

AUGUST 24, 2015 WHEATLAND TOWN BOARD MEETING

Meeting was called to order by Chairman William Glembocki at 6:30 p.m. on Monday, August 24, 2015 at the Town Hall in New Munster and opened with the *Pledge of Allegiance*. Town Board members present: Supervisor Andrew Lois and Kelly Wilson. Others present: Clerk Sheila Siegler, Treasurer Deborah Vos, Constable Robert Santelli, Fire Chief Lou Denko, Jeff Butler, Jack Bobula, Alan Kaddatz, Wayne Kaddatz, Grant Kaddatz, Dean Kaddatz, Len Vos, Julie Vos, Bill Heeg, Frank Berczy, Dave Biedrzycki, Angie Biedrzycki, Pat Noonan, Mike Herda, Ed Applebee, and Heather Applebee.

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 Tax Parcel #95-4-119-031-0710 (Vos) were sent meeting notices by First Class Mail.

Fire Dept. Report - Fire Chief Lou Denko said the fire department which orders the food and provides the labor for the "Just Live" Labor Day Sunday Music Festival is preparing for the festival. The Opticom system for the new traffic signals at the Hwy "50"/Hwy "O" intersection is fully funded by the Dept. of Transportation. Eventually they would like to have this system installed at Hwy "50"/Hwy "83" intersection. The new tanker chassis still has not been delivered.

Public Safety Report - Constable Santelli - nothing to report. Supervisor Wilson asked who had requested the speed meter to monitor speeds on Geneva Rd. thru New Munster. Chairman said he had and he also requested additional patrol which the sheriff's dept. will provide for the next five months. Constable Santelli said the trailer on Geneva Rd. west of 376th has been pulled off. Constable said he continues to monitor the left hand turns at the Hwy "50"/Hwy "O" intersection.

Public Comments - Alan Kaddatz, 6300 396th Ave., supports the town obtaining the property, #10 on the agenda. He is not in favor of someone else buying at a sheriff's auction. This is important to the drainage project being proposed for Slades Corners which will provide relief for stormwater flooding of basements in homes and at the church.

Supervisor Andrew Lois said he responded to a complaint from Brett Eisenhauer, 7915 334th Ave. concerning the property owner across from him at 7926 80th St. running a business in a subdivision, storing fuel, and storing piles of wood and the messy condition of the property. Supervisor Lois said in his opinion this operation does not belong in a subdivision. Supervisor Kelly Wilson said she would speak to the owner of the property.

Leonard R. & Julie Vos, 34605 Geneva Rd., New Munster requesting a variance from the Kenosha County Zoning & Shoreland Floodplain Zoning Ordinance regulations which require a 30 ft. setback from Geneva Rd. and allows only one accessory building < 720 sq. ft, and one "garden shed" <150 sq. ft. for a total of 870 sq. ft. to construct a 16' x 24' (384 sq. ft.) accessory building on Tax Parcel #95-4-119-031-0710 with a 4 ft. setback from Geneva Rd. and a total of two accessory buildings and one "garden shed" and a total of 1,104 sq. ft.

Chairman said he had spoken to county zoning about the accessory building being attached to the residence but this is an old house built well before road setbacks and a very small part hangs over the property line. Thus the building could not be attached to the existing residence.

Board had no questions. Chairman asked if the three neighbors present wished to speak. No one did but indicated they were there in support of the request.

William Glembocki moved a favorable recommendation to the Kenosha County Board of Adjustments for the variance requested by Leonard R. & Julie Vos, Tax Parcel #95-4-119-031-0710, to construct an additional 16' x 24' accessory building with a 4 ft. setback to Geneva Rd per their application. Kelly Wilson seconded. Motion carried unanimously.

Ordinance No. 2015-004 - Creating Section 36.37(J) relating to 2015 amendment of the comprehensive plan (Action 50 Tax Parcel #95-4-219-314-0640 from residential to commercial)

A. Waive second reading - Andrew Lois moved to waive the second reading. Kelly Wilson seconded. Motion carried.

B. Approve ordinance - Chairman noted a favorable recommendation had been forwarded from the Plan Commission, Resolution No. 2015-PC-002, for this comprehensive plan map amendment. Andrew Lois moved to adopt Ordinance No. 2015-004 creating Section 36.37(J) of the Code of Ordinances of the Town of Wheatland. Kelly Wilson seconded. Motion carried unanimously.

