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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, APRIL 12, 2010 7:00 P.M.
SALEM TOWN HALL
9814 ANTIOCH ROAD, SALEM, WI 53168**

- 1.) Call to Order
- 2.) Pledge of Allegiance
- 3.) Acknowledgement of the retirement of long time employees, Jim Schultz, Dan Derler and Tom Seep.
- 4.) Acknowledgement of Service of Supervisor Josephine Weidman
- 5.) Oath for Denny Faber and Diann Tesar accepting their elected positions at the dawn of tomorrow as Town Board Supervisors.
- 6.) Announcement: On Thursday, 04-22 at 1:20pm, a siren Kenosha-wide will go off. This is Tornado & Severe Weather Awareness Week, April 19 – 23
- 7.) Roll Call
- 8.) Open Meeting Compliance Check
- 9.) Approval of Agenda Sequence

PUBLIC HEARING

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 (beer only consumption on premises)

Wilmot Fire Department
30400 Wilmot Rd.
Wilmot, WI 53192
Agent: Sam Barranco

Wilmot Fire Department
Kenosha County Fairgrounds
30820 111th St
Wilmot, WI 53192

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 of Supervisors may have limited discussion on the information received, however, no action will be taken under public comments.

2.) Consideration and possible action on a request by Nick Manning to get reapproved to proceed with his Eagle Scout project of clearing weeds, garbage, and build a fishing dock at the western boat launch of Montgomery Lake. Scout Manning is also requesting if there may be possible funds available from the town to help finance the project.

3.) Consideration and possible action on a request to use the Town Board meeting room for a political information meeting.

CLERK'S BUSINESS

1.) **Motion:** Approval of the minutes of the previous meeting: Regular Board Meeting on 3/8/10, a Workshop on 3/16/10, and a Special Meeting on 4/5/10.

2.) 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.

Jennifer Davis	Ashley Laycox	Jennifer Bixby
Patricia McKenna	Kaylee C. Brandon	Tracey Misicka

3.) Consideration and possible action on a change of appointment of agent from Jonathan Newell to James Pelech for Siebert's Pub, Inc.

4.) Consideration and possible action on Town of Salem Alcohol Licenses, pending clear background checks, payment of delinquent taxes, assessments, and all necessary fees, presented during the Public Hearing as follows:

NAME & ADDRESS OF APPLICANT	TRADE NAME & ADDRESS OF ESTABLISHMENT
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Class B (beer only consumption on premises)

Wilmot Fire Department 30400 Wilmot Rd. Wilmot, WI 53192 Agent: Sam Barranco	Wilmot Fire Department Kenosha County Fairgrounds 30820 111th St Wilmot, WI 53192
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5.) Reminder of April 13, 2010, the second Tuesday in April, for the Annual Elector's Meeting at 7pm.

6.) Consideration and possible action on three appointments for the Board of Review.

7.) Consideration and possible action on appointment of Member to Llibrary Board.

TREASURER'S REPORT

1.) Treasurer's report for March 1, 2010 – March 31, 2010.

2.) Motion: Approval of payment of the vouchers March 9, 2010 – April 12, 2010 as presented.

CHAIRMAN INITIATED BUSINESS

- 1.) Consideration and possible action on setting a date for workshop to explore developing a Town survey.
- 2.) Consideration and possible action on exploring village status for the Town of Salem, boundary agreements and developing an educational document.
- 3.) Consideration and possible action regarding employment contracts for Supervisors of Fire, Highway, Utility, Planning-Development.
- 4.) Consideration and possible action regarding the HRC Human Resources Committee – Fire EMS.
- 5.) Consideration and possible action on the contract duration for Town Clerk appointment of 04-05-2010.
- 6.) Consideration and possible action on the contract duration for Town Treasurer appointment of 04-05-2010.
- 7.) Consideration and possible action on a qualifier for Board meeting Audio retention for 10 years to be for any meetings where the Board is present and able to conduct Town business. (I.E. Workshops, Special Meetings, Budget Meetings, as well as Regular Town Board Meetings.)
- 8.) Discussion and possible action on defining resident in Board of Review to be “qualified elector”.

