

MINUTES
REGULAR MEETING OF THE BOARD OF SUPERVISORS
Monday, March 14, 2016 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: Mike Culat and Dan Campion

ABSENT: Dennis Faber and Ted Kmiec

OTHERS: Administrator Casey, Mike Murdock, Brad Zautcke
Mike Slover, Kyle Tobias, Jack Rowland and Cindi Ernest

GUESTS: Mary Sheen, Dennis Sheen, Bill Mellan, John Roberts, John Poole,
Dan Szczap, Tim Driscoll and Mark Nordigan

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, March 9, 2016 at the Town Hall Municipal Building and on the Town's website at www.townofsalem.net

APPROVAL OF AGENDA SEQUENCE

There was no change in the agenda sequence.

CITIZEN COMMENTS

County Supervisor John Poole thanked those who signed his nomination papers for County Board Supervisor Dist 19.

He also stated he was disappointed in the PSC's ruling relative to the ATC lines.

John Roberts said thank you for lowering the speed limit in front of his home, but said now there needs to be enforcement.

PRESENTATIONS, PETITIONS, COMMUNICATIONS, & OTHER AGENCY REPORTS

1.) Chairman Tesar announced that there are Planning & Zoning Commissioner's terms expiring in 2016:

Kim Breunig John Fotcsh Karen Baker

She will be taking applications and the appointments/re-appointments will be at the April Town Board meeting.

2.) Chairman Tesar announced the Park Commissioner term expiring in 2016 and read a letter of resignation from Josephine Weidman. Karen Ihlen and Josephine Weidman (resigning) Appointments/re-appointments will be at the June Town Board meeting.

3.) Chairman Tesar announced that the Annual Town Meeting will be held on April 19, 2016 at 7:00 pm at the Salem Town Hall, located at 9814 Antioch Road, Salem, WI.

4.) Chairman Tesar announced that the Presidential Preference & Spring Election will be held on April 5, 2016. Polls are open from 7:00 am – 8:00 pm. In person Absentee/Early voting will take place at the Town Hall beginning March 21, 2016 from 8:00 – 4:00 pm Monday through Friday. We will be closed on March 25th, Good Friday, but arrangements for Absentee/Early voting and Voter Registration for that day can be made by contacting the Town Clerk. To avoid very long lines, un-registered voters are encouraged to register to vote at the Town Hall prior to the election. Any voting questions can be directed to the Town Clerk.

PLANNING & ZONING

1.) A request by Holy Cross Parish, 18700 116th Street, Bristol, WI 53104 (Owner), Bill Mellen, 26500 122nd Street, Trevor, WI 53179 (Agent) for a rezoning from I-1 Institutional District & PR-1 Institutional District to I-1 Institutional District on Tax Parcel #67-4-120-304-0630 located in the Southeast ¼ of Section 30, Town 1 North, Range 20 East, Town of Salem was presented.

The Town of Salem Planning & Zoning Commission recommended approval of the rezone, to the Town Board, with a unanimous vote of 5-0.

MOTION BY Supervisor Culat, second by Supervisor Campion to take the recommendation of the Planning & Zoning Commission and approve the request by Holy Cross Parish, 18700 116th Street, Bristol, WI 53104 (Owner), Bill Mellen, 26500 122nd Street, Trevor, WI 53179 (Agent) for a rezoning from I-1 Institutional District & PR-1 Institutional District to I-1 Institutional District on Tax Parcel #67-4-120-304-0630 located in the Southeast ¼ of Section 30, Town 1 North, Range 20 East, Town of Salem as presented.

UNANIMOUS VOTE – AYE

MOTION CARRIED

2.) A request by Holy Cross Parish, 18700 116th Street, Bristol, WI 53104 (Owner), Bill Mellen, 26500 122nd Street, Trevor, WI 53179 (Agent) for a conditional use permit to allow an expansion of an existing cemetery in the I-1 Institutional District on Tax Parcel #67-4-120-304-0630 located in the Southeast ¼ of Section 30, Town 1 North, Range 20 East, Town of Salem was presented.

The Town of Salem Planning & Zoning Commission recommended approval of the conditional use permit, to the Town Board, with a unanimous vote of 5-0.

