

**MINUTES
TOWN OF SALEM
REGULAR MEETING OF THE BOARD OF SUPERVISORS
MONDAY, JUNE 8, 2009 6:45 P.M.**

Chairman Linda Valentine called this Regular Meeting of the Town of Salem Board of Supervisors to order at 6:45 p.m. with the following present:

CHAIRMAN: Linda Valentine

BOARD OF SUPERVISORS: Josephine Weidman, Joe Meier, Pat O'Connell, and Dennis Faber

OTHERS: Pat Casey, Rich Scholze, Brad Zautcke, Chris Lamb, Jack Rowland, Mike Murdock, Mike Slover, David Shortess, Chris Kaempfer, and Cindi Ernest.

GUESTS: Edie Keung, Ethan Keung, Tim Howe, Pat Howe, Heather Keung, Jim Keung, Wendy Samington, Agnes Samington, Gail Dodge, Erin Dolan, Allan Pauley, Chris Dador, Johnathan Schwager, Michele Dador, Jennifer Donat, Marc Paulsen, Denny Howard, Jacob Herried, Ben Barhyte, Henry Will, Lt. Steven Miller, Joshua Fisher, Tom Spoe, Kim Stewart, Dawn Mayland, Ray Blocker, Jo Blocker, Scott Duban, Chris Gustafson, Jim Valentine, Darin Noyes, J. Ciesla, Mike Marchuck, Dawn Nieze, Tyler Nieze, Dennis Sheen, Roland Buhler, Kim Roper, K. Backe, Peter DeBran, K. Labicki, Ruth Dargan, S. Bennett, Jerry Leslie, Ed Herried, John Lucas, Dr. Brad Smith, DC Schroeder, Dave Gyger, Brian DeKind, President Jon Rigoni, Eric Norden, Eric Strzesak, JD Hilber, Lucas Buzzell, Eric Vogt, Ragnar Ouwerkerk, Paula Sass, David Sass, Mary Feeney, Bob Foss, Linda Foss, Bill Carey, Jim Coppleman, Corey Schuler, Dale Blaschke, Barb Melone, Todd Lucassen, T. Lucassen, Brian Lucassen, Greg Brown, Chris Krucek, Rebecca Gracyalney, Kerrie Neumann, Ryan Svehla, Joshua Winder, Barb Ingram, Gary Schwall, Jeff Miller, Bob Lemar, Lori Spencer, Linda Martins, Nick Hoffman, Randy Peck, Kevin Spring, Peter Lattencio, Dawn Spencer, Kathy Sweeting, Michael Flagg, Robert Meisinger, Sherry Morene, Lauren Murdock, Gail Dziki, and Deneen Smith.

FIRE AND RESCUE

1.) Fire Chief Slover introduced and thanked the other community organizations/representatives in attendance. Tammy Chapman, of Flight for Life, presented Salem the Salem Fire and Rescue Department the "Scene Call of the Year Award". This was awarded for the response to the bus/truck accident on HWY 50 in 2008. The award was presented to Chief Slover with a standing ovation from the audience.

PUBLIC HEARINGS (2)

Chairman Linda Valentine called this Public Hearing to order at 7:05 p.m.

1.) Chairman Valentine read the Raze Notice as follows:

TAKE NOTICE that pursuant to the Town of Salem Code of Ordinances, a public hearing shall be held at the Salem Town Hall, 9814 Antioch Road (Highway 83) Salem, WI to determine whether an order should issue requiring that the subject buildings or structures located on the following described premises:

Out Lot 2, Sunset Ridge Estates Subdivision, according to the recorded plat thereof, being a subdivision of part of the Southeast ¼ of Section 27, and part of the Northwest ¼ of the Northeast ¼ of Section 34, and part

of the Southwest ¼ of Section 26, Town 1 North, Range 20 East, Town of Salem, Kenosha County, Wisconsin.

Tax Parcel No. 66-4-120-274-0020
Property Address: Wilmot Road

Property Owner: Summerhill Development Corp.
c/o Dave Meisner
25104 113th Street
Trevor, WI 53179

It has been determined by the Town of Salem Building Inspector to be dangerous, unsafe, unsanitary, or otherwise unfit for human habitation, occupancy or use, due to the dilapidated condition of said structures and that such structures, in their present condition, constitute a public nuisance.
Chairman Valentine asked if there were comments for or against this proposed raze. There were none.

2.) The list of applications that have been filed with the Clerk of the Town of Salem, Kenosha County, Wisconsin for retail licenses to sell fermented malt beverages and intoxicating liquors, in accordance with the provisions of CHAPTER 125.04 of the Wisconsin State Statutes were presented as follows:

**NAME & ADDRESS
OF APPLICANT**

**TRADE NAME & ADDRESS
OF ESTABLISHMENT**

Class A (beer only retail)

Cross Lake Pantry
23618 124th Place
Trevor, WI 53179
Agent: Michael Gentile

Cross Lake Pantry
12617 Antioch Rd.
Trevor, WI 53179

HWY. 83 Gas Mart, Inc.
24416 88th Street
Salem, WI 53168
Agent: Bakula Patel

HWY. 83 Gas Mart, Inc.
12511 Antioch Road
Trevor, WI 53179

Salem Citgo, Inc.
24416 88th St
Salem, WI 53168
Agent: Bakula Patel

Salem Citgo
8246 Antioch Rd.
Salem, WI 53168

Wilmot Auto Service, Inc.
12001 304th Ave.
Trevor, WI 53179
Agent: Dwayne J. Garwood

Wilmot Auto Service, Inc.
11307 Fox River Road
Wilmot, WI 53192

Class B (beer only consumption on premises)

Linda's Wilmot Café
28619 108th St.
Trevor, WI 53179
Agent: Linda L. Orvis

Linda's Wilmot Cafe
11312 Fox River Rd.
Wilmot, WI 53192

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

Haltom & Associates, Inc.
30620 114th St.
Wilmot, WI 53192

Fox River Spirits
11333 Fox River Rd.
Wilmot, WI 53192

Agent: Tina Markarian

Edmond A. Roucka
740 288th Ave.
Burlington, WI 53105
Agent: Edmond A. Roucka

Lucky Dog Liquor
12033 Antioch Rd.
Trevor, WI 53179

C & D Tess, Inc.
26627 75th St.
Salem, WI 53168
Agent: Donna M. Tess

Tess' Market
9610 Camp Lake Rd.
Camp Lake, WI 53109

Class B and Class B (combination beer & intoxicating liquor consumption on premises)

Colony House, Inc.
110 Katie Dr.
Silver Lake, WI 53170
Agent: Lisa Francart

Colony House
25811 119th Street
Trevor, WI 53179

Cross Lake Inn
23640 122nd St.
Trevor, WI 53179
Agent: Karin A. Johnson

Cross Lake Inn
12425 Antioch Rd.
Trevor, WI 53179

Daybreak IV Fishing, LLC
9820 271st Ave.
Trevor, WI 53179
Agent: Richard W. Corduan

Towne Square
11338 258th Ct.
P.O. Box 1
Trevor, WI 53179

Hawg Heaven Bar, LLC
3395 116th St.
Pleasant Prairie, WI 53158
Agent: Michael Frost

Hawg Heaven Bar
10306 Antioch Rd.
Salem, WI 53168

Foxy's, Inc.
11230 260th Ave.
Trevor, WI 53179
Agent: Steve Zaborowski

Foxy's
11230 260th Ave.
Trevor, WI 53179

Lumpy's Sports Bar of WI, Inc.
6330 86th Avenue
Kenosha, WI 53142
Agent: Colin M. Hennessey

Lumpy's Sports Bar and Grill
9251 Antioch Rd.
Salem, WI 53168

Su-Jim, Inc.
2811 280th Ave.
Salem, WI 53168
Agent: Susan Wittnebel

Kelly's Pub
25827 Wilmot Rd.
Trevor, WI 53179

Mars Trading Post Inn, LLC
P.O. Box 713
Silver Lake, WI 53170
Agent: Marlene M. Engstrom

Mars Trading Post Inn
30602 114th Street
Wilmot, WI 53192

Jonas, Jonas, & Jonas, Inc.
23409 127th Street

Michael's Pub
12417 Antioch Rd.

Trevor, WI 53179
Agent: Michael C. Jonas, Sr.

Trevor, WI 53179

Nonni's Italian Bistro & Bar, Inc.
11602 242nd Ave.
Trevor, WI 53179
Agent: Johnette R. Feekes

Nonni's Italian Bistro & Bar
12015 Antioch Rd.
Trevor, WI 53179

Otto's Hideaway Tavern
23601 84th St.
Sale, WI 53168
Agent: Theresa J. Otto

Otto's Hideaway Tavern
23601 84th St.
Salem, WI 53168

P.D.W. Enterprises, Inc.
6800 26th Ave.
Kenosha, WI 53143
Agent: Marc Romero

Roof & Bricks Tavern
28624 Wilmot Rd.
Trevor, WI 53179

Ralph's Ace of Hearts, Inc.
11625 306th Ct.
Wilmot, WI 53192
Agent: Jeanette Young

