

MINUTES  
TOWN OF SALEM  
REGULAR MEETING OF THE BOARD OF SUPERVISORS  
MONDAY, JUNE 11, 2007 7:00 P.M.

**Board Chairman Diann Tesar** called this Regular Meeting of the Town of Salem Board of Supervisors to order at 7:00 p.m. with the following present:

**CHAIRMAN:** Diann Tesar

**BOARD OF SUPERVISORS:** Josephine Weidman, Joe Meier, and Pat O’Connell

**ABSENT:** Dennis Faber, ill

**OTHERS:** Rich Scholze, Mike Slover, Chris Lamb, Chris Kaemper, Jack Rowland, Brad Zautcke, Jim Frechette, and Cindi Ernest

**GUESTS:** Pat Mulvey, Robert Geary, Rick Zanow, Tina Benser, Bridget Dwyer, Marianne Kane, Pat Kane, Michael Flaherty, Linda Valentine, Donna Wade, Amy Wade, Erv Schwab, Edward Bul, Bin Nenser, Carl Siegel, Lou Lang, Jackie Lang, Bill Burchett, Shelly Burchett, Deborah Miller, Cal Larry Hodges, Mary Colletti, Ty Hoeper, Walter Gerke, Marge Gerke, John Skurski, Ed Raymond, James Schultz, Cynthia Bitto, Kevin Paull, Scott McHale, Marion Schmidt, Ron Schmidt, Jeremy Fitch, Scott Frederick, Christine Frederick, Margaret Paintz, Donna Naujokas, Mike Sasser, Ken Paull, P. Mahey, Dave Auke, Cheryl Auke, Laura Reid, Gerry Kreiger, Yvonne Patterson, Kathleen McHale, Daniel Bitto, Bob Trapp, Lorraine Paull, and Kevin O’Keefe.

**PLEDGE OF ALLEGIANCE**

Chairman Tesar led the Pledge of Allegiance.

**OPEN MEETING COMPLIANCE CHECK**

The agenda was posted at 3:00 p.m. on Friday, June 8, 2007 at the Town Hall Municipal Building, Salem Post Office, Camp Lake Post Office, Wilmot Post Office, and the Trevor Post Office. It was also posted on the Town’s website.

**MINUTES**

MOTION BY Supervisor Meier, second by Supervisor O’Connel to approve the minutes of a Regular Board Meeting on May 14, 2007 as presented.

UNANIMOUS VOTE – AYE

MOTION CARRIED

**TREASURER’S REPORT**

Treasurer Chris Lamb gave the treasurers report as follows:

**MAY 2007 - CASH REPORT FOR THE GENERAL ACCOUNT - TOWN OF SALEM**

MAY 1, 2007- Beginning Balance **\$3,012,503.17**

<b><u>RECEIPTS</u></b>	<b>\$ 155,146.58</b>
Transfer from Tax Fund	\$ 1,738.57
<b><u>DISBURSEMENTS</u></b>	<b>\$ 313,881.63</b>
P AYROLL	<b>\$ 99,838.68</b>



MAY 31, 2007 Ending Balance \$ 1,409,386.55

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**MAY 2007 - CASH REPORT FOR THE TRAILS ACCOUNT - SALEM**

MAY 1, 2007 Beginning Balance \$ 211,115.50

**RECEIPTS \$930.71**

MAY 31, 2007 Ending Balance \$ 212,046.21

**VOUCHERS**

**TOWN OF SALEM:**

May 15-31,2007 \$ 175,721.40

June 1-11, 2007 \$ 43,271.99

Payroll

#11 \$60,959.89

#12 \$66,065.70

**UTILITY DISTRICT:**

May 15-31, 2007 \$ 102,186.36

June 1-11, 2007 \$ 38,622.81

Payroll

#11 \$18,502.77

#12 \$18,737.92

MOTION BY Supervisor O'Connell, second by Supervisor Weidman to approve the treasurer's report as presented.

UNANIMOUS VOTE – AYE

MOTION CARRIED

MOTION BY Supervisor Meier, second by Supervisor Weidman to approve the payment of the vouchers as presented.

UNANIMOUS VOTE – AYE

MOTION CARRIED

**CLERK'S REPORT**

1.) Clerk Cindi Ernest reported that the Town's Office's will be closed for the 4<sup>th</sup> of July.

2.) Clerk Ernest requested that the board approve her appointment of Marilyn Glaze as her deputy clerk.

MOTION BY Supervisor Meier, second by Supervisor O'Connell to approve the appointment of Marilyn Glaze as Deputy Clerk.

UNANIMOUS VOTE – AYE

MOTION CARRIED

**PRESENTATIONS, PETITIONS, AND COMMUNICATIONS**

1.) Auditor Jim Frechette presented the 2006 draft audit report to the board.

He highlighted GASB Management Discussion and analysis method for the Town to show things that they are not able to put in the regular report. This is something that the Town needs to prepare and is a kind of "State of the Town" report.

Mike Murdock arrived at 7:10 p.m.

MOTION BY Supervisor O'Connell, second by Supervisor Meier to approve the 2006 Fiscal Year Audit Report as presented.

UNANIMOUS VOTE – AYE  
MOTION CARRIED

2.) Donna Naujokas, requested to place the Wisconsin State flag she received from Senator Wirth, which flew over Madison, on a flag pole in the island on 121<sup>st</sup> Street. Discussion.

MOTION BY Supervisor Weidman, second by Supervisor Meier to purchase a flag pole and instruct Mike Murdock and the Highway department to install the pole and flag.

UNANIMOUS VOTE – AYE  
MOTION CARRIED

3.) Citizens Comments.

Cynthia Bitto living on 222<sup>nd</sup> Ave. in the Lake Shangri La Woodlands requested that the house next door to her on 222<sup>nd</sup> Ave. and 122<sup>nd</sup> St have a repair or raze order. The house has been abandoned, there is mold everywhere, kids are breaking in, the well needs to be capped, and there are rodents throughout.

Discussion followed

Building Inspector Jack Rowland will follow up on this and begin raze proceedings.

Ken Paull requested to see the proposed plans for the 400 condos on the Bryzek property. He was told they would be available at the next Planning Commission meeting.

Scott McHale, 11425 276<sup>th</sup> Ave. Trevor, told the board that in Camp Lake Gardens there is a scrap metal business in a residential area.

He stated that the property owners are cutting up old trailers and mobile homes. He also complained about the children in the area running motorcycles up and down the roads in a safe manner.

Discussion followed. Brad Zautke will contact Kenosha County regarding this matter.

Linda Valentine reported to the board that the dedication of Miller Park went very well on June 1<sup>st</sup>. It was attended by board members as well as members of the highway and fire departments. She will have pictures available for the website.

## **DEPARTMENT REPORTS, ACTIONS, AND EXPENDITURE REQUESTS**

### **UTILITY DISTRICT**

1.) Chris Kaempfer reported that the bids for the Wet Water Flow at the WWTP came in about 8% less than the engineers estimate. He reviewed the bids with the board. Based on the review, he recommended that Contract E121-07-03A General Construction and Contract E121-07-03B Mechanical Work be awarded to Staab Construction Corp., Inc. of Marshfield, WI in the amount of \$1,597,000.00. Contract E121-08-03C Electrical Work be awarded to Pieper Electric, Inc. of Milwaukee, WI for the base bid amount of \$404,418.00.

MOTION BY Supervisor O’Connell, second by Supervisor Meier to award the bids for the Wet Water Flow at the WWTP to Staab Construction and Peiper Electric, based on Kaempfer’s recommendation.

UNANIMOUS VOTE – AYE

MOTION CARRIED

2.) The Town’s Personnel Policy Manual doesn’t address what happens to an employee’s compensation time when they go from an hourly employee to a salaried employee. Based on Gary Caputo having 54.42 hours of comp time on the books for 2006, it is the recommendation of Attorney Hulsey and Utility District Administrator Brad Zautke that Gary Caputo be reimbursed for his outstanding comp time in the amount of \$1,180.37.

MOTION BY Supervisor Weidman, second by Supervisor Meier to approve the payment of \$1,180.37 to Gary Caputo for outstanding comp time.

UNANIMOUS VOTE – AYE

MOTION CARRIED

3.) Utility District Administrator Brad Zautke received a letter requesting that 122<sup>nd</sup> Street be deleted from the 2007 Sanitary Sewer Extension Project. There is only one owner on the street and he has three (3) lots and doesn’t want to be included due to the costs.

