

MINUTES  
TOWN OF SALEM  
REGULAR MEETING OF THE BOARD OF SUPERVISORS  
MONDAY, AUGUST 13, 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, Pat O'Connell, and Dennis Faber

**OTHERS:** Rich Scholze, Mike Slover, Chris Lamb, Chris Kaemper, Brad Zautcke, Josh Cooper, and Cindi Ernest

**GUESTS:** Bob Patterson, Yvonne Patterson, Virginia Winker. William Winker, Tom Donat, Jennifer Donat, Jerry Laurin, Adell Laurin, Bob Geary, Lisa Hinze, Tom Cooper, Diane Cooper, Mike Carter, Carla Chalker, Crysti Neuman, Tim Vanderhoef, Richard Rukstales, Mulvey, Ray Miller, and Bill Carey.

**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, August 10, 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 Faber, second by Supervisor O'Connell to approve the minutes of a Public Hearing 1 on 07/09/07, Public Hearing 2 07/09/07, Public Hearing 3 07/09/07, Regular Board Meeting on 07/09/07, Special Meeting 07/12/07, Special Meeting 07/19/07, and a Special Meeting 07/26/2007 as presented, with the correction to add Joe Meier as present to the July 19<sup>th</sup> Special Meeting.

UNANIMOUS VOTE – AYE

MOTION CARRIED

**TREASURER'S REPORT**

Treasurer Chris Lamb gave the treasurers report as follows:

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

JULY 1, 2007- Beginning Balance **\$2,584,105.01**

<b><u>RECEIPTS</u></b>	<b>\$ 2,122,619.75</b>
Transfer from Tax Fund	\$ 0.00
<b><u>DISBURSEMENTS</u></b>	\$ 517,211.38
P AYROLL	<u>\$ 184,411.29</u>
<b>Total</b>	<b>\$ 701,622.67</b>

JULY 31, 2007 - Ending Balance **\$4,005,102.09**

State Pool - General	3,708,524.12
Gen. Checking	<u>\$ 296,577.97</u>

**Totals \$4,005,102.09**

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**JULY 2007 - CASH REPORT FOR THE TAX ACCOUNT - TOWN OF SALEM**

JULY 1, 2007- Beginning Balance \$ 119,578.25  
**RECEIPTS** \$ 231.61  
  
**DISBURSEMENTS** \$ 0.00  
Transfer to Gen. Fund \$ 0.00  
  
JULY 31, 2007 - Ending Balance \$ 119,809.86  
State Pool - Tax \$ 42,119.43  
Tax Checking \$ 77,690.43  
**Total \$ 119,809.86**

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**JULY 2007 - CASH REPORT FOR THE PARK ACCOUNT - TOWN OF SALEM**

JULY 1, 2007 - Beginning Balance \$ 669,428.21  
**RECEIPTS** \$ 7,822.08  
  
**DISBURSEMENTS**  
  
JULY 31, 2007 - Ending Balance \$ 677,250.29

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**JULY 2007 - CASH REPORT FOR THE MAINTENANCE ACCOUNT-SALEM**

JULY 1, 2007 Beginning Balance \$ 53,014.79  
**RECEIPTS** \$ 234.46  
  
JULY 31, 2007 Ending Balance \$ 53,249.25

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**JULY 2007 - CASH REPORT FOR THE CAPITAL PROJECTS ACCOUNT - SALEM**

JULY 1, 2007 Beginning Balance \$ 1,415,400.96  
**RECEIPTS** \$ 6,259.57  
  
**DISBURSEMENTS**  
Transfer to General Fund  
  
JULY 31, 2007 Ending Balance \$ 1,421,660.53

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

JULY 1, 2007 Beginning Balance **\$ 212,951.10**

**RECEIPTS** **\$941.77**

JULY 31, 2007 Ending Balance **\$ 213,892.87**

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

UNANIMOUS VOTE – AYE

MOTION CARRIED

**VOUCHERS TOWN OF SALEM:**

Vouchers issued from July 10, 2007  
through July 31, 2007

\$310,817.84

Vouchers issued from August 1, 2007  
Through August 13, 2007

\$244,112.65

Payroll #14

\$87,673.99

Payroll #15

\$79,826.06

Payroll #16

\$77,748.19

Total **\$800,178.73**

There is no longer a separate voucher approval for the Utility District. As of July 1, 2007, all Utility District expenditures are disbursed through the Town.

