

**MINUTES
TOWN OF SALEM
REGULAR MEETING OF THE BOARD OF SUPERVISORS
Monday, May 12, 2014 7:00 P.M.**

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:

CHAIRMAN: Diann Tesar

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

OTHERS: Pat Casey, Brad Zautcke, Mike Slover, Jack Rowland and Cindi Ernest. Attorney Scholze was absent.

GUESTS: Brian Lolmaugh, Fred Brown, Nick Infusino, Kevin Deaton, Joel Gross, Mike Pitts, Larry Holst, Sandy Buhler, Roland Buhler, Johan Ihlen, Ameer Janus, James Soehn, Laura Soehn, Mike Hunness (Sp?) and Darren Hillock.

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, May 7, 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

Roland Buhler read a letter to the Board relative to a lack of certain ordinance enforcement, including noise violations relative to a neighbor. There have been numerous calls to the sheriff's department with no resolution. Following discussion, Chairman Tesar told Mr. Buhler that the Town would contact and follow up with the sheriff's department.

Chairman Tesar introduced Joel Gross, who was recently hired as a new sewer department employee. There were twenty-seven (27) resumes for the position.

PRESENTATIONS, PETITIONS, COMMUNICATIONS, & OTHER AGENCY REPORTS

1.) Rob Dillon, scheduled to appear before the board relative to the train horns in the Town of Salem was not present and this item was removed from the agenda.

2.) Resident Ameer Janus informed the Board that three (3) years ago she started a grass roots initiative regarding speeding. She formed WISE (Wisconsin Initiative Safety Education) and requested that the Town establish a partnership with her organization WISE.

Concerns were expressed by Supervisor Faber about the word “partnership”. He preferred the “resource”. Discussion followed with Ms. Janus indicating she would like to provide signs at the Town Hall to be available for residents to purchase.

No vote was taken, but the Board was in agreement that Ms. Janus could provide a sign at the Town Hall, but people would contact her directly for sales.

BUILDING DEPT

1.) Concerns of danger to the neighborhood were expressed regarding the garage located at 8548 Antioch Road, Salem and whether an order should be issued requiring that the subject buildings or structures, Tax Parcel No. 65-4-120-151-0220 and belonging to Doreen M Hardy, be razed.

Discussion followed.

MOTION BY Supervisor Culat, second by Supervisor Campion to raze the garage located at 8548 Antioch Road, Salem, Tax Parcel No. 65-4-120-151-0220 and belonging to Doreen M Hardy.

UNANIMOUS VOTE – AYE

MOTION CARRIED

LIBRARY BOARD

1.) Chairman Tesar presented to the Board that Gail Peckler - Dziki has asked to be re-appointed to the Community Library Board.

MOTION BY Supervisor Faber, second by Supervisor Campion to appoint Gail Peckler – Dziki to a three year term on the Community Library Board ending April 30, 2017.

UNANIMOUS VOTE – AYE

MOTION CARRIED

HIGHWAY DEPARTMENT

1.) Department Head Mike Murdock received three (3) quotes for culverts for the Highway Department as follows: Concrete Solutions \$15,034.20, Western Culvert Supply \$15,589.95 plus freight, and Wisconsin Tubing \$16,721.20. These purchases would come from the Highway Maintenance Account.

MOTION BY Supervisor Faber, second by Supervisor Campion to authorize the purchase of culverts from Concrete Solutions in the amount of \$15,034.20.

UNANIMOUS VOTE – AYE

MOTION CARRIED

2.) Ordinance No. 14 05 12, An Ordinance Amending Section 456-2 of the Code of the Town of Salem Regarding Culvert Installation and Maintenance was presented.

MOTION BY Supervisor Faber, second by Supervisor Culat to adopt Ordinance No. 14 05 12, An Ordinance Amending Section 456-2 of the Code of the Town of Salem Regarding Culvert Installation and Maintenance as presented.

UNANIMOUS VOTE – AYE

MOTION CARRIED

3.) Highway Department Head, Mike Murdock, presented a request to stripe approximately 126,720

lineal feet of town roadway. Three quotes were received as follows: Racine County Highway Department \$5,719.79, Century Fence \$16,473.60 and Crowley \$8,743.68.

MOTION BY Supervisor Faber, second by Supervisor to authorize road striping of approximately 126,720 lineal feet of town roadway by Racine County Highway Department in the amount of \$5,719.79.

UNANIMOUS VOTE – AYE

MOTION CARRIED

PLANNING & ZONING

1.) Ordinance No 14 05 12, An Ordinance Adopting an Amendment to the Comprehensive Plan for the Town of Salem: 2035, on Tax Parcel #66-4-120-283-0635 was presented.

MOTION BY Supervisor Faber, second by Supervisor Campion to take the recommendation the Planning & Zoning Commission and adopt Ordinance No 14 05 12, An Ordinance Adopting an Amendment to the Comprehensive Plan for the Town of Salem: 2035, on Tax Parcel #66-4-120-283-0635 as presented.

UNANIMOUS VOTE – AYE

MOTION CARRIED

2.) A request by Larry Holst, 12521 Bristol Road, Bristol, WI 53104 (Owner), to rezone from B-2 (Community Business District) to R-5 (Urban Single-Family Residential District) on Tax Parcel #66-4-120-283-0635 located in the Southwest ¼ of Section 28, Township 1 North, Range 20 East, Town of Salem was presented. For informational purposes only, this parcel is located on the north side of 113th Street approximately 175 feet west of 276th Ave.

MOTION BY Supervisor Faber, second by Supervisor Culat to approve the request by Larry Holst, 12521 Bristol Road, Bristol, WI 53104 (Owner), to rezone from B-2 (Community Business District) to R-5 (Urban Single-Family Residential District) on Tax Parcel #66-4-120-283-0635 located in the Southwest ¼ of Section 28, Township 1 North, Range 20 East, Town of Salem as presented.

UNANIMOUS VOTE – AYE

MOTION CARRIED

3.) A request by Richard S. Pinter, 7815 113th Avenue, Pleasant Prairie, WI 53158 (Owner), to rezone from R-1 (Rural Residential District) to R-2 (Suburban Single-Family Residential District) on Tax Parcel #67-4-120-311-0402 located in the Northeast ¼ of Section 31, Township 1 North, Range 20 East, Town of Salem was presented. For informational purposes only, this parcel is located on the east side of CTH 'B' approximately 1,750 feet south of the intersection with CTH 'C'.

MOTION BY Supervisor Faber, second by Supervisor Campion to approve the request by Richard S. Pinter, 7815 113th Avenue, Pleasant Prairie, WI 53158 (Owner), to rezone from R-1 (Rural Residential District) to R-2 (Suburban Single-Family Residential District) on Tax Parcel #67-4-120-311-0402 located in the Northeast ¼ of Section 31, Township 1 North, Range 20 East, Town of Salem as presented.

UNANIMOUS VOTE – AYE

MOTION CARRIED

4.) A request by Richard S. Pinter, 7815 113th Avenue, Pleasant Prairie, WI 53158 (Owner), for approval of a Certified Survey Map (dated March 12, 2014 by Mark A. Bolender of Ambit Land Surveying) to divide Tax Parcel # 67-4-120-0311-0402 into (2) 3.1-acre lots, along with public road dedication was presented. For informational purposes only, this parcel is located on the east side of CTH 'B' approximately 1,750 feet south of the intersection with CTH 'C'.

MOTION BY Supervisor Faber, second by Supervisor Campion to approve the request by Richard S. Pinter, 7815 113th Avenue, Pleasant Prairie, WI 53158 (Owner), for approval of a Certified Survey Map

(dated March 12, 2014 by Mark A. Bolender of Ambit Land Surveying) to divide Tax Parcel # 67-4-120-0311-0402 into (2) 3.1-acre lots, along with public road dedication as presented.

UNANIMOUS VOTE – AYE

MOTION CARRIED

5.) The Declaration of Covenants, Conditions and Restrictions for Woodhaven Meadows Subdivision were presented with a recommendation for approval after review.

MOTION BY Supervisor Faber, second by Supervisor Kmiec to approve the Declaration of Covenants, Conditions and Restrictions for Woodhaven Meadows Subdivision as presented with the verbage change.

Supervisor Faber stated that regarding the ATV's, he likes the stipulation in the covenants that no motorized or recreational vehicles are allowed and the change from 2,200 square foot homes to 1,800 square foot homes and referred to it as a "clustered rural development".

Supervisor Campion stated that he was very supportive of the change in house size prior to the sales.

UNANIMOUS VOTE – AYE

MOTION CARRIED

6.) A request by ANTIOCH ROAD PROPERTIES LLC, 11916 Antioch Road, Trevor WI 53179 (Owner), James Soehn, 9787 271st Avenue, Trevor WI 53179 (Agent), for approval of a temporary use to operate a food vending stand in the B-3 (Highway Business District) on Tax Parcel #67-4-120-351-0240, Northeast ¼ Section 35, Township 1 North, Range 20 East, Town of Salem was presented. (Section VII. B. 12.36-5(a)5: which states that all temporary uses require the Board of Adjustments to hear and grant an application in any district). For informational purposes only this parcel is located on the Southwest corner of CTH "JF" (119th Street) and STH "83" (Antioch Road).

Discussion took place relative to concerns by the Board of the traffic problems in this area.

MOTION BY Supervisor Culat, second by Supervisor Campion to deny the request by ANTIOCH ROAD PROPERTIES LLC, 11916 Antioch Road, Trevor WI 53179 (Owner), James Soehn, 9787 271st Avenue, Trevor WI 53179 (Agent), for a temporary use to operate a food vending stand in the B-3 (Highway Business District) on Tax Parcel #67-4-120-351-0240, Northeast ¼ Section 35, Township 1 North, Range 20 East, Town of Salem as presented and to waive the fees if the applicant comes back within sixty (60) days with an application for another location.

UNANIMOUS VOTE – AYE

MOTION CARRIED

SEWER UTILITY DEPARTMENT

1.) A Partial Payment Request No. 1, by Staab Construction Corporation, in the amount of \$31,891.50 for the Wastewater Treatment Plant Upgrades was presented.

MOTION BY Supervisor Culat, second by Supervisor Campion to approve Partial Payment Request No. 1, by Staab Construction Corporation, in the amount of \$31,891.50 for the Wastewater Treatment Plant Upgrades as presented.

UNANIMOUS VOTE – AYE

MOTION CARRIED

2.) Sewer Department Head, Brad Zautcke, informed the Board that the purchase of a replacement tractor for the sewer televising camera is necessary. The current tractor was purchased in 2006 and is in need of repairs. There are no longer replacement parts available. The option of switching manufacturers was explored, but the equipment was not compatible with our existing R.S.T. System. He

made a recommendation for the purchase of the new R.S.T. Transtar Tractor, with a 2-year warranty, in the amount of \$6,325.00.

MOTION BY Supervisor Culat, second by Supervisor Faber to purchase a new R.S.T. Transtar Tractor, with a 2-year warranty, in the amount of \$6,325.00.

UNANIMOUS VOTE – AYE

MOTION CARRIED

3.) Resolution 14 05 12, A Resolution Authorizing the Issuance and Sale of Up to \$2,546,888 General Obligation Sewerage Promissory Notes, Series 2014, and Providing for Other Details and Covenants with Respect Thereto, for Wastewater Treatment Plant Upgrades was presented.

MOTION BY Supervisor Culat, second by Supervisor Faber to adopt Resolution 14 05 12, A Resolution Authorizing the Issuance and Sale of Up to \$2,546,888 General Obligation Sewerage Promissory Notes, Series 2014, and Providing for Other Details and Covenants with Respect Thereto, for Wastewater Treatment Plant Upgrades as presented.

UNANIMOUS VOTE – AYE

MOTION CARRIED

STORM WATER

1.) A Project Payment No.1, request by Wanasek Corporation, in the amount of \$302,427.70, for the 2014 Drainage Improvement Project was presented.

MOTION BY Supervisor Culat, second by Supervisor Faber to approve Project Payment No.1, request by Wanasek Corporation, in the amount of \$302,427.70, for the 2014 Drainage Improvement Project as presented.

UNANIMOUS VOTE – AYE

MOTION CARRIED

ADMINISTRATOR'S BUSINESS

1.) Administrator Casey presented a request to purchase copiers for the Town to replace four copy machines located at the Town Hall (2), Utility Plant, and Fire Dept.

After reviewing all the proposals, he recommended contracting with Genesis Technologies. They are the most economical, their customer service was above the rest. The Town is currently paying \$10,890.60 annually for four (4) units. If we contract with Genesis the annual cost will be \$9,984.48 which will be a savings of \$906.12 and will have four brand new machines.