MOTION BY Supervisor O'Connell, second by Supervisor Meier to delete 122<sup>nd</sup> Street from the 2007 Sanitary Sewer Extension Project.

UNANIMOUS VOTE – AYE

MOTION CARRIED

4.) A letter was received from Robert and Amy Willemarck 9905 269<sup>th</sup> Ct., Trevor, requesting that the special assessment fees for the 2007 Sanitary Sewer Extension Project be postponed until the wetland delineation determination has been made.

Chris Kaempfer said there are three (3) properties and this is part of a wetland. A survey is being done and will be submitted to Kenosha County. No action is necessary at this time.

## **HIGHWAY**

1.) Highway Department Superintendent Mike Murdock, received three (3) bids for a mower attachment. He recommended that we purchase the mower attachment from Otter Sales and Service in Burlington in the amount of \$2,750.00.

MOTION BY Supervisor O'Connell, second by Supervisor Meier to purchase the mower attachment from Otter Sales and Service for \$2,750.00

UNANIMOUS VOTE – AYE

MOTION CARRIED

2.) Highway Superintendent, Mike Murdock, made a recommended that the board hire a new Highway Department employee: Donald O'Rourke.

MOTION BY Supervisor Meier, second by Supervisor O'Connell to hire Donald O'Rourke as a Highway Department employee.

ROLL CALL VOTE – Chairman Tesar, Supervisors O'Connell and Meier – AYE

ROLL CALL VOTE – Supervisor Weidman – NAY

Supervisor Weidman stated that we didn't replace Mike Murdock who took George Velojic's position. Discussion followed.

MOTION CARRIED

3.) Mike Murdock, Highway Department Superintendent requested the removal of safety hazards at the Community Park located on 256<sup>th</sup> Avenue. He said there are several old buildings such as a chicken coop that should be removed, and there are open cisterns, but not the pole barn.

Supervisor Jo Weidman thought that the septic field and open cisterns were supposed to be taken care of. Discussion followed.

Attorney Rich Scholze will look into this.

MOTION BY Supervisor Weidman, second by Supervisor O'Connell to start with the removal of the smaller out buildings at Community Park. The board is to look at the other buildings and make a recommendation.

UNANIMOUS VOTE – AYE

MOTION CARRIED

## **FIRE AND RESCUE**

1.) Mike Slover and Mike Murdock presented information regarding a written offer of \$25,00 for 20 acres to purchase property for the Town of Salem Fire/Rescue Department and Highway Department located behind the Trevor Fire Station on Highway C.

Chairman Tesar requested that this item be tabled for more information.

Discussion followed.

MOTION BY Supervisor O'Connell, second by Supervisor Meier to approve the written offer as presented.

Further discussion followed with regards to some board members not being fully informed, the amount of the earnest money, and the need for a workshop so the board can decide if this is what they wish to do.

ROLL CALL VOTE – Supervisors O'Connell and Meier – AYE

ROLL CALL VOTE – Chairman Tesar and Supervisor Weidman -NAY

TIE VOTE

MOTION FAILED

2.) Fire Chief Mike Slover read the letter of resignation from administrative assistant, Susannah Huber, from Fire/Rescue.

MOTION BY Supervisor Meier, second by Supervisor O'Connell to accept the letter of resignation from Susannah Huber as administrative assistant for Fire and Rescue.

UNANIMOUS VOTE – AYE

MOTION CARRIED

### **BUILDING AND ZONING**

1.) Building Inspector Jack Rowland requested to appoint Crysti Neuman to the position of Building Department Administrative Assistant.

MOTION BY Supervisor Weidman, second by Supervisor O'Connell to appoint Crysti Neuman to the position of Building Department Administrative Assistant.

UNANIMOUS VOTE – AYE

MOTION CARRIED

### **PLANNING AND ZONING COMMISSION**

1.) MOTION BY Supervisor Meier, second by Supervisor O'Connell to approve the minutes of the Planning and Zoning Commission on May 23, 2007 as presented.

UNANIMOUS VOTE – AYE

MOTION CARRIED

2.) A Public Hearing was held prior to this meeting for consideration of a preliminary plat and rezoning request for Prairie Creek Estates Subdivision-Modern Homes for the property located at the 264<sup>th</sup> Ave and 110<sup>th</sup> Street, parcel#66-4-120-281-2501.