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

UNANIMOUS VOTE – AYE

MOTION CARRIED

**VOUCHERS OVER \$1,000**

Vouchers over \$1,000 for the month of July 10 – August 13, 2007 awaiting payment total \$500,386.21.

MOTION BY Supervisor O'Connell, second by Supervisor Meier to approve the payment of bills over \$1,000.

UNANIMOUS VOTE – AYE

MOTION CARRIED

**CLERK'S REPORT**

Nothing to report.

**PRESENTATIONS, PETITIONS, AND COMMUNICATIONS**

**1.) Citizens Comments.**

Yvonne Patterson, 24723 82<sup>nd</sup> Street, informed the board that she has had 30-40- feet of standing water on her property. There has never been this problem in the past and it has deteriorated. She Tania Meier of the DNR was supposed to contact them. Mr. Vanderhoef and another neighbor next door are having the same flooding. She questioned Bryzek having control of the dam with only DNR authorization.

Tim Vanderhoef, 24815 82<sup>nd</sup> Street, told the board that he has pulled cattails out of the spillway at the dam. He was told that the DNR will meet with someone of authority, but this hasn't been done. He would like the board to meet with the DNR and the DOT to resolve this issue. In regards to the people farther east, the water is not going down, although his is going down somewhat. Brent Binder at DNR is who he spoke to.

Virginia Winker, 24709 82<sup>nd</sup> Street, the blame goes to the outlet at the subdivision behind the hill, other farms, and the candy store. Silt has been building up for the last 30 years.

Robert Geary, 10040 270<sup>th</sup> Ave., voiced concerns regarding the amount of weeds and vegetation along the channel since the piers have been removed.

Highway Dept. Administrator, Mike Murdock, informed the board and Mr. Geary that the area is currently being mowed twice a year.

Mr. Geary stated he wants to work with the board on a more positive level. Now that the piers have been moved, people are now parking cars on the street. He requested that no parking signs be places as the road is starting to disintegrate into the channel.

Supervisor Faber stated that there are a lot more kids fishing now. Especially, since the cleanup.

Mr. Geary also informed the board that 3 signs within the Town have been vandalized. The stop sign at 270<sup>th</sup> and 100<sup>th</sup> Ave., 272<sup>nd</sup> west of 100<sup>th</sup> about 100 feet, and 270<sup>th</sup> Ct. west. He also thanked Supervisor Faber for the train.

Jennifer Donat, 9630 256<sup>th</sup> Ave., questioned why the Town has allowed the ugly house near her to remain unburned. The windows are blown out, grass is grown up and it was supposed to have been burned.

Fire Chief Mike Slover told her that they would try burning it on the 8<sup>th</sup> of September. The siding had to be torn off first, per the DNR.

Mrs. Donat stated that she was told in July that it would be done.

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

### **UTILITY DISTRICT**

1.) MOTION BY Supervisor Meier, second by Supervisor Faber to adjust late fees and make account adjustments as presented.

UNANIMOUS VOTE – AYE

MOTION CARRIED

2.) Utility District Administrator Zautke requested the purchase of a replacement of the primary sludge pump. He recommended the same brand as the old one gave 35 years of life.

MOTION BY Supervisor O’Connell, second by Supervisor Weidman to approve the purchase of a replacement for the primary sludge pump.

UNANIMOUS VOTE – AYE

MOTION CARRIED

3.) Chris Kaempfer presented Amendment #1 Engineering Agreement for the second phase of the sewer extension, up 256<sup>th</sup> Ave., serving the V3 Subdivision. The plans call for sewer in 2008.

MOTION BY Supervisor Weidman, second by Supervisor Faber to approve the Amendment #1 Engineering Agreement.

UNANIMOUS VOTE – AYE

MOTION CARRIED

4.) Chairman Tesar told the board that a plotter was previously approved by the board, but the one that was approved is out of stock and discontinued. The Utility District is requesting the approval of a different one with a difference in price of an additional \$869.