Ralph's Ace of Hearts
10720 Antioch Rd.
Trevor, WI 53179

Marybeth Morey
26229 75th St.
Salem, WI 53168
Agent: Marybeth Morey

75th Street Inn
26229 75th St.
Salem, WI 53168

Spring Valley Corp.
23913 Wilmot Rd.
Trevor, WI 53179
Agent: Joyce Wagner

Spring Valley Country Club
23913 Wilmot Rd.
Trevor, WI 53179

State Line Inn
20720 116th St.
Bristol, WI 53104
Agent: Glen Rzysko

State Line Inn
12725 Antioch Rd.
Trevor, WI 53179

Wilmot Stage Stop, Inc.
30634 111th St.
Wilmot, WI 53192
Agent: Nancy Hackett

Wilmot Stage Stop
30624 113th St.
Wilmot, WI 53192

T & L Pub
22002 60th Street
Bristol, WI 53104
Agent: Tracy J Ramey

T & L Pub
22002 60th Street
Bristol, WI 53104

Twin Oaks Country Inn, LTD
30807 114th St.
Wilmot, WI 53192
Agent: Richard Knox

Twin Oaks Country Inn
30807 114th St.
Wilmot, WI 53192

Published in accordance with the provisions of Chapter 125.04 of the Wisconsin Statutes.
Chairman Valentine asked for comments for or against the proposed licenses.
Edward Roucka told the board that it is his intention, with board approval, to relocate his liquor store to

11110 Antioch Rd, in Trevor, upon payment of the transfer fee. He told the board this will take place sometime after the 1st of July and he will notify the Town clerk when he transfers. There were no other comments.

PRESENTATIONS, PETITIONS, AND COMMUNICATIONS

- 1.) Town Assessor Rocco Vita made a presentation and answered questions about the 2009 re-assessment report and Board of Review schedule.
- 2.) Chairman Valentine stated that the town is accepting applications of interest for a membership openings on the Board of Review. These may be submitted to the clerk.
- 3.) Kenosha County Sheriff, David Beth, presented information on contracting with the Sheriff's department for policing in the Town of Salem. He stated that the Town of Salem and the Town of Somers are the two (2) busiest communities. The Town of Bristol has recently started contracting with the Sheriff. Some of the advantages are that it's like having your own police department, officers can rotate in as needed, officers are already trained, and have the knowledge which is needed is there. Chairman Valentine asked for an audience show of hands if there is interest in a contract. There was a majority. She informed the board that she would like to schedule workshops to look at the proposal.

CITIZEN INITIATED BUSINESS

1.) Jeff Miller, as a concerned father and resident of Trevor, read a letter to the board. He also presented a petition signed by Salem residents. His neighbor has informed him that he has rented to three (3) convicted sex offenders. He is appalled that the Town doesn't have a sex offender ordinance. He feels it is imperative to have more police patrol in the Town of Salem.

(Mr. Miller's letter and petition will be attached to the minutes as a permanent record.)

Other residents who spoke to the board relative to a sex offender ordinance were Lori Spencer, Linda Martins, and Nick Hoffman.

Discussion followed.

Randy Peck proposed to the board that the following six (6) items be included in the ordinance.

- No more than one (1) offender in a single family dwelling.
- Sexual offenders should be a 2,500' radius from another offender.
- The public must be notified three (3) days prior to an offender moving into a neighborhood.
- Landlords cannot lease to sex offenders.
- Sex offenders must maintain a 2,500' radius from bus stops, beaches, and daycares.

Sex offenders must notify local government three (3) days in advance prior to moving into a community.

Residents Peter Lattencio, Kevin Spring, Dawn Spencer, Kathy Sweeting, and Chris Gustafson all expressed their concerns relative to the sex offenders to the board.

Chairman Valentine pointed out that sex offenders do have rights. It's up to residents to be aware of their surroundings.

Supervisor O'Connell stated that the Town needs an ordinance that can't be challenged.

Sheriff Beth told those in attendance that the attorney general has reviewed every ordinance and each one is unconstitutional. As these people are released, the sex crimes are not committed in the neighborhood. It usually happens when the offenders "work" themselves into a family.

Detective Pat Isap stated that the Dept. of Corrections sometimes notifies and sometimes they don't.

Generally 50-75 flyers are distributed. Convenience stores & liquor stores are notified because they aren't allowed to have alcohol. Most offenders when released have electronic monitoring bracelets which have a 50 ft. radius. They have 15-20 regulations which they must maintain and if they leave their residence, they have restrictions.

Randy Peck stated he spoke with Ruth at the DOC and she informed him there is no radius on the bracelets and their radius is inside his house.

Michael Flagg inquired whether residents could pass out flyers.

Attorney Scholze responded that he knew of nothing which would prevent this.

Further discussion flowed with Robert Meisinger, Alan Pauley, Lori Spencer, Kevin Spring, and Sherry Morene speaking in favor of an ordinance.

Public Safety officer, David Shortess, stated that he has verified that the DOC did give the offenders

permission to go into a store which sells liquor even though it violates their rules. Violations must be documented for the DOC.

Further discussion followed. The Town of Salem will look at writing an ordinance that can't be challenged.

2.) Dale Ludwig, 24503 118th Street, requested approval of an ornamental fish pond. Size is approximately 25' x 15' with a 3 1/2 foot waterfall on one side. He lives in the Hawk's Run Subdivision

Mr. Ludwig answered questions by the board about subdivision restrictions, whether there would be a fence between the walking path and the pond, and the distance from the walking trail. Supervisor Weidman stated she would like to have the existing drain tile looked at.

Mr. Ludwig said it was 50-75 feet from the walking trail.

Dean Troyer, president of Hawk's Run Homeowners Assoc. stated there may be some restrictions and would like to look at it prior to construction.

Mr. Ludwig is to work with Administrator Casey and Building Inspector Rowland on the construction.

3.) Citizens Comments:

Jennifer Donat stated that the speeding on 256th isn't getting better. There is no stop sign.

Administrator Casey stated that with the Park there now, this will be looked at as a whole.

CLERK'S BUSINESS

1.) The minutes of the previous meeting: Regular Board Meeting on 05/11/09 and a Special Board Meeting on 05/18/09 were presented.

MOTION BY Supervisor Faber, second by Supervisor Meier to approve the minutes of 05./11/09 with the previously requested changes by the board.

UNANIMOUS VOTE – AYE

MOTION CARRIED

MOTION BY Supervisor Faber, second by Supervisor O'Connell to approve the minutes of 05/18/09 as presented.

UNANIMOUS VOTE – AYE

MOTION CARRIED

2.) Alcohol License applications for July 1, 2009 – June 30, 2010 as presented during the public hearing. Approval is contingent on background check clearance, payment of delinquent taxes, assessments, and all necessary fees.

It was requested to stipulate that Mr. Roucka pay a \$10 transfer fee when he moves Lucky Dog Liquor to its new location and notify the clerk when this move takes place.

MOTION BY Supervisor Meier, second by Supervisor Weidman to approve the Alcohol License applications for July 1, 2009 – June 30, 2010 as presented, contingent on background check clearance, payment of delinquent taxes, assessments, all necessary fees, and the stipulations set forth for Ed Roucka DBA Lucky Dog Liquor.

UNANIMOUS VOTE – AYE

MOTION CARRIED

3.) Cigarette License applications as follows, were presented contingent payment of delinquent taxes, assessments, and all necessary fees.

Tess' Market
Lucky Dog Liquor
Hawg Heaven Bar
Cross Lake Pantry
Lumpy's Sports Bar

75th Street Inn
Trevor Mini Mart
Fox River Spirits
Wilmot Auto Service
Towne Square

T & L Pub
Hwy 83 Gas Mart, Inc.
Spring Valley Country Club
Ralph's Ace of Hearts
Salem Citgo

MOTION BY Supervisor O'Connell, second by Supervisor Faber to approve the Cigarette Licenses as presented.

UNANIMOUS VOTE – AYE

MOTION CARRIED

4.) Amusement Machine License applications as follows, were presented contingent on payment of delinquent taxes, assessments, and all necessary fees.

75 th Street Inn	T & L Pub	Roof & Bricks Tavern
Nonni's Italian Bistro & Bar	Cross Lake Inn	State Line Inn
Foxy's	Hawg Heaven Bar	Colony House, Inc.
Kelly's Pub	Otto's Hideaway Tavern	Michael's Pub
Ralph's Ace of Hearts	Lumpy's Sports Bar	Towne Square
Mar's trading Post		

MOTION BY Supervisor Weidman, second by Supervisor Meier to approve the Amusement Machine Licenses as presented.

UNANIMOUS VOTE – AYE

MOTION CARRIED

5.) Mobile Home License applications as follows, were presented contingent on payment of delinquent taxes, assessments, and all necessary fees.

Lakewood Estates, George Gekas, owner

MOTION BY Supervisor O'Connell, second by Supervisor Meier to approve the Mobile Home Licenses as presented.

UNANIMOUS VOTE – AYE

MOTION CARRIED

6.) Salvage Yard License applications as follows, were presented contingent on payment of delinquent taxes, assessments, and all necessary fees.

Highway 50 Auto Salvage, Gordon Becker, owner

MOTION BY Supervisor Faber, second by Supervisor O'Connell to approve the Salvage Yard Licenses as presented.

UNANIMOUS VOTE – AYE

MOTION CARRIED

7.) Operator's License applications as follows, were presented contingent on pending background check clearance, completion of beverage server class, and payment of the necessary fees.

Jennifer Waterman	Kenneth E. Zandrowicz, Sr.	Kenneth E. Zandrowicz, Jr.
Eileen Baxter	Loretta Laskey	Meghan Keefer
Marne L. Devries	Denise Whitehead	Casi M. Fuchs
Richard William Cordvan	Nicole J. Derler	Rena Shike
Angela L. Visconti	Kimberly L. Conwell	Rebecca Matula
Dustin Zaitz	Cynthia Striplin	Kyle Kettner
Linsey Kazlausky	Dena Permanian	Jess William Feekes
David J. Engstrom	Tamara L. Herner	Jacqueline Clark
Tonya Frost	Beverly Flanagan	Laura Wattechet
Steve Kolas	Andrew Brown	Pamela Heins
Kevin Krueger	Terri Rogers	Nancy Dulek
Jean Ward	Marie Jonas	Michael C. Jonas
Joan Serritella	Camille M. Haltom	Linda M. Murawske
Jenny Sue Erickson	Richard Manning	Ellen K. Hanson
Blair R. Haltom	Andrew Brown	James J. Coskey
Russell Sutherland	Bharat Patel	Stephanie Martiny
Diane H. Tess	Linda Brumley	Ghanshyam D. Patel
Jennifer Kildew	Laura Derler	

MOTION BY Supervisor Meier, second by Supervisor Weidman to approve the Operator's Licenses as presented.

UNANIMOUS VOTE – AYE

MOTION CARRIED

8.) A Temporary Class B "Picnic License" for Salem Oaks Community Association at Salem Oaks Park on 82nd Street between 235th & 238th Avenue, for Salemfest on July 11, 2009 was presented.

MOTION BY Supervisor Meier, second by Supervisor Weidman to approve the Temporary Class B "Picnic License as presented.

UNANIMOUS VOTE – AYE

MOTION CARRIED

TREASURER'S REPORT

1.) Treasurer Lamb read the Treasurer's Report for May 1, 2009 – May 31, 2009 as follows:

May 2009 - CASH REPORT FOR THE GENERAL ACCOUNT - TOWN OF SALEM

May 1, 2009- Beginning Balance **\$2,211,358.17**

<u>RECEIPTS</u>	\$ 464,118.13
Transfer from UD	\$ 572,253.53
Audit & PR Adjust	\$ 5,367.41
<u>DISBURSEMENTS</u>	\$ 1,531,775.67
PAYROLL	\$ 195,787.18
Total	\$ 1,727,562.85

May 31, 2009 - Ending Balance **\$1,525,534.39**

State Pool - General	\$ 922,490.96
Gen. Checking	\$ 603,043.43
Totals	\$1,525,534.39

MAY 2009 - CASH REPORT FOR THE TAX ACCOUNT - TOWN OF SALEM

May 1, 2009- Beginning Balance **\$ 12,249.46**

<u>RECEIPTS</u>	\$ 3.06
<u>DISBURSEMENTS</u>	\$ 0.00
Transfer to Gen. Fund	\$ 0.00

May 31, 2009 - Ending Balance **\$ 12,252.52**

State Pool - Tax	\$ 7,023.94
Tax Checking	\$ 5,228.58
Total	\$ 12,252.52

MAY 2009 - CASH REPORT FOR THE PARK ACCOUNT - TOWN OF SALEM

May 1, 2009 - Beginning Balance **\$ 831,975.79**

UNANIMOUS VOTE – AYE
MOTION CARRIED

ADMINISTRATOR’S BUSINESS

1.) Administrator Casey asked the board if they would prefer budget meeting or workshop format for the Fiscal Year 2010 Town of Salem Budget. He reminded the board that when services are added, taxes go up. It was the consensus of the board to hold workshops. Administrator Casey said that after the workshop, the budget will be done as a package and presented for approval. This will include all departments and funds. Discussion followed. The budget process will begin sometime after June 22, 2009.

2.) The Administrator’s job description was again discussed. A workshop with the board will be scheduled sometime this month for the job description.

3.) On a request to explore the options and costs of televising Town meetings on cable access, Administrator Casey talked to Time Warner. This is being submitted to their engineering department to look at the specs and node hookup. This will be presented as a comprehensive package with audio also.

4.) A possible vacancy on Library Board was discussed at the last regular meeting.

MOTION BY Supervisor Meier, second by Supervisor Weidman to approve the appointment of Supervisor Pat O’Connell to the Library Board, to replace Bev Surchick who has resigned. His term will end April 2010. Supervisor O’Connell asked to abstain from any discussion and the vote.

ABSTAIN – Supervisor O’Connell

UNANIMOUS VOTE – AYE

MOTION CARRIED

5.) Resolution No. 09-06-08, a Resolution Expressing Support of the Salem Town Board for a Successful 2010 Decennial Census and for the Establishment of a Census 2010 Complete Count Representative was presented and recommendations for a 2010 Census task force membership.

MOTION BY Supervisor Faber, second by Supervisor O’Connell to approve Resolution No. 09-06-08, a Resolution Expressing Support of the Salem Town Board for a Successful 2010 Decennial Census and for the Establishment of a Census 2010 Complete Count Representative as presented.

UNANIMOUS VOTE – AYE

MOTION CARRIED

Administrator Casey told the board that task force membership would affect a good census and would encourage compliance with the short form census.

Chairman Valentine volunteered for this task force.

6.) Administrator Casey presented his May 2009 monthly report. Bids have been received on the site work for the proposed Highway/Fire facility and we hope to have a preliminary estimate in July. The process of writing a grant has been started. With the work done to date, we believe we will be shovel ready and put us in a competitive position.

DEPARTMENT REPORTS, ACTIONS, AND EXPENDITURE REQUESTS

PUBLIC SAFETY

1.) Administrator Casey gave an informational update on guns laws in the Town of Salem. He state we are limited in what we can do and we can’t regulate more than the state. It was recommended that residents contact their representatives wither by phone or letter on this issue.

2.) Administrator Casey gave an informational update on cats within the Town of Salem, stating we can’t regulate cats. Public Safety Officer Shortess will be in contact with the complainant to work out a solution.

3.) Central High School approached and asked the Town for a letter to the WI Department of Transportation in support of traffic signals at the STH “83” entrance of Central High School. Administrator Casey said that the DOT’s study didn’t warrant a signal, but her\ agreed some type of signal is warranted. Chairman Valentine will write a letter from the Town Board in support of the signal.

PLANNING AND ZONING COMMISSION

1.) Jonas Hetland appeared before the Salem Town Board to present Salem Hills Preliminary Plat and rezoning request from A-2 & C-1 TO R-2, A-2, C-1 & PR-1. Tax parcel # 65-4-120- 054-0320. For informational purposes only this property is located on the northeast corner of STH '50' and CTH 'B'. The Salem Planning and Zoning Commission approved, 7-0, the rezoning request from A-2 & C-1 TO R-2, A-2, C-1 & PR-1.

Discussion followed Mr. Hetland's presentation relative to the Preliminary Plat.

Resident Scott Duban, 7103 284th Avenue, Salem, expressed concerns regarding the subdivision. His concerns were about the removal of mature trees and how backfilling can be done. The road as presented on the plat map is on a direct angle to his house. Headlights are going to be coming into his home and the road sits six (6) feet about the lot. He also requested that construction traffic be directed to Hwy 50 and no weekend work or work prior to 7:00 am. H also asked that the road go uphill to the east so it doesn't run into his yard. Currently his yard and the neighbors yard are under water and feels there are going to be significant water/flooding issues, including seepage and stagnant water. He also stated that Kenosha Co. Has setbacks of 30' and Salem's setbacks are 40'. With the road they are proposing, his house would sit 17' from the road. Resident Mike Marchuck stated he isn't opposed to the subdivision, but due to the noise and children in the area he would also like Hwy 50 used as a construction access, the hedgerow left, and doesn't want the grading to create water issues. He's on lot 16.

Chairman Valentine stated she doesn't see the value in cutting the current nice trees and replacing them with saplings, she is going to push for Hwy 50 as the construction access and not just for this subdivision , but also for the next subdivision going in a permanent access off of Hwy 50, which can be used as fire and rescue. She also wants potential water issues addressed.

Further discussion followed.

MOTION BY Supervisor Faber, second by Supervisor Meier to take the Planning and Zoning's recommendation and issue the rezone.

SUPERVISORS Faber, Meier, Weidman, and O'Connell – AYE

CHAIRMAN Valentine - NAY

MOTION BY Supervisor Faber, second by Supervisor O'Connell to approve the Salem Hills Preliminary Plat with the addition of the twenty-eight (28) conditions stipulated in May 18, 2009 memo from Patrick Meehan (attached), and the two (2) additional conditions as follows:

- Agreement from Kenosha County to allow a landscape easement in lieu of the 20' paved easement on the west side of the subdivision. This is to retain the landscape buffer between the two (2) subdivisions.
- Temporary access by construction crews to use the emergency access on Hwy 50 for subdivision development to cut down on the amount of traffic through the entire subdivision.

MOTION BY Supervisor Faber, second by Supervisor O'Connell to amend the motion to add the word "**only**" to the motion as follows: To approve the Salem Hills Preliminary Plat with the addition of the twenty-eight (28) conditions stipulated in May 18, 2009 memo from Patrick Meehan (attached), and the two (2) additional conditions as follows:

- . Agreement from Kenosha County to allow a landscape easement in lieu of the 20' paved easement on the west side of the subdivision. This is to retain the landscape buffer between the two (2) subdivisions.
- . Temporary access by construction crews to use the emergency access on Hwy 50 **only** for subdivision development to cut down on the amount of traffic through the entire subdivision

UNANIMOUS VOTE – AYE

MOTION CARRIED

SEWER UTILITY DISTRICT

1.) Pay request # PR-1210802-07 by J.F. Ahern Company, for digester cover and clarifier renovations, in the amount of \$35,623.10 was presented. Original contract amount \$790,000.00, amount added by change order \$149,372.00, less previous payments of \$222,084.35.

MOTION BY Supervisor Faber, second by Supervisor Weidman to approve pay request # PR-1210802-07 by J.F. Ahern Company, for digester cover and clarifier renovations, in the amount of \$35,623.10.

UNANIMOUS VOTE – AYE

MOTION CARRIED

2.) Pay request # PR-1210801A-06 by Staab Construction Corporation, for wet weather flow equalization facilities, in the amount of \$546,294.14 was presented. Original contract amount \$3,540,000.00, amount added by change order \$13,087.00, amount deducted by change order \$58,707.00, less previous payments of \$1,310,970.36.

MOTION BY Supervisor Meier, second by Supervisor Faber to approve pay request # PR-1210801A-06 by Staab Construction Corporation, for wet weather flow equalization facilities, in the amount of \$546,294.14.

UNANIMOUS VOTE – AYE

MOTION CARRIED

3.) Pay request # PR-1210801C-05 by Delta Electric, for wet weather flow equalization facilities, in the amount of \$99,230.00 was presented. Original contract amount \$690,400.00, amount added by change order \$43,600, less previous payments of \$267,045.00.

MOTION BY Supervisor Weidman, second by Supervisor Meier to approve pay request # PR-1210801C-05 by Delta Electric, for wet weather flow equalization facilities, in the amount of \$99,230.00.

UNANIMOUS VOTE – AYE

MOTION CARRIED

4.) Resolution 09-06-08A, a resolution confirming and approving the Compliance Maintenance Annual Report for 2008 to be sent to the DNR (Department of Natural Resources) was presented.

MOTION BY Supervisor Faber, second by Supervisor Meier to approve Resolution 09-06-08A, a resolution confirming and approving the Compliance Maintenance Annual Report for 2008 to be sent to the DNR (Department of Natural Resources).

UNANIMOUS VOTE – AYE

MOTION CARRIED

5.) An emergency upgrade of the Waste Water Treatment Plant Effluent Pump Station as requested by WDNR.

MOTION BY Supervisor Weidman, second by Supervisor Meier to approve emergency upgrade of the Waste Water Treatment Plant Effluent Pump Station as requested by the WDNR.

UNANIMOUS VOTE – AYE

MOTION CARRIED

6.) An Amendment #1 to Agreement for Engineering Services for Ammonia Management Study to allow for the planning, design and bidding of a second outfall force main and construction if stimulus funding becomes available was presented. This change is for a single effluent force main that goes to the river, which was restricting flow to the treatment plant. This improvement will significantly reduce costs and will be needed for expansion of the plant.

Administrator Casey said that future rates would need to be looked at. This work is DNR mandated.

7.) Authorization to proceed with the design and construction, by change order, of a bypass around the primary clarifiers to eliminate the possibility of overflows at the WWTP pretreatment building was presented.

MOTION BY Supervisor Faber, second by Supervisor Weidman to approve the design and construction, by change order, of a bypass around the primary clarifiers to eliminate the possibility of overflows at the WWTP pretreatment building.

UNANIMOUS VOTE - AYE

MOTION CARRIED

The cost is to be determined.

8.) Utility Administrator Zautcke requested awarding a bid to H.R. Stuart, in the amount of \$36,092 for cleaning & televising sanitary interceptor sewer.

MOTION BY Supervisor Faber, second by Supervisor Weidman to approve awarding a bid to H.R. Stuart, in

the amount of \$36,092 for cleaning & televising sanitary interceptor sewer.

