

## JUNE 8, 2009 WHEATLAND TOWN BOARD MEETING

Meeting was called to order by Chairman Glembocki at 6:30 p.m. at the Town Hall in New Munster and opened with the *Pledge of Allegiance*.

Town Board members present – Chairman William Glembocki and Supervisors Andrew Lois and Robert Herda.

Others present: Clerk Sheila Siegler, Fire Chief Alan Kaddatz, Treasurer Deborah Vos, Constable Bob Haas, Jim Mirek, Jeff Butler, Tom Kaczmarek, Jr. & Tom Kaczmarek, Sr. Nine Boy Scouts and five parents also attended.

Notices were posted in five public areas, the town website and 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. Abutting parcels to the Dean Tsitsis property on 80<sup>th</sup> St. were notified by First Class Mail.

Andrew Lois moved approval of the Minutes of the May 11, 2009 town board meeting with the meeting time corrected to 6:30 p.m. Robert Herda seconded. Motion carried.

- **Fire Dept. Report –**

Fire Chief Kaddatz said the Fire Dept. is awaiting word on the grant that was submitted for 25 pair of turnout gear at \$1,600 each. The fire department is also getting ready for the annual festival in a couple of weeks.

- **Public comments –**

1. Jeff Butler, 6631 373<sup>rd</sup> Ave. was present to urge the board to take action on Angela Brooks Reyer's property, 6348 373<sup>rd</sup> Ave., which was damaged by the 2008 tornado. At the town board's direction, she did remove the house structure but the basement and decking are still there. The building inspector gave her additional months to use the basement to rebuild but nothing has been done so far. People in the subdivision want this eyesore and "reminder of the tornado" removed.

Chairman said he understood they were still in court with the insurance company. He said he's also had other people complaining about this property. He will ask the building inspector for an update before the board takes action at the next meeting. He said the property on Hwy "O" is also being discussed with the building inspector.

Jeff Butler said the Bollwahn property on Hwy "O," also damaged by the tornado, has had some repair and they are continuing with that. Chairman Glembocki said he was aware of that and the property has insurance issues. The board will also be dealing with this property.

2. Tom Kaczmarek, Lilly Lake said he wanted to introduce himself to the board. He talked to Don Puchalski and understands Don has resigned. He told Don he was interested in Don's position on the lake district board. Don said he would recommend him.

Kaczmarek said he attended Wheatland Center School, is a long-time resident and has expertise and many resources that he is interested in providing to the lake district.

He spearheaded the weed treatment this year by contacting lakefront property owners. No one thought the old company did a proper job and he found another company and had 37 people sign up plus the town. Muskrat problem – he is in negotiation with a trapper to trap them in the Fall. Beaver – another problem because they are now attacking some trees. He will have them live trapped.

He's tried to deal with the shoreline problems. He's spent a lot of time with DNR and lakefront property owners. He's tried to answer their questions.

Bill Glembocki said he's made no decisions. There are others interested also. These members are advisory members and possibly we can have as many as we want. He thanked Tom Kaczmarek for his interest.

- **Conditional Use Request – co-location on an existing 248' monopole cell tower**  
Roland and Bonnie Denko, 3710 392<sup>nd</sup> Ave., Burlington, WI 53105 (Lessors), United States Cellular Operation Company LLC (Lessee), RJR Associates, Dick Rogers, 100 W. Henry Clay St., Whitefish Bay, WI 53127 (Agent)

**Tax Parcel** - #95-4-219-292-0200 **Location** – south side of 31<sup>st</sup> St. approximately .44 miles east of 392<sup>nd</sup> Ave.

Clerk noted the Plan Commission recommended approval of this request at the May 18<sup>th</sup> meeting.

Clerk reported that Dick Rogers was unable to be present but can be reached by phone if anyone has a question.

Supervisor Andrew Lois moved to forward a favorable recommendation to the Kenosha County Land Use Committee for the Conditional Use Permit for a co-location on the existing Denko cell tower, as listed above and as stated in the application. Supervisor Robert Herda seconded the motion. Motion carried unanimously.

- **Request of the Wheatland Volunteer Fire Dept.**

- A. Special Class "B" Fermented Malt Beverage License - Fire Dept. Festival June 26, 27 & 28, 2009
- B. Temporary alcoholic beverage operator licenses (bartenders) for above
- C. Close Geneva Rd. for a parade on Saturday, June 27 from 11:45 a.m. until finished.

