

DECEMBER 12, 2022 WHEATLAND TOWN BOARD MEETING

Meeting was called to order by Chairman William Glembocki at 6:00 p.m. Monday, December 12, 2022, at the Town Hall, and opened with the Pledge of Allegiance. Town Board members present: Supervisors Andrew Lois and Kelly Wilson. Others present: Clerk Sheila Siegler, Treasurer Deborah Vos, Constable Robert Santelli, Brett Butler, Wayne Kaddatz, DeAnna Delimat, Timothy Delimat, Brian Wanasek, Jim Stevens, Terri Stevens, Mary Ochoa Petersen and Rob Petersen.

Notices were posted in three public areas (Town Hall, Transfer Station and Wheatland Center School) and the town's website. The *Kenosha News and Westosha Report* were notified. Individuals who have requested meeting notices by e-mail were sent agendas as required by state law.

Andrew Lois moved a motion to approve Minutes of the November 28, 2022 town board and draft Minutes of the November 28, 2022 special town meeting. Kelly Wilson seconded. Motion carried.

Report –

Fire Dept. – none

Public safety – Constable Santelli reported four new tires have been installed on the squad car. He purchased thru the state procurement system at a savings. He met with Supervisor Kelly Wilson recently to go over the town ordinances relating to junk and illegal activities and requested a review by the town attorney to implement stronger enforcement. Constable did take the town prosecutor around to some of the properties several months ago.

Public comment –Teri Stevens, 4131 376th Ave. said she was at the county meeting regarding the expansion of the gravel mining. She asked why the town has not made a recommendation. The county asked for this recommendation and is delaying the item, thus giving the town time to respond.

Chairman Glembocki said the board did not make a decision at the town board meeting and we have been advised by our attorney that we can't put this back on the agenda. The town attorney said to let the county handle this.

Wayne Kaddatz, 39405 60th St. added that most people don't know there is 250,000# aggregate in a normal residential home. We are fortunate to have it ready and at a nominal cost compared to some areas. This proposed expansion is surrounded by trees.

BEDROCK LC LLC, 33703 59th St., Burlington, WI 53105 (Owner), DeAnna Delimat, 34231 High Dr., East Troy, WI 53120 (Agent),

A. Requesting approval of a Kenosha County temporary use permit (Section III. S. 12.18.7-4) to temporarily use an existing parking lot for the placement of (1) 30' x 60' sales tent, (1) 8' x 40' steel storage container and (2) banners to operate a temporary fireworks sales stand (Black Bull Fireworks) in the B-4 Planned Business Dist. on Tax Parcel #95-4-219-353-0230, 33703 59th St. (Rock Corner–Wheatland) June 14 – July 5, 9 am - 9 pm except July 3 & 4, 8 am – 9 pm.

B. Delimat Enterprises Inc., DeAnna Delimat, 34231 High Drive, East Troy 53120 - Seasonal Fireworks Permit Wheatland issued - 33703 59th St. (Rock Corner-Wheatland) June 14–July 5, 9 am-9 pm & July 3-4, 8 am–9 pm.

C. Sell fireworks possessor permits per town ordinance

William Glembocki moved a favorable recommendation to the Kenosha County Board of Adjustments for the temporary use permit requested by Bedrock LC LLC, DeAnna Delimat, Agent to operate a temporary fireworks sales stand on Tax Parcel #95-4-219-353-0230, 33703 59th St. (Rock Corner–Wheatland) June 14 – July 5, 9 am - 9 pm except July 3 & 4, 8 am – 9 pm. **(#A above)**. Andrew Lois seconded. Motion carried unanimously.

Kelly Wilson moved approval of the application for a seasonal, fireworks permit **(#B above)**. Andrew Lois seconded. Motion carried unanimously.

Kelly Wilson moved approval of the application to sell fireworks possessor permits per town ordinance **(#C above)**. Andrew Lois seconded. Motion carried on a 2-1 vote; affirmative Lois and Wilson, opposed Glembocki.

DELMAT PROPERTIES 1 LLC, 34231 High Dr., East Troy WI 53120 (Owner), DeAnna Delimat, 34231 High Dr., East Troy, WI 53120 (Agent),

A. Requesting approval of a Kenosha County temporary use permit (Section III. S. 12.18.7-4) to temporarily locate (1) 10' x 10' sales tent and (2) 8' x 40' steel storage containers to operate a temporary fireworks sales stand in the B-3 Highway Business District on Tax Parcel #95-4-119-013-0320 and 95-4-119-013-0330, 32135 Geneva Rd (Black Bull Fireworks). June 1 – July 5, 9 am – 9 pm.

B. Delimat Enterprises Inc., DeAnna Delimat, 34231 High Drive, East Troy 3120 - Seasonal Fireworks Permit – Wheatland issued for 32135 Geneva Rd. Black Bull Fireworks - June 1 – July 5, 9 am

– 9 pm.

C. Sell fireworks possessor permits per town ordinance

William Glembocki moved a favorable recommendation to the Kenosha County Board of Adjustments for the temporary use permit requested by Delimat Enterprises Inc., DeAnna Delimat, Agent to temporarily locate (1) 10' x 10' sales tent and (2) 8' x 40' steel storage containers to operate a temporary fireworks sales stand in the B-3 Highway Business District on Tax Parcel #95-4-119-013-0320 and 95-4-119-013-0330, 32135 Geneva Rd (Black Bull Fireworks). June 1 – July 5, 9 am – 9 pm. (**#A above**). Kelly Wilson seconded. Motion carried unanimously.

Kelly Wilson moved approval of a seasonal fireworks permit (**#B above**). William Glembocki seconded. Motion carried unanimously.

Andrew Lois moved approval of the application to sell fireworks possessