

**MINUTES
TOWN OF SALEM
PUBLIC HEARING AND REGULAR MEETING OF THE BOARD OF SUPERVISORS
Monday, December 8, 2014 7:00 P.M.**

Chairman Diann Tesar called this Public Hearing of the Town of Salem Board of Supervisors to order at 7:00p.m., with the following present:

CHAIRMAN: Diann Tesar

BOARD OF SUPERVISORS: Dennis Faber, Mike Culat, Ted Kmiec and Dan Campion

OTHERS: Attorney Wanasek, Administrator Casey, Brad Zautcke, Mike Murdock, Mike Slover, Jack Rowland, Dave Shortess and Cindi Ernest.

GUESTS: Mike Ullstrup, Darren Hillock, Jill Rozell, Carl Siegel, Larry Simon, Linda Tiso, John Poole, Fred Brown and Al Sommers.

PLEASE TAKE NOTICE that the, Building Inspector of the Town of Salem, has determined that the residence which is located on the following described premise:

Lots 3 and 4, Block 4, Valmar 1st Addition, according to the recorded plat thereof, being a subdivision of part of Section 29, Town 1 North, Range 20 East, Town of Salem, Kenosha County WI.
Tax Parcel # 66-4-120-291-0550
Address: 10514 286th Ave, Salem, WI
Owner: Estate of Laverne J.B. Rasmussen
c/o Carla Rasmussen, Personal Representative
1852 22nd Ave, Apt. 309, Kenosha, WI 53140

AND TAKE FURTHER NOTICE that the Building Inspector has also determined that the residence and utility shed which are located on the following described premise:

Lot 5, Block 2 and the East ½ of Lot 4, Block 2, Shorewood Terrace, according to the recorded plat thereof, being a subdivision of part of Section 7, Town 1 North, Range 20 East, Town of Salem, Kenosha County WI.
Tax Parcel # 65-4-120-072-0220
Address: 31109 75th Place, Salem, WI
Owner: Equity Trust Company
FBO Timothy Torosian IRA
201 South Academy Street #4
Stoughton, WI 53589

are dangerous, unsafe, unsanitary or otherwise unfit for human habitation, occupancy or use, due to the dilapidated or incomplete condition of said structures and that such structures, in their present condition, constitutes a public nuisance. It has further been determined that the cost of repairs to the buildings would exceed 50% of the assessed value of the structure and divided by the ratio of the assessed value to the recommended value as last published by the State of Wisconsin, Department of Revenue for the Town.

No one appeared at this Public Hearing on behalf of the property located at 10514 286th Ave, Salem, WI.

Timothy Torsian, owner of the property located at 31109 75th Place, Salem, WI, appeared before the Board and explained he has been the owner of the property since July and only recently received the title. He hasn't had a chance to make any repairs due to a tenant in the property whom he had to evict. He requested additional time to work something out on the property.

Administrator Casey informed the Board that there has been no contact with Mr. Torosian prior to this meeting regarding the property.

Building Inspector Rowland informed the Board that the home is post and beam construction. A letter was sent out in May of 2014 regarding the condition of the roof. The wall has since bowed out and off of it's foundation.

Mr. Torosian responded that he has been to court trying to get an eviction order for the person that was in there and he felt that one month to repair it is an unreasonable request. His IRA is the owner of the property.

There were no further comments for or against this proposed raise.

Regarding the other property located at 10514 286th Ave, Salem, WI, Chairman Tesar requested comments for or against the proposed raise.

Public Safety Department head Dave Shortess stated that the house is full of dog feces and urine and has been going through the appellate process to get the tenant out. The neighbors said that it is now vacated and left the owner a mess. He tried to make contact three (3) weeks ago with no response.

There were no further comments for or against this proposed raise.

This Public Hearing was adjourned at 7:18 pm.

Chairman Diann Tesar called this Regular meeting of the Town of Salem Board of Supervisors to order at 7:00p.m., with the following present:

CITIZEN COMMENTS

There were no Citizen Comments.