MOTION BY Supervisor Culat, second by Supervisor Campion to take the recommendation of the Planning & Zoning Commission and approve the request by Holy Cross Parish, 18700 116th Street, Bristol, WI 53104 (Owner), Bill Mellen, 26500 122nd Street, Trevor, WI 53179 (Agent) for a conditional use permit to allow an expansion of an existing cemetery in the I-1 Institutional District on Tax Parcel #67-4-120-304-0630 located in the Southeast ¼ of Section 30, Town 1 North, Range 20 East, Town of Salem as presented.

UNANIMOUS VOTE – AYE

MOTION CARRIED

3.) A request by Stephen C. Mills, 4015 80th Street, Kenosha WI 53142, Mills Enterprises LLC, 4015 80th Street, Kenosha, WI 53142 and Craig T. & Laura M. Baumgardner, 37015 North Fernview Lane, Lake Villa, IL 60046 (Owners), Dan Szczap, Bear Development LLC, 4011 80th Street, Kenosha WI 53142 (Agent), for a rezoning from C-2 Upland Resource Conservancy District and C-1 Lowland Resource Conservancy District with a Planned Unit Development Overlay (PUD) to C-2 Upland Resource Conservancy District and C-1 Lowland Resource Conservancy District with a Planned Unit Development Overlay (PUD) on Tax Parcels #65-4-120-044-0101 through 65-4-120-044-0111 located

in the Southeast 1/4 of Section 4, Town 1 North, Range 20 East, Town of Salem was presented. The Town of Salem Planning & Zoning Commission recommended approval of the rezone, to the Town Board, with a unanimous vote of 5-0.

MOTION BY Supervisor Campion, second by Supervisor Culat to take the recommendation of the Planning & Zoning Commission and approve the request by Stephen C. Mills, 4015 80th Street, Kenosha WI 53142, Mills Enterprises LLC, 4015 80th Street, Kenosha, WI 53142 and Craig T. & Laura M. Baumgardner, 37015 North Fernview Lane, Lake Villa, IL 60046 (Owners), Dan Szczap, Bear Development LLC, 4011 80th Street, Kenosha WI 53142 (Agent), for a rezoning from C-2 Upland Resource Conservancy District and C-1 Lowland Resource Conservancy District with a Planned Unit Development Overlay (PUD) to C-2 Upland Resource Conservancy District and C-1 Lowland Resource Conservancy District with a Planned Unit Development Overlay (PUD) on Tax Parcels #65-4-120-044-0101 through 65-4-120-044-0111 located in the Southeast 1/4 of Section 4, Town 1 North, Range 20 East, Town of Salem as presented.

UNANIMOUS VOTE – AYE

MOTION CARRIED

4.) A Preliminary Plat of The Reserve Subdivision, Stephen C. Mills, 4015 80th Street, Kenosha WI 53142, Mills Enterprises LLC, 4015 80th Street, Kenosha, WI 53142 and Craig T. & Laura M. Baumgardner, 37015 North Fernview Lane, Lake Villa, IL 60046 (Owners), Dan Szczap, Bear Development LLC, 4011 80th Street, Kenosha WI 53142 (Agent), on Tax Parcels #65-4-120-044-0101 through 65-4-120-044-0111 located in the Southeast 1/4 of Section 4, Town 1 North, Range 20 East, Town of Salem was presented.

The Town of Salem Planning & Zoning Commission recommended approval of the Preliminary Plat of the Reserve Subdivision, to the Town Board, with a unanimous vote of 5-0.

MOTION BY Supervisor Culat, second by Supervisor Campion to take the recommendation of the Planning & Zoning Commission and approve the Preliminary Plat of The Reserve Subdivision, Stephen C. Mills, 4015 80th Street, Kenosha WI 53142, Mills Enterprises LLC, 4015 80th Street, Kenosha, WI 53142 and Craig T. & Laura M. Baumgardner, 37015 North Fernview Lane, Lake Villa, IL 60046 (Owners), Dan Szczap, Bear Development LLC, 4011 80th Street, Kenosha WI 53142 (Agent), on Tax Parcels #65-4-120-044-0101 through 65-4-120-044-0111 located in the Southeast 1/4 of Section 4, Town 1 North, Range 20 East, Town of Salem as presented.