Chairman Glembocki moved approval of the request of the Fire Dept. for a Special Class "B" Fermented Malt Beverage License for June 26 – 28, 2009 with the same security company as last year, approval for five temporary alcoholic beverage operator licenses for Mark Willkomm, Alan Kaddatz, Dennis Floeter, Brian Kerkman and Ryan Kerkman, and approval for the closing of Geneva Rd. for a parade on June 27<sup>th</sup> from 11:45 a.m. until finished. Supervisor Herda seconded the motion. Motion carried unanimously.

- **Alcoholic Beverage Operator License Application:**

- A. Cathleen L. Marinez, 7552 334<sup>th</sup> Ave., Burlington – *Wheatland Convenience Center*
- B. Jenny R. Essler, 7513 335<sup>th</sup> Ave., Burlington – *Wheatland Convenience Center*
- C. Hona E. T. Swift, 3W856 Roman Lane, Genoa City – *The Sly Fox*

Clerk reported all three have met the background check and alcohol beverage class requirement.

Supervisor Herda moved approval of the license applications for Marinez, Essler, and Swift. Supervisor Lois seconded. Motion carried unanimously.

- **Select a company to tow and store junk vehicles ordered by town constable**

Constable Haas said the Board has to appoint a tow company to fulfill the ordinance requirements in order to tow junk or abandoned vehicles after proper notice to the property owner.

Constable Haas said he spoke to local companies. Silver Lake Auto, Bassett Auto and one on Wheatland Rd. Bassett Auto does not have a flatbed carrier if the vehicle can't be towed. The Wheatland Rd. towing company did not show interest.

Silver Lake Auto's proposal is \$125 for towing and storage fee of \$40 per day. Silver Lake Auto will bill the town if the owner does not pick up the vehicle.

Silver Lake Auto keeps the vehicle, if not picked up in 30 days, and disposes in the manner the company chooses. The town bills the property owner for the cost of towing and storage. If the bill is not paid, it is placed on the property tax bill as a special charge.

A 10 day notice is mailed to the property owner and the renter. If there is no action, the vehicle in question can then be towed. The property owner will also receive a citation if they do not comply with the notice.

Silver Lake is certified by Kenosha County and does the county's towing. Harm Garwood, Silver Lake Auto owner, has furnished a Certificate of Insurance showing liability and workers compensation coverage.

Constable Haas said once the vehicle is towed and in Silver Lake Auto's possession, and the property owner wants to contest the towing, they have to file against Silver Lake Auto, not the Town of Wheatland. Constable also said Silver Lake Auto will take motorcycles and automobiles but no boats or junk.

Fire Chief asked what happens if the vehicle is abandoned on property like on church property? Constable Haas said it is up to the property owner to find out who owns the abandoned vehicle and then have it towed at their expense if it remains on the property.

Andrew Lois moved approval of the proposal from Silver Lake Auto Service Inc. to tow junk and abandoned vehicles and motorcycles at \$125 and store vehicles and motorcycles at \$40 per day per the provisions of the town ordinance. Robert Herda seconded the motion. Motion carried.

- **Review - Kenosha County Stipulated Shoreland Conditional Use Permit - Preveza LLC, Dean Tsitsis, 909 Foster St., Evanston, IL 60201 (owner); James B. Shannon, P.O. Box 42, Bassett, WI 53101 (agent)**  
**Location: 32840 80<sup>th</sup> St. – Tax Parcel #95-4-119-111-4101**

Permit is to place a 2 ft. high x 6 ft. wide x 115 ft. long berm in the shoreland zone of Lilly Lake. Permit prohibits placement of fill in the 100 yr. floodplain, the wetland, and the 30 ft. drainage easement along the west side of the lot. The berm will wrap around the existing concrete patio to prevent flooding.

Clerk said this is a permit issued by the county subject to conditions. The county has asked for review and comments from the town. The purpose of this review of the stipulated shoreland conditional use permit is to add or question any of the conditions. Clerk said that abutting property owners were notified of the meeting.

Chairman said we had looked at this property on road inspection. It does look like a culvert should be there. He thought there was one there also when he was a kid but no one knows who took it out. Perhaps it was removed when the lake was dredged.

Tom Kaczmarek commented there used to be a cross culvert under 80<sup>th</sup> St. that drained the lake. It's been taken out. He got stuck in the culvert with his vehicle in his younger years.

Chairman said he was on the site with the town engineer today. The town engineer said no culvert was removed during the 80<sup>th</sup> St. reconstruction in 2007. The wetland wraps around on the south side of 80<sup>th</sup>/334<sup>th</sup> street. The town engineer felt the wetland level and the lake level were likely the same. Chairman said water seeks its own level.

There were no additional conditions from the town board. Kenosha County will be informed and will then issue the permit.

- **Reschedule June 22 town board meeting and the June 22 plan commission meeting to June 29**

Andrew Lois moved to reschedule the June 22<sup>nd</sup> town board meeting to June 29<sup>th</sup> because of scheduling conflicts. Robert Herda seconded. Motion carried. There will not be a plan commission meeting.

- **Reports**

A. Treasurer's report for the month of May – Income of \$70,224.23 and expenses of \$112,813.03. Report was approved on a motion by William Glembocki and second by Robert Herda.

B. Building Inspector's report for the month of May - Report listed \$739 in fees and improvement value of \$57,200. Building Inspector has changed the report. Number of inspections, contacts, e-mails, calls, etc. will now be listed each month. Andrew Lois moved approval of the report as printed. Robert Herda seconded. Motion carried.

C. Road report and May 23 annual road inspection report

Chairman Glembocki said he met with the Tom Amon, B. R. Amon & Sons, and Town Engineer Len Roecker today. They checked out last year's road paving on 376<sup>th</sup> Ave., 348<sup>th</sup> Ave. and 45<sup>th</sup> St. There are some areas where the blacktop did not hold up. Amon will grind off these problem areas and repave them. On 45<sup>th</sup> St., they will grind both lanes of the two bad spots and overlay with another lift of blacktop. Areas on 376<sup>th</sup> were also marked for repair. We won't have to re-stripe because he will grind right next to the striping.

Chairman said the May 23<sup>rd</sup> road inspection showed there was a lot to do on town roads but no money.

Clerk stated 85<sup>th</sup> St. should have the utility poles removed in a couple of weeks. The tall tree stump on the corner will be removed and ground out.

The 2009 Annual Road Inspection Report was discussed. Nothing will be done on #4 and #6. #6 – 335<sup>th</sup> Ave. has a property owner's sump pump discharging to the ditch and there is not much "fall" for the water to go anywhere.

Clerk called and Kenosha Co. Hwy. Dept. said seal coating is finished for the season. They will begin again in November. Chairman said there are several roads that still need to be done. It is an important preventative measure and we'll have to find the money somewhere.

Board agreed #26 on page 4 – Favaro's culvert on 376<sup>th</sup> Ave., should be sent in to have the highway department clean the culvert.

Chairman said three buoys have been placed in the public beach swimming area of Lilly

Lake. He said the remaining four will be in soon. He also had Vozel remove a wooden bench at the beach. The wood was deteriorated. A child got a wood sliver in his hand from the bench. There are three metal mesh benches there which should be sufficient.

Andrew Lois moved a motion to accept the report as printed with no action on the items until money is available. Robert Herda seconded. Motion carried.

D. Report - Alcoholic Beverage License Applications to date  
Clerk reported all current licensees have filed for renewal. Action will be taken at the June 29<sup>th</sup> meeting.

E. Other reports - none.

- **Announcements –**

Annual Fire Dept. Festival June 26 thru 28, 2009 – New Munster Park

- **Correspondence -**

2008 Annual Report – Kenosha Area Convention & Visitors Bureau has been received and is available for anyone interested.

- **Financial matters:**

A. Purchase approval - none

B. Judge Fred C. Hewitt attendance at Municipal Judge Special Topic Seminar July 16 & 17, Eau Claire – Board approved expenses for the seminar.

C. Review and approve clerk's report for disbursements – May 2009

The board reviewed the report. Clerk noted the WI DNR has reimbursed the town for the floodplain property purchased in May.

The report listing disbursements in the amount of \$112,813.03, dated May 1 thru May 29, checks #18897 thru #18982, was moved for approval, as printed, by Andrew Lois. Robert Herda seconded. Motion carried.

- **Adjournment -**

William Glembocki moved to adjourn at 7:20 p.m. Andrew Lois seconded. Motion carried.

Respectfully submitted,

Sheila M. Siegler, Town Clerk