MOTION BY Supervisor Weidman, second by Supervisor O'Connell to approve this rezone request as proposed.

UNANIMOUS VOTE – AYE

MOTION CARRIED

3.) Owner Aaron Stanton 25700 122nd Street. After a survey, it was found that the northwest corner of his home encroaches almost three (3) feet into the road right of way. Kenosha County wants the Town of Salem to vacate this before a second story can be put on the home. Discussion followed  
Attorney Scholze told the board that there are a number of steps which must be taken, subject to the approval of electors.

MOTION BY Supervisor Weidman, second by Supervisor Meier to table this item.

UNANIMOUS VOTE – AYE

MOTION CARRIED

4.) Ordinance No. 07-06-11A, an Ordinance amending section 1.10 (8) of the Town of Salem Code of Ordinances relating to petitions for zoning amendments or variances was read.

MOTION BY Supervisor O'Connell, second by Supervisor Meier to adopt Ordinance No. 07-06-11A.

UNANIMOUS VOTE – AYE

MOTION CARRIED

### **PARK COMMISSION**

1.) The Park Commission has recommended the appointment of Billy Barhyte to a seven (7) year term on the Park Commission. His term would end in June 2014.

MOTION BY Supervisor Weidman, second by Supervisor O'Connell to approve the appointment of Billy Barhyte to the Park Commission.

UNANIMOUS VOTE – AYE

MOTION CARRIED

### **SUBSET REPORTS: REPORT AND ACTION TAKEN ON PREVIOUS SUBSET MEETINGS, FUTURE AGENDA ITEMS, AND UPCOMING SCHEDULED MEETINGS.**

#### **Public Safety and Water Patrol**

1.) The Public Safety Subset met with Josh Cooper regarding an update of the Water Patrol Policy Manual. MOTION BY Supervisor O'Connell, second by Supervisor Meier approve the changes to the Water Patrol Policy Manual.

UNANIMOUS VOTE – AYE

MOTION CARRIED

2.) The Public Safety Subset recommended that Mark Paulsen attend schooling with wage compensation of 24 hours.

MOTION BY Supervisor Meier, second by Supervisor O'Connell to approve the wage compensation of 24 hours for Mark Paulsen while he is attending school.

UNANIMOUS VOTE – AYE

MOTION CARRIED

3.) The Public Safety Subset met with Josh Cooper and discussed overtime and coming in at 7:00 am and leaving at 3:00 pm. So as to contact ordinance violators before they go to work.

MOTION BY Supervisor O'Connell, second by Supervisor Meier approve the changes to the Safety Officers work hours.

UNANIMOUS VOTE – AYE

MOTION CARRIED

### **OTHER TOWN BUSINESS**

1.) Chairman Tesar stated that a Public Hearing was held relative to the Town of Salem Alcohol Licenses. She read them again to be entered into the record as follow:

#### **Class A (beer only)**

J.D.'s Citgo Mart

HWY. 83 Gas Mart

#### **Class B (beer only)**

Linda's Wilmot Café

#### **Class A and Class A (combination beer & intoxicating liquor retail)**

Fox River Spirits

Lucky Dog Liquor

Mac's Deli & Grocery

#### **Class B (combination beer & intoxicating liquor)**

Colony House

Cross Lake Inn

Dynies

Eldorados

Foxy's

Hideout

Kelly's Pub

Kickstand

Lumpy's Sports Bar & Grill

Marcomb's Steak House

Mars Trading Post Inn

Michael's Pub

Nonni's Italian Bistro & Bar

Otto's Hideaway Tavern

Ralph's Ace of Hearts

Rob's River Edge

Roof & Bricks Tavern

75<sup>th</sup> Street Inn

Siebert's Pub

Spring Valley Country Club

State Line Inn

Twin Oaks Country Inn

Wilmot Stage Stop

MOTION BY Supervisor Meier, second by Supervisor O'Connell to approve Town of Salem Alcohol Licenses pending clear background checks, payment of delinquent taxes, assessments, and all necessary fees.  
UNANIMOUS VOTE – AYE  
MOTION CARRIED

2.) Chairman Tesar read the Cigarette License applications in the Town of Salem for the record as follows:

Dynies  
Eldorados  
Fox River Spirits  
Hideout  
HWY. 83 Gas Mart  
J.D.'s Citgo Mart  
Kickstand  
Lumpy's Sports Bar & Grill  
Mac's Deli & Grocery  
Mars Trading Post Inn  
Michael's Pub  
Otto's Hideaway Tavern  
Ralph's Ace of Hearts  
Rob's River Edge  
Roof & Bricks Tavern  
75<sup>th</sup> Street Inn  
Siebert's Pub  
Spring Valley Country Club  
State Line Inn  
Trevor Mini Mart

MOTION BY Supervisor Weidman, second by Supervisor O'Connell to approve Town of Salem Cigarette Licenses pending payment of delinquent taxes, assessments, and all necessary fees.  
UNANIMOUS VOTE – AYE  
MOTION CARRIED

3.) Chairman Tesar read the Amusement License applications in the Town of Salem for the record as follows:

Cross Lake Inn  
Dynies  
Eldorados  
Foxy's  
Hideout  
Kelly's Pub  
Kickstand  
Lumpy's Sports Bar & Grill  
Marcomb's Steak House  
Mars Trading Post Inn  
Michael's Pub  
Otto's Hideaway Tavern  
Ralph's Ace of Hearts  
Rob's River Edge  
Roof & Bricks Tavern  
75<sup>th</sup> Street Inn  
Siebert's Pub  
State Line Inn

MOTION BY Supervisor O'Connell, second by Supervisor Meier to approve Town of Salem Amusement Licenses pending payment of delinquent taxes, assessments, and all necessary fees.

UNANIMOUS VOTE – AYE  
MOTION CARRIED

4.) Chairman Tesar read the Operators License applications in the Town of Salem for the record as follows:

Karen Ruffalo	Linda Brimley	Theresa Popp
Jacqueline Clark	Gary Poagachar	Patirck Watson
Pamela Thompson	Karin Johnson	Marc Romero
Deborah Redfern	Louise Stephens	Nancy Dulek
Loretta Laskey	Kimberly Cali	Cynthia (Tia) Warminton
Kimberly Lloyd	Tim Eckland	Tracy Kaminski
Juliana Strasser	Jenny Erickson	Tammy Ludvigsen
Ghumshyum Patel	James Coskey	Ryan Wagner
Tamara Herner	David Engstrom	Nicole Vestuto
Marie Jonas	Michael Jonas Jr.	John Wagner
Tina Markarian	Camille Halton	Dustin Zaitz
Blair Halton Sr.	Theresa Otto	Marne Devries
George Bremner	Teresa Leopoldt	Brett Eisenhauer
Sharon Watson	Heather Powers	Kristen Camp
David Powers	Brandi Nelson	Pamela Heins
Terri Rogers	Lori John	Kevin Krueger
Andrew Brown	Jill Eisenhauer	Denise Whitehead
Bridget Best	Richard Manning	Ellen Hanson
Dale Mareci	Ruth Trost	Dennis Hackeloer
Jari LaRocco	Salvatore Barranco	Dawn Barranco
Nancy Barranco	David Ehlert	David Gyger
Nicolai Gulbransen	Renae Shike	Patricia Jo Burns
Aaron Emond	Shawn Burns	David Jurkowski
Terry Mapes	Carrie Ellis	Laura Wattlelet

MOTION BY Supervisor Weidman, second by Supervisor O’Connell to approve Town of Salem Operators Licenses pending payment of all necessary fees.

UNANIMOUS VOTE – AYE  
MOTION CARRIED

5.) Chairman Tesar read the Mobile Home Park License applications in the Town of Salem for the record as follows

Carefree Estates	Lakewood Estates
Parrish Properties, owner	George Gekas, owner

MOTION BY Supervisor Weidman, second by Supervisor Meier to approve Town of Salem Mobile Home Licenses pending payment of delinquent taxes, assessments, and all necessary fees.

UNANIMOUS VOTE – AYE  
MOTION CARRIED

6.) An expenditure request from Bryan Stevens for a new backup system for the Town’s computers was tabled due to no information.

## **NEW BUSINESS**

1.) A request was made for an ad donation for the Westosha Walk for Seniors & the Health of It. Discussion followed.

MOTION BY Supervisor Meier, second by Supervisor O'Connell to donate \$100 to the Westosha Walk for Seniors and the Health of It.