UNANIMOUS VOTE – AYE

MOTION CARRIED

5.) A request by AMTUL LLC, PO Box 26, Trevor, WI 53179 (Owner), Dan McMahan, Interstate Pump & Tank, 901 Niagra Street, Waukesha, WI 53186 (Agent) for a conditional use permit to allow an expansion of an existing gasoline service station in the B-2 Community Business District on Tax Parcel #66-4-120-273-0810 located in the Southwest ¼ of Section 27, Town 1 North, Range 20 East, Town of Salem was presented.

The Town of Salem Planning & Zoning Commission recommended approval of the conditional use permit, to the Town Board, with a unanimous vote of 5-0.

MOTION BY Supervisor Culat, second by Supervisor Campion to take the recommendation of the Planning & Zoning Commission and approve the request by AMTUL LLC, PO Box 26, Trevor, WI 53179 (Owner), Dan McMahan, Interstate Pump & Tank, 901 Niagra Street, Waukesha, WI 53186 (Agent) for a conditional use permit to allow an expansion of an existing gasoline service station in the B-2 Community Business District on Tax Parcel #66-4-120-273-0810 located in the Southwest ¼ of Section 27, Town 1 North, Range 20 East, Town of Salem as presented.

UNANIMOUS VOTE – AYE

MOTION CARRIED

PUBLIC SAFETY

1.) The agreements for Water Patrol Services between the Town of Wheatland and the Town of Salem on Lily Lake, the Village of Paddock Lake on Paddock Lake and the Village of Silver Lake on Silver Lake below (#2 & #3) were acted on as follows.

MOTION BY Supervisor Campion, second by Supervisor Culat to table these three agreements to a Special meeting following the Committee of the Whole meeting on March 21, 2016.

UNANIMOUS VOTE – AYE

MOTION CARRIED

2.) Agreement between the Village of Paddock Lake and the Town of Salem for Water Patrol Services on Paddock Lake tabled above.

3.) Agreement between the Village of Silver Lake and the Town of Salem for Water Patrol Services on Silver Lake tabled above.

ADMINISTRATOR BUSINESS

1.) Partial Payment No 4, in the amount of \$979,497.72, to Reesman’s Excavating & Grading, Inc, for the Salem Business Park Infrastructure Improvements was presented.

MOTION BY Supervisor Campion, second by Supervisor Culat to approve Partial Payment No 4, in the amount of \$979,497.72, to Reesman’s Excavating & Grading, Inc, for the Salem Business Park Infrastructure Improvements as presented.

UNANIMOUS VOTE – AYE

MOTION CARRIED

2.) A Permissive Use Agreement, between the Town of Salem and Brian J Mraz (Tax Parcel No: 65-4-120-163-0361), to improve the Town right of way by for use as a driveway providing access to Tax Parcel No. 65-4-120-163-0361 was presented.

MOTION BY Supervisor Culat, second by Supervisor Campion to approve the Permissive Use Agreement, between the Town of Salem and Brian J Mraz (Tax Parcel No: 65-4-120-163-0361), to improve the Town right of way by for use as a driveway providing access to Tax Parcel No. 65-4-120-163-0361

Supervisor Campion indicated that he wants a timeline for completion included in the agreement to which Administrator Casey said they would put one in the agreement.

UNANIMOUS VOTE – AYE

MOTION CARRIED

SEWER UTILITY DEPARTMENT

1.) Change Order No. 1 between The Town of Salem Utility District and MZ Construction Incorporated, for the Sewage Lift Station 101, 102, 104, 207, and 211 Upgrades, resulting in a contract increase of \$294.33 was presented.

MOTION BY Supervisor Campion, second by Supervisor Culat to approve Change Order No. 1 between The Town of Salem Utility District and MZ Construction Incorporated, for the Sewage Lift Station 101, 102, 104, 207, and 211 Upgrades, resulting in a contract increase of \$294.33 as presented.

UNANIMOUS VOTE – AYE

MOTION CARRIED

2.) Partial Payment Request No. 8 by MZ Construction Incorporated, in the amount of \$124,687.50, for the Sewage Lift Station 101, 102, 104, 207, and 211 Upgrades was presented.

MOTION BY Supervisor Culat, second by Supervisor Culat to approve Partial Payment Request No. 8 by MZ Construction Incorporated, in the amount of \$124,687.50, for the Sewage Lift Station 101, 102, 104, 207, and 211 Upgrades as presented.

UNANIMOUS VOTE – AYE

MOTION CARRIED

FIRE DEPARTMENT

1.) The purchase of a Matrix C3x Climbmill stair climber fitness machine for fighter/EMT fitness was presented with Chief Slover indicating he would like to use the revenue from the recent sale of a truck for the purchase.

