



Town Hall, 262-843-2313  
Fax, 262-843-4432  
TownofSalem.net

Salem Town Hall • 9814 Antioch Road, (STH 83) P.O. Box 443 • Salem, WI 53168

**TOWN OF SALEM BOARD OF SUPERVISORS  
REGULAR BOARD MEETING AGENDA  
MONDAY, OCTOBER 19, 2009 7:00 P.M.  
SALEM TOWN HALL  
9814 ANTIOCH ROAD, SALEM, WI 53168**

**AMENDED**

- 1.) CALL TO ORDER
- 2.) PLEDGE OF ALLEGIANCE
- 3.) ROLL CALL
- 4.) OPEN MEETING COMPLIANCE CHECK
- 5.) APPROVAL OF AGENDA SEQUENCE

**PUBLIC HEARINGS**

1.) Applications 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 by the following:

NAME & ADDRESS  
OF APPLICANT

TRADE NAME & ADDRESS  
OF ESTABLISHMENT

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

Siebert's Pub, Inc.  
8403 Antioch Rd.  
Salem, WI 53168  
Agent: Jonathan Newell

Siebert's Pub  
8403 Antioch Rd.  
Salem, WI 53168

Applications will be read and comment taken at a Public Hearing of the Town Board on Monday, October 19, 2009 at 7:00 PM at the Town Hall. Published in accordance with the provisions of Chapter 125.04 of the Wisconsin Statutes.

2.) 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:

Tax Parcel No. 65-4-120-041-0100  
Property Address: 60<sup>th</sup> Street  
Property Owner: Chung Hwe Park

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Town Board ~ Linda Valentine ~ Joseph Meier ~ Patrick O'Connell ~ Dennis Faber ~ Josephine Weidman

26305 N Saint Marys Road  
Mettawa, IL 60048

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.

**3.) 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:

Tax Parcel No. 65-4-120-262-0540  
Property Address: 10834 Antioch Road  
Property Owner: Shakuntala Chhabria  
225 S. Greenleaf Street, Suite 111  
Gurnee, IL 60031

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.

#### **CITIZEN INITIATED BUSINESS**

**1.) Citizens Comments:** *Please be advised per Wisconsin Act 123, the Town Board will receive information from the public for a three minute time period, with time extensions per the Chairperson's discretion, per person; be further advised that after the public comments are completed, the Town Board Supervisors may have limited discussion on the information received, however, no action will be taken under public comments.*

#### **CLERK'S BUSINESS**

**1.) Motion:** Approval of the minutes of the previous meeting: Regular Board Meeting on 09/14/09, a Special Board Meeting on 09/29/09, and a Budget Workshop on 10/05/09.

**2.)** Consideration and possible action on Alcohol License applications as presented during the public hearing. Approval is contingent on background check clearance, payment of delinquent taxes, assessments, and all necessary fees.

NAME & ADDRESS  
OF APPLICANT

TRADE NAME & ADDRESS  
OF ESTABLISHMENT

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

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Salem, WI 53168

3.) Consideration and possible action on operator licenses as follows. Approval is contingent on background check clearance, completion of beverage server class, and payment of the necessary fees.

Sarah J. Behnke  
Bonnie L. Helt Nauseda

Suzanne Krucek  
Christina Ann NeSmith

Rosemarie B. Weber

4.) Consideration and possible action on Ordinance No. 09-10-19B, An Ordinance Amending Section 12.03 of the Town of Salem Code Ordinances Regarding Alcohol Beverage Licenses.

### **TREASURER'S REPORT**

- 1.) Treasurer's report for September 1, 2009 – September 30, 2009.
- 2.) **Motion:** Approval of payment of the vouchers September 14, 2009 – October 19, 2009 as presented.
- 3.) Consideration and possible action on setting a date for the 2010 FY Budget Hearing and Special Town Electors Meeting.

### **ADMINISTRATOR'S BUSINESS**

- 1.) September 2009 monthly report.
- 2.) Informational reports, communications , discussion and possible action on the following:  
Joint Library Agreement  
Fire Committee  
Withhold of permit or variance due to delinquent property taxes.
- 3.) Consideration and possible action relative to lock box and utility billing services.