MOTION BY Supervisor Meier, second by Supervisor O’Connell to approve the purchase of the plotter for an additional \$869.

UNANIMOUS VOTE – AYE

MOTION CARRIED

### **HIGHWAY**

1.) A bid opening was held on Monday August 6th for the Roadway Improvement Projects, Rock Lake Road (State Line to CTH JF) 116<sup>th</sup> Street (22800 Block). Two bids were received and the engineers have reviewed the bids and recommend that the Town award the contract to B. R. Amon with a bid amount of \$183,314.10.

MOTION BY Supervisor O’Connell, second by Supervisor Meier to award the bid contract for the Roadway Improvement Projects to B. R. Amon.

UNANIMOUS VOTE – AYE  
MOTION CARRIED

### **FIRE AND RESCUE**

1.) Fire Chief Mike Slover requested that he be allowed to purchase and have installed three (3) emergency backup generators at the three fire stations, in the amount of \$143,277.00. These will be funded by a 95% grant from the Department of Homeland Security, with the remaining 5% paid out of the operating budget of the Town of Salem Fire/rescue which was previously approved.

MOTION BY Supervisor Weidman, second by Supervisor Faber to approve the purchase of the three (3) generators.

UNANIMOUS VOTE – AYE  
MOTION CARRIED

### **PUBLIC SAFETY**

1.) Mike Carter appeared before the board with pictures regarding an abandoned manufactured home located at 23308 82<sup>nd</sup> Place Parcel #65-4-120-114-1660. The home was last occupied in June 2006. He stated he has been working with Public Safety Officer Josh Cooper and Building Inspector Jack Rowland to rectify the problem.

Public Safety Officer Cooper told the board that he has been several times. The owner was issued a complaint in October 2006. The owner is an Illinois resident and has 9 complaints against him, which he continues to ignore.

Building Inspector Rowland stated that the owner has been sent a letter. The owner contacted him and is supposed to be coming in this week to do something with the property.

Attorney Scholze advised that if the property is not habitable that a notice for public hearing for a raze order should be done.

MOTION BY Supervisor O’Connell, second by Supervisor Meier to proceed to the next step with a letter of notice for a public hearing for the raze order.

UNANIMOUS VOTE – AYE  
MOTION CARRIED

2.) Resident Jerry Laurin requested that the Town place a street light on the east corner entrance to Center Lake Woods, CTH SA and 269<sup>th</sup> Ave. He believes because it is so dark, that it poses a hazard.

MOTION BY Supervisor Faber, second by Supervisor Weidman to send a letter to Kenosha County requesting that a street light be placed on SA and 269<sup>th</sup> Ave.

UNANIMOUS VOTE – AYE  
MOTION CARRIED

3.) Bill Woods failed to appear before the board regarding this matter. Board advised that should he have future complaints regarding 4-wheelers on the bike path, that he contact the sheriff’s office.

4.) Public Safety Officer Cooper told the board that if the Town of Salem had an ordinance creating an actual Public Safety Department, his office would have the ability to access the Department of Justice to run background checks.

MOTION BY Supervisor Meier, second by Supervisor Faber to direct Attorney Scholze to draft an ordinance creating a Public Safety Department.

UNANIMOUS VOTE – AYE  
MOTION CARRIED

5.) Public Safety Officer Cooper advised the board that he received a complaint regarding the landing of an aqua plane on Lake Shangri-La. He feels that the Town’s lakes are too small and too active to allow their landings on the lakes.

MOTION BY Supervisor Faber, second by Supervisor O’Connell to change the ordinance to any body of water in the Town of Salem.

Discussion

MOTION BY Supervisor Faber, second by Supervisor O’Connell to RESCIND THE MOTION to change the ordinance to any body of water in the Town of Salem.

MOTION BY Supervisor Faber, second by Supervisor O’Connell to direct Attorney Scholze to draft and ordinance, with proper wording, to not allow the landing of aqua planes on any body of water in the Town of Salem.