MOTION BY Supervisor Culat, second by Supervisor Campion to approve he purchase of a Matrix C3x Climbmill stair climber fitness machine for fighter/EMT fitness as presented.

UNANIMOUS VOTE – AYE

MOTION CARRIED

CLERK'S BUSINESS

1.) The minutes of a Regular Board meeting on 2/08/2016 and a Special Board Meeting on 02/22/2016 were presented. This item was table until a Special meeting following the March 21, 2016 Committee of a Whole meeting.

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

Robert F Curtis

Nelida Almodavar

Jack Rowland

Cassandra Walker

Courtney L Wilson

Vimell Kumar Patel

MOTION BY Chairman Tesar, second by Supervisor Campion 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 for a retail license 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, with approval contingent on background check clearance, completion of beverage server class, and payment of the necessary fees was presented.

NAME & ADDRESS
OF APPLICANT

TRADE NAME & ADDRESS
OF ESTABLISHMENT

Class "B" Fermented Malt Beverage License

Kenosha County Fair Association Co-op
30820 111th Street
Wilmot, WI 53192
Agent: Denise L Zirbel

Kenosha County Fair Association Co-op
30820 111th Street
Wilmot, WI 53192

MOTION BY Supervisor Campion, second by Supervisor Culat to approve the retail license for the Kenosha County Fair Assoc. 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, with approval contingent on background check clearance, completion of beverage server class, and payment of the necessary fees as presented.

UNANIMOUS VOTE – AYE

MOTION CARRIED

4.) A Change of Agent from Kiran Patel to Rajesh Patel for Hasi Sai, LLC, DBA JP Food & Liquor located at 11110 Antioch Rd, Trevor, WI was presented.

MOTION BY Supervisor Campion, second by Supervisor Culat to approve the Change of Agent from Kiran Patel to Rajesh Patel for Hasi Sai, LLC, DBA JP Food & Liquor located at 11110 Antioch Rd, Trevor, WI as presented and contingent on a positive approval from the DOR.

UNANIMOUS VOTE – AYE

MOTION CARRIED

5.) The vouchers for February 9, 2016 through March 14, 2016, were presented for approval as follows:

| | |
|---|-----------------|
| Vouchers issued from February 9, 2016 through March 14, 2016 | \$ 7,783,321.74 |
| This includes February tax settlements paid to taxing districts | |

| | | |
|-------------------|---------|--------------|
| Payroll #3 Ending | 2/06/16 | \$ 77,661.78 |
| Payroll #4 Ending | 2/20/16 | \$ 76,582.38 |
| Payroll #5 Ending | 3/05/16 | \$ 78,191.80 |

| | |
|--------------|------------------------|
| Total | \$ 8,015,757.70 |
|--------------|------------------------|

MOTION BY Supervisor Culat, second by Supervisor Campion to approve the payment of the vouchers for February 9, 2016 through March 14, 2016, as presented.

UNANIMOUS VOTE – AYE

MOTION CARRIED

TREASURER’S REPORT

1.) Chairman Tesar read the Treasurer’s report for February 1, 2016 through February 29, 2016 as follows:

FEBRUARY 2016- CASH REPORT FOR THE GENERAL ACCOUNT - TOWN OF SALEM

| | |
|-------------------------------------|-----------------------|
| February 1, 2016- Beginning Balance | \$9,143,734.81 |
|-------------------------------------|-----------------------|

| | |
|------------------------|------------------------|
| <u>RECEIPTS</u> | \$ 1,457,589.27 |
| Transfers In | \$ 8,736,311.94 |
| Prior Month Adjustment | \$ (6.00) |

| | |
|-----------------------------|------------------------|
| <u>DISBURSEMENTS</u> | \$ 9,220,290.45 |
| PAYROLL | \$ 172,762.26 |

| | |
|---------------|-------------------------|
| Transfers Out | \$ 8,000,000.00 |
| Total | \$ 17,393,052.71 |

| | | |
|-----------------------------------|------------------------|-----------------------|
| February 29, 2016- Ending Balance | | \$1,944,577.31 |
| State Pool - General | \$ 794,833.42 | |
| Gen. Checking | <u>\$ 1,149,743.89</u> | |
| Totals | \$ 1,944,577.31 | |

