

**MINUTES**  
**PUBLIC HEARING & REGULAR MEETING OF THE BOARD OF SUPERVISORS**  
**Monday, July 11, 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:** Dennis Faber, Mike Culat, Ted Kmiec and Dan Campion
- OTHERS:** Administrator Casey, Attorney Scholze, Brad Zautcke, Mike Slover, Mike Murdock and Cindi Dulaney
- GUESTS:** John Schammert, Jim Woodke, Carl Siegel, Chris Skrzynecki, William Schultz, Judy Flentge, Jim Kutzler, Judy Kutzler, Ran Flitsch, Brian Filiattreault, Ti, Rosen and Chris Pumeli

**PUBLIC HEARINGS**

**PUBLIC HEARING NO. 1**

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

Lots 12 and 13, Block 6, Camp Lake Gardens Subdivision according to the recorded plat thereof, being a subdivision of part of Section 33, T1N, R20E, Town of Salem, Kenosha County, Wisconsin  
Tax Parcel No. 66-4-120-283-0415  
Property Address: 27627 114th Street, Salem, WI  
Belonging to Edith Sheedlo Trust, 41114 North 3rd Street, Antioch, IL 60002

is dangerous, unsafe, unsanitary or otherwise unfit for human habitation, occupancy or use, due to the dilapidated or incomplete condition of said structure and that such structure, in its present condition, constitutes a public nuisance. It has further been determined that the cost of repairs to the building would exceed 50% of the assessed value of the structure 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.

Chairman Tesar asked if there were anyone in the audience for or against this proposed raze. The owner was not in attendance. There were no comments.

**With no comments, this Public Hearing was closed at 7:02 pm.**

**PUBLIC HEARING NO. 2**

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

Lot 125, Sunset Oaks Manor Subdivision, according to the recorded plat thereof, being a subdivision of part of Section 28, T1N, R20E, Town of Salem, Kenosha County, Wisconsin

Tax Parcel No. 66-4-120-281-0690  
Property Address: 10462 266th Avenue, Salem, WI  
Belonging to Janet M. Bridges, 8731 Antioch Rd., Apt. 104, Salem, WI 53168

is dangerous, unsafe, unsanitary or otherwise unfit for human habitation, occupancy or use, due to the dilapidated or incomplete condition of said structure and that such structure, in its present condition, constitutes a public nuisance. It has further been determined that the cost of repairs to the building would exceed 50% of the assessed value of the structure 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.

Chairman Tesar asked if there were anyone in the audience for or against this proposed raze. The owner was not in attendance. There were no comments.

**With no comments, this Public Hearing was closed at 7:05 pm.**

### **PUBLIC HEARING NO. 3**

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

Lot 262, Sunset Oaks Manor Subdivision, according to the recorded plat thereof, being a subdivision of part of Section 28, T1N, R20E, Town of Salem, Kenosha County, Wisconsin  
Tax Parcel No. 66-4-120-281-0255  
Property Address: 10433 266th Avenue, Salem, WI  
Belonging to John A. Schammert, 2650 Marwood Street, River Grove, IL 60171

is dangerous, unsafe, unsanitary or otherwise unfit for human habitation, occupancy or use, due to the dilapidated or incomplete condition of said structure and that such structure, in its present condition, constitutes a public nuisance. It has further been determined that the cost of repairs to the building would exceed 50% of the assessed value of the structure 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.

Chairman Tesar asked if there were anyone in the audience for or against this proposed raze.

The owner of this property, John Schammert, was in attendance at this meeting. He informed the Board that he took possession of the property a couple of years ago. It is now under contract for landscaping services and he is in the process of getting a contractor and should have one within the next 90 days to decide if they should raze the house or repair it.

This item will be placed on the August 2016 agenda when Mr. Schammert will bring further information back to the Board.

**This Public Hearing closed at 7:11 p.m.**

### **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 Thursday, July 7, 2016 at the Town Hall Municipal Building

and on the Town’s website at [www.townofsalem.net](http://www.townofsalem.net)

**APPROVAL OF AGENDA SEQUENCE**

There was no change in the agenda sequence.