### **LIBRARY BUSINESS**

- 1.) Recent Library Board Action
- 2.) Library Board Membership Direction, discussion and possible action.
- 3.) Fiscal Agent Update
- 4.) Library Budget
- 5.) Attorney Letter

### **HIGHWAY/FIRE BUILDING PROJECT**

- 1.) Status report of the Highway/Fire building project, discussion and possible action.
- 2.) Consideration and possible action on payment request # PR-1320901-01 by Reesman's Excavating & Grading, for Municipal Building Utility Improvements, in the amount of \$21,533.13. Original contract amount \$274,666.85, amount added by change order \$0.00, amount deducted by change order \$0.00, less previous payments of \$0.00.

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

### **PUBLIC SAFETY DEPARTMENT**

- 1.) Consideration and possible action on a request to work with Kenosha County to lower the speed on CHT "AH", east of Hwy 83, near the hills and curves.
- 2.) Comments and input relative to the Public Safety Policy and Procedure Manual.
- 3.) Consideration and possible action on the purchase of a used 2005 Alumacraft 19 ½ ft flat bottom boat, with motor and trailer, in the amount of \$12,000.
- 4.) Information report, update and possible action on ordinance violations.
- 5.) Consideration and possible action relative to a recommendation for abandoned and foreclosed homes.
- 6.) Consideration and possible action on a recommendation to proceed with bidding process and creation of a qualified vendor list for demolition of structures.

### **SEWER UTILITY DISTRICT**

- 1.) Sewer Utility Department report.
- 2.) Consideration and possible action on payment request # PR-1210801A-10 by Staab Construction Corporation, for wet weather flow equalization facilities, in the amount of \$146,721.35. Original contract amount \$3,540,000.00, amount added by change order \$14,929.00, amount deducted by change order \$59,702.00, less previous payments of \$3,124,296.97.
- 3.) Consideration and possible action on payment request # PR-1210801C-09 by Delta Electric, for wet weather flow equalization facilities, in the amount of \$79,500.00. Original contract amount \$649,400.00, amount added by change order \$43,600.00, less previous payments of \$572,575.00.
- 4.) Consideration and possible on payment request # PR-1210802-10 by J.F. Ahern Company, for digester cover and clarifier renovations, in the amount of \$135,069.08. Original contract amount of \$790,000.00, amount added by change order \$156,307.00, less previous payments of \$343,515.25.
- 5.) Consideration and possible action on the Utility District creating a Grant Reimbursement Program to aid property owners that experienced sanitary sewer backs-ups, in June 2009, make improvements to their laterals.
- 6.) Consideration and possible action on recommended Plan for Ammonia Management Improvements Project required by the WDNR in the Town's 2009 Discharge Permit.
- 7.) Consideration and possible action on Contract Revision No. 1 to Agreement for Engineering Services with Kaempfer & Associates, Inc. for Outfall Force Main Improvements. The contract revision will authorize Kaempfer & Associates, Inc. to retain Subcontractors for acquisition of easements, estimated to be \$30,500.00, and for soil exploration and testing, estimated to be \$43,200.00, for an outfall force main alternate route.

## **STORM WATER DISTRICT**

- 1.) Storm Water District report
- 2.) Information relative to the Draft Storm Water Management Plan and Hearing Process.
- 3.) Storm Water Appeal Process

## **PLANNING AND ZONING COMMISSION**

- 1.) Planning and Zoning report.
- 2.) Consideration and possible action on a temporary use application for Donald Gustafson. Tax parcel # 65-4-120-104-0645. Temporary permit is to allow for the operation of a hotdog stand. Request is for a five year Town approval, Planning & Zoning Commission recommendation is for three year approval.
- 3.) Consideration and possible action on a variance request by Ronal Routh. Tax parcel # 67-4-120-351-0305 and a property address of 23709 119<sup>th</sup> Street. For informational purposes only this property is located approximately 200 ft east of the intersection of STH '83' and CTH 'JF' on the south side of CTH 'JF'. Detached accessory buildings are to be placed in the side or rear yard only. Variance requested is for placement in the street yard.
- 4.) Consideration and possible action on a variance request by William Tinsley.. Tax parcel # 67-4-120-341-1121 and a property address of 25503 121<sup>st</sup> Street. For informational purposes only this property is located on Rock Lake at the intersection of 121<sup>st</sup> Street and 255<sup>th</sup> Avenue. Non-conforming structures not meeting 50% of the required minimum setbacks cannot be enlarged or expended. Variance requested is for 5.3 ft street yard setback.
- 5.) Consideration and possible action on a variance request by Mary Lou Biehl. Tax parcel # 66-4-120-281-0220 and property address of 10462 269<sup>th</sup> Avenue. For informational purposes only this property is located on the southwest intersection of 104<sup>th</sup> Place and 269<sup>th</sup> Avenue. Non-conforming structures not meeting 50% of the required minimum setbacks cannot be enlarged or expended. Variance requested is for 11.6 ft street yard setback.
- 6.) Consideration and possible action on a request by Stafford Residential Developments, LLC STAFFORD relative to the Town of Salem accepting all the required improvements and place dedication upon the Falcon Heights Subdivision and to reduce the Letter of Credit from \$142,263.00 to \$14,263.00 for the one year warranty period.

## **BUILDING DEPARTMENT**

- 1.) Consideration and possible action relative to the Public Hearing on October 19, 2009 relative to a raze order for Tax Parcel No. 65-4-120-041-0100, Property Address: 60<sup>th</sup> Street, Property Owner: Chung Hwe Park, 26305 N Saint Marys Road, Mettawa, IL 60048.
- 2.) Consideration and possible action relative to the Public Hearing on October 19, 2009 relative to a raze order for Tax Parcel No. 65-4-120-262-0540, Property Address: 10834 Antioch Road Property Owner: Shakuntala Chhabria, 225 S. Greenleaf Street, Suite 111, Gurnee, IL 60031
- 3.) Building Department report and September Permit Report.

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## **PUBLIC WORKS/HIGHWAY**

- 1.) Public Works/Highway Department report
- 2.) Consideration and possible action on a request that no parking signs be placed on 84<sup>th</sup> Street next to the Salem Fire Department.

## **FIRE AND RESCUE**

- 1.) Fire Department report.

## **JUDICIAL**

- 1.) Judicial report.

## **PARK COMMISSION**

- 1.) No agenda items.

## **REPORTS AND ACTION TAKEN ON PREVIOUS COMMISSION MEETINGS, FUTURE AGENDA ITEMS, UPCOMING SCHEDULED MEETINGS, AND CONSIDERATIONS BY THE BOARD**

### **Chairman Valentine Report**

- 1.) Consideration and possible action on a request by Trevor Grade School to provide a donation for hot dogs for the October 30, 2009 Halloween Spooktacular.

### **Supervisor Faber (CCLRD, SEWRPC, P&Z Liaison) Report**

### **Supervisor Meier (FD/EMS, HOOKER LAKE DISTRICT) Report**

### **Supervisor O'Connell (Board of Review, FD/EMS, LIBRARY BOARD, VOLTZ LAKE DISTRICT) Report**

### **Supervisor Weidman (FAIR, PARKS COMMISSION) Report**

## **CLOSED SESSION**

- 1.) MOTION: To move into closed sessions pursuant to:
  - a) Wisconsin State Statute 19.85 (1) (e) Deliberating or negotiating the purchasing of public property, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session. To update regarding the collective bargaining with Teamsters Local 43.
  - b) Wisconsin State Statute 19.85 (1) (b) Considering dismissal, demotion, licensing or discipline of any public employee or person licensed by a board or commission

or the investigation of charges against such person, over which the Salem Town Board has jurisdiction or exercises responsibility and the taking of formal action on any such matter; provided that the public employee or person licensed is given actual notice of any evidentiary hearing which may be held prior to final action being taken and of any meeting at which final action may be taken. To discuss actions of a non-union employee.

c) Wisconsin State Statute 19.85 (1) (e) Deliberating or negotiating the purchasing of public property, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session. To discuss and obtain board authority to proceed with contract negotiations and obtain guidance regarding a current employee.

## ADJOURNMENT

***This Notice was posted at the following places:***

*Camp Lake Post Office  
Salem Post Office  
Trevor Post Office  
Wilmot Post Office  
Town of Salem Municipal Building*

*By Authority of Linda Valentine, Chairman*

*October 17, 2009*

*Signed: \_\_\_\_\_  
Cindi Ernest, Clerk*

*Please note, upon reasonable notice, efforts will be made to accommodate the needs of disabled individuals through appropriate aids and services. For additional information or to request service, contact Town Clerk, Cindi Ernest at 262-843-2313. "Notice is hereby given that a majority of any other town commission, committee or board may be present at this meeting to gather information about a subject over which they may have decision making responsibility. It is intended that this notice shall constitute an adequate notice of meeting pursuant to State ex rel Badke v. Greendale Village Bd., 173 Wis.2d 553, 494 N.W. 2d 408 (1993 , although none of the other town commissions or boards will take any formal action at this meeting".*

Cc: Town of Salem Website [www.townofsalem.net](http://www.townofsalem.net)  
Community Library