FEBRUARY 2016 - CASH REPORT FOR THE TAX ACCOUNT - TOWN OF SALEM

| | | |
|--------------------------------------|--|------------------------|
| February 1, 2016 - Beginning Balance | | \$ 1,251,813.53 |
|--------------------------------------|--|------------------------|

| | | |
|------------------------|-----------------|--------------------|
| <u>RECEIPTS</u> | | \$ 1,576.17 |
| Trnsfr from Gen. Ck. | \$ 8,000,000.00 | |

| | | |
|----------------------------|-----------------|--|
| <u>DISBURSEMENT</u> | | |
| Trnsfr to Gen Ck. | \$ 8,315,058.94 | |

| | | |
|------------------------------------|--|---------------------|
| February 29, 2016 - Ending Balance | | \$938,330.76 |
|------------------------------------|--|---------------------|

FEBRUARY 2016 - CASH REPORT FOR THE PARK ACCOUNT - TOWN OF SALEM

| | | |
|--------------------------------------|--|----------------------|
| February 1, 2016 - Beginning Balance | | \$ 413,306.02 |
|--------------------------------------|--|----------------------|

| | | |
|------------------------|--|--------------------|
| <u>RECEIPTS</u> | | \$ 1,747.32 |
|------------------------|--|--------------------|

| | | |
|-----------------------------|---------|--|
| <u>DISBURSEMENTS</u> | | |
| Transfer to LGIP 8 | \$ 0.00 | |

| | | |
|-----------------------------------|--|----------------------|
| February 29, 2016- Ending Balance | | \$ 415,053.34 |
|-----------------------------------|--|----------------------|

FEBRUARY 2016 - CASH REPORT FOR THE MAINTENANCE ACCOUNT-SALEM

| | | |
|------------------------------------|--|---------------------|
| February 1, 2016 Beginning Balance | | \$ 45,364.41 |
|------------------------------------|--|---------------------|

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|------------------------|------------------|--|
| <u>RECEIPTS</u> | \$ 228.36 | |
|------------------------|------------------|--|

| | | |
|----------------------------------|--|---------------------|
| February 29, 2016 Ending Balance | | \$ 45,592.77 |
|----------------------------------|--|---------------------|

FEBRUARY 2016 - CASH REPORT FOR THE CAPITAL PROJECTS ACCOUNT – SALEM

| | | |
|------------------------------------|--|------------------------|
| February 1, 2016 Beginning Balance | | \$ 1,750,991.37 |
|------------------------------------|--|------------------------|

| | | |
|------------------------|---------------------|--|
| <u>RECEIPTS</u> | \$ 29,908.15 | |
| Transfer In | \$ 0.00 | |

DISBURSEMENTS

Supervisor Campion reported that Voltz Lake Management District met on March 17th relative to the first treatment of weeds on Voltz Lake. They are using Caison for weed control.

Ashley Adams was selected by NASA for the Teacher in Space program.

Wilmot High School took first place in the academic competition and the Wilmot and Central Cheerleaders placed first in competition.

There was discussion and it was suggested that the Town honor these groups with a proclamation.

This will be done at the March 21st Committee of the Whole meeting.

Supervisor Campion wished everyone a Happy Pi Day!

Attorney Scholze arrived for the Closed Session meeting at 7:41 pm.

CLOSED SESSION

1.) MOTION BY Supervisor Culat, second by Supervisor Campion 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 and/or consolidated services agreements.

ROLL CALL VOTE

SUPERVISORS Culat, Campion and Chairman Tesar – AYE

MOTION CARRIED

The Town Board, Administrator Casey and Attorney Scholze moved into Closed Session at 7:43 pm. Clerk Ernest left this meeting with Chairman Tesar recording minutes for the Closed Session.

2.) MOTION BY Supervisor Campion, second by Supervisor Culat to move out of Closed Session and reconvene in Open Session.

ROLL CALL VOTE

SUPERVISORS Culat, Campion and Chairman Tesar – AYE

MOTION CARRIED

The Town Board moved out of Closed Session and reconvened in Open Session at 8:36 pm.

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

ADJOURNMENT

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

UNANIMOUS VOTE – AYE

MOTION CARRIED

This Regular Board meeting was adjourned at 8:36 p.m.

Respectfully submitted,

Cindi Ernest, Clerk