

OCTOBER 11, 2010 WHEATLAND TOWN BOARD MEETING

Meeting was called to order by Chairman Glembocki at 6:30 p.m. on Monday, October 11, 2010 at the Town Hall in New Munster.

Town Board members present – Chairman William Glembocki and Supervisors Andrew Lois and Robert Herda. Others present: Clerk Sheila Siegler, Treasurer Deborah Vos, Town Attorney Jeff Davison, Fire Chief Alan Kaddatz, Jim Mirek, Tom Barr, Jack Bobula, Sharon Grossmann, Tom Young, Donald Halbe, Mrs. Halbe, Paul Lyons, and Jennifer Shufelt.

Notices were posted in five 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.

Robert Herda moved to accept the Minutes of the September 27, 2010 Town Board Meeting and the corrected September 13, 2010 Minutes which were corrected as follows: from “Jennifer Shufelt asked for a document when she was in the office that states what was going to be **milled**” to “Jennifer Shufelt asked for a document that stated the **change orders**.” Andrew Lois seconded. Motion carried.

- **Fire Dept Report –**

Fire Chief Alan Kaddatz reported the Pancake Breakfast was a success. The money raised will go toward the purchase of the extrication equipment which the department voted to purchase. They will be using funds raised at various fund-raisers for the approximate \$12,000 - \$15,000 new equipment.

Chief said they were in discussion with the owner of the former Pasin property. The new owner plans to build a house and is considering offering the existing house to the fire department to burn for a training session. Chief said there are certain requirements the owners will have to meet in order for this to take place and asked the clerk for the forms.

- **Public Comments – none**

- **Applicant: PATRICIA E. KAROW, 8785 Karow Road, Twin Lakes, WI 53181 (owner), Powers Lake Const. Co., Inc., 8790 Karow Road, Twin Lakes, WI 53181 (Agent)**
Location: 8790 Karow Road, Twin Lakes – approximately .14 mi. north of Hwy “F”
Tax Parcel: #95-4-119-094-0500

Request: Conditional Use Permit to allow temporary storage, recycling and crushing of asphalt and concrete in the M-3 Mineral Extraction District

The Plan Commission, at the September 27, 2010 meeting, approved a favorable recommendation to the Town Board for the request.

Supervisor Andrew Lois stated this provides an opportunity to recycle the Hwy 50 pavement being removed during the current repair as well as future projects. He was in favor of the request.

Andrew Lois moved a motion to send a favorable recommendation to the Kenosha County Land Use Committee for the request for a Conditional Use Permit, as stated in the application, for Patricia E. Karow, Tax Parcel #95-4-119-094-0500. Robert Herda seconded. Motion carried.

- **77th Street Ownership – Informational Discussion with town attorney on ownership, legal issues, etc.**

Chairman Glembocki said Town Attorney Jeffrey Davison is present to provide information and answer questions. There will be no action taken tonight.

Jeff Davison said the matter came to light because of a property owners questions to Kenosha County Land Information regarding the property lines on 77th St. The county has suggested the town consider taking the “private road” property which is up for a tax deed sale and maintaining as a public road.

Davison said this is not uncommon in Kenosha County. Old subdivision plats were recorded in the 1920’s and 1930’s and the private roads became public over the ensuing years. Substandard roads not dedicated to the public were fairly commonplace. The municipality is often asked to take over maintenance and most often the request is from a homeowners’ association.

The issue here is whether it is better for public ownership or maintain private ownership. It was an obvious choice for the county to offer this first to the municipality. The expense has to be balanced against the health/life safety of the 77th St. property owners. The town has an

obligation in this regard. Public ownership would be his recommendation, given other possible scenarios. The road is way below today's specs but "it is as it is."

Sharon Grossmann, 32906 77th St. said they hire a contractor to plow now. She questioned the status of the small beach at the west end. Would that be public?

Davison said as it is, people use it now. There is no adequate parking for a public beach. He further stated the best way to preserve status quo is to have the town take over the road. He provided several examples of the benefits/problems of public versus private road ownership.

Donald Halbe, 32923 77th St. said the restaurant on "Jl" operates year-round. This gives them absolute access in a manner they don't currently have and the ability to launch boats.

Davison questioned who will be in charge of the road. There is not a homeowners association to monitor obligations. If you were to retain private ownership, there would have to be 100% agreement from all those bordering the road. A homeowners association would need to be formed, among other things.

Donald Halbe said he understands what they need to do.

Chairman Glembocki suggested they check with other property owners and find out how everyone feels about this. The next meeting would be November 8 if you have some answers, or call and let us know when you are ready. The clerk will inform Kenosha County the matter is under discussion.

- **St. Alphonsus Fall Festival October 17, 2010, 6211 - 344th Ave., New Munster**
 - A. Temporary Class "B" Retailer's License for the sale of fermented beverages
 - B. Temporary Alcoholic Beverage Operator Licenses: Mark Willkomm, Mark Weis, Jerry Warren

Robert Herda moved approval of a Temporary Class "B" Retailer's License for St. Alphonsus and temporary bartender licenses for Mark Willkomm, Mark Weis, and Jerry Warren. Andrew Lois seconded. Motion carried.

- **Tabled – Report on installation of a method to monitor Lilly Lake water level & first reading**

Chairman Glembocki said he took a measurement from the first pole east of the fence. He gave those to Mike Adam. He will take another reading whenever Mike Adam calls.

- **Alcoholic Beverage Operator Licenses (Bartender) –**
 - A. Corey J. Meinen, 7249 Prairie Rd., Elkhorn, WI 53121 – *Dave's Saloon*Clerk stated Corey Meinen has met the server class and background check requirements. Andrew Lois moved approval of a bartender's license for Corey J. Meinen. Robert Herda seconded. Motion carried.

- **Resolution No. 5-2010 – Resolution Providing for Imposing Special Charges for Current Services to Real Property**

Chairman stated a public hearing will be held and action taken at the October 25 meeting.

- **Reports –**
 - A. Treasurer's report for the month of September listed receipts of \$42,640.60 and expenses of \$54,671.70. Report was accepted as printed on a motion by Andrew Lois and second by Robert Herda.
 - B. Building Inspector report for the month of September - none
 - C. Road report

Chairman reported the road paving on 85th St., 369th, 347th, 317th & part of 71st has been completed. Cost was \$105,570. There is some crack-sealing at the firehouse that still needs to be done. He also reported speaking to Town Engineer Len Roecker regarding an estimate for putting together a 10-15 year plan for future road paving.

- **Announcements –**
 - A. Monday, October 18 – FLU SHOTS 3 - 6 pm - Town Hall – Visiting Nurses Ass'n
 - B. Sunday, October 31 – TRICK OR TREAT – 2 – 5 p.m.
 - C. Tuesday, November 2 – General Election – Polls open 7 a.m. – 8 p.m. @ Town Hall
- **Correspondence –** the renewal High Street Subdivision Improvements - Letter of Credit in the amount of \$110,000 has been received from Associated Bank for Don Schenning. New

expiration date is 10/17/2011.

- **Financial matters:**

- A. Purchase approval - none

- B. Review and approve clerk's report for disbursements - period September 1 - 30, 2010. Robert Herda moved approval of the Itemized Statement of

Disbursements for the period of September 1 – 30, checks #20439 thru #20528 in the amount of \$54,671.70. Andrew Lois seconded. Motion carried.

- C. Discussion – 2011 Budget will continue at another time.

- **Adjournment –**

- Meeting adjourned at 7:30 p.m. on a motion by Robert Herda and second by Andrew Lois.

Respectfully submitted,

Sheila M. Siegler, Clerk