$119,208.11  
\$23,292.47

**UTILITY DISTRICT**  
End of Feb., 2004 =  
March, 2004 =

**TOWN PAYROLL:**  
#4 = \$48,164.76  
#5 = \$58,421.26

**UTILITY DISTRICT PAYROLL:**  
#4 = \$15,980.59  
#5 = \$15,958.09

The Vouchers were APPROVED ON AN O'CONNELL/MEIER MOTION.  
MOTION CARRIED 4-0.

**UTILITY DISTRICT BUSINESS:**

**1. DISCUSSION AND POSSIBLE ACTION REGARDING CHANGE  
ORDER #1210301-01 FOR THE STH (50) SANITARY SEWER  
EXTENSION:**

This change order is a \$3300.00 increase in expense for  
oversizing the 8-inch pipe. This was done at the request of Dr.  
Park, who has agreed to pay the expense. The Town will pay it  
first, and then get reimbursed by Dr. Park.

**APPROVE CHANGE ORDER, MADE ON A TESAR/O'CONNELL MOTION. MOTION  
CARRIED 4-0.**

**2. DISCUSSION AND POSSIBLE ACTION REGARDING THE  
FINAL ACCEPTANCE OF THE SANITARY SEWERS IN THE FALCON  
HEIGHTS DEVELOPMENT:**

Mr. Zautcke stated that the sewer has been installed, and has  
been completed according to the Town's standards.

**ACCEPT SANITARY SEWERS IN THE FALCON HEIGHTS DEVELOPMENT, MADE ON  
A FABER/MEIER MOTION. MOTION CARRIED 4-0.**

**TOWN BUSINESS:**

**1. COMMITTEE REPORTS:**

\*\*On February 13<sup>th</sup>, Supervisor Faber met with Water Patrol Chief,  
Patrick Weyand. The water patrol expenses were \$9195.86; and the  
State will reimburse the Town for up to 60% of these expenses.

\*\*On 2/19/04, the Town Board approved for two water patrol people  
to attend a seminar. However, those two officers were called to  
duty on the date of the seminar, but will be signing up for a  
later seminar.

\*\*Camp/Center Lake Rehab. District held their quarterly meeting.

\*\*Camp/Center Lake Rehab. District has their annual meeting on  
August 28, 2004, at the Town Hall.

\*\*The Park Commission will have their monthly meeting at the  
Salem Town Hall, on Thursday, March 25, 2004, at 7:00 PM.

**2. TOWN BOARD ACTION REGARDING PLANNING & ZONING  
MINUTES FROM 2/25/04:**

**A. DISCUSSION OF FORMING A WATER UTILITY TO PROVIDE  
WATER FOR NEW DEVELOPMENTS/ BRAD ZAUTCKE:**

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

**B. DISCUSSION AND POSSIBLE ACTION REGARDING PUBLIC  
NOTICE FOR VARIANCE AND REZONING APPLICATIONS:**

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

C. DISCUSSION REGARDING THE SPLIT OF A 9.5 ACRE PARCEL  
(#65-4-120-153-0800, ON 263<sup>RD</sup> AVENUE) INTO FOUR  
PARCELS, UNDER THE R-2 GUIDELINES / BRIAN ROBERS:  
APPROVE PLAN COMMISSION'S RECOMMENDATION FOR APPROVAL,  
MADE ON A MEIER/O'CONNELL MOTION. MOTION CARRIED 4-0.

D. DISCUSSION AND POSSIBLE ACTION REGARDING A 1.25  
ACRE SPLIT FROM A 6.43 ACRE PARCEL (#66-4-120-224-  
0520) FOR THE PURPOSE OF BUILDING A SINGLE FAMILY HOME  
/ MARVIN & JANICE MULLENS:  
APPROVE PLAN COMMISSION'S RECOMMENDATION FOR APPROVAL,  
HOWEVER, MR. MULLENS WILL BE REQUIRED TO HAVE A 40-FOOT  
RIGHT-OF-WAY, INSTEAD OF 33-FOOT RIGHT-OF-WAY MADE ON AN  
O'CONNELL/FABER MOTION. MOTION CARRIED 4-0.

E. CERTIFIED SURVEY MAP APPROVAL / TOM PADDOCK; WAYNE  
& MARGARET SCHULTZ:  
APPROVE PLAN COMMISSION'S RECOMMENDATION FOR APPROVAL,  
MADE ON A MEIER/TESAR MOTION. MOTION CARRIED 4-0.

