

AUGUST 22, 2011 WHEATLAND TOWN BOARD MEETING

Meeting was called to order by Chairman William Glembocki at 6:30 p.m. on Monday, August 22, 2011 at the Town Hall in New Munster. He opened the meeting with the *Pledge of Allegiance*.

Town Board members present – Chairman Glembocki and Supervisors Andrew Lois and Robert Herda. Others present: Clerk Sheila Siegler, Fire Chief Lou Denko, Tim Delimat, Deanna Delimat, Cathy Meinen, Bill Heeg, and John Smith.

Notices were posted in six public areas and the town website. 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. Property owners abutting parcel #95-4-219-321-0110 received notice of the meeting by First Class Mail.

Robert Herda moved approval of the August 8, 2011 Town Board Meeting Minutes. Andrew Lois seconded. Motion carried.

- **Fire Dept.** – postponed to later in the meeting.
- **Public Comments** –

Cathy Meinen, 34500 Geneva Rd., stated she had donated to the Fire Department and received a “thank you” note from them.

- **Request of John R. Smith, Jr. 4710 376th Ave., Burlington, WI 53105 (owner), Tax Parcel #95-4-219-321-0110**, for a variance from the Kenosha County Zoning & Shoreland Floodplain Ordinance which requires a minimum 40’ setback from a town road for structures in the A-1 Agricultural Preservation District to construct a 32’ x 21’ covered porch on an existing residence to be located 33’ from the 376th Ave. right-of-way.

John Smith said he has been restoring the old farmhouse. He recently removed the siding in order to replace it and found the original siding had the markings of a porch roofline on the front of the house. He wants to put a porch back on. He is too close to the road by seven feet.

Chairman Glembocki said there is no safety issue with blocking the vision of neighbors or traffic on 376th Ave. This is an older farmhouse and there was no county zoning or setbacks when it was built.

Clerk reported Frank Lumm, 4707 376th Ave., a neighbor, had requested that it be entered in the meeting report that he was in favor of the variance request. He was unable to attend the meeting.

Chairman Glembocki moved a favorable recommendation to the Kenosha County Board of Adjustments for the variance request of John R. Smith, Jr., for the variance as stated above, and in his application. This is an older farmhouse built before county zoning and there are no safety issues with blocking vision of neighbors or traffic. Andrew Lois seconded. Motion carried.

- Chairman Glembocki went back to the **Fire Dept. Report** as Fire Chief Lou Denko was now present.

Chief Denko said they had a good turnout at the recent training session on Saturday, August 13 at which time they burned a residential structure that was being demolished. It was a good training. Fire departments from Paris, Randall, Twin Lakes, Burlington and Lyons participated. Randall Fire Dept. has a member who is an instructor and he organized the training. They had a good orientation from the instructor at the Wheatland Firehouse before the burn.

Chief Denko said they have had a larger amount of repair bills but there are no anticipated future expenses.

They will have a fundraiser Pancake Breakfast again in October. A date will be set at the September fire department meeting.

- **Black Bull (Deanna Delimat – owner) discussion of additional types of fireworks sales**

Chairman reported Deanna Delimat did furnish information on other municipalities ordinances and permits that allow the sale of fireworks to Wisconsin residents. The information was sent to the town attorney for review and his advice was to continue to do business as is. Chairman said the best business for the town is to stay with the same business plan wherein Black Bull continues to sell fireworks items as they have been.

Chairman said that while Delimat states there is no liability, it is still his name on the permit and he still feels there is a liability. Following thru on the enforcement of the ordinance and the permits would also be a cost.

Delimat - if they stay the same are you willing to do an ordinance to allow only one vendor? She currently pays other businesses so they don’t allow fireworks sales in Wheatland along Hwy 50.

Supervisor Andrew Lois – writing an ordinance so you are the only vendor? We don't do that for any other business and it does not feel right to him. (The present sales require a Temporary Conditional Use Permit from Kenosha County but no local permit.)

Chairman told Delimat the town has no problem with continuing what you're doing now.

- **Cathy Meinen, 34500 Geneva Rd., New Munster (Dave's Saloon)** – request to use 345th Ave. between Geneva Rd. and 63rd St., for a “block party” with a live, outside band and outside alcohol consumption (no sales) from 8 p.m. – 12:30 a.m., Friday, September 9th as part of the Tri-County Riders Toy Run for Love Inc. pre-registration party (Clerk note – time was printed incorrectly on agenda – 8 p.m. is the correct beginning time)

Cathy Meinen said she will be obtaining a county-issued cabaret license for the event. She has furnished the Certificate of Insurance for her establishment. The band is an “oldies” band.

Chief Denko asked where the majority of the motorcycles will be parked. He said there should be a clear path kept open between the buildings. Meinen said only a few motorcycles would be parking along the tavern side. Most will be in the church parking lot or the town hall parking lot.

Andrew Lois moved approval of allowing 345th Ave. between Geneva Rd. and 63rd St. to be used for a “block party” with a live, outside band and outside alcohol consumption from 8 p.m. – 12:30 a.m. Friday, September 9th as stated above. Robert Herda seconded. Motion carried.

- **Approve contract with Lange Enterprises** – to install 911 emergency signs on all residential properties in the Town of Wheatland

Robert Herda moved a motion to approve Lange Enterprises to install 911 emergency signs on all residential and commercial properties in the town at a cost of \$28.72 plus administrative fees for the initial installation. Andrew Lois seconded. Motion carried.

- **Discussion on creating a 25 mph speed limit on Geneva Rd. from Hwy 50 to “KD”**

Chairman Glembocki moved a motion to proceed with an ordinance to change the 35 mph speed limit to 25 mph on Geneva Rd. from Hwy 50 to 352nd Ave. (Hwy KD). Robert Herda seconded. Motion carried.

- **Resolution No. 4-2011–designating the date and hour of the Town of Wheatland Board of Review**

Andrew Lois moved approval of Resolution No. 4-2011 setting the Board of Review for Friday, September 23, 2011 – 10 a.m. until noon or all properly filed objections have been heard. Robert Herda seconded. Motion carried.

- **Reports**

A. Road report –

1. Fiber optic network connection of cell towers & installation in town r.o.w. Clerk reported the installation is on existing overhead lines except for a part of Geneva Rd. and 392nd Ave. which will be bored underground installations. Board had no issues with allowing the utility work as stated.

2. Chairman said he had signed the 52nd Ave. paving contract with B. R. Amon & Sons. He also called Tom Amon and reminded him of the 376th Ave. crack sealing that was to be done at Amon's expense.

3. Clerk reported a property owner at the east end of 85th St. questioned why the entire road was not paved. He was told the public part of the road was paved. He objected to the snow being piled on the east end if that is private property. Chairman said he would speak to the snowplowing company and another method for snow storage would be used.

B. Other reports - WI DOA Population Estimate based on 2010 Census – 3,367 – loss of 76

- **Announcements –**

- Saturday, September 10, 8 a.m. – 1 p.m. Kenosha County Household Hazardous Waste Program at Pleasant Prairie Municipal Center, 8600 Green Bay Rd
- Open Book – Review Property Assessment – September 9 & 10 at Town Hall. Call Associated Appraisal at 800.721.4157 to schedule appointment.

- **Correspondence** – WI Dept. of Admin. – Town of Bloomfield incorporation petition granted

- **Financial matters:**

A. Purchase approval ---

B. Approve return of escrow for 38702 60th St. to John Savaglio

Clerk reported \$30,000 was held in escrow to guarantee the demolition and cleanup of the

property at 38702 60th St. The fire department used this property as a training site and burned the building on August 13. The new owner, Eric Whitt, has cleaned up the debris. Property still needs to be checked by the building inspector for full compliance.

Chairman Glembocki moved a motion to return \$30,000 to John Savaglio which the town has been holding in escrow as a guarantee for compliance of the raze order for 38702 60th St., subject to Building Inspector Tim Popanda's Report stating the property is in compliance with the order. Andrew Lois seconded. Motion carried.

C. Other financial matters -- Clerk reported one of the town's certificates of deposit has matured and will be renewed for 13 mos. at a rate of .60%.

- **Adjournment**

Andrew Lois moved to adjourn at 7:30 p.m. Robert Herda seconded. Motion carried.

Respectfully submitted,

Sheila M. Siegler, Town Clerk