

**MINUTES
TOWN OF SALEM
REGULAR MEETING OF THE BOARD OF SUPERVISORS
Monday, April 8, 2013 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: Pat Casey, Rich Scholze, Dave Shortess, Brad Zautcke, Mike Murdock, Mike Slover and Cindi Ernest

GUESTS: Ron Gandt, Julie Braakman, Patty Gandt, Pat Mulvey, Carl Siegel, Jennifer Donat, Tom Donat, Tim Vanderhoef, Carol Husnick, Karen Ihlen, Carl Barsanti, Kyle Christensen, Sandy Wilson, Roland Buhler, Mary Sheen, Dennis Sheen, Kim Roper, Janet Brager, Sabrina Mokran, Patti Zurla, Gail Dziki 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 Friday, April 5, 2013 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.

Chairman Tesar welcomed newly re-elected Board Supervisors Dan Campion and Ted Kmiec.

CITIZENS COMMENTS

Karen Ihlen questioned the status of the newly adopted ordinance for Rock Lake and was informed it had been adopted and a copy was sent to association president Eric Backe.

Roland Buhler, in reference to an alcohol permit issued at the March 11th meeting, expressed concerns about the permit and underage drinking.

Tim Vanderhoef stated he is in possession of emails regarding the Winker buoys approved by the Town Board in January 2010. The Winkers did not know that they had since been denied.

Letters were sent in reference to the buoys and he questioned if Hooker Lake District have to get involved to get the issue resolved and what needs to be done.

Administrator Casey suggested that the residents around Hooker Lake should come up with a plan of where the buoys should be located, get GPS coordinates and have them approved. Further discussion followed.

The Town will wait for the maps and when Hooker Lake has this complete, they will contact the Town and this item will be placed on a committee meeting agenda.

Carol Husnick said an item is coming up regarding purchasing further park property and needing money for new parks. She stated that thought needs to be given to further developing the parks we already have.

PRESENTATIONS, PETITIONS, COMMUNICATIONS, & OTHER AGENCY REPORTS

1.) Susan Greenfield, Executive Director of Southeast Wisconsin Clean Water Network for the *Keep Our Water Clean* program presented by Susan Greenfield, Executive Director. Salem is a member of this program and it allows the Town to meet one of the requirements for our storm water permit. She gave a PowerPoint presentation regarding who they are and what they do.

STORMWATER

1.) An Intergovernmental Agreement, to continue participation in the Southeast Wisconsin Clean Water Network, between the Town of Salem and the Village of Mount Pleasant as the fiscal agent was presented.

MOTION BY Supervisor Faber, second by Supervisor Kmiec to continue the Town of Salem's participation in the Southeast Wisconsin Clean Water Network and authorize the Intergovernmental Agreement between the Town of Salem and the Village of Mount Pleasant as the fiscal agent.

UNANIMOUS VOTE – AYE

MOTION CARRIED

PLANNING AND ZONING

1.) Ordinance No. 13-04-08, an Ordinance adopting the *Town of Salem Park and Open Plan: 2020* with amendments; and amendments to the *Comprehensive Plan: 2035* for the Town of Salem; and amendments to the *Multi-Jurisdictional Comprehensive Plan: 2035* for Kenosha County was presented.

The Board and those in attendance were informed that this is needed to qualify for grants and that the updated amendments will be incorporated into the Multi-Jurisdictional Comprehensive Plan: 2035 for Kenosha County.

The Town Planning & Zoning Commission approved this variance on a 6-0 vote.

MOTION BY Supervisor Culat, second by Supervisor Faber to adopt Ordinance No. 13-04-08, an Ordinance adopting the *Town of Salem Park and Open Plan: 2020* with amendments; and amendments to the *Comprehensive Plan: 2035* for the Town of Salem; and amendments to the *Multi-Jurisdictional Comprehensive Plan: 2035* for Kenosha County as presented.

UNANIMOUS VOTE – AYE

MOTION CARRIED

2.) Chairman Tesar recommended the re-appointment of Kim Bruenig and Karen Baker and the appointment of John Fotsch to the Planning & Zoning Commission.

Supervisor Culat questioned if there was an interview process to which Chairman Tesar stated that Brad Zautcke, Pat Casey and herself conducted phone interviews.

Supervisor Culat indicated that he would like to see "new blood".

MOTION BY Supervisor Kmiec, second by Supervisor Campion to appoint Kim Bruenig, Karen Baker and John Fotsch to the Planning & Zoning Commission.

SUPERVISORS Faber, Kmiec, Campion and Chairman Tesar – AYE

SUPERVISOR Culat – NAY

MOTION CARRIED

3.) A request for a reduction in the Letter of Credit for Heritage Estates Subdivision was presented. The request is to release funds being withheld as a warranty on improvements accepted December 13th, 2010.