Discussion of a proposed drainage project in Slades Corners and procurement of a property located on the northwest corner of 60th St. and 392nd Ave which is vital to the project and is

anticipated to be sold at a Sheriff's sale of tax-deeded property. Chairman said this is the item Alan Kaddatz was referring to in his public comments. Chairman also said he will be asking questions of Wayne Kaddatz during this discussion.

Wayne Kaddatz, 39405 60th St. said he had a packet of information for the board and will explain the proposed drainage project using the packet documents: Kenosha County property inquiry with property details of parcel #95-4-219-314-0640, SEWRPC letter dated June 26, 1984, Kapur & Associates "Existing Conditions" stormwater management map dated 7/31/2015, photo of 540 elevation measurement, cadastral map showing elevations and flood areas, cadastral map showing route of proposed ditching, and Kenosha County property inquiry with property details of parcel #95-4-219-314-0610 and photos of corner survey stake locations which he has located.

Wayne Kaddatz said Slades Corners is in imminent danger of a major flood. One thing that contributes to this is the cross culvert elevation on Hwy 50. 18 basements in Slades Corner, before Hwy 50 construction for a four-lane highway, could tolerate the amount of stormwater. Now flooding is a major concern.

The property in question (#95-4-219-314-0610) has had no taxes paid on it since 2007. The county treasurer won't put up for sale. He doesn't want this to go to a sheriff's auction and said if the town can acquire he offered to pay the back taxes and penalty. Wayne Kaddatz feels he should then have the property for destroying his property on the south side of 60th St. for this drainage ditch. The town would have it first and need to record an easement for the ditch so no one else can alter it in the future. The property owner to the west, George Grenus, has given him verbal permission for the ditch to go across his property from St. John's Church property.

Wayne Kaddatz explained the proposed ditch construction and that a 10" gas line will have to be located and what would have to be done to go under the gas line with a culvert and manhole structures if it is in the way.

Chairman said he placed this on the agenda so Wayne Kaddatz could explain his proposal in a public meeting and everyone knows what is on the table. We have to discuss the process with the town attorney and he wants to talk to the town engineer also. We need to make sure that before we get this property, the plan will work.

Wayne Kaddatz said agricultural ditches don't require a permit, offered his equipment to dig the ditch, would want the town to put in the culvert under 60th St., he would pay the taxes and the town would get the easement. He purchased 290 A. and constructed 1.5 mile of ditches to provide drainage in Slades Corners. This ditch would connect to that system. This is the last chapter of what needs to be done.

Chairman said future maintenance of ditches needs to be worked out. Chairman also questioned how to protect this if a future owner of Wayne Kaddatz's property decides to fill in the ditches. That needs to be worked out too.

Kaddatz said the church had to move the furnaces above the flood stage because water entered and was two feet above the furnaces. The proposed ditch will take it down to 853.5 elevation. What he has designed will drain to the bottom of the road ditch.

Wayne Kaddatz suggested Town Engineer Len Roecker set up a time when we can all meet out there so he can show them and assure the board that engineering will not be an obstacle. Drainage ditch along hwy 50 is what the ditch/swale will look like. He is not opposed to a waterway easement on his property for the future.

Supervisor Kelly Wilson said we can sit on this for a little longer and have our engineer say it will work. It is hard to make an educated decision to go forward without that.

Supervisor Andrew Lois asked if the proposed retention pond on the north side of 50 backs up, will it drain south into this proposed ditch? Wayne Kaddatz said it would and may conceivably take care of that drainage issue also.

The matter was left that the chairman would set up a meeting with the town engineer, town attorney, town chairman and Wayne Kaddatz. Chairman will try to get done before the next meeting.

Alcoholic beverage operator license application: Christopher M. Zechman, Antioch, IL - *Wheatland Conv Ctr*, William A. Adams, Lake Villa IL - *Wheatland Conv Ctr*

Kelly Wilson moved approval of alcoholic beverage operator licenses for Christopher M. Zechman and William A. Adams. Andrew Lois seconded. Clerk stated background checks and alcohol server course requirements have been met. Clerk also noted William Adams is the president of Bedrock Management which has applied for the Class "A" license currently held by Tucker Bay Energies for the

Wheatland Convenience Center. That application will be on the next board meeting's agenda. Motion carried unanimously.

JUST LIVE, INC., 8003 328th Ave., Burlington, WI 53105 – Music Festival Fundraiser -
September 6, 2015 at New Munster Park – 12 – 7 p.m.

Supervisor Kelly Wilson abstained from discussion and voting on this item.