**CITIZEN COMMENTS**

Bill Schulz requested to be placed on a future agenda relative to the John Navigato property located in the Shangri-La Subdivision

Administrator Casey said that the Town has been to the County regarding this property. The property doesn’t meet the standards and so the Town can’t raze the house. The taxes go into arrears, but then someone goes in and pays on them. The County has a backlog of properties in tax arrears. The County looked to the health department regarding animals. The Town has to wait until it’s not worth 50% of the value. We don’t have an answer.

Chairman Tesar said that she had spoken with County Supervisor Krueser and the County has such a back log of houses in tax arrears and the house is still above the 50% value. We will have Building Inspector Rowland go back out and look at the house again and we will contact Bill with a report.

Chris Skryznecki questioned whether there would be discussion of the Public Safety grant money.

The Town of Salem lost one of their Public Safety officers due to a motor vehicle accident last week. She requested a moment of silence for Officer Michael Ventura.

**PRESENTATIONS, PETITIONS, COMMUNICATIONS, & OTHER AGENCY REPORTS**

1.) A complaint by Paula Sass relative to run down conditions of properties in her neighborhood was removed from the agenda at the request of Mrs. Sass.

**ADMINISTRATOR**

1.) Partial Payment No 6, in the amount of \$298,641.54, which includes Change Order No. 3, to Reesman’s Excavating & Grading, Inc, for the Salem Business Park Infrastructure Improvements was presented.

MOTION BY Supervisor Culat, second by Supervisor Faber to approve Partial Payment No 6, in the amount of \$298,641.54, which includes Change Order No. 3, to Reesman’s Excavating & Grading, Inc, for the Salem Business Park Infrastructure Improvements as presented.

UNANIMOUS VOTE – AYE

MOTION CARRIED

2.) Two bids were received for the 2016 Town Road Rehabilitation Program as follows:

Bidder/Contractor	88th Pl., 231st Pl., 90th St., & 263rd Ave. (Base Bid)	120th St. & 231st Ave. (Alt. A)	226th Ave. (Alt. B)	Grand Total
1. Payne & Dolan, Inc.	\$149,411.50	\$95,873.25	\$28,590.50	\$273,875.25
2. Stark Asphalt	\$159,882.50	\$95,677.50	\$29,680.00	\$285,240.00

Chairman Tesar recommended, based on the recommendation of our engineer, that the project be awarded to Payne & Dolan.

MOTION BY Supervisor Faber, second by Supervisor Culat to award the bid for the 2016 Town Road Rehabilitation Program to Payne & Dolan.

UNANIMOUS VOTE – AYE

MOTION CARRIED

**3.)** Six bids were received for the Salem Oaks Pavilion Project. It was recommended that the bid be awarded to Magill Construction. The bids came in over the original costs, but there is money in the Park Fund to cover the difference of approximately \$38,000, but it is not designated.

MOTION BY Supervisor Culat, second by Supervisor Campion to approve the bid award with the provision that the budget be amended and the money designated at the next Town Board meeting.

UNANIMOUS VOTE – AYE

MOTION CARRIED

## **PLANNING & ZONING**

**1.)** Ordinance No 16 07 11, An Ordinance Approving An Amendment to the Comprehensive Plan for the Town of Salem: 2035 on Tax Parcel # 65-4-120-153-0720 was presented.

The Planning & Zoning Commission, on a 6-0 vote, recommended approval to the Town Board of Ordinance No 16 07 11, An Ordinance Approving An Amendment to the Comprehensive Plan for the Town of Salem: 2035 on Tax Parcel # 65-4-120-153-0720.

MOTION BY Supervisor Faber, second by Supervisor Culat to take the recommendation of the Planning & Zoning Commission and adopt Ordinance No 16 07 11, An Ordinance Approving An Amendment to the Comprehensive Plan for the Town of Salem: 2035 on Tax Parcel # 65-4-120-153-0720 as presented.

UNANIMOUS VOTE – AYE

MOTION CARRIED

**2.)** A request by James & Judy Kutzler, 9037 263<sup>rd</sup> Avenue, Salem, WI 53168 (Owners), for a rezoning from R-2 (Suburban Single-Family Residential District) to R-2 and R-3 (Urban Single Family Residential District) on Tax Parcel #65-4-120-153-0720 located in the Southwest ¼ of Section 15, Township 1 North, Range 20 East, Town of Salem. For informational purposes only this parcel is located on 262<sup>nd</sup> Avenue approximately 850 feet south of CTH 'AH' was presented.

The Planning & Zoning Commission, on a 6-0 vote, recommended approval of the request by James & Judy Kutzler, 9037 263<sup>rd</sup> Avenue, Salem, WI 53168 (Owners), for a rezoning from R-2 (Suburban Single-Family Residential District) to R-2 and R-3 (Urban Single Family Residential District) on Tax Parcel #65-4-120-153-0720.

MOTION BY Supervisor Faber, second by Supervisor Culat to take the recommendation of the Planning & Zoning Commission and approve the request by James & Judy Kutzler, 9037 263<sup>rd</sup> Avenue, Salem, WI 53168 (Owners), for a rezoning from R-2 (Suburban Single-Family Residential District) to R-2 and R-3 (Urban Single Family Residential District) on Tax Parcel #65-4-120-153-0720 located in the Southwest ¼ of Section 15, Township 1 North, Range 20 East, Town of Salem. For informational purposes only this parcel is located on 262<sup>nd</sup> Avenue approximately 850 feet south of CTH 'AH' as presented.

UNANIMOUS VOTE – AYE

MOTION CARRIED

**3.)** Resolution 16-07-11, A Resolution of the Town Board of the Town of Salem, Kenosha County, Wisconsin to Approve and Authorize the Execution of the CSM Originating From Tax Parcel No. 65-4-

120-153-0720, draft dated May 25<sup>th</sup>, 2016 by Mark A. Bolender, to create one (1) 65,500 sq. ft. parcel, two (2) 32,750 sq. ft. parcels from Tax Parcels #65-4-120-153-0720 was presented.

The Planning & Zoning Commission, on a 6-0 vote, recommended approval of Resolution 16-07-11, A Resolution of the Town Board of the Town of Salem, Kenosha County, Wisconsin to Approve and Authorize the Execution of the CSM Originating From Tax Parcel No. 65-4-120-153-0720, draft dated May 25<sup>th</sup>, 2016 by Mark A. Bolender, to create one (1) 65,500 sq. ft. parcel, two (2) 32,750 sq. ft. parcels from Tax Parcels #65-4-120-153-0720.

MOTION BY Supervisor Culat, second by Supervisor Faber to take the recommendation of the Planning & Zoning Commission and adopt Resolution 16-07-11, A Resolution of the Town Board of the Town of Salem, Kenosha County, Wisconsin to Approve and Authorize the Execution of the CSM Originating From Tax Parcel No. 65-4-120-153-0720, draft dated May 25<sup>th</sup>, 2016 by Mark A. Bolender, to create one (1) 65,500 sq. ft. parcel, two (2) 32,750 sq. ft. parcels from Tax Parcels #65-4-120-153-0720 was presented.

UNANIMOUS VOTE – AYE

MOTION CARRIED

Supervisor Campion noted that the letters from the neighbors were reviewed and that there was no opposition to this Certified Survey Map.

**4.)** A request by the Kenosha County Fair Association, Inc., PO Box 96, Wilmot, WI 53192-0096 (Owner), Tim Rasch, Scare-All Productions LLC, 5600 43<sup>rd</sup> Avenue, Kenosha, WI 53144 (Agent), for approval of a temporary use (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) to temporarily operate a seasonal commercial haunted house attraction in the PR-1 (Park-Recreational) District on Tax Parcel # 67-4-120-303-1261, located in the West ½ of Section 30 Township 1 North, Range 19 East, Town of Salem was presented. For informational purposes only this parcel is located on the west side of CTH 'W' (Fox River Road) approximately 0.2 miles north of the intersection with 111<sup>th</sup> Street.