PRESENTATIONS, PETITIONS, COMMUNICATIONS, & OTHER AGENCY REPORTS

1.) The Incorporation Study Committee was to present their report.

MOTION BY Supervisor Campion, second by Supervisor Faber to move this item to the December 15th Committee of the Whole meeting.

UNANIMOUS VOTE – AYE

MOTION CARRIED

2.) Chairman Tesar informed the Board that both she and Supervisor Faber attended a WI Towns Association meeting regarding Wisconsin Act 337 relating to AG CMV operations on Town roads. Highway Department head Mike Murdock told the Board that he didn't feel a need for any changes as most farmers don't have the large vehicles on the roadways in our area which exceed the weight limit and recommended leaving it as it is.

Discussion followed.

MOTION BY Supervisor Faber, second by Supervisor Campion to have Attorney Scholze draft an ordinance to follow state statutes.

UNANIMOUS VOTE – AYE

MOTION CARRIED

BUILDING DEPARTMENT

1.) A proposed raze order for property located at 10514 286th Ave, Salem, WI. Tax Parcel # 65-4-120-072-0220 and owned by the Estate of Laverne J.B. Rasmussen, c/o Carla Rasmussen, Personal Representative, 1852 22nd Ave, Apt. 309, Kenosha, WI 53140 was presented. There was no one in attendance representing this property and there was no one for or against this proposed raze during the Public Hearing.

MOTION BY Supervisor Faber, second by Supervisor Culat to proceed with the raze order for property located at 10514 286th Ave, Salem, WI. Tax Parcel # 65-4-120-072-0220 and owned by the Estate of Laverne J.B. Rasmussen, c/o Carla Rasmussen, Personal Representative, 1852 22nd Ave, Apt. 309, Kenosha, WI 53140 as presented.

UNANIMOUS VOTE – AYE

MOTION CARRIED

2.) A proposed raze order for property located at 31109 75th Place, Salem, WI. # 65-4-120-072-0220 and owned by Equity Trust Company, FBO Timothy Torosian IRA, 201 South Academy Street #4, Stoughton, WI 53589 was presented. During the Public Hearing, Mr. Torosian requested additional time to see what can be done with the property.

Discussion followed with Supervisor Culat suggesting thirty (30) days and Supervisor Faber requesting a plan and a plan if the taxes are delinquent.

MOTION BY Supervisor Culat, second by Supervisor Campion to proceed with the raze order for property located at 31109 75th Place, Salem, WI. # 65-4-120-072-0220 and owned by Equity Trust Company, FBO Timothy Torosian IRA, 201 South Academy Street #4, Stoughton, WI 53589 as presented.

SUPERVISORS Faber, Culat, Campion and Chairman Tesar – AYE

SUPERVISOR Kmiec - NAY

MOTION CARRIED

PLANNING & ZONING

1.) Ordinance No 12-12-08, An Ordinance Adopting an Amendment to the Comprehensive Plan for the Town of Salem: 2035, on Tax Parcel # 65-4-120-092-0202 was presented.

The Town Planning and Zoning Commission approved Resolution No 14-11-19, which recommended that the Town Board enact this Ordinance on a vote of 5-0.

MOTION BY Supervisor Faber, second by Supervisor Culat to adopt Ordinance No 12-12-08, An Ordinance Adopting an Amendment to the Comprehensive Plan for the Town of Salem: 2035, on Tax Parcel # 65-4-120-092-0202 as presented.

UNANIMOUS VOTE – AYE

MOTION CARRIED

2.) A request by James & Elizabeth Ashmus, 6914 156th Avenue, Bristol, WI 53104 (owner), Joe Kukla, 5818 Broadway, Richmond, IL 60071 (agent), for a variance (Section IV. H. 12.26-1.7(d)1b: fill shall extend for at least **15** feet beyond the limits of the structure in the R-5 Urban Single-Family Residential District) to construct a 40.8' x 87.3' single-family residence with an attached garage and to backfill **10** feet beyond the limit of the structure on the north side on Tax Parcel # 66-4-120-212-0695, Northwest 1/4 Section 21, Township 1 North, Range 20 East, Town of Salem was presented. For informational purposes only this parcel is located on the east side of 273rd Avenue approximately 60 feet north of the intersection with 274th Avenue.