A. Use of New Munster Park including a car show near the firehouse - (note: car show is on upper parking lot instead of firehouse) Andrew Lois moved approval of the use of New Munster Park for this event. William Glembocki seconded. Liability insurance naming the town as an "additional insured" has been received. Motion carried.

B. Class "B" Temporary Fermented Malt Beverage & Wine License, Kelly Wilson, person in charge - William Glembocki moved approval of the Class "B" Temporary Fermented Malt Beverage & Wine License for the Just Live Music Festival on September 6, 2015. Andrew Lois seconded. Security will be provided and wrist bands again required. Motion carried unanimously.

Resolution No. 4-2015 designating the date for Board of Review - Sept. 15, 10 a.m. - Noon - Andrew Lois moved approval of Resolution No. 4-2015. Kelly Wilson seconded. Motion carried.

Reports - Correspondence - Announcements

A. Road report – Chairman said BW Surveying is providing a survey and legal description to allow the town attorney to draw up a 15' - 20' easement (the width that will only involve two parcels) for the two property owners on 76th St. to sign before we proceed with the directional boring to alleviate the stormwater drainage problem. Chairman said there were no utility easements that we were able to find. The project cost was approved at the last meeting.

Chairman said he has received an estimate from the highway department for repair of the drainage ditch on the south side of Geneva Rd. in the area of 346th Ave. in the amount of \$37,000 which will involve two structures, curb and gutter and sidewalk. It needs to be done before Geneva Rd. breaks up more. Andrew Lois said he's brought up repaving 45th St. (Cranberry Rd.) from Neumann Lane to Hwy "P" but understands this will have to wait until first thing next year along with the portion of 368th north of "50" to south of 57th St.

Chairman said he called the property owner at the east end of 57th St. who complained about erosion down the hillside from stormwater. He checked and pulled a 75' radius to ascertain the road right-of-way. He left a phone message telling her he thought this was not the town's problem, erosion appears to be on their property and if she wanted to meet with him on the property to call back and set a time.

Kelly Wilson asked about Kathie Cashman's retaining wall complaint at Lilly Lake. Chairman said he has not done anything yet. Kelly said she walked past it and noticed it recently. Supervisor Lois offered to measure and see where right-of-way line falls. Clerk said Cashman may have a property marker because at some time in the past, the board had viewed it and did minor repair to the wall believing it to be in the r.o.w.

Kelly - 7400 Lily Lake Rd. said pothole hasn't been repaired yet. Work order will be sent in.

Chairman said the vehicle and foot traffic area of the transfer station needs to be blacktopped. He is talking to the county highway dept. about this. Door still needs to be fixed. Chairman said he will call Finishing Touches to fix it and if not fixed we will do so and send them a bill.

B. Treasurer's Report - Treasurer Deborah Vos reported a July 31 net worth of \$771,655.86 as detailed on the monthly report. Andrew Lois moved to accept and William Glembocki seconded. Carried.

C. Building Inspector Report - none

D. Other reports & correspondence

1. WI Dept. of Administration estimated population - 2015 = 3,344. 2014 was 3,336.

2. Lilly Lake Protection & Rehabilitation District annual meeting discussed the need for additional invasive aquatic plant (milfoil) treatment. Marine Bio-chemists surveyed and provided a map showing the need for treatment in Area #3 (beach and boat launch area) and Area #1 (northeast side by Nor-du-lac park). Questions about waiting until next spring but board agreed we want to keep ahead of the growth and money was budgeted for weed control. The consensus was to treat Area #3 and #1 as soon as possible.

3. Clerk's report - covered Alliant rate adjustment PSC application; Recreation Board meeting 9/14/2015; Plan Commission meeting 8/24/2015; fall mowing on town roads will begin end of August; complaint of willow tree hanging over road on 70th St.; 45th St. complaint concerning road condition, trees, shrubs blocking view; vandalism again at New Munster Park; dog running loose complaint

75th St.; bank discontinuing credit card.

4. Complete Tree Service reported tree work on Cranberry Rd. will be done 8/24/2015 with the beach and park after Labor Day. Weather has put them behind.

E. Announcements -

- 2015 Board of Review - Sept. 15, 2015, 10 a.m. at Town Hall - appointment required

Financial matters:

A. Purchase approval - none

B. Other financial matters - none

C. Review of 2014 budget/expenses to date - next meeting

Adjournment - Kelly Wilson moved to adjourn at 8:15. Andrew Lois seconded. Motion carried.

Respectfully submitted,

Sheila M. Siegler, Town Clerk