

**MINUTES
TOWN OF SALEM
REGULAR MEETING OF THE BOARD OF SUPERVISORS
Monday, January 13, 2014 7:00 P.M.**

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: Dennis Faber, Mike Culat and Dan Campion

ABSENT: Supervisor Ted Kmiec due to a family death

OTHERS: Pat Casey, Attorney Rich Scholze, Brad Zautcke, Mike Slover, Mike Murdock and Cindi Ernest

GUESTS: Carol Husnick, Donna Jasper-Myer, Jeff Davison, Jim Woodke
And John Schoenberger

PLEDGE OF ALLEGIANCE

Chairman Tesar led the Pledge of Allegiance.

OPEN MEETING COMPLIANCE CHECK

The agenda was posted prior to 4:00 p.m. on Wednesday, January 8, 2014 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.

APPROVAL OF AGENDA SEQUENCE

There was no change in the agenda sequence.

CITIZENS COMMENTS

There were no citizen comments.

PRESENTATIONS, PETITIONS, COMMUNICATIONS & OTHER AGENCY REPORTS

There were no presentations, petitions, communications or other agency reports.

PLANNING & ZONING

1.) A kennel license application filed with the clerk by Donna Jasper – Meyer for Tax Parcel # 65-4-120-182-0300, 8848 Fox River Road, Salem, WI was presented.

MOTION BY Supervisor Culat, second by Supervisor Faber to approve kennel license permit for Donna Jasper – Meyer for Tax Parcel # 65-4-120-182-0300, 8848 Fox River Road, Salem, WI as presented.

UNANIMOUS VOTE – AYE

MOTION CARRIED

2.) A request for a variance by property owner Charlotte Giovingo, 30728 76th Street, Salem, WI 53168 and Marietta Carlson, 3180 N. Lake Shore Drive Unit 15D, Chicago, IL 60657 (Agent), to construct a residential addition onto the north side of an existing non-conforming structure which will be located **33** feet (required setback **75** feet) from the ordinary high water mark of Lake Shangri-La, and to construct a patio in the shore yard to be located **19** feet (required setback **75** feet) from the ordinary high water mark of Lake Shangri-La and which said residential addition will be located **20** feet (required setback **30** feet) from the right-of-way of 116th Street on Tax Parcel #67-4-120-361-0150, Northeast ¼ Section 36, Township 1 North, Range 20 East, Town of Salem. For informational purposes only, this property is located on the west side of 218th Avenue approximately 0.2 miles south of CTH "V" (116th Street).

(Section V. A. 12.28-7: states that non-conforming structures which encroach upon the yard requirements of this ordinance, but which met yard requirements of the applicable zoning ordinance at the time of construction, may be structurally enlarged or expanded if the existing structure is located at least fifty (50) percent of the minimum setback requirement and further provided that the alteration does not create a greater degree of encroachment on yard, height, parking, loading, or access requirements, Section V. A. 12.2-2(u): which states that patios are permitted in any yard except street yards and shore yards, and Section IV. C. 12.21-4(g)1: which states that all structures shall be no less than 30 feet from the right-of-way of all other roads in the R-4 Urban Single-Family Residential District).

The Town Planning & Zoning Commission made a recommendation for approval of the variances as presented with the exception of deleting the variance requested for the patio on a vote of 6-0 in favor.

MOTION BY Supervisor Faber, second by Supervisor Campion to take the recommendation of the Planning & Zoning Commission and approve the variance request by property owner Charlotte Giovingo, 30728 76th Street, Salem, WI 53168 and Marietta Carlson, 3180 N. Lake Shore Drive Unit 15D, Chicago, IL 60657 (Agent), to construct a residential addition onto the north side of an existing non-conforming structure which will be located **33** feet (required setback **75** feet) from the ordinary high water mark of Lake Shangri-La, with the exception to **not allow the patio construction.**

UNANIMOUS VOTE – AYE

MOTION CARRIED

SEWER UTILITY

1.) Resolution 14-01-13, A Resolution Establishing a Representative To File Applications For Financial Assistance From State Of Wisconsin Environmental Improvement Fund was presented.

MOTION BY Supervisor Faber, second by Supervisor Campion to adopt Resolution 14-01-13, A Resolution Establishing a Representative To File Applications For Financial Assistance From State Of Wisconsin Environmental Improvement Fund as presented.

UNANIMOUS VOTE – AYE

MOTION CARRIED

2.) Resolution 14-01-13A, A Resolution Declaring Official Intent To Reimburse Expenditures From Proceeds Of Borrowing was presented.

MOTION BY Supervisor Culat, second by Supervisor Faber to adopt Resolution 14-01-13A, A Resolution Declaring Official Intent To Reimburse Expenditures From Proceeds Of Borrowing as presented.

UNANIMOUS VOTE – AYE

MOTION CARRIED

3.) Final Payment #1, from Boller Construction Company, Inc., for completion of the Septage Receiving Station Bar Screen Project, in the amount of \$31,000.00 was presented.
MOTION BY Supervisor Culat, second by Supervisor Campion to approve Final Payment #1, from Boller Construction Company, Inc., for completion of the Septage Receiving Station Bar Screen Project, in the amount of \$31,000.00 as presented.

UNANIMOUS VOTE – AYE
MOTION CARRIED

4.) The bids for 2014 Sanitary Sewer Collection System Rehabilitation Program were presented as follows:

<u>Bidder/Contractor</u>	<u>Total Bid Amount</u>
Visu-Sewer, Inc.	\$185,201.40
Michels Corporation	\$208,198.80
Pipeline Solutions	\$269,088.00

It was recommended by Utility Department Head Brad Zautcke to award the bid to Visu-Sewer, Inc., in the amount of \$185,201.40.

MOTION BY Supervisor Faber, second by Supervisor Culat to award the 2014 Sanitary Sewer Collection System Rehabilitation Project to Visu-Sewer, Inc., in the amount of \$185,201.40 as presented.

UNANIMOUS VOTE – AYE
MOTION CARRIED

ADMINISTRATIVE

1.) Administrator Casey presented the revised developer’s agreement for Heritage Estates.
MOTION BY Supervisor Culat, second by Supervisor Faber to approve the revised developer’s agreement for Heritage Estates as presented.
Administrator Casey said there have been some changes due to most of the development being completed. This agreement narrows down what is left of the development for both the Town and the developer so both know what to do with the updating. The same kind of agreement will be done with Woodhaven Meadows which has been purchased.

UNANIMOUS VOTE – AYE
MOTION CARRIED

CLERK’S BUSINESS

1.) The minutes of the previous meeting of a Regular Board meeting on 12/9/2013 were presented.

MOTION BY Supervisor Culat, second by Supervisor Faber to approve the minutes of the Regular Board meeting on 12/9/2013 as presented.

UNANIMOUS VOTE – AYE
MOTION CARRIED

2.) Operator License applications filed with the Town Clerk were presented as follows. Approval is contingent on background check clearance, completion of beverage server class, and payment of the necessary fees.

Clerk Ernest requested approval for an Jessica Brasuell, an additional applicant who brought in her certificate of beverage server class. She had completed her application a month earlier. She had a clear background check.

MOTION BY Supervisor Faber, second by Supervisor Culat to approve the Operator Licenses as presented with approval is contingent on background check clearance, completion of beverage server class, and payment of the necessary fees.

UNANIMOUS VOTE – AYE

MOTION CARRIED

TREASURER’S REPORT

1.) Chairman Tesar read the Treasurer’s report for December 1, 2013 through December 31, 2013 as follows:

DECEMBER 2013 - CASH REPORT FOR THE GENERAL ACCOUNT - TOWN OF SALEM

December 1, 2013- Beginning Balance **\$2,273,237.78**

	<u>RECEIPTS</u>		\$ 8,137,530.63
	Transfers In	\$	
	Prior Month Adjustment	\$	
 <u>DISBURSEMENTS</u>			
	PAYROLL	\$	653,844.95
	Transfers Out	\$	167,444.28
		\$	0.00
	Total		\$ 821,289.23

December 31, 2013 - Ending Balance **\$9,589,479.18**

State Pool - General	\$	1,277,558.77
Gen. Checking	\$	<u>8,311,920.41</u>
Totals		\$ 9,589,479.18

DECEMBER 2013 - CASH REPORT FOR THE TAX ACCOUNT - TOWN OF SALEM

December 1, 2013 - Beginning Balance **\$ 963.30**

	<u>RECEIPTS</u>		\$.07
	Trnsfr from Gen. Ck.	\$	0.00
 <u>DISBURSEMENT</u>			
	Trnsfr to Gen. Ck	\$	0.00

December 31, 2013 - Ending Balance **\$ 963.37**

DECEMBER 2013 - CASH REPORT FOR THE PARK ACCOUNT - TOWN OF SALEM

December 1, 2013 - Beginning Balance **\$ 328,302.41**

RECEIPTS **\$ 1,641.95**

DISBURSEMENTS
Transfer to LGIP 8 **\$ 0.00**

December 31, 2013- Ending Balance **\$ 329,944.36**

DECEMBER 2013 - CASH REPORT FOR THE MAINTENANCE ACCOUNT-SALEM

December 1, 2013 Beginning Balance **\$ 39,869.94**

RECEIPTS **\$ 129.94**

December 31, 2013 Ending Balance **\$ 39,999.88**

DECEMBER 2013 - CASH REPORT FOR THE CAPITAL PROJECTS ACCOUNT – SALEM

December 1, 2013 Beginning Balance **\$ 2,534,821.80**

RECEIPTS **\$ 83,576.05**
Transfer In **\$ 0.00**

DISBURSEMENTS
Transfer Out **\$ 0.00**

December 31, 2013 Ending Balance **\$ 2,618,397.85**

DECEMBER 2013- CASH REPORT FOR THE TRAILS ACCOUNT – SALEM

December 1, 2013 Beginning Balance **\$ 215,520.51**

RECEIPTS **\$ 15.87**

DISBURSEMENTS

December 31, 2013 Ending Balance **\$ 215,536.38**

2.) Approval of the vouchers for December 10, 2013, through January 13, 2014, was presented as follows:

Vouchers issued from December 10, 2013
through January 13, 2014 \$ 788,082.99

Payroll #26 Ending 12/14/13 \$ 82,267.55
Payroll #1 (2014) Ending 12/28/13 \$ 67,121.22

Total \$ 937,471.76

MOTION BY Supervisor Faber, second by Supervisor Campion to approve the payment of the vouchers for December 10, 2013, through January 13, 2014, as presented.

UNANIMOUS VOTE – AYE
MOTION CARRIED

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

Chairman Tesar (Library Board, Hooker Lake, & Administration, Public Works, Public Safety & Communication Committees) report.

Chairman Tesar reported there was a Library Board meeting on December 17, 2013. The library was given a check in the amount of \$40,062 from the Arthur Bushing Estate.

Council of Governments will be held on January 18th in Bristol beginning at 8:30 am.

The Town Board will have a joint meeting with the Village of Silver Lake on January 20th at 6:00 pm.

An informational meeting on the 2014 Road and Drainage project will be held on Wed, Jan 15th at 6:00 pm.

Supervisor Faber (CCLRD, SEWRPC, P&Z Joint Liaison, Board of Review, Public Safety & Communication Committees) report.

Supervisor Faber gave some information on the disparity in the Center Lake spillway project. The high bid was \$162,600 and the low bid was \$42,000. There was \$92,500 budgeted and \$92,900 expended.

He had the honor of thanking Alexander Nelson for his Eagle Scout Project. He built bike racks at the Sharing Center and repaired bikes to allow people to borrow them. He thought his project was really creative.

He received another call on Saturday regarding the “blue water” in a retention pond and down a ditch. He met with Juan Gomez from the DNR about it. If anyone asks about the “blue water”, the Homeowners Association colors the water to make it pretty.
He reviewed the SWERPC 52nd Annual Report .

Supervisor Culat (Park & P & Z Commissions Joint Liaison, Public Works Committee) report.

Supervisor Culat told the Highway Department they did a phenomenal job with the snow removal.

Supervisor Kmiec (Park Commission Joint Liaison, Administration, Public Safety, & Communication Committees) report.

Supervisor Kmiec is absent from this meeting.

Supervisor Campion (County & Voltz Lake Liaison, Administration, Communication & Public Works Committees) report.

Supervisor Campion said there was no County Board meeting because of the bad weather. The Highway Department does a good job of talking with people.
He sat down with Clerk Cindi Ernest and AP Assistant Judy Grasser and reviewed the scanning of the vouchers.

CLOSED SESSION

1.) MOTION BY Supervisor Culat, second by Supervisor Faber to move into closed session pursuant to: Section 19.85(1)(e), Wis. Stats. for the purpose of deliberating or negotiating the purchase of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session. This closed session is relative to joint services agreements.

ROLL CALL VOTE

SUPERVISORS Faber, Culat, Campion and Chairman Tesar – AYE

MOTION CARRIED

The Board moved into Closed Session at 7:28 pm with Mike Slover and Attorney Scholze in attendance.

2.) MOTION BY Supervisor Culat, second by Supervisor Faber to move out of Closed Session and into Open Session.

ROLL CALL VOTE

SUPERVISORS Faber, Culat, Campion and Chairman Tesar – AYE

MOTION CARRIED

The Board moved out of Closed Session and into Open Session at 8:35 pm.

3.) There was no discussion, action or announcement relative Section 19.85(1)(e) referenced during the closed session.

ADJOURNMENT

MOTION BY Supervisor Culat, second by Supervisor Faber to adjourn this Regular meeting.
UNANIMOUS VOTE – AYE

MOTION CARRIED

This Regular Board meeting was adjourned at 8:35 p.m.

Respectfully submitted,

Cindi Ernest, Clerk