The Town Planning and Zoning Commission recommended that the Town Board grant the variance, as presented, on a vote of 5-0.

MOTION BY Supervisor Faber, second by Supervisor Campion to approve the recommendation of the Town Planning and Zoning Commission and grant the request by James & Elizabeth Ashmus, 6914 156th Avenue, Bristol, WI 53104 (owner), Joe Kukla, 5818 Broadway, Richmond, IL 60071 (agent), for a variance (Section IV. H. 12.26-1.7(d)1b: fill shall extend for at least **15** feet beyond the limits of the structure in the R-5 Urban Single-Family Residential District) to construct a 40.8' x 87.3' single-family residence with an attached garage and to backfill **10** feet beyond the limit of the structure on the north side on Tax Parcel # 66-4-120-212-0695, Northwest 1/4 Section 21, Township 1 North, Range 20 East, Town of Salem as presented.

UNANIMOUS VOTE – AYE

MOTION CARRIED

SEWER UTILITY DEPARTMENT

1.) A Partial Payment Request No. 6 by Staab Construction Corporation, in the amount of \$208,955.35 for the Wastewater Treatment Plant Upgrades was presented.

MOTION BY Supervisor Campion, second by Supervisor Faber to approve Partial Payment Request No. 6 by Staab Construction Corporation, in the amount of \$208,955.35 for the Wastewater Treatment Plant Upgrades as presented.

UNANIMOUS VOTE – AYE

MOTION CARRIED

HIGHWAY DEPARTMENT

1.) A Snowplowing Agreement between Creekside Crossing Subdivision and the Town of Salem was presented.

MOTION BY Supervisor Faber, second by Supervisor Culat to approve the Snowplowing Agreement between Creekside Crossing Subdivision and the Town of Salem as presented.

UNANIMOUS VOTE – AYE

MOTION CARRIED

2.) A Snowplowing Agreement between Heritage Estates and the Town of Salem was presented.

MOTION BY Supervisor Kmiec, second by Supervisor Faber to approve the Snowplowing Agreement between Heritage Estates and the Town of Salem as presented.

SUPERVISOR Campion – ABSTAIN (resident of subdivision)

SUPERVISORS – Faber, Culat, Kmiec and Chairman Tesar, AYE

MOTION CARRIED

CLERK'S BUSINESS

1.) The approval of the minutes of a Regular Board meeting on 11/10/2014 and a Special Meeting on 11/12/2014 was presented.

MOTION BY Supervisor Faber, second by Supervisor Campion to approve the minutes of a Regular Board meeting on 11/10/2014 and a Special Meeting on 11/12/2014 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.

Lindsey Byers Travis P Neuman Candace Ladonsky Georgina Lemere-Dupuis
Colton Simmons Tammy Curtis Lisa Ray

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

UNANIMOUS VOTE – AYE

MOTION CARRIED

3.) An application 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 was presented. 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” BEER AND “CLASS B” LIQUOR

Home Again Restaurant, LLC
25101 60th Street
Paddock Lake, WI 53168
AGENT: Terry Schubkegel

Home Again Restaurant
9524 Camp Lake Road
Camp Lake, WI 53105

MOTION BY Supervisor Faber, second by Supervisor Campion to approve the retail license for Home Again Restaurant, LLC, to sell fermented malt beverages and intoxicating liquors, in accordance with the provisions of CHAPTER 125.04 of the Wisconsin State Statutes, as presented with approval contingent on background check clearance, payment of delinquent taxes, assessments, and all necessary fees

UNANIMOUS VOTE – AYE

MOTION CARRIED

3.) An Amusement Machine License application filed with the Clerk by the following was presented. Approval contingent on background check clearance, payment of delinquent taxes, assessments, and all necessary fees.