F. DISCUSSION AND POSSIBLE ACTION REGARDING VARIANCE  
REQUEST FOR STREETYARD (ALLEY) SETBACK OF 5.5 FEET (30  
FEET REQUIRED); AT 28659-117<sup>TH</sup> STREET; PARCEL #67-4-  
120-321-0626, FOR THE PURPOSE OF BUILDING AN ACCESSORY  
BUILDING / JOHN P. GILARDI:  
APPROVE PLAN COMMISSION'S RECOMMENDATION FOR APPROVAL,  
MADE ON A TESAR/O'CONNELL MOTION. MOTION CARRIED 4-0.

G. DISCUSSION REGARDING NEIGHBORHOOD PLANS:  
APPROVE PLAN COMMISSION'S RECOMMENDATION FOR APPROVAL,  
MADE ON A FABER/MEIER MOTION. MOTION CARRIED 4-0.

3. TOWN BOARD ACTION REGARDING PARK COMMISSION  
MINUTES FROM 2/19/04:

Supervisor Tesar gave a brief outline of what happened at the  
Park Commission Meeting. She said they are still working with  
Robbie Robinson on their Park Plan. There was also talk about an  
intergovernmental agreement.

Chairman Walsh was also at the meeting.

APPROVE MINUTES, MADE ON A FABER/MEIER MOTION. MOTION CARRIED 4-  
0.

4. UPDATE ON SOFTBALL LEAGUE ASSISTANCE / CRYSTI  
NEUMAN:

Mrs. Crysti Neuman was present for the meeting. She stated that  
she appreciated the fact that the Board was willing to take over  
the softball league; however, since the March 1<sup>st</sup> meeting,  
numerous volunteers have agreed to help this year.

Chairman Walsh stated that if Mrs. Neuman or the softball league need help next year, please bring it before the Board.

**MOTION TO RESCIND PREVIOUS MOTION TO TAKE OVER SOFTBALL LEAGUE, MADE ON A TESAR/FABER MOTION. MOTION CARRIED 4-0.**

**5. CONSIDERATION OF POSTING PROPERTIES FOR VARIANCE REQUESTS / TABLED FROM FEBRUARY MEETING:**

Mr. Steve Arnold, from the Plan Commission, stated that there was a staff meeting regarding this matter; however, a fee schedule was not worked out.

Mr. Zautcke suggested a \$50.00 fee for rezoning and/or variance requests.

Chairman Walsh questioned having a property requesting a variance to submit a certified survey map of the neighboring properties?

Mr. Zautcke stated that was not necessary.

**AUTHORIZE TOWN ATTORNEY TO DRAFT AN ORDINANCE REGARDING THIS MATTER, INCLUDING A \$50.00 FEE, MADE ON AN O'CONNELL/FABER MOTION. MOTION CARRIED 4-0.**

**6. DISCUSSION AND POSSIBLE ACTION REGARDING RAZE ORDER FOR PROPERTY AT 11409-276<sup>TH</sup> AVENUE; PARCEL #66-4-120-283-0665:**

**MOTION TO CONTINUE WITH RAZE ORDER, AND PLACE ON NEXT MONTH'S AGENDA FOR AN UPDATE FROM BUILDING INSPECTOR, JACK ROWLAND, MADE ON A FABER/MEIER MOTION. MOTION CARRIED 4-0.**

**7. DISCUSSION AND POSSIBLE ACTION ON WORK PROGRAM FOR THE PREPARATION OF NEIGHBORHOOD PLANS:**

Mr. Zautcke stated that the Town's Plan Commission felt they did not have enough information on this matter.

Mr. Meehan stated that he has met with some members of Kenosha County Zoning, as well as members of the Town of Salem. He has passed the information on to SEWRPC; they want the neighborhood planning integrated with the sewer service area delineation. He read a quote from a letter received from SEWRPC "We believe that together we can convince the Wisconsin Department of Natural Resources that a well-planned approach to neighborhood development is in the long run public interest and should override any narrow concerns that the Department may have about the timing, placement, and overall amount of development in the Salem Community."

Mr. Meehan has also discussed this with Mr. Zautcke.

Mr. Kaempfer stated that when each neighborhood plan is finished, SEWRPC will change the sewer service area to reflect the plan. They are willing to work with the Town.

Chairman Walsh stated that Smart Growth and Neighborhood Planning go hand in hand, according to Kenosha County.

Mr. Meehan would like to go over the information received from SEWRPC and go back and massage the existing "work program" that has been prepared for neighborhood planning.

Chairman Walsh doesn't want to wait on this matter. He also asked if Kenosha County would reimburse the Town for any of this expense?

Mr. Kaempfer stated that SEWRPC is presently working with the County on funding. After the neighborhood plan is completed, then SEWRPC will do the Smart Growth if the Town supplies the information.

Supervisor Faber stated that Smart Growth also asks for input from the Schools.

