

JANUARY 10, 2011 WHEATLAND TOWN BOARD MEETING

Meeting was called to order by Supervisor Andrew Lois at 6:30 p.m. on Monday, January 10, 2011 at the Town Hall in New Munster and opened with the *Pledge of Allegiance*.

Town Board members present – Supervisors Andrew Lois and Robert Herda. Chairman William Glembocki was excused. Others present: Clerk Sheila Siegler, Treasurer Deborah Vos, Dave Nikolai, Robin Nikolai, Thomas Barr, CynDee Hoffmann & Ella, Doug Powell, Tina Powell, Norm Geren, Betty Geren, Len Brenton, Jack Bobula, Rich Johnston, John Switalski, one citizen, and Jeff Butler.

Notices were posted in five public areas, the town website and the *Kenosha News* and *Westosha Report* were notified. Individuals who have requested meeting notices by e-mail were also sent agendas as required by state law.

Robert Herda moved approval of the December 13, 2010 and December 18, 2010 Town Board Meeting Minutes. Andrew Lois seconded. Motion carried.

- **Fire Dept.** – none
- **Public Comments** –

1. CynDee Hofmann, 5239 366th Ave. complained to the board about a property in her neighborhood. She presented copies of section 12.09 of the Kenosha County Zoning Ordinance which governs permitted and prohibited home occupations. She said Pamela Fisher is running a prohibited business from her home. Ordinance states, “No more than three vehicles primarily used as passenger vehicles are permitted in connection with the conduct of the customary home occupation.” Currently, there is a large, long car hauler with cars parked on the street. It is a commercial vehicle. Hoffmann doesn’t want “no parking” signs to have to be placed in a cul-de-sac. This is a prohibited occupation and that is the issue; she wants a timeline published for enforcement of this section of the ordinance. Who can they call for enforcement of the non-compliant zoning use?

2. Dave Nikolai, 5221 366th Ave. spoke concerning the same property at 5535 366th Ave. Pamela Fisher purchased this property with the old farmhouse. She built a garage with living quarters above and then removed the old farmhouse and has partially completed construction on the new house. It’s been under construction for five years or more. Nikolai said the neighbors are frustrated with no progress on the construction; they want to see it get back on track.

There is no siding on the main house. It’s been sitting there the last two years. Owners need to finish the house or move on.

Supervisor Lois said the town board was given copies of a complaint about this property signed by CynDee Hoffmann and Dave Nikolai. Building Inspector Tim Popanda had a prior meeting tonight or he would have been here to respond to the complaint.

3. Norm Geren, 5301 366th Ave. – when can they expect to see any results from the complaint? In six months, they will have other excuses. The pressed wood on the front of the house has turned black. The house can get far worse. They want a timeline from the town and will hold the town accountable to enforce those rules.

Supervisor Lois asked for a month. Come back for the February 14 meeting. Give us that long to try to come up with a timeline.

4. John Switalski, 5425 366th Ave. – there is a history of abuse of the property. He’s spoken to Ben Fiebelkorn, zoning office who said running a business from the house is a county issue.

Switalski said weeds and grass overgrown. Sheriff’s squads have been at the house. Three dogs chained up and bark all the time if you go outside. They bring in cars on the car hauler during the night and off-load them at 10 o’clock at night. If you investigate and the car hauler is gone, come back at night. Diesels run at 11 p.m.

Switalski said Fisher and her family are living above the garage. Did they get an occupancy permit for that?

5. Doug Powell, 3660 53rd PL – wants them held accountable. Finish the house or knock it down. Everyone else had to follow the rules and build according to the regulations.

6. Robin Nikolai, 5221 366th Ave. – she and Dave were the first individuals to buy in this section of Meadowbrooke Farms Subdivision. Laurie Weis, the realtor, said within two years the farmhouse had to be torn down and rebuilt. That was 8.5 years ago. Fisher should have to follow the same standards as the rest of the property owners.

