

## **FEBRUARY 24, 2014 WHEATLAND TOWN BOARD MEETING**

Meeting was called to order by Chairman William Glembocki at 6:00 p.m. on Monday, February 24, 2014 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 Kelly Wilson. Others present: Clerk Sheila Siegler, Treasurer Deborah Vos, Building Inspector Tim Popanda, Town Attorney Jeff Davison, Fire Chief Lou Denko, Constable Santelli (6:30), Bill Heeg, Ed Applebee, Heather Russell, Ryan Syreni, DeAnna Delimat, Randy Rieboldt, Steve Wetterling, Mike Doble, Vince Siegel, Heather Siegel and child.

Notices were posted in six public areas and on 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. Notices were also sent by First Class Mail to property owners abutting 40121 85<sup>th</sup> St. and 33703 59<sup>th</sup> St.

Andrew Lois moved to accept the Minutes of the February 10, 2014 and September 24, 2012 Town Board Meetings. Kelly Wilson seconded. Motion carried.

- **Fire Dept. Report –**

Chief Lou Denko said fire and first responder reports will be given to the board later in the meeting at the firehouse. They will be reporting at the second meeting each month.

Operationally, there is nothing new to report. Corned Beef and Cabbage Dinner preparations are proceeding. The fundraiser will be held at St. Alphonsus School this year beginning at 4 p.m. They've outgrown Luisa's Restaurant.

- **Public Safety Report –**

Constable Santelli said he had nothing to report.

- **Public Comment –**

Mike Doble representing American Fireworks said he was present tonight to assist with any questions related to fireworks, zoning and building restrictions.

- **Variance Request –** Suzanne T. Wetterling Declaration of Trust, 23266 W. Fairview Dr., Deer Park, IL 60010 (owner), Steve Wetterling (agent), requesting a variance to allow the construction of a 26' x 22' addition to an existing accessory building for a total square footage of 1,340 sq. ft. Kenosha County Shoreland & Zoning Ordinance allows a maximum of 1,000 sq. ft. in this R-3 district. Location: 40121 85<sup>th</sup> St., Powers Lake, Tax Parcel #95-4-119-073-0730.

Steve Wetterling stated they purchased this property last fall to use as a recreational place but plan to move here permanently in three years. They are requesting the variance because adding 232 sq. ft. to the existing structure which would make it 1000 sq. ft. did not make sense given the structure style, they don't want to leave their car, boat, etc. stored outside not only for safety but also for esthetics, existing structure is 100 ft. from the house and approximately 150 ft. from the road. The addition's design will complement the neighborhood and since the property is narrow but with a lot of depth, it will not be pushed to the limit. He has talked to the neighbors and heard no objections.

William Glembocki moved a favorable recommendation to the Kenosha County Board of Adjustments for the 26 ft. x 22 ft. addition per the application submitted from the Suzanne T. Wetterling Declaration of Trust, Steve Wetterling (Agent) for 40121 85<sup>th</sup> St., Tax Parcel #95-4-119-073-0730. Kelly Wilson seconded. Motion carried.

- **Discussion –** creating a town ordinance to regulate and license fireworks sales

Chairman William Glembocki explained he has been talking to Town Attorney Jeff Davison concerning the possibility of creating an ordinance to license the sale of fireworks. The ordinance could just be for fireworks or could include other types of businesses. Attorney Davison stated he felt it should be confined to fireworks. Temporary, summer hot dog stands or the like would be regulated by the health department and such. Chairman said the fireworks license could be two categories – sales from permanent structures open year around and a category for tent (seasonal) sales during the period before July 4<sup>th</sup>. There would be two separate fees. He suggested \$100 for seasonal and \$250 for year around sales. He asked the board if they would want to proceed with creating such an ordinance. He added the state statutes allow for the town chairman to sign permits for sales of aerials, etc. to residents (out-of-state people can legally purchase) but he will not sign a permit for sales to residents.

Andrew Lois and Kelly Wilson both indicated they would favor creating such an ordinance.

Building Inspector Tim Popanda noted he and the fire chief have been researching NFPA codes

and also regulations for tents etc. in regard to the selling of fireworks. Accessibility is one of the points of discussion tonight as Wheatland has a non-manned fire station. Distance to adjoining structures and implementing the 65 NFPA code regarding separation to existing buildings is being researched. Chairman said setback to existing buildings needs to be considered.

Mike Doble said American Fireworks has already make application for an occupancy permit for the existing building at 32135 Geneva Rd. This is imminent. The Siegels are committed to purchasing the property. An ordinance created that hurts the business would be problematic. What criteria would be used for receiving a license for a fee? He wants objective rules in place.

Attorney Davison said there would be objective standards.

Vince Siegel wanted a time period based on a calendar year. He would have fireworks in the building all year long. Davison said it can be Jan. 1 – Dec. 31. The ordinance possibly would be ready for the March 10 meeting.

- **Temporary Use Request** – Tucker Bay Energies LLC (owner), Timothy & Deanna Delimat, Black Bull Fireworks (agent) to temporarily use the existing parking lot for the placement of a 30' x 40' sales tent, an 8' x 40' steel storage container and four banners to operate a fireworks stand in the B-4 Planned Business District from June 12, 2014 – July 6, 2014, 10 am – 8 pm. Location: Wheatland Convenience Center, 33703 59<sup>th</sup> St., Tax Parcel #95-4-219-353-0230 (NW corner of Hwy 83 & 50 intersection)

Attorney Davison told the board they should not be acting on this because Erik & Lora Jorgensen who have an interest in Tucker Bay Energies LLC have filed Chapter 11 Bankruptcy. DeAnna Delimat said she has a contract signed by Mike Ruggles who is operating Wheatland Convenience Center and he says the business is excluded from the bankruptcy. Davison said the board needs a document stating Tucker Bay is excluded.

Chairman said we will table this to the March 10 meeting pending documents to be filed.

- **Temporary Class “B” Retailer Alcoholic Beverage License applications:**
  - A. Wheatland Fire Dept. – Corn Beef & Cabbage – March 10 – Lou Denko, person in charge
  - B. St. Alphonsus Church – Fish Boil – March 7 – Jackie Paasch, person in charge
  - C. St. Alphonsus Church – Fish Boil – March 21 – Jackie Paasch, person in charge
  - D. St. Alphonsus Church – Fish Boil – April 4 – Michelle Nachowicz, person in charge

Andrew Lois moved approval of the licenses listed above for the Wheatland Fire Dept. and St. Alphonsus Church for the dates listed. Kelly Wilson seconded. Motion carried.

- **Temporary Alcoholic Beverage Operator (Bartender) Licenses for above:**
  - A. St. Alphonsus – March 7 & 21 Jacalyn A. Paasch, Jill Ott, and Jeffrey Simonelli; April 4 Jill Ott
  - B. Wheatland Fire Dept. – Lou Denko and Brian Kerkman

Kelly Wilson moved approval of the temporary bartenders licenses above for Jacalyn Paasch, Jill Ott, Jeffrey Simonelli, Lou Denko and Brian Kerkman for the dates and events listed above. William Glembocki seconded. Motion carried.

- **Change March 24 town board meeting to another date**

William Glembocki moved a motion to change the March 24 town board meeting to March 17 at 6 p.m. Andrew Lois seconded. Motion carried.

- **Reports**

A. Road report – Chairman said the roads are bad. It was brought up at the Tri County Meeting with legislators present that the budget surplus should include some distribution to local municipalities for road repair. Speaker of the WI Assembly, Robin Vos, who was also the main speaker for the meeting, did not believe there would be any money forthcoming for that purpose.

Chairman also said we've gone thru way too much salt. He's heard a lot of complaints about the mucky surface of the transfer station and believes some of the salt dropped when loading is part of the reason. We may need to do something with the area used for driving and for dropping off the recycling items.

B. Building Inspector Report & update on Fisher property - 5535 366<sup>th</sup> Ave. – Inspector Popanda said there has been some small progress with four of the eight vehicles moved and two of the four hot tubs removed but none of the panel material along the north property line has been moved.

Chairman said the next step would be to move this in front of the judge because they aren't complying. Inspector Popanda said the next step is not before the judge. It would be to take action to abate. We would need to get a warrant, load on a flatbed and store for 30 days. We would have to pay the cost and then the ultimate disposal of it is not picked up by Fishers in 30 days. All of this could be

placed on the tax roll for collection as a special charge but if not paid, the town would be out the money until the property changed hands.

Popanda said he has noticed mark improvement at the George Grenus property in Slades Corners.

C. Treasurer Report – Treasurer Deborah Vos reported a December net worth of \$3,408,255.87 which includes 2013 property tax receipts and January net worth of \$2,694,284.53 also including tax receipts. Chairman noted these were very detailed reports. Andrew Lois moved approval of the December and January reports. Kelly Wilson seconded.

D. Other reports – Chairman Glembocki said he met with Charles Gonzales from ATC regarding the proposed transmission lines. He distributed copies to the board. ATC will be meeting with property owners and interested citizens on Tuesday, March 11, 2014, 3 – 7 p.m. at Marino’s Country Aire Banquet Hall and on Wednesday, March 12, 2014, 3 – 7 p.m. at Hawk’s View Golf Club, Lake Geneva.

