

MARCH 12, 2018 WHEATLAND TOWN BOARD MEETING

Meeting was called to order by Chairman William Glembocki at 5:30 p.m. on Monday, March 12, 2018 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, Constable Robert Santelli, Assistant Fire Chief Brian Kerkman, Jeff Koenen, Wheatland Jt. School #1 Administrator Marty McGinley, Wheatland Jt. School #1 Board Member Ken Humphrey, DeAnna Delimat, Tim Delimat, Delimat's attorney, Jack Bobula, and *Westosha Report* reporter Darren Hillock.

Notices were posted in two public areas (Town Hall and Transfer Station) 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.

Minutes of the February 26, 2018 Town Board Meeting were motioned for approval by Kelly Wilson and seconded by William Glembocki. Motion carried.

Fire Dept. Report - Assistant Fire Chief Brian Kerkman reported the call volume was average. Grass fire season now; be careful. He advised people to call in for any burn permits. Overhead door was replaced on the firehouse for the one damaged by a snowplow. Brian Kerkman will check on having Weis Painting paint the white door a red color to match the other doors.

Public Safety Report – Constable Santelli said he had new brakes put on the squad. There is problem with the front end. He will get some specs together for a new squad. He will participate in a four hour mandatory squad training Wednesday. He will also be representing the town at the Attorney General meeting at the county safety building Wednesday afternoon.

Public Comments - none

Delimat Enterprises Inc., DeAnna Delimat, 34231 High Drive, East Troy 3120

Trade Name: Black Bull Fireworks - Request to sell aerial fireworks to Wisconsin residents

DeAnna Delimat stated Salem Lakes has now ok'd the sale of aerial fireworks for everyone.

American Fireworks will be selling at J & B Wholesale, just east of here. They are collecting \$5 for each sale which gets turned over to the village. People are going to have access to fireworks anyway; Wheatland may as well receive the permit fee. She said Black Bull has always sold aerial fireworks but only to out-of-state residents. Allowing this would permit the sale to Wisconsin residents for which they would collect a fee to turn over to Wheatland.

She understands the reluctance to allow this because of the argument that someone could get hurt. But you license alcohol sales and don't worry about someone getting hurt from the sale of liquor. It is the same thing.

Her attorney read a state statute that said the town could not be held liable if someone was injured because the town allowed the selling of fireworks.

Chairman asked the board's opinion of allowing aerial fireworks sale to Wisconsin residents. Supervisor Lois thought people will get them anyway; he doesn't see a problem allowing the sale of fireworks. Supervisor Wilson agreed. She doesn't want to turn away the revenue but doesn't want anyone to get hurt. She is not against allowing Black Bull to sell aerial fireworks to Wisconsin residents.

Kelly Wilson moved a motion to amend the town fireworks ordinance to allow the sale of aerial fireworks to Wisconsin residents. Andrew Lois seconded but added that he wants it to be for a one-year probation period. Wilson added that to the motion. Chairman said the town would look at rescue squad and fire calls before next year. On the vote to amend the ordinance, Wilson and Lois voted in favor of amending the ordinance. Glembocki voted against. Motion carried. Clerk was directed to have the town attorney prepare an amended ordinance for consideration at the next meeting.

DeAnna Delimat responding to Constable Santelli said this would be a sale permit; it would not be a use permit. They would not be selling use permits.

April 3, 2018 Spring Election - Wheatland Jt. 1 School District referendum presentation by Administrator

Marty McGinley, Administrator, gave a presentation on the two referendum questions that will be voted on at the April 3, 2018 Spring Election. He explained the history of the school and building addition timelines over the years, the improvements Wheatland Center has made in student scores and programs,

the favorable satisfaction rating Wheatland families and residents express, how the school budget revenue is calculated, and the need for the continuing revenue limit waiver referendum of \$625,000 each year which is the first question on the ballot. He said the school tax levy has actually decreased with the revenue limit waiver in place. This is the fourth 4-year referendum. But they do need this to operate without cutting into reserves.

The second referendum question deals with the building and program needs. It is a large amount of money, \$8.45 million, but it covers a large improvement program for updates to science and STEM classrooms, building electrical, plumbing and heating systems updates, security improvements, creation of a better entrance system that will improve and regulate building access, parking improvements, etc. Unfortunately, in this time of school safety issues, these items have to be addressed. School construction began in the winter of 1952 so parts of the building are over 65 years old. They did revise earlier plans after receiving feedback from surveys mailed to district residents. One change involved keeping the library location in place. With renovations, they will be able to make better use of the space they have instead of building an addition to the school. The board decided against that option.

He added the school has enjoyed the support of the community over the years. There are 500 students in the seats this school year. Many groups from the community use the school for meetings, gym use, community education classes and the like. The school board is very involved with making each tax dollar work for the benefit of the residents and the school.

Chairman Glembocki thanked Administrator McGinley for his presentation.

Intergovernmental Agreement - Tri-County Fire & Rescue Training Association, Inc. - tabled from Feb. 12 meeting

Assistant Fire Chief Brian Kerkman said the Town of Lyons has dropped out and the IGA has been rewritten. City of Burlington, Town of Burlington, Rochester Volunteer Fire and Rescue Company and the Town of Wheatland will comprise the four entities in the Tri-County Fire & Rescue Training Association, Inc. The budget has been re-structured to reflect four departments instead of five. Initial funding payment of \$5,000 for 2018 is the same.

William Glembocki moved to adopt the Intergovernmental Agreement with the Tri-County Fire & Rescue Training Association, Inc. Kelly Wilson seconded. Motion carried.

Approve sketch to be done by design company, Keller, for proposed firehouse for up to \$2,500 - William Glembocki moved to table the approval. Kelly Wilson seconded. Motion carried.

Resolution #2018-002 - ATC easement for Wheatland Cemetery

Andrew Lois moved to accept the easement offer of \$3,400 from ATC for a 14.6' x 162.9' area (2,349 sq. ft. - .054 A.) of Wheatland Cemetery along the west side of 368th Ave. Kelly Wilson seconded. Utility poles will be located outside of the cemetery's property boundaries. Motion carried.

Resolution #2018-003 - DOJ water patrol registration - tabled by the board because an ordinance must be amended for the water patrol as the first step.

Lilly Lake water patrol for 2018 - no action taken until ordinance amendment.

Set Lilly Lake Protection & Rehabilitation District Spring Meeting for 10 a.m. on May 12, 2018 - William Glembocki moved to set the Spring Meeting of the Lilly Lake Protection & Rehabilitation meeting for Saturday, May 12, 2018 at 10 a.m. at the Town Hall. Andrew Lois seconded. Motion carried. Board also set a March 26, 5:30 p.m. meeting to consider weed treatment proposals for Lilly Lake.

Lilly Lake Summerhaven Association 2018 activities request:

- (a) June 30, 11 a.m. - 4th of July Celebration - permission to close Lily Lake Rd from the north 76th St. to 77th St., supply barricades & garbage bins and donation to support the activities
- (b) Movie Nights at Beach - July 7 and August 4

Andrew Lois moved to approve the closing of Lily Lake Rd from the north 76th St. to 77th St. on June 30th, 11 a.m. until finished, supply barricades & garbage bins and a donation of \$100 to support 4th of July activities and to approve the use of Lilly Lake Beach for movie nights at the beach on July 7 and August 4. Kelly Wilson seconded. Motion carried.

Reports - Correspondence - Announcements

A. Road report – none

B. Chairman's report - Chairman reported investigating signage cost, likely in the \$50 range with installation for each sign. DNR will allow the town to issue permits and charge a \$5 or \$10 fee for ATV use on town roads, allow the town to require a yellow strobe light and also found out that ATV travel is not allowed on roads with speed limits greater than 35 mph. Whether to require proof of insurance before issuing a town permit will need to be discussed further.

C. Clerk's report - town has an outstanding bill for guard rail repair on 31st St. Vehicle driver was sent the bill but no response. Clerk will speak to Attorney Davison regarding options for collection. We could also pursue in small claims court.

D. Correspondence - none

E. Announcements

- Wheatland Vol. Fire Dept Corned Beef & Cabbage Fundraiser - March 12, 2018, 4 - 8 p.m. at St. Alphonsus School, 6221 344th Ave., New Munster - Advance tickets \$12.50
- Kenosha Human Development Services (KHDS) will be holding hours at the town hall, lower south entrance on the second and fourth Wednesday of the month 10 am - 2 pm
- April 3 Spring Election - Polls open 7 a.m. - 8 p.m. @ Town Hall
- April 23 Annual Town Meeting - 7 p.m. @ Town Hall
- May 5, 2018 - 8 a.m. - 1 p.m. - Household Hazardous Waste, E-Waste & Refrigerant Collection Event - Kenosha County Center, 19600 75th St., Bristol (Hwy 45/50)

Financial matters:

A. Purchase approval – none

B. Clerk's Report of February 2018 Disbursements and Budget Report - Kelly Wilson moved to approve the February Clerk's Report listing Checks #27292 thru #27364 dated February 6 - 28 in the amount of \$94,594.51. William Glembocki seconded. Motion carried.

C. Other financial matters - add amount to restricted road funds; 2017 Budget Amendment - no action taken

Adjournment - Andrew Lois moved to adjourn at 6:55 p.m. William Glembocki seconded. Motion carried.

Respectfully submitted,

Sheila M. Siegler, Town Clerk