UNANIMOUS VOTE – AYE

MOTION CARRIED

6.) Public Safety Officer Cooper advised the board that he has received communication from the DNR advising that our ordinance regarding the placement of buoys on Camp Lake. Our Ordinance doesn't stipulate placement in other areas.

MOTION BY Supervisor Faber, second by Supervisor Meier to direct Attorney Scholze to draft an amendment to Ordinance 20.05 (1).

UNANIMOUS VOTE – AYE

MOTION CARRIED

### **BUILDING AND ZONING**

1.) Attorney Scholze advise the board that the Bolduc property was properly published and numerous, diligent attempts have been made to serve Bolduc regarding the razing.

MOTION BY Supervisor Faber, second by Supervisor Weidman to go out for bids on the razing of the Bolduc property.

UNANIMOUS VOTE – AYE

MOTION CARRIED

2.) Building Inspector Rowland told the board that Salem Oaks homeowners built a pavilion at Salem Oaks Park with no permit. The park is Town property. The permit is ready to be issued.

There was no formal action taken on this.

3.) Building Inspector Rowland told the board that there were a few drainage issues on new construction by Patrick Mulvey at 9924 270<sup>th</sup> Ct. All swales are there and he put in a catch basin and pipe to the street. An easement for the catch basin needs to be worked out.

There was no formal action taken on this.

### **PLANNING AND ZONING COMMISSION**

1.) MOTION BY Supervisor O'Connell , second by Supervisor Faber to approve the minutes of the Planning and Zoning Commission on July 25, 2007 as presented.

UNANIMOUS VOTE – AYE

MOTION CARRIED

2.) Thomas and Diane Cooper would like to wrap things up and provide a perpetual easement and is requesting that the Town waive claim. They are willing to provide some conditional limited access rights. Steve Tanski spoke against this. He stated that the gates which the Cooper's placed are locked, mailboxes need to be moved and there is no place to put snow.

Discussion followed.

Attorney Scholze advised that the Town doesn't have any obligation except to make sure that Mr. Tanski has access. The Town could go to court, but the Town has met their obligation of they see to it that the Tanski's have access.

Further discussion followed.

MOTION BY Supervisor O'Connell, second by Supervisor Weidman to advise both parties to work together on the easement.

UNANIMOUS VOTE – AYE

MOTION CARRIED

3.) The preliminary revised draft of Neighborhood Plan #2 was presented.

MOTION BY Supervisor Faber, second by Supervisor Meier to approve the revised draft of the Neighborhood Plan #2.

UNANIMOUS VOTE – AYE

MOTION CARRIED

4.) The Town of Salem is requesting a Temporary Use Permit for the placement of up to three (3) temporary campers, by Staab Construction, for use during the new construction at the Waste Water Treatment Plant. Tax Parcel #67-4-120-321-0200.

MOTION BY Supervisor Faber , second by Supervisor Meier to approve the Temporary Use Permit for the placement of three (3) campers at the Town of Salem WWTP.

UNANIMOUS VOTE – AYE

MOTION CARRIED

5.) William and Anna Bacon Tinsley II 25503 121<sup>st</sup> Street , Tax Parcel #67-4-120-341-1121. They are requesting a variance from Section 12.28-7, street yard set back shall not be less than 30 feet. They are requesting 5.3 feet.

Discussion.

MOTION BY Supervisor Faber, second by Supervisor O'Connell to approve the Tinsley variance request of the 5.3 feet at 25503 121<sup>st</sup> Street.

ROLL VOTE – Chairman Tesar, Supervisors Faber, O'Connell, and Weidman – AYE  
Supervisor Meier - NAY

MOTION CARRIED

6.) Chapters 5 and 6 of the Multi Jurisdictional Comprehensive Plan for Kenosha County 2035 was presented.

MOTION BY Supervisor Faber, second by Supervisor Weidman to approve Chapters 5 & 6 of the Multi Jurisdictional Comprehensive Plan for Kenosha County 2035.

UNANIMOUS VOTE – AYE

MOTION CARRIED

7.) Antioch Business Center has filed is petitioning for a conditional use permit from Kenosha County.