Board agreed to meet on May 3<sup>rd</sup> for the Lilly Lake Protection & Rehabilitation Spring Meeting at 10 a.m. at the town hall. Marine Biochemist’s contract for 2014 Lilly Lake weed control includes a 2.5% increase which covers the increase in chemicals.

- **Correspondence** – none
- **Announcements** –
  - **Corned Beef & Cabbage Fire Dept. Fund-raiser at St. Alphonsus School, 6211 344<sup>th</sup> Ave., Monday, March 10, 2014 – 4 to 8 p.m. Tickets in advance \$10; at door \$12**
  - **May 3 – 8 a.m. – Noon – Kenosha County HOUSEHOLD HAZARDOUS WASTE COLLECTION at Kenosha County Center - Hwy 45 & 50**

- **Financial matters:**

- A. Purchase approval –

- B. Other financial matters - Clerk will call Vozel Landscaping to inform him the transfer station weed chipping proposal was accepted at the last meeting on a trial basis.

Clerk reported Martin Business would be here on Wednesday with a proposal for future copier replacement. Auditors will be here tomorrow.

- **Recess meeting and proceed directly to firehouse to discuss specifications for a new tanker truck**

Chairman Glembocki recessed the town board meeting at 7:27 p.m. Board will reconvene at the firehouse and adjourn from there.

Chairman Glembocki called the meeting back into session at the firehouse at 7:45 p.m. In addition to the fire department members present at the meeting at the town hall, additional members present at the firehouse were: Dave Kordecki, Jeff Koenen, Bob Rynkiewicz, Brian Kerkman, Mark Robers, Kellen Rueter, Donn Schatsick and Michael Herda.

Fire Chief Lou Denko handed out copies of a listing of 17 combined first responder and fire calls for January 2014. Kelly Wilson asked for 2013 calls and Chief said they would be coming.

Chief Denko also gave the board a listing of purchases made by the fire department with funds raised at the annual festival, corned beef & cabbage and pancake breakfast, etc. The list covered the last three years and included \$15,232 in 2011, \$5,020 in 2012, \$19,993 in 2013, and \$6,000 already in 2014. Purchased were turnout gear, nozzles, defibrillators, radio equipment, radio charging bank, flag pole supplies, first responder training, diamond saw and blades, 4-gas meter and 6 CO monitors, surface ice rescue supplies and many other smaller items and maintenance items. Total was \$46,208.

Chief Denko said turnout expenses are beginning to slow down. If they can purchase 3.5 per year, they should be keeping up.

Kelly Wilson asked about receivables from the different fundraisers. Brian Kerkman said they bring in approximately \$24 - \$30,000 net, annually. Chief Denko said they do have funds set aside to help with funding the proposed tanker truck.

Chief Denko proceeded to explain the need for the new truck, the different specs they included on the proposal and the reasoning behind each of the specs included. They have specs and approximate prices from three different fire supply companies, Pierce, US Tanker and Rosenbauer. In the estimation of the fire department, the truck would benefit the firemen by providing a reliable source of water and the pump they’ve added would allow the truck to be used to backup other trucks, set up more quickly at a fire and with fewer personnel. A supply line on scene could be set up in 1 min. versus 5 min. The truck would draft water like an engine, would be able to push thru to hand lines to get firefighters out of a building if an engine goes down, or as just a tanker to shuttle water.

Chairman Glembocki asked if someone was seriously looking for a used truck. Denko said they were looking but not finding any that fits the specs. He went on to explain trucks built during the 2007 – 2013 time frame have serious problems because of emission devices. Some shut down during pumping operation. Twin Lakes truck has gone down at several critical times. Kelly Wilson took issue with the statement the used trucks out there were not worth buying. She asked the accident ratio with larger trucks. Denko said in some of the trucks the water line sits well above the cab and there are problems with the center of gravity. In this proposed tanker, the water line is at or below cab level and extended out further plus it is a square tank. This all lowers the center of gravity plus there are more baffles in the tank.

Chairman asked that they keep an open mind on a used tanker. He would hate to see the entire fund depleted for this purchase.

Andrew Lois asked if they would sell the old tanker. Denko explained there are lots of leaks on the tank and this is a 27 year old chassis. Perhaps a road builder might buy. It is also heavy on the front and wears out tires quickly.

Andrew Lois suggested extending the frame and putting on another tank. He said he's heard from a few people and expressed that he felt all this new fire equipment was getting out of hand with costs.

Chairman asked the fire department to keep the board informed and moved to adjourn at 8:15 p.m. Kelly Wilson seconded. Meeting adjourned.

The fire department members then showed the board different items they had purchased with their funds and pointed out some of the problems on several trucks.

Respectfully submitted,

Sheila M. Siegler, Clerk