MOTION BY Supervisor Faber, second by Supervisor Culat to approve the purchase of the four (4) Cannon units from Genesis Technologies in the amount of \$9,984.48.

UNANIMOUS VOTE – AYE

MOTION CARRIED

CLERK'S BUSINESS

1.) The minutes of a previous Regular Board meeting on 4/14/2014, and Special Board meetings on 4/21/2014 and 4/28/2014 were presented.

MOTION BY Supervisor Faber, second by Supervisor Kmiec to approve the minutes of a previous Regular Board meeting on 4/14/2014, and Special Board meetings on 4/21/2014 and 4/28/2014 as presented.

UNANIMOUS VOTE – AYE

MOTION CARRIED

<u>RECEIPTS</u>		\$ 749,178.12
Transfers In	\$	0.00
Prior Month Adjustment	\$	0.00

<u>DISBURSEMENTS</u>	\$	425,036.91
PAYROLL	\$	147,084.27
Transfers Out	\$	0.00
Total	\$	572,121.18

April 30, 2014- Ending Balance		\$3,289,748.14
State Pool - General	\$1,838,297.98	
Gen. Checking	<u>\$1,451,450.16</u>	
Totals	\$3,289,748.14	

APRIL 2014 - CASH REPORT FOR THE TAX ACCOUNT - TOWN OF SALEM

April 1, 2014 - Beginning Balance		\$ 451,033.67
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<u>RECEIPTS</u>		\$ 33.94
Trnsfr from Gen. Ck.	\$	0.00

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

April 30, 2014 - Ending Balance		\$ 451,067.61
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APRIL 2014 - CASH REPORT FOR THE PARK ACCOUNT - TOWN OF SALEM

April 1, 2014 - Beginning Balance		\$ 336,406.76
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<u>RECEIPTS</u>		\$ 1,643.03
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<u>DISBURSEMENTS</u>		
Transfer to LGIP 8	\$	0.00

April 30, 2014- Ending Balance		\$ 338,049.79
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APRIL 2014 - CASH REPORT FOR THE MAINTENANCE ACCOUNT-SALEM

MOTION BY Supervisor Culat, second by Supervisor Faber to approve the vouchers for April 15, 2014, through May 12, 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 will be a Hooker Lake meeting on Thursday, May 15th at the Town Hall. There will be a WI Towns Assoc meeting on Thursday also. She also announced an appointment for the Park Commission. Bill Barhyte's term is expiring. The term is for seven (7) years ending in June 2021.

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

Supervisor Faber attended a conference on water at the IL Beach State Park. He also attended WI Lakes Assoc. Partnership Convention. Harmful algae blooms in WI – resulting from weather change and nutrients going into the water. Supervisor Faber shared a link to more information regarding our lakes at www.uwsp.edu/uwexlakes

He then gave a zoning and shoreline overview and gave information regarding a newsletter called Paleolimnology which had an article about a study of the “muck” found in WI lakes. They put a cylinder tube in the deepest part of a lake and it gives information regarding the age and how man has affected the lake bodies and the increase in phosphorus.

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

Supervisor Culat informed passed on a citizen complaint regarding garbage picked up by the Town

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

Supervisor Kimiec reported that he was a guest bartender for the fundraiser for “Sophia” whose mother was killed recently in a MVA. \$10,195 was raised for Sophia.

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

Supervisor Champion reported that he attended the State of the County address. There are new businesses coming into the area and Uline has purchased additional land for future development. Another business included Niagra Bottled Water Co. coming into Kenosha. Both Heritage Estates and Woodhaven Meadows is seeing building in the subdivisions and he commended and thanked the Town as a whole for the work being done in Salem Oaks. Voltz Lake will be having weed treatment on May 19th.

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 building inspection services.

ROLL CALL VOTE

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

MOTION CARRIED

The Town Board moved out of Open Session and into Closed Session at 8:37 pm.

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

ROLL CALL VOTE

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

MOTION CARRIED

The Board moved out of Closed Session and reconvene in Open Session at 8:55 pm.

3.) There was no discussion, action or announcement relative to 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 8:56 p.m.

Respectfully submitted,

Cindi Ernest, Clerk