The Planning & Zoning Commission, on a 6-0 vote, recommended approval of the request by the Kenosha County Fair Association, Inc., PO Box 96, Wilmot, WI 53192-0096 (Owner), Tim Rasch, Scare-All Productions LLC, 5600 43<sup>rd</sup> Avenue, Kenosha, WI 53144 (Agent), for approval of a temporary use to temporarily operate a seasonal commercial haunted house attraction in the PR-1 (Park-Recreational) District on Tax Parcel # 67-4-120-303-1261 with the condition that they meet the Haunted House Guideline Requirements of the Salem Fire Department and pass Town Fire and Building Department Requirements prior to their opening.

MOTION BY Supervisor Culat, second by Supervisor Faber to take the recommendation of the Planning and Zoning Commission and approve the request by the Kenosha County Fair Association, Inc., PO Box 96, Wilmot, WI 53192-0096 (Owner), Tim Rasch, Scare-All Productions LLC, 5600 43<sup>rd</sup> Avenue, Kenosha, WI 53144 (Agent), and approve temporary use to temporarily operate a seasonal commercial haunted house attraction in the PR-1 (Park-Recreational) District on Tax Parcel # 67-4-120-303-1261, located in the West ½ of Section 30 Township 1 North, Range 19 East, Town of Salem with the condition that they meet the Haunted House Guideline Requirements of the Salem Fire Department and pass Town Fire and Building Department Requirements prior to their opening, as presented.

UNANIMOUS VOTE – AYE

MOTION CARRIED

## **SEWER UTILITY DEPARTMENT**

**1.)** Change Order #2, resulting in a contraction reduction of \$600.00, for the Sewage Lift Station 101, 102, 104, 207, and 211 Upgrades was presented.

MOTION BY Supervisor Culat, second by Supervisor Campion to approve Change Order #2, resulting in a contraction reduction of \$600.00, for the Sewage Lift Station 101, 102, 104, 207, and 211 Upgrades as presented.

UNANIMOUS VOTE – AYE  
MOTION CARRIED

2.) Final Payment Request No. 12 by MZ Construction Incorporated, in the amount of \$8,900.00, for the Sewage Lift Station 101, 102, 104, 207, and 211 Upgrades was presented.

MOTION BY Supervisor Faber, second by Supervisor Campion to approve Final Payment Request No. 12 by MZ Construction Incorporated, in the amount of \$8,900.00, for the Sewage Lift Station 101, 102, 104, 207, and 211 Upgrades as presented.

UNANIMOUS VOTE – AYE  
MOTION CARRIED

**CLERK’S BUSINESS**

1.) The minutes of a Regular Board meeting on 6/13/2016 and a Special Board Meeting on 6/20/2016 were presented for approval.

MOTION BY Supervisor Kmiec, second by Supervisor Campion to approve the minutes of a Regular Board meeting on 6/13/2016 and a Special Board Meeting on 6/20/2016 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.

Shannon Smith Kathleen Duffin Madison Langer Shelby Jonas Denise Muench  
Kimberly A Elsfelder Briana Yonushatis Jacqueline Wermling Stephanie Holmes Lara Sommons  
Katie Pleviak-Jordan Meaghan Stichauf Staci Lininger Susan Ogden Travis Neuman

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 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 was presented, with approval contingent on background check clearance, completion of beverage server class, and payment of the necessary fees:

NAME & ADDRESS  
OF APPLICANT

TRADE NAME & ADDRESS  
OF ESTABLISHMENT

**CLASS "B" BEER AND "CLASS B" LIQUOR**

Home Again Restaurant, LLC

Home Again Restaurant

9524 Camp Lake Rd  
Camp Lake, WI 53109  
AGENT: Terri Schubkegel

9524 Camp Lake Road  
Camp Lake, WI 53109

MOTION BY Supervisor Faber, second by Supervisor Culat to approve the retail license as presented to sell fermented malt beverages and intoxicating liquors, in accordance with the provisions of CHAPTER 125.04 of the Wisconsin State Statutes, with approval contingent on background check clearance, completion of beverage server class, and payment of the necessary fees:

UNANIMOUS VOTE – AYE  
MOTION CARRIED

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

Home Again Restaurant

MOTION BY Supervisor Campion, second by Supervisor Kmiec 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

5.) A Salvage Yard License application filed with the Clerk by the following, with approval contingent on background check clearance, payment of delinquent taxes, assessments, and all necessary fees.

