

## **FEBRUARY 28, 2011 WHEATLAND TOWN BOARD MEETING**

Meeting was called to order by Chairman William Glembocki at 6:30 p.m. on Monday, February 28, 2011 at the Town Hall in New Munster and opened with the *Pledge of Allegiance*.

Town Board members present – Chairman Glembocki and Supervisors Andrew Lois and Robert Herda. Others present: Clerk Sheila Siegler, Town Constable Bob Haas, Town Building Inspector Tim Popanda, Fire Chief Lou Denko, Jeff Butler, Bill Heeg, Tom Barr, Len Brenton, Jack Bobula, Doug Powell, Tina Powell, Scott Hoffmann, CynDee Hoffmann, Dave Nikolai, Robin Nikolai, Norm Geren, Betty Geren, Jim Mirek, John Switalski, Michael J. Giesler, Pam Fisher, Ron Valente, Wayne Kaddatz, Plan Commissioners Mary Ochoa-Petersen, Randy Schulz and six citizens.

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.

Andrew Lois moved approval of the February 14, 2011 Town Board Meeting Minutes. Robert Herda seconded. Motion carried.

**Fire Dept.** – Chairman Glembocki stated the board would address agenda item #15 (B) – Purchase 8 sets turnout gear - cost approximately \$13,000 because Fire Chief Lou Denko had another fire dept. commitment to attend.

Chief Denko said they were in need of eight sets of gear at a cost of \$1,569 per set, total of \$12,480 as was discussed previously. Chairman also asked him to explain to the board the truck testing program.

Chief Denko said they have been doing recent truck testing. Previously they used UL testing but Emergency Apparatus Maintenance is a company that will come in and inspect all the trucks, repair necessary items and then do the tests. He has investigated other municipal fire departments that use this service and all were very satisfied. He said the anticipated cost is \$5,000 - \$6,000 for pump repair and certification.

Responding to Chairman Glembocki, Chief Denko said the fire dept. would be able to split the cost with the town and pay their part from fund-raising activities. The testing and certification is necessary. Chairman proposed the town providing \$16,000 for the gear and truck testing and the fire department would pick up anything over that amount. Chief Denko agreed.

Andrew Lois moved approval of releasing \$16,000 for the turnout gear and truck testing. William Glembocki seconded. Motion carried.

Chief Denko invited everyone to the fire department's "St. Patrick's Day Corned Beef & Cabbage" fund-raiser at Luisa's Restaurant, Monday, March 14, 4 – 8 p.m., \$9 ahead of time or \$10 at the door. He said they were able to recently purchase \$25,000 of extrication equipment using funds raised at these types of activities. They are also in the process of installing a dry hydrant in cooperation with St. Alphonsus Church. The underground tank is on the church property and the dry hydrant will make this 25,000 gal. of water more accessible in an emergency when time is of the essence.

- **Public comments –**

Jeff Butler, 6631 373<sup>rd</sup> Ave. asked why the Savaglio property issue was not on the agenda. Chairman said the building inspector would address that property in his report.

- **Complaints concerning condition of property and business activity - Fisher property – Meadowbrooke Farms Sub. – 5535 366<sup>th</sup> Ave.**

Chairman Glembocki said Building Inspector Tim Popanda has investigated this complaint and asked for his report. Building Inspector Tim Popanda said he did an inspection on Feb. 18, 2011 of the structure but not of the detached garage. The living quarters are above the attached garage and are safe and sanitary. The plumbing is connected to a functioning and permitted septic system. All necessary alarms and railings have been installed for residential living. There are no cosmetics such as carpeting, trim, permanent flooring, etc.

Popanda gave a little background history on how Pam Fisher's family came to be living above the garage. When the property was purchased, they lived in the old farmhouse that was located on that lot. They obtained a building permit for an addition but as they got into that construction, there were construction/structural issues with the old farmhouse. They decided to completely remove the old farmhouse and obtained permits for a new home. They built the garage with the living quarters above so they could live there while completing the new home.

They currently have a partially completed structure. It is relatively sound, weather-tight but the stucco siding is not complete. Some sheeting will need to be replaced before installing the stucco. He

said that while he was inspecting the residence, Ron Valente told him they will be working on completing the exterior this year.

Popanda further stated the snow prevented him from fully checking the yard but from the second floor, he could see building material and debris in the yard. These items need to be put in order or discarded and not be visible from the road.

He stated the living quarters are safe and sanitary for residential living.

Chairman Glembocki asked about a timeline for action. Popanda said Pam Fisher had until February 25 to renew the building and zoning permit. They were given until June 1, 2011 to complete the stucco siding and install windows so the outside looks complete and December 31, 2011 to complete the construction project making the dwelling habitable. Chairman asked about the landscaping. Popanda said it was covered with snow.

Supervisor Andrew Lois said he stopped and spoke to Ron Valente a couple of weeks ago. Valente told him at that time they would be completing the outside.

CynDee Hoffmann, 5239 366<sup>th</sup> Ave. asked if this was the first extension. And if it's not done, what are the repercussions? What happens if June 2<sup>nd</sup> arrives and not completed?

Popanda said this is the second issuance of the 2005 permit which expired in 2007. The permit period for a new home without extensions is two years. Popanda said he would report back to the board. Citations could be issued or a raze/repair order.

Chairman said the town does not want to order a raze or repair and we don't want to kick people out of their homes. It would be too expensive to raze. We want it finished.

Chairman urged Pam Fisher to work on the project and show progress. Clean up the yard and store or get rid of debris. He asked Tim Popanda to report back to the board on June 13.