MOTION BY Supervisor Faber, second by Supervisor Weidman to table this request until a recommendation from the P & Z is received.

### **PARK COMMISSION**

1.) MOTION BY Supervisor Weidman, second by Supervisor Faber to approve the minutes of the Park Commission meeting on 07/19/2007.

UNANIMOUS VOTE – AYE

MOTION CARRIED

2.) The Park Commission requested that the Town pour a concrete for a pavilion at Rock Lake, which would allow handicap accessibility.

MOTION BY Supervisor Meier, second by Supervisor Faber to approve the pouring of concrete for a pavilion at Rock Lake.

UNANIMOUS VOTE – AYE

MOTION CARRIED

3.) Johnna Tambello was requesting to rent the barn at Community Park for stabling horses. She did not appear before the board to present her request.

There was discussion regarding the use of the buildings at the park.

MOTION BY Supervisor O'Connell, second by Supervisor Meier to not allow any type of rental of any of the buildings at the Community Park at anytime.

UNANIMOUS VOTE – AYE

MOTION CARRIED

### **JUDICIAL**

1.) The monthly court report was presented.

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

1.) Supervisor Faber reminded those in attendance that the Camp Lake Rehabilitation District Annual Meeting will be held on August 25<sup>th</sup> from 9:00 a.m.-11:00 a.m. The budget will be presented with no anticipated changes. They are also receiving a DNR grant for \$87,000.

The Town has been invited by the Town of Bristol to participate in a cost share of a radar speed display. This will be put on the August 20, 2007 Special Meeting agenda.

The Town needs to schedule an open house for the Multi Jurisdictional Comprehensive Plan. This will also be put on the August 20, 2007 Special Meeting agenda.

### **NEW BUSINESS**

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

Bharat I Patel

Niomi Howe

Candice Faassen

Chandra Hamman

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

2.) Picnic License requests have been received for a Family Fun Day on September 8<sup>th</sup> by the Lake Shangri-La Property Owners Assoc. and for a Harvest Festival on September 16<sup>th</sup> by Holy Name of Jesus Church. MOTION BY Supervisor Faber, second by Supervisor Meier to approve the Picnic License for Lake Shangri-La Property Owners Assoc. and Holly Name of Jesus Church.

UNANIMOUS VOTE – AYE

MOTION CARRIED

3.) Sharing Center Board member, Gail Dziki, thanked the board for their donation last year. The donation went towards helping 421 families of which 124 were from Salem. She requested that the board consider putting a set amount in the budget to help the Sharing Center on a yearly basis. If this isn't possible, then a donation.

Alpaca Art is helping the Sharing Center by holding a rummage sale and providing a discount on painting.

MOTION BY Supervisor Meier, second by Supervisor O'Connell to donate \$500 to the Sharing Center.

UNANIMOUS VOTE – AYE

MOTION CARRIED

Donations will be looked at on a case by case basis.

4.) Carla Chalker appeared before the board to discuss flooding and water that may on her property located at 9918 271<sup>st</sup> Ave. Camp Lake Oaks, Tax Parcel 66-4-120-214-1435 from lots located behind her. She has concerns and wants developers to maintain drainage. The is a potential for drainage and wants this taken care of before it happens.

Chairman Tesar advised that this is a civil matter, but that the building department is aware of this and will watch it.

#### **OLD BUSINESS**

1.) Building Inspector Jack Rowland has looked at the status of the home of Ray Miller, that was possibly going to be razed, at 26833 106<sup>th</sup> Street. He stated that the house is pretty much completed and looks much better than it has.

Ray Miller requested that the board consider putting in a street light near his home as there have been acts of vandalism.

Safety Officer Cooper told the board that he feels that the vandalism was an isolated incident.

Attorney Scholze advise that the Town adopted standards for street lighting and that they should be looked at.

Mike Murdock was instructed to look into the standards and see if they apply to the Millers.

#### **ADJOURNMENT**

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

UNANIMOUS VOTE – AYE

MOTION CARRIED

**THIS MEETING WAS ADJOURNED AT 9:14 P.M.**

Respectfully submitted,

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Cindi Ernest, Clerk