UNANIMOUS VOTE - AYE

MOTION CARRIED

Zautcke also thanked the Village of Paddock Lake for televising.

9.) There was no Sewer Utility report.

HIGHWAY

1.) Highway Administrator Murdock presented a request for a street light at 243rd Avenue and CTH 'JF', from Hawk's Run Subdivision Owners Association, Inc. Engineer Roecker has reviewed it.

Chairman Valentine stated she disagrees with the style of light.

Murdock stated this is one of three styles of lights in our ordinance.

MOTION BY Supervisor Meier, second by Supervisor Faber to approve the request for a street light at 243rd Avenue and CTH 'JF', from Hawk's Run Subdivision Owners Association, Inc.

SUPERVISORS Faber, O'Connell, Meier, and Weidman – AYE

CHAIRMAN Valentine - NAY

MOTION CARRIED

Chairman Valentine would like to review the street light ordinance and costs.

2.) There was no Highway Department report.

BUILDING DEPARTMENT

1.) A raze order for Tax Parcel No. 66-4-120-274-0020, Property Address: Wilmot Road, Property Owner: Summerhill Development Corp., c/o Dave Meisner, 25104 113th Street Trevor, WI 53179. Public Hearing held prior to this meeting.

MOTION BY Supervisor Meier, second by Supervisor Faber to approve THE raze order for Tax Parcel No. 66-4-120-274-0020, Property Address: Wilmot Road, Property Owner: Summerhill Development Corp., c/o Dave Meisner, 25104 113th Street Trevor, WI 53179.

UNANIMOUS VOTE - AYE

MOTION CARRIED

2.) Administrator Casey presented a rough draft of the flyer for the Property Maintenance Ordinance and summer cleanup. These will be mailed out soon. He informed the board that garbage collection fees may significantly increase and we may have to raise the rate mid year and not wait.

MOTION BY Supervisor Weidman, second by Supervisor O'Connell to waive the Town's ordinance for one week to allow garbage to be by the curb, for the week of June 27 thru July 3rd for summer cleanup.

UNANIMOUS VOTE - AYE

MOTION CARRIED

3.) There was no Building Department report.

JUDICIAL

1.) Chairman Valentine gave a report on the Court Mock Trial, which was held for 5th graders, by Judge Langel and Court Clerk Judy Grasser.

STORM WATER DISTRICT

1.) Administrator Casey said that a test Storm Water Utility bill looked good and another test will be done this week. It is anticipated they will be billed next week.

PARK COMMISSION

1.) Pay Request No. 7, by Willkomm Excavating & Grading, Inc., in the amount of \$111,141.35, for the

Community Park Improvement Project was presented. Original contract amount 1,035,567.50, less previously paid \$924, 426.15.

MOTION BY Supervisor O'Connell, second by Supervisor Meier to approve Pay Request No. 7, by Willkomm Excavating & Grading, Inc., in the amount of \$111,141.35, for the Community Park Improvement Project.

UNANIMOUS VOTE - AYE

MOTION CARRIED

It was stated that the contractor may have to reseed the grass.

2.) A request to purchase playground equipment for Community Park in the amount of \$79,471 for Playworld Equipment provided by Lee Recreation of Cambridge, WI was presented by Administrator Casey. The Parks Commission approved the purchase at their May meeting.

MOTION BY Supervisor Faber, second by Supervisor Meier to approve the purchase of playground equipment for Community Park in the amount of \$79,471 for Playworld Equipment provided by Lee Recreation of Cambridge, WI

UNANIMOUS VOTE - AYE

MOTION CARRIED

3.) Action was requested on the demolition of buildings in Community Park.

MOTION BY Supervisor Faber, second by Supervisor Meier to approve the demolition of buildings in Community Park.

UNANIMOUS VOTE - AYE

MOTION CARRIED

REPORTS AND ACTION TAKEN ON PREVIOUS COMMISSION MEETINGS, FUTURE AGENDA ITEMS, AND UPCOMING SCHEDULED MEETINGS.

Chairman Valentine and Supervisors Faber, Meier, O'Connell, and Weidman

1.) Chairman Valentine requested the Historical Society roof be put on the July agenda and that we look at the ordinance for alcohol licensing. She also requested that a report from each supervisor be put on the agenda.

ADJOURNMENT

MOTION BY Supervisor Faber, second by Supervisor Weidman to adjourn this regular board meeting.

UNANIMOUS VOTE – AYE

MOTION CARRIED

This regular board meeting was adjourned at 10:35 p.m.

Respectfully submitted,

Cindi Ernest, Clerk