ADMINISTRATOR’S BUSINESS

- 1.) March 2010 monthly report.
- 2.) Consideration and possible action on a contract proposal with James R. Frechette, CPA for fiscal years 2010, 2011, and 2012 audit of financial statements and activities for the Town of Salem.
- 3.) Consideration and possible action on the Town of Salem Budget and Fund Balance Policy.
- 4.) Discussion and possible action on the outsourcing of payroll for non-union personnel and for union personnel.

HIGHWAY/FIRE BUILDING PROJECT

- 1.) Status report of the Highway/Fire building project.
- 2.) Consideration and possible action on payment of direct purchasing invoice #01761 from Advantage Purchasing, LLC, a division of Miron Construction, in the amount of \$ 72,010.59.
- 3.) Consideration and possible action on payment of direct purchasing invoice #01769 from Advantage Purchasing, LLC, a division of Miron Construction, in the amount of \$ 84,951.65.

- 4.) Consideration and possible action on Payment Request #5 by Miron Construction in the amount of \$446,442.05. Original contract amount \$4,500,474.00.
- 5.) Consideration and possible action on Change Order #3 (apparatus bay gravel and grading) for Powers Lake Construction Co., Inc. to increase the amount of the contract by \$9,502.09.
- 6.) Consideration and possible action on Payment Request #5 by Powers Lake Construction Co., Inc. in the amount of \$11,442.59, which includes Change Order #3. Original contract amount \$1,553,443.30,.
- 7.) Consideration and possible action on Change Order No. CO-1320902-02 to revise the contract completion date for “Avoidable” delays to reconstruct Production Well No. 1 at a revised location. There is \$0.00 net resulting from this change order.
- 8.) Consideration and possible action on Payment Request No. PR-1320902-02 from Layne Northwest, a Division of Layne Christensen Company, in the amount of \$88,732.50. Original contract amount \$222,200.00.

DEPARTMENT REPORTS, ACTIONS, AND EXPENDITURE REQUESTS

SEWER UTILITY DISTRICT

- 1.) Sewer Utility District report.

STORM WATER DISTRICT

- 1.) Storm Water District report.

PLANNING AND ZONING COMMISSION

- 1.) Planning & Zoning report.
- 2.) Consideration and possible action on a variance request by Trevor-Wilmot Consolidated School District (Owner), Mathew Wolfert (Agent) to allow for the expansion of the existing school. Property address is 26325 Wilmot Road. Tax parcels 67-4-120-331-0102 and 67-4-120-331-0120. For informational purpose only this property is located on the south side of CTH 'C' at the intersection of 264th Avenue. Existing non-conforming structures can be added onto so long as the existing structure is meeting at least half of the required setback. Required street-yard setback is 65 feet (half of which is 32.5 feet). Variance requested is for a 24 ft street yard setback.
- 3.) Consideration and possible action on a rezoning request from the WDNR to rezone a parcel from B-2 (Community Business & C-1 (Lowland Conservancy to PR-1 (Park-Recreational) & C-1, to update zoning classification to match existing use. Property tax parcel 66-4-120-283-1500. For informational purposes only this parcel is located on the west side of 277th Ave approximately 300 feet north of the intersection with 114th Street, just next to the Last Resort Tavern and is utilized as a boat launch.
- 4.) Consideration and possible action on a petition to amend an existing conditional use permit from the Wisconsin Boy Scouts SOL Crown Nature Appreciation Society, Inc. (Owner), Charles H. Frieman (Agent). Tax parcel 67-4-120-311-0502. For informational purposes only this parcel is located on the

east side of CTH 'B' approximately 800 feet south of CTH 'C'. Petitioner requests that the requirement to pave the training center parking lot be waived.