Len Brenton, 36710 53<sup>rd</sup> PL said he was more disgusted with the town. Something should have been done sooner. Building Inspector Popanda said he should have followed up on the permit.

Betty Geren, 5301 366<sup>th</sup> Ave. – what is the recourse if this happens again? Popanda – would have to take to circuit court for a raze order but that is difficult.

Norm Geren, 5301 366<sup>th</sup> Ave. – root issue is the town board and he holds the board accountable. He doesn't advocate tearing the house down. Furnish some help to them instead.

Pam Fisher said they had problems when trying to remodel. They had to take the old house down and the project turned into a big expense that upset everyone in the neighborhood.

Ron Valente stated they will be moving on completing the work.

Chairman asked Inspector Popanda to report back to the board at the May 23<sup>rd</sup> meeting on the progress and again on June 13. Supervisor Lois said that would give us an opportunity to see if the timeline will be met.

Building Inspector Tim Popanda said he tries to work with every resident and apologized to everyone for not being stricter.

- **Building Inspector Report -**

1. Inspector Popanda said the Richard Leighton structure on 328<sup>th</sup> Ave. has been razed and removed from the property. Leighton took it down himself. The town had won in court and was proceeding to raze the structure. Leighton will still have legal fees to pay.

2. 38702 60<sup>th</sup> St. (Savaglio property) – The town was prepared to go to trial. The defense attorney offered an agreement which was to accept the original agreement proposed by the town. They will be able to save the home and take down all other structures. A \$30,000 escrow to guarantee the agreement will have to be furnished as well as \$2,000 in legal fees. Currently they are having some difficulty with the escrow and have until this Friday (March 4) to comply. Board will wait until March 14 to proceed if escrow is not paid.

3. CynDee Hoffmann questioned whether Pam Fisher can continue to operate the commercial business she is running from her house. Chairman said the tractor trailer is gone. Constable Haas said the public ordinance would apply if the tractor trailer returns or Hoffmann can file a complaint with the county zoning ordinance.

- **St. Alphonsus Annual Fish Boil, St. Alphonsus School, 6211 344<sup>th</sup> Ave., New Munster**

- A. **Special Class "B" Fermented Malt Beverage Licenses – March 11 & 25, 2011 –**

Lora Sattersten, person in charge; **April 8** – Jeannie Clark, person in charge

- B. **Alcoholic Beverage Operator (Bartender) Temporary License applications:**

1. Michelle Daniels, 6601 368<sup>th</sup> Ave., Burlington

2. Lora Sattersten, 30600 52<sup>nd</sup> St., Salem

3. Mike Lois, 4001 328<sup>th</sup> Ave., Burlington
4. Marty Clark, 9206 393<sup>rd</sup> Ave., Burlington, WI 53105
5. Mike Podella, 5617 381<sup>st</sup> Ave., Burlington, WI 53105

Robert Herda moved a motion to approve a Special Class "B" Fermented Malt Beverage License for St. Alphonsus for the three dates listed and temporary bartenders for March 11 – April 8 for the above-listed five applicants. Andrew Lois seconded. Motion carried.

- **Ordinance to require a boat launch fee for Lilly Lake**

A. Draft list of ordinance provisions to consider – the board reviewed and discussed the list of items. Andrew Lois motioned to set a daily boat launch fee of \$7 and an annual boat launch fee of \$28 with permit fees to be required to use the public beach launch during the period of May 1 to October 1 each year. Robert Herda seconded. Motion carried. The board will review the ordinance once the town attorney creates it. Then it will be need to be approved by DNR before the board adopts the ordinance.

B. Approve purchase of a launch box and location

Chairman Glembocki said he had a price from Alpha Enterprises Inc. to fabricate the launch box and install it for \$675. It will be similar to the box at the Powers Lake Public Launch on Bloomfield Rd. The next closest price was \$1,250.

Robert Herda moved a motion, second by Andrew Lois, to accept the proposal from Alpha Enterprise Inc. (Felix Bacle) for the fabrication and installation of a launch fee box at the Lilly Lake Public Launch site for the price of \$675. Motion carried.

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

A. Krista I. Perttula, 20409 15<sup>th</sup> St., Union Grove, WI 53182-9324 – *The Sly Fox*

B. Crystal M. Glade, 430 McHenry St., Burlington, WI 53105 – *Local Folks*

C. Renae N. Shike, 23323 83<sup>rd</sup> PL, Salem, WI 53168 – *The Sly Fox*

Clerk reported all the above have met the requirements of alcoholic beverage server certification and background check. Robert Herda moved approval of Alcoholic Beverage Operator Licenses for Kristal Perttula, Crystal M. Glade, and Renae N. Shike. Andrew Lois seconded. Motion carried.

- **Reports -**

A. Road report – Chairman reported the blizzard costs, to date, amount to approximately \$74,000. \$24,500 was submitted for a 48 hour period to FEMA for possible reimbursement of 87.5% of the costs.

Some in the audience voiced concerns about the private snowplowing company contracted by the town plowing when conditions don't warrant, using too much salt, etc. Board members explained that safety is the first concern and difficult to assess road conditions if you're not out there driving the road. Chairman said it is a three year contract and will be up at the end of 2011.

A Lilly Lake resident said the private company did a better job than the county and cleared the snow faster.

B. Other report – Board will meet on March 7<sup>th</sup> in a short meeting to consider a matter being heard by the Plan Commission at the meeting which follows.

- **Announcements** – none

- **Correspondence** – none

- **Financial matters:**

A. Purchase approval - none

- **Adjournment** –

Andrew Lois moved to adjourn at 7:40 p.m. Robert Herda seconded. Motion carried.

Respectfully submitted,

Sheila M. Siegler, Town Clerk