Discussion followed relative to the disparity between 2010 and now.

MOTION BY Supervisor Faber, second by Supervisor Culat to approve the request for a reduction in the Letter of Credit for Heritage Estates Subdivision as presented.

UNANIMOUS VOTE – AYE

MOTION CARRIED

PUBLIC SAFETY DEPARTMENT

1.) Ordinance No. 13 04 08B, An Ordinance Amending Sections 305-16, 447-1 and 470-1 of the Code of the Town of Salem Relating to Public Possession or Consumption of Alcohol Beverages, Littering and Dumping and Motor Vehicle Equipment was presented.

MOTION BY Supervisor Culat, second by Supervisor Faber to adopt Ordinance No. 13 04 08B, An Ordinance Amending Sections 305-16, 447-1 and 470-1 of the Code of the Town of Salem Relating to Public Possession or Consumption of Alcohol Beverages, Littering and Dumping and Motor Vehicle Equipment as presented.

UNANIMOUS VOTE – AYE

MOTION CARRIED

2.) Ordinance No. 12 04 08A, An Ordinance Creating Section 229-4 of the Code of the Town of Salem Relating to Direct Sellers was tabled to the Committee of the Whole meeting on April 15, 2013.

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FIRE/RESCUE DEPARTMENT

1.) The purchase of cardiac monitor(s) was tabled until the May 2013 Regular Board meeting.

ADMINISTRATOR'S BUSINESS

1.) MOTION BY Supervisor Culat to approve the proposed budget for Pumpkin Daze.

Supervisor Campion questioned what the profits from this event will be used for and the amount of money it will take to get this event going.

Administrator Casey indicated that we will need to get raffle tickets printed and a \$500 deposit for the band. Most of the other expenses come out in the last month so we would need about \$1000 - \$1,500 now and \$5,000 as seed money.

MOTION AMENDED BY Supervisor Culat to approve the proposed budget for Pumpkin Daze with \$5,000 seed money.

SECOND BY Supervisor Kmiec.

Supervisor Campion questioned if we do the budget adjustment before?

Administrator Casey indicated that we would set up the budget in the budget and include the full amount as the budget amendment.

MOTION AMENDED BY Supervisor Culat, second by Supervisor Kmiec to approve the Pumpkin Daze with projected revenues of \$20,100 and projected expenses of \$15,325.

UNANIMOUS VOTE – AYE

MOTION CARRIED

2.) A proposal to hire the band Bella Cain for the Pumpkin Daze event was presented.

MOTION BY Supervisor Culat, second by Supervisor Kmiec to authorize the signing of a contract with the band Bella Cain for \$3,000 for Pumpkin Daze on October 19, 2013.

UNANIMOUS VOTE – AYE

MOTION CARRIED

CLERK'S BUSINESS

1.) The minutes of a Regular Board Meeting on 03/11/2013 and a Special Meeting on 3/12/2013 were presented.

MOTION BY Supervisor Culat, second by Supervisor Campion to approve the minutes of a Regular Board Meeting on 03/11/2013 and a Special Meeting on 3/12/2013 as presented.

UNANIMOUS VOTE – AYE

MOTION CARRIED

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

Rachal M Clark Danielle Audi Stephanie Holmes
Brittanie Hoff Brandon Hoff Tracy Patterson

MOTION BY Supervisor Campion, second by Supervisor Culat 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.) A Liquor License application was filed with the Town Clerk for retail license to sell fermented malt beverages, in accordance with the provisions of CHAPTER 125.04 of the Wisconsin State Statutes by the following:

NAME & ADDRESS
OF APPLICANT

TRADE NAME & ADDRESS
OF ESTABLISHMENT

Class "B" Fermented Malt Beverage License

Kenosha County Fair Association Co-op
30820 111th Street

Kenosha County Fair Association Co-op
30820 111th Street

Wilmot, WI 53192

Wilmot, WI 53192

Agent: Lon Wienke

MOTION BY Supervisor Campion, second by Supervisor Faber to approve the Liquor License for the Kenosha County Fair Association Co-op for a retail license to sell fermented malt beverages, in accordance with the provisions of CHAPTER 125.04 of the Wisconsin State Statutes

UNANIMOUS VOTE – AYE

MOTION CARRIED

4.) A request for an alcohol permit (not for sale) by Tom Donat for a Family Reunion, on August 17, 2013, all day, at Community Park was presented. Approval is contingent on payment of the appropriate fees and providing proof of liability insurance for the day of the event.