UNANIMOUS VOTE – AYE

MOTION CARRIED

2.) A request for was made scholarship sponsorship for Kenosha Area Business Association Golf Classic. Discussion followed.

MOTION BY Supervisor O'Connell, second by Supervisor Meier to donate \$150 to the Kenosha Area Business Association Golf Classic Scholarship.

Discussion followed.

MOTION BY Supervisor O'Connell, second by Supervisor Meier to rescind the motion donate \$150 to the Kenosha Area Business Association Golf Classic Scholarship.

UNANIMOUS VOTE – AYE

MOTION CARRIED

MOTION BY Supervisor O'Connell, second by Supervisor Weidman to donate \$75 to the Kenosha Area Business Association Golf Classic Scholarship.

UNANIMOUS VOTE – AYE

MOTION CARRIED

3.) A proposal from DAB Carpet Cleaning for the yearly Town Hall carpet cleaning was presented in the amount of \$419.25.

MOTION BY Supervisor Meier, second by Supervisor Weidman to approve the annual cleaning of the Town Hall carpets in the amount of \$419.25.

UNANIMOUS VOTE – AYE

MOTION CARRIED

4.) Chairman Tesar presented Ordinance No. 07 06 11 an ordinance creating Section 12.03 (3) (g) of the Town of Salem Code of Ordinances relating to the issuance of Provisional Retail Licenses.

MOTION BY Supervisor O'Connell, second by Supervisor Meier to adopt Ordinance No. 07 06 11 as presented.

UNANIMOUS VOTE – AYE

MOTION CARRIED

### **OLD BUSINESS**

1.) Chairman Tesar stated a Public hearing was held by the DNR on Hooker Lake Fire Lane/Access Abandonment on June 6, 2007.

Mike Murdock, Highway Department Superintendent stated that this access would give more room. Supervisor O'Connell stated that at the annual meeting, permission was given to proceed. After the Public Hearing that was held, the judge has 30 days to make a decision. Then it would go to appeal if there are further issues and opposition.

Chairman Tesar stated that this access has created another problem. She then allowed comments regarding this issue.

Ron Schmidt 810 238<sup>th</sup> Ave.

Access is already adequate. An abandonment would create an issue on future access in Salem Oaks. It would allow more access to the public and in return parking problems and more policing. He owns the adjoining property and has kept it cleaned and maintained. He has concerns regarding unoccupied vehicles, litter, property depreciation and Kreiger's benefit would be personal. He urged the board to not consider landscaping. When they do, it becomes an alley. He also asked the board to again consider policing, permits, and maintenance and study both the short and long term impacts.

Jeremy Fitch 23707 80<sup>th</sup> Pl.

He stated his driveway is at the end of the access. People park their boats and trailers on his property. There is no policing. He believes there will be more people parking and the Town can't police what they have. Chairman Tesar asked him if he would allow a No Parking sign place in his yard to which Mr. Fitch responded yes.

Mike Murdock was directed to place a sign.

Scott Frederick 8028 238<sup>th</sup> Ave.

He stated he has the same parking concerns as Mr. Fitch. People park on his property. He has picked up their tires, beer cans, broken glass, and their garbage. He also believes that with 25ft, the DOT won't allow parallel parking.

Margaret Paintz 8010 238<sup>th</sup> Ave.

She stated her husband wrote a letter to the DNR. The board needs to consider how their decision will impact others.

There were no further comments and this discussion will be tabled until the DNR makes a decision. Further discussion followed. Lorraine Paull also briefly spoke.

2.) There was little discussion regarding an ordinance regulating the # of garage sales. Planning Commission Administrator Brad Zautke, will contact the Kenosha County regarding the continuing garage sale as a business.

3.) Clerk Cindi Ernest recommended that the board not change the Town of Salem website domain name at this time.

MOTION BY Supervisor Weidman, second by Supervisor O'Connell to not change the Town of Salem website domain name at this time.

UNANIMOUS VOTE – AYE

MOTION CARRIED

#### **ADJOURNMENT**

MOTION BY Supervisor O'Connell, second by Supervisor O'Weidman to adjourn this Regular Meeting.

UNANIMOUS VOTE – AYE

MOTION CARRIED

**THIS MEETING WAS ADJOURNED AT 9:24 P.M.**

Respectfully submitted,

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Cindi Ernest, Clerk