Hwy 50 Auto & Truck Salvage

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

UNANIMOUS VOTE – AYE  
MOTION CARRIED

6.) The payment of the vouchers for June 14, 2016 through July 11, 2016, were presented as follows:

Vouchers issued from June 14, 2016 through July 11, 2016		\$ 242,790.10
Payroll #12 Ending	6/11/16	\$ 80,255.16
Payroll #13 Ending	6/25/16	\$ 73,926.95
	<hr/>	
	<b>Total</b>	<b>\$ 396,972.21</b>

MOTION BY Supervisor Faber, second by Supervisor Culat to approve the payment of the vouchers June 14, 2016 through July 11, 2016, as presented.

UNANIMOUS VOTE – AYE

MOTION CARRIED

**TREASURER’S REPORT**

**1.) Chairman Tesar gave the Treasurer’s report for June 1, 2016 through June 30, 2016 as follows:**

**JUNE 2016- CASH REPORT FOR THE GENERAL ACCOUNT - TOWN OF SALEM**

June 1, 2016- Beginning Balance **\$2,306,617.84**

<b><u>RECEIPTS</u></b>		<b>\$10,222,248.40</b>
Transfers In	\$	0.00
Prior Month Adjustment	\$	0.00

<b><u>DISBURSEMENTS</u></b>	\$10,215,325.10
PAYROLL	\$ 264,855.46
Transfers Out	\$ 0.00
<b>Total</b>	<b>\$ 10,480,180.56</b>

June 30, 2016- Ending Balance **\$2,048,685.68**

State Pool - General	\$ 1,151,799.34
Gen. Checking	\$ 896,886.34
<b>Totals</b>	<b>\$ 2,048,685.68</b>

\*\*\*\*\*

**JUNE 2016 - CASH REPORT FOR THE TAX ACCOUNT - TOWN OF SALEM**

June 1, 2016 - Beginning Balance **\$ 89.48**

<b><u>RECEIPTS</u></b>	\$	<b>.03</b>
Trnsfr from Gen. Ck.	\$	0.00

<b><u>DISBURSEMENT</u></b>		
Trnsfr to LGIP #8	\$	0.00

June 30, 2016 - Ending Balance **\$89.51**

\*\*\*\*\*

**JUNE 2016 - CASH REPORT FOR THE PARK ACCOUNT - TOWN OF SALEM**

June 1, 2016 - Beginning Balance **\$ 438,271.00**

<b><u>RECEIPTS</u></b>	\$	<b>8,241.89</b>
------------------------	----	-----------------

**DISBURSEMENTS**



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

Supervisor Faber reported on CCLRD and stated that there are no invasive species on the lakes. They are cutting less than 10 days in the month. There has been no recreation in the SE corner and that may have contributed to having to cut less.

Board of Review, there were no filings for objections to assessments. He has heard of some assessments from Silver Lake. One is down 15% and one is down 17%.

He also reported that he had an opportunity to meet Officer Mike Ventura a couple of weeks ago. Officer Ventura was killed last week in a MVA. Supervisor Faber stated he was very impressed with Mike. He came over to help a new lady officer and was very impressed with him.

In lieu of flowers, the family has requested donations to benefit law enforcement.

The visitation will be held on Wednesday from 3:00 pm – 6:00 pm at Piasecki Funeral Home in Kenosha and the formal service will be held on Thursday at 10:00 am at Gateway.

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

Supervisor Culat reported that another five (5) building permits were issued. It is good to see Mike Murdock back at work.

Mike Murdock thanked the Board for their kindness and the flowers.

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

Supervisor Kmiec reported that it has been an awful week for our country and it has been made worse by our officer's passing.

He also reported that he is glad to see the Salem Oaks Pavilion project and is receiving calls from people and they are excited.

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

Supervisor Champion reported that the family of our fallen officer has requested donations to benefit law enforcement in lieu of flowers.

Voltz Lake will be doing their weed spraying.

## **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 7:38 p.m.**

Respectfully submitted,

---

Cindi Dulaney, Clerk