Home Again Restaurant, LLC – 3 machines

MOTION BY Supervisor Campion, second by Supervisor Faber to approve the Amusement Machine License as presented with approval contingent on background check clearance, payment of delinquent taxes, assessments, and all necessary fees.

UNANIMOUS VOTE – AYE

MOTION CARRIED

4.) Appointment of the following election inspectors for 2015 – 2016 was presented.

Gail Peckler Dziki
Gerry Witkowski
Elaine Tesar
Lois Hartman

Mike Ullstrup
Bettie Brandes
Nancy Cayo
Paul Eberle

Sonja Bigley
 Lon Dirks
 Christopher Rainey
 Nancy Wall
 Kathy Wall
 Kristie Johnson
 Karen Mahoney
 Kim Roper
 Renee Thurow
 Fran Wargolet
 Dianne Brady
 Carol Dunn
 Mary Jane James

David Ottman
 Gloria Dirks
 Freda Pryga
 Richard Brady
 Duane Kellor
 Margaret Petrakis
 Cindy Cort
 Sam Thurow
 Julie Braakman
 Colleen Glaves
 Sue Nelson
 Gail Katzman

MOTION BY Supervisor Faber, second by Supervisor Faber, second by Supervisor Kmiec to approve the election inspectors for 2015 – 2016 as presented.

UNANIMOUS VOTE – AYE

MOTION CARRIED

5.) The approval for the payment of the vouchers for November 11, 2014, through December 8, 2014, was presented as follows:

Vouchers issued from November 11, 2014 through December 8, 2014		\$ 788,480.20
Payroll #24 Ending	11/15/14	\$ 79,646.66
Payroll #25 Ending	11/29/14	\$ 64,261.12
		\$ 932,387.98
	Total	

MOTION BY Supervisor Faber, second by Supervisor Campion to approve the payment of the vouchers for November 11, 2014, through December 8, 2014, as presented.

UNANIMOUS VOTE – AYE

MOTION CARRIED

TREASURER’S REPORT

1.) Chairman Tesar read the Treasurer’s report for November 1, 2014 through November 30, 2014 as follows:

NOVEMBER 2014 - CASH REPORT FOR THE GENERAL ACCOUNT - TOWN OF SALEM

November 1, 2014- Beginning Balance		\$1,511,462.89
	RECEIPTS	
	Transfers In	\$ 200,000.00
		\$ 297,687.18

November 1, 2014	Beginning Balance	\$ 554,556.05
	RECEIPTS	
	Transfer In	\$ 3,361.25
		\$ 0.00
	DISBURSEMENTS	
	Transfer Out	\$ 0.00
November 30, 2014	Ending Balance	\$ 557,917.30

NOVEMBER 2014- CASH REPORT FOR THE TRAILS ACCOUNT – SALEM

November 1, 2014	Beginning Balance	\$ 215,689.13
	RECEIPTS	\$ 15.27
	DISBURSEMENTS	
November 30, 2014	Ending Balance	\$ 215,704.40

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

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

Supervisor Campion reported that Saturday was Santa Comes to Salem and we had a good turnout. He thanked the Fire Department for providing rides on the fire truck to the kids.

December 7th was Pearl Harbor Day and we would like to remember and thank those who served our country.

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

Supervisor Kmiec reported that Salem now has an ice skating rink at Salem Oaks Park. We are waiting for another layer to freeze. We are looking at doing one also at Community Park and hope to have one at each of Salem’s Parks.

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

Chairman Tesar reported that the library Board will meet at the Salem Library this month at 6:30 pm. There will be no Hooker Lake meeting.

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

Supervisor Culat had nothing to report.

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

Supervisor Faber was able to obtain a copy of MegaTrends, which is about water, for all Board members.

CLOSED SESSION

There was no closed session for this meeting and was removed from the agenda.

ADJOURNMENT

MOTION BY Supervisor Campion, second by Supervisor Faber to adjourn this Regular meeting.

UNANIMOUS VOTE – AYE

MOTION CARRIED

This Regular Board meeting was adjourned at 7:47 p.m.

Respectfully submitted,

Cindi Ernest, Clerk