Supervisor Lois said this will be on the February 14th agenda. Hopefully, there will be some answers by then.

- Draw for April 5, 2011 Spring Election ballot position for Supervisor No. 2

Clerk noted there were two candidates for Supervisor No. 2 – Present incumbent Robert E. Herda and challenger Jeffrey J. Butler. All other offices have no opposition.

The names of Robert E. Herda and Jeffrey J. Butler were placed in a box. Andrew Lois drew a name and announced Jeffrey J. Butler was drawn. He will be listed first on the ballot and Robert E. Herda second.

- **St. Alphonsus 1st Annual Chili Cook-off, St. Alphonsus School, 6211 344th Ave., New Munster**

A. Temporary Class “B” Retailer’s License to sell wine – January 15, 2011 – Jeannie Clark, person in charge (Temporary Beer License for this event approved 12/13/2010)

Robert Herda moved approval of a Temporary Class “B” License to sell wine to St. Alphonsus for the January 15 Chili Cook-off. Andrew Lois seconded. Motion carried.

- **Alcoholic Beverage Operator Licenses (Bartender) –**

A. Kristen R. Chapman, 29305 River View Pkwy, Burlington, WI 53105 – *The Sly Fox*

Robert Herda moved approval of a license for Kristen R. Chapman for *The Sly Fox*. Alcohol server class certification and background check were fulfilled. Andrew Lois seconded. Motion carried.

- **Notice of Intent to Patrol Lilly Lake - DNR reimbursement program**

Andrew Lois moved to approve the “Notice of Intent to Patrol Lilly Lake” for 2011. Robert Herda seconded. Motion carried.

- **Request Yamaha Law Loan Program participation thru Recreation Plus, Twin Lakes**

Robert Herda moved a motion to again request Recreation Plus to provide a Yamaha wave runner thru the Yamaha Law Loan Program for 2011 patrol of Lilly Lake. Andrew Lois seconded. Motion carried.

- **Reports**

A. Treasurer’s report for the month of December – Treasurer Vos reported income of \$131,468.61 and expenses of \$98,521.03.

Andrew Lois moved approval of the report as printed. Robert Herda seconded. Carried.

B. Building Inspector Report – 7 permits for December which included one new home, \$470,500 value of improvements, and \$3,545 fees collected. Andrew Lois moved to accept the report. Robert Herda seconded. Motion carried.

Clerk reported John Savaglio filed an injunction in circuit court to stay the raze order for the property at 38702 60th St. The town now has a February court date.

C. Road report – none

D. Other report – the renewal of the town insurance will be on the next agenda. We have sent out RFP’s to other insurers.

- **Announcements** – none

- **Correspondence** –

1. Notice was received from the Town of Salem of a Public Hearing January 19, 7. p.m. at the Town Hall for proposed changes to the Town of Salem - Chapter 20 Waterways Ordinance.

2. Charter Communications (Powers Lake area cable server) of adjustments to the monthly premium programming prices effective January 18, 2011.

3. Notice from Kenosha County Clerk of an increase in the daily rate for jail inmate maintenance/board fees from \$13 per day to \$21 in 2012, \$28 in 2012, \$36 in 2013 and \$44 in 2014.

4. Notice from the WI Public Service Commission – revised deadline to January 28, 2011 for comments for the Strategic Energy Assessment for the years Jan. 1, 2010 - December 31, 2016.

- **Financial matters:**

A. Purchase approval – none

B. Review and approve clerk’s report for disbursements - period December 3 - 31 – Robert Herda moved approval of the Itemized Statement of Disbursements of checks #20708 thru #20815 dated December 2 thru 30, 2010 in the amount of \$98,521.03. Andrew Lois seconded. Motion carried.

- **Adjournment** – Herda moved and Lois seconded a motion to adjourn at 7:00 p.m. Motion carried.

Respectfully submitted,

Sheila M. Siegler, Town Clerk