5.) Consideration and possible action on three variances requested by Joel & Michele Kennedy to allow for the construction of a new home. Tax parcel # 67-4-120-303-0615. For informational purposes only this parcel is located on the south side of CTH 'C' on the west bank of the Fox River. Minimum street yard setback is 65 feet, variance requested is to allow for 30 ft. Minimum shore yard setback is 75 feet, variance requested is to allow for 50 ft. Minimum side yard setback is 10 feet, variance requested is to allow for 8 ft. These variances were previously approved at the April 2007 Planning & Zoning Commission meeting.

6.) Consideration and possible action on three appointments to the Planning and Zoning Commission.

BUILDING DEPARTMENT

1.) Building Department report and update.

PUBLIC SAFETY DEPARTMENT

1.) Public Safety Department report.

PUBLIC WORKS/HIGHWAY

1.) Public Works/Highway Department report.

2.) Consideration and possible action on permission to sell a 1999 GMC 2 ½ ton dump truck.

FIRE AND RESCUE

1.) Fire Department report.

JUDICIAL

1.) Judicial report.

PARK COMMISSION

1.) Park Commission report.

SALEM MOUND CEMETERY

1.) Salem Mound Cemetery Report.

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

Chairman Valentine Report (Lakes Committee)

1. Discussion and possible action to consider

- a. -a standard 'paragraph' to give TOS authorities in covenants that may be presented to us in the future that may, but word choice, exclude TOS from approval process and authority by a developers' covenant during construction as well as in the future;
 - b. -to delineate when the members of the subdivision should be given authority over their subdivision association and
 - c. -scenarios under which we would accept common property dedicated to the town..
2. Discussion and possible action on the creation of an ordinance regarding Building inspections for elected officials of TOS and employees to have the inspections done by inspectors other than our own.
 3. Discussion and possible action designating focus on our town roads for consistent and routine patrol .
 4. Discussion and possible action on snow machine trails in TOS. A goal is to have a map available at the town hall and rules/regulations for the next snow season and a coordination between Trails Committee and Highway.

Supervisor Faber (CCLRD, SEWRPC, P&Z Liaison, Lakes Committee) Report

1. Discussion and possible action regarding the AB 260 and SB 117 to prohibit cities and villages from denying plats in the extraterritorial areas of the town based on land use.

Supervisor Meier (Hooker Lake District) Report

Supervisor O'Connell (Board of Review, Library Board, Voltz Lake District) Report

Supervisor Weidman (Fair, Parks Commission, Lakes Committee) Report

ADJOURNMENT

By the authority of Chairman Linda Valentine

This Notice was posted at the following places:

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

April 9, 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 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

TABLED ITEMS FOR FUTURE AGENDAS

1.) For June 2010 Agenda

- **Dec. 2009** - MOTION BY Supervisor Weidman, second by Supervisor Faber to request that Public Safety spend more time on 256th Avenue with additional patrol and that this item be tabled until the June 2010 regular board meeting.
- **JAN. 2010** - Consideration and possible on Town Board decision to allow until June 2010 for an update on the implementation of the plan, relative to a proposed raze order for Tax Parcel No. 65-4-120-151-0500. Property Address: 25510 89th Street, Property Owner: Carole Heath, Jacqueline Heath, and Joan Fortner, 2151 W. Granville Avenue, Chicago, IL 60659-3008.
- **JAN. 2010** - Consideration and possible on Town Board decision to allow until June 2010 for an update on the implementation of the contract that LaSalle Bank has to demolition and cleanup this property, for Tax Parcel No. 65-4-120-073-0710, Property Address: 8119 Fox River Road, Property Owner: Joseph V. Bychowski Trust, c/o LaSalle Bank, Attn: Ed Peters, 135 S. LaSalle Street, Rm 1925 Chicago, IL 60603.
- **Feb. 2010** - Consideration and possible action relative to the Public Hearing on October 19, 2009 on 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.

SCHEDULE OF FUTURE MEETINGS/EVENTS

Annual Meeting of Electors

4/13/10 7:00 p.m.