



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  
PUBLIC HEARING and  
REGULAR MONTHLY BOARD MEETING AGENDA  
MONDAY, August 9, 2010 7 P.M.  
SALEM TOWN HALL  
9814 ANTIOCH ROAD, SALEM, WI 53168**

Please notice: Any item other than Citizens Comments on this agenda may produce discussion and possible Town Board action.

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

**PUBLIC HEARING**

**AMENDED NOTICE OF INTENT TO ORDER RAZING**

To: CHUNG HWE PARK.  
MOON HWA PARK  
26305 N. Saint Marys Road  
Mettawa, IL 60048-9644

PLEASE TAKE NOTICE that the silos, sheds and building foundation which are located on the following described property:

That part of the South 1/2 of Section 3, Township 1 North, Range 20 East of the 4th P.M. described as follows: Beginning on the West line of the Southeast 1/4 of Section 3 at a point 135.9 feet North 1 deg. 20\* West from the Southwest corner of said Quarter Section; thence East parallel to the South line of said Quarter Section 5 feet; thence North 1 deg. 20\* West parallel to the West line of said Quarter Section 195 feet; thence East parallel to the South line of said Quarter Section 547.7 feet to the center of State Trunk Highway 75; thence North 19 deg. 10\* West along the center of said highway 338.14 feet; thence North 18 deg. 21\* 30" West along the center of said highway 1226.53 feet; thence North 14 deg. 49\* 30" West along the center of said highway 194.26 feet; thence North 5 deg. 17\* West along the center of said highway 647.45 feet to the Northeast corner of the Southwest 1/4 of Section 3; thence South 89 deg. 56\* 30" West along the North line of said Quarter Section 966.2 feet and to a point that is 1663.5 feet East from the Northwest corner of said Quarter Section; thence South 0 deg. 40\* East parallel to the West line of said Quarter Section 2647.05 feet to a point on the South line of said Quarter Section that is 1659 feet East from the Southwest corner of said Quarter Section; thence North 89 deg. 57\* 30" East along the South line of said Quarter Section 591.69 feet; thence North 1 deg. 20\* West parallel to the East line of said Quarter Section 135.9 feet thence North 89 deg. 57\* 30" East parallel to the South line of said Quarter Section 409.81 feet to the point of beginning. EXCEPT that part taken for highway purposes by Award of Damages

recorded in Volume 1256 of Records, page 691, Document No. 771981. Said land being in the Town of Salem, County of Kenosha and State of Wisconsin. **Tax Parcel No. 65-4-120-033-0111** Property Address: 75th Street (**directly north of Burger King** have been determined by the Town of Salem Building Inspector to be dangerous, unsafe, unsanitary or otherwise unfit for human habitation, occupancy or use, and that said structures in their present condition constitute a public nuisance.

TAKE FURTHER 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, Wisconsin at **7:00 p.m. on August 9, 2010** to determine whether an order should issue requiring that the subject buildings or structures be razed. If the order is issued by the Town Board, you will be required to remove the buildings or structures within thirty (30) days or be charged for the cost of removal by the Town. You may appear and give evidence opposing the order.

### **Closure of the Public Hearing**

**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.*

### **CITIZEN INITIATED BUSINESS**

1. Consideration and possible action on Lee and Linda Vanderspool property located at 12029 220<sup>th</sup> Court to alleviate flooding and solve health issue by taking pipe to the lake and burying a pipe located in their back yard.
2. Consideration and possible action on clean up and enlargement of an existing pond on property owned by Charles Willkomm at 24700 81<sup>st</sup> Place.

### **CLERK'S BUSINESS**

1. Motion: Approval of the minutes of the previous meetings: Regular Board Meeting on 7/12/10 and Special Meetings on 7/19/10 and 7/29/10.
2. Consideration and possible action on Amusement Machine License applications as follows, approval is contingent on payment of delinquent taxes, assessments, and all necessary fees.

Wash Tub

Pizza Time

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.

Janice Marchesini  
Danielle Burdette  
Tiffany A. Gesiakowski

Katie Herd  
Kathleen Romanak  
April Fees

Marcia I. Hruby  
Peter A. Manos  
Aurora C. Gorzynski

### **TREASURER'S REPORT**

1. Treasurer's report for July 1, 2010 – July 31, 2010.
- 2 Approve payment of the vouchers July 13, 2010 – August 9, 2010 as presented.

3. Discussion and possible action on Budget Priorities for FY 2011, and establish date for budget workshop. (3<sup>rd</sup> week of September.)

### **CHAIRMAN INITIATED BUSINESS**

1. Discussion and possible action on the official Town flyer/data sheet regarding the non-binding referendum regarding the pursuit of information pertaining to attaining Village status to be voted upon by the electors on September 14<sup>th</sup>.

2. Discussion and possible action on the official Open House/Public Hearing events pertaining to the non-binding referendum noted in 1. Above.

3. Discussion and possible action on Resolution # ----- supporting 2009 -10 and 2011-12 Legislative Initiatives.

### **ADMINISTRATOR'S BUSINESS**

#### **Administrator Report for the preceding period.**

### **FIRE AND HIGHWAY BUILDING PROJECT**

1. Status report and possible action regarding the Highway/Fire building project.

2. Consideration and possible action on payment of direct purchasing invoice #01837 from Advantage Purchasing, LLC, a division of Miron Construction, in the amount of \$ 90,037.02.

3. Consideration and possible action on payment request Powers Lake Construction Co., Inc. in the amount of \$ 143,030.68, for Site Grading, Drainage, & Roadway Improvement Project at Highway/Fire Facility . Original contract amount \$1,149,983.81, \$1,006,953.13 amount previously paid.

4. Consideration and possible action on payment request # 9 by Miron Construction, in the amount of \$250,210.00. Original contract amount \$4,500,474.00, \$3,053,003.52 amount previously paid.

5. Consideration and possible action on payment request #7 by Layne Christensen Co., for Utility Improvements Production Well No. 1, at the Town of Salem Highway & Fire Facility in the amount of \$32,250.00. Original contract amount \$222,200.00.

6. Consideration and possible action on payment request #9 by B. R. Amon & Sons, Inc., for Site Grading & Roadway Improvement Project, in the amount of \$143,030.68. Original contract amount \$1,149,983.81, \$1,006,953.13 amount previously paid.

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

#### **PUBLIC WORKS/HIGHWAY**

1. Public Works/Highway Department report

#### **FIRE AND RESCUE**

1. Fire Department report

2. Consideration and possible action on the purchase of pagers for the Fire/Rescue Department.

## **BUILDING DEPARTMENT**

1. Building Department report.
2. Consideration and possible action relative to the Public Hearing on August 9, 2010 relative to a raze order for Tax Parcel No. 65-4-120-033-0111, Property Address: 75<sup>th</sup> Street, Property Owner: Chung Hwe Park, 26305 N Saint Marys Road, Mettawa, IL 60048.

## **SEWER UTILITY DISTRICT**

1. Sewer utility report.
2. Consideration and possible action on payment request # PR-1210803-01 by Starnet Technologies for effluent pump station modifications – variable speed drives, in the amount of \$53,023.30. Original contract amount \$139,800.00, amount added by change order \$0.00, amount deducted by change order \$0.00 less previous payments of \$0.00.
3. Consideration and possible action on payment request # PR-1210802-17 by J.F. Ahern Company, for digester cover and clarifier renovations, in the amount of \$44,000.00. Original contract amount \$790,000.00, amount added by change order \$299,851.00, amount deducted by change order \$1,250.00 less previous payments of \$818,502.98.

## **STORM WATER DISTRICT**

- 1 Storm water district report

## **PLANNING AND ZONING COMMISSION**

1. Consideration and possible action on a rezoning request from Bradley & Rebecca Potter-Hill to rezone a property from R-3(Residential & C-2(Upland Conservancy to R-3 & C-2, to update the official zoning map to match existing use. Property address of 25016 121<sup>st</sup> Street. Property tax parcel 67-4-120-341-0446. For informational purposes only this parcel is located on the north side of 121<sup>st</sup> Street approximately 380 feet east of 252<sup>nd</sup> Avenue.
2. Consideration and possible action on a variance requested by Blair & Camille Haltom (Owners to allow for an addition, including expansion, of retail floor space, storage, walk-in coolers and seating. Property address of 11333 Fox River Road. Property tax parcel 67-4-120-303-0710. For informational purpose only this property is located on the east side of Fox River Road approximately 150 feet north of 114<sup>th</sup> Street. Non-conforming structures which do not meet at least 50% of the required setback dimensions cannot be enlarged or expanded (Section V.B. 12.28-7 . Minimum street yard setback is 50% of 65 feet (32.5 feet on a County Highway. Variance requested is for a 15.73 ft street yard setback.

## **PUBLIC SAFETY**

1. Public Safety report.
2. Discussion and possible action on the progress and completion of the Chapter 20 being discussed by the Lakes Committee and related issues.

## **PARK COMMISSION**

1. Consideration and possible action on payment request #2 by B. R. Amon & Sons, Inc., for Park Improvement Project – Passive Use Area, in the amount of \$36,859.90. Original contract amount \$116,034.19, \$79,174.29 amount previously paid.
2. Park Commission report:

3. Consideration and possible action on Ordinance No. 10-08-09 An Ordinance Establishing Rules & Regulations for Town Parks.

## JUDICIAL

1 Judicial report

The following cases are scheduled to be heard in the Salem Municipal Court at 5:00 p.m. on August 10, 2010.

	<u>Adult/Juvenile</u>
<u>Initial Appearances/Non Traffic</u> (Water Patrol: 28 – Ordinance: 12)	37/ 3
<u>Initial Appearances/Traffic</u>	30/ 0
<u>Good Cause/Poverty Hearings</u>	2/ 0
<u>Trials</u>	0/ 0
<u>Follow-ups and Reviews</u>	8/ 0
<b>Totals</b>	<b>77/ 3</b>

## SALEM MOUND CEMETERY

1. Salem Mound Cemetery report.

## LIBRARY BOARD

1. Possible appointment and confirmation of Library Board Member/s representing Town of Salem.

## BOARD OF REVIEW

### REPORTS AND ACTION TAKEN ON PREVIOUS COMMISSION MEETINGS, FUTURE AGENDA ITEMS, AND UPCOMING SCHEDULED MEETINGS. and considerations by the Board.

**Chairman Valentine** (Lakes Committee, Bike Committee) report.

**Supervisor Faber** (CCLRD, SEWRPC, P&Z Liaison, Lakes Committee, Board of Review) report.

**Supervisor Meier** report.

**Supervisor O'Connell** (Library Board, Voltz Lake District report) **Leave of Absence**

**Supervisor Tesar** (Parks Commission, Hooker Lake) report.

## Closed Session

1. MOTION: To move into closed session pursuant to: Section 19.85(1)(g), Wis. Stats. for the purpose of conferring with Town legal counsel concerning strategy to be adopted by the Town with respect to litigation in which it is likely to become involved. **Board will discuss recent correspondence, events and strategy relating to that correspondence.**- Ernest

## 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 August 5, 2010**

*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 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

**TABLED ITEMS FOR FUTURE AGENDAS  
SCHEDULE OF FUTURE MEETINGS/EVENTS**

**For September 2010 Agenda**

1. **May 2010** – Supervisor Faber to discuss taking over Center Lake Dam with CCLRD and report back after the CCLRD ANNUAL meeting in August..

**For October 2010 Agenda**

1. **May 2010** – Appointment of Library Board member.

**SCHEDULE OF FUTURE MEETINGS/EVENTS**

Kenosha County Fair	08/18 thru 08/22
Regular Town Board Meeting	9/13/10 7:00 p.m.
Fall Partisan Primary Election	9/14/10 Polls Open 7:00 am.-8pm.
Non-Binding Referendum Election	9/14/10 Polls Open 7:00 am.-8 pm.
Regular Town Board Meeting	10/11/10 7:00 p.m.
General Election	11/02/10 Polls Open 7:00 am.-8pm.
Regular Town Board Meeting	11/08/10 7:00 p.m
Town Offices Closed – Holidays	11/11/10, 11/25/10 & 11/26/10
Regular Town Board Meeting	12/13/10 7:00 p.m.