**MOTION TO CONTINUE WITH THE WORK PROGRAM FOR NEIGHBORHOOD PLANNING, INCLUDING COSTS, MADE ON A FABER/O'CONNELL MOTION. MOTION CARRIED 4-0.**

At this time, Mr. Steve Arnold asked if the Town has checked into becoming a Charter Town?

Chairman Walsh stated that this matter has been looked at.

**8. DISCUSSION AND POSSIBLE ACTION FORMING WATER UTILITY FOR NEW DEVELOPMENTS:**

**APPROVE AUTHORIZING ATTORNEY SCHOLZE TO DRAFT AN ORDINANCE REGARDING NEW DEVELOPMENTS TO SUPPLY WATER, MADE ON A MEIER/TESAR MOTION. MOTION CARRIED 4-0.**

**9. DISCUSSION AND POSSIBLE ACTION ON AMENDED AFTER HOURS DOG CALL POLICY / GEORGE VUJOVIC:**

Chairman Walsh stated that he has received numerous telephone calls from the Kenosha County Sheriff's Department regarding the Town's policy for after-hour dog pick-ups. The Town's ordinance only addresses vicious dogs to be picked up after hours. He does not have a problem authorizing this amendment.

However, the Town Clerk questioned the after hour calls - how many does the Town actually receive? She also stated that in the year 2003, more than \$4500.00 was spent in expenses for dogs; however, the Town only received approximately one-fourth of that amount.

Chairman Walsh stated that there are numerous calls to the Sheriff's Department regarding dogs.

Mr. Vujovic stated that he would like some sort of direction from the Town Board.

Clerk Seitz stated that she had spoken with the Kenosha Humane Society and they contract with Wheatland for \$75.00 a month, plus \$50.00 for each dog picked up.

The Finance Committee will look into this matter, along with the Town Clerk and have some answers for the Town Board at the April meeting.

**TABLE UNTIL APRIL MEETING, MADE ON A TESAR/FABER MOTION. MOTION CARRIED 4-0.**

**10. FORMAL REQUEST FOR THE INSTALLATION OF A STOP SIGN AT 87<sup>TH</sup> STREET ON THE WEST SIDE OF STH "83" / GEORGE VUJOVIC:**

Mr. Vujovic stated that the Town Board has to formally request to the County Board for a stop sign at this particular street, due to the fact that it butts against a State Highway that is maintained by Kenosha County.

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

**11. DISCUSSION AND POSSIBLE ACTION ON UPDATING PARKS MOWER / GEORGE VUJOVIC:**

Mr. Vujovic stated that the present mower is 10 years old. Also, the highway department mows more parks every year. They now mow 26.57 acres.

Supervisor Tesar asked if it was all parkland?

Mr. Vujovic stated that that acreage includes lift stations, and the rescue squad land.

Supervisor Tesar asked if the money would be coming from the parks fund, or the highway equipment fund?

Mr. Vujovic stated that it didn't matter.

Supervisor Tesar asked what was going to be done with the existing mower?

Mr. Vujovic said they would be keeping it.

**APPROVE PURCHASE OF MOWER FROM HIGHWAY "C" SERVICE, IN THE AMOUNT OF \$7909.00, WITH THE MONEY TO BE TAKEN OUT OF HIGHWAY EQUIPMENT FUND, MADE ON A MEIER/O'CONNELL MOTION. MOTION CARRIED 4-0.**

**12. DISCUSSION AND POSSIBLE ACTION REGARDING WORKHORSE USERS CONFERENCE IN WAUSAU, WISCONSIN ON APRIL 21<sup>ST</sup> AND 22<sup>ND</sup>:**

Clerk Seitz stated there would be two people going from the Town Hall.

Mr. Zautcke said that two people would also be going from the Utility District.

**APPROVE ATTENDANCE FOR WORKHORSE USERS CONFERENCE FOR FOUR PEOPLE, MADE ON A TESAR/MEIER MOTION. MOTION CARRIED 4-0.**

**13. CONSIDERATION OF PICNIC LICENSES FOR:  
\*\*CENTER LAKE WOODS PROPERTY OWNER'S ASSOCIATION ON  
MARCH 20, 2004 AND APRIL 17, 2004:**

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

**\*\*WILMOT VOLUNTEER FIRE DEPARTMENT FROM MAY 1, -  
OCTOBER 30, 2004:**

**APPROVED ON A FABER/MEIER MOTION. MOTION CARRIED 4-0.**

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

Tamara Herner  
Ann Olszewski  
Justin Shannon  
Lori Taylor  
Jackie Gilliam

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

AT 8:20 PM, THE MEETING WAS ADJOURNED ON A TESAR/FABER  
MOTION. MOTION CARRIED 4-0.

Minutes submitted by: \_\_\_\_\_ Town  
Clerk.

Minutes prepared  
by: \_\_\_\_\_ Deputy Clerk.