MOTION BY Supervisor Faber, second by Supervisor Kmiec to approve the alcohol permit (not for sale) to Tom Donat for a Family Reunion, on August 17, 2013, all day, at Community Park with approval contingent on payment of the appropriate fees and providing proof of liability insurance for the day of the event.

UNANIMOUS VOTE – AYE

MOTION CARRIED

5.) A request for an alcohol permit (not for sale) by Melissa Briggs for a Wedding Reception, on August 10, 2013, all day, at Community Park. Approval is contingent on payment of the appropriate fees and providing proof of liability insurance for the day of the event.

MOTION BY Supervisor Faber, second by Supervisor Campion to approve the alcohol permit (not for sale) to Melissa Briggs for a Wedding Reception, on August 10, 2013, all day, at Community Park with approval contingent on payment of the appropriate fees and providing proof of liability insurance for the day of the event.

UNANIMOUS VOTE – AYE

MOTION CARRIED

6.) Chairman Tesar presented the names of Ronald Gandt and Tom Hinze for appointment to the Board of Review.

MOTION BY Supervisor Culat, second by Supervisor Faber to appoint Ronald Gandt and Tom Hinze to the Board of Review.

UNANIMOUS VOTE – AYE

MOTION CARRIED

TREASURER’S REPORT

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

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

March 1, 2013- Beginning Balance **\$4,371,476.35**

<u>RECEIPTS</u>	\$ 103,566.48
Transfer from LGIP	\$ 408,551.85
Prior Month Adjustment	\$ 201.20

<u>DISBURSEMENTS</u>	\$ 836,420.68
PAYROLL	\$ 150,246.98

Transfer to Lgip#14	\$	450.00
Total	\$	987,117.66

March 31, 2013 - Ending Balance		\$3,896,678.22
State Pool - General	\$ 1,609,979.78	
Gen. Checking	<u>2,286,698.44</u>	
Totals	\$ 3,896,678.22	

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

March 1, 2013 - Beginning Balance		\$ 962.64
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<u>RECEIPTS</u>		\$.12
Trnsfr from Gen. Ck.	\$ 0.00	

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

March 31, 2013 - Ending Balance		\$ 962.76
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MARCH 2013 - CASH REPORT FOR THE PARK ACCOUNT - TOWN OF SALEM

March 1, 2013 - Beginning Balance		\$ 550,382.08
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<u>RECEIPTS</u>		\$ 67.63
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<u>DISBURSEMENTS</u>		
Transfer to LGIP 8	\$ 108,863.74	

March 31, 2013- Ending Balance		\$ 441,585.97
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MARCH 2013 - CASH REPORT FOR THE MAINTENANCE ACCOUNT-SALEM

March 1, 2013 Beginning Balance		\$ 38,113.64
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<u>RECEIPTS</u>	\$ 4.91	
Transfer from LGIP 8	\$ 450.00	

March 31, 2013 Ending Balance		\$ 38,568.55
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MARCH 2013 - CASH REPORT FOR THE CAPITAL PROJECTS ACCOUNT - SALEM

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

Chairman Tesar reported that the Library Board is looking at facilities, possibly a sign on STH "83" and doing some re-carpeting at the Salem facility.

There will be a Hooker Lake Management District meeting on Thursday April 11th at 7:00 pm. The Annual Town meeting will be Tuesday, April 16th at 7:00 and the semi annual Council of Governments for municipal officials will be held on Saturday, April 27th at 8"30 am.

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

Supervisor Faber reported that there is still a vehicle in Camp Lake and that our Water Patrol should get a marker out to mark it. It is just below the surface and there were skiers on the lake on Saturday.

Silver Lake Protection Association had about fifty - (50) people who met with Craig Helker from the DNR. They have applied for a permit for weeds and there was consideration by those attending to form a district. They have also applied for a grant.

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

Supervisor Culat had nothing to report at this time.

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

Supervisor Kmiec had nothing to report at this time.

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

Supervisor Campion reported on and explained the intergovernmental meeting, which will be held at the Town Hall on April 27th. The County interviewed students for the Youth in Governance program and will be getting new people.

CLOSED SESSION

1.) MOTION BY Supervisor Campion, second by Supervisor Culat 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 collective bargaining and acquisition of property.

ROLL CALL VOTE

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

MOTION CARRIED

The Board moved into Closed Session at 8:37 pm.

2.) MOTION BY Supervisor Kmiec, second by Supervisor Campion 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 reconvened into Open Session at 9:33 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 Board meeting.

UNANIMOUS VOTE – AYE

MOTION CARRIED

This Regular Town Board meeting was adjourned at 9:35 p.m.

Respectfully submitted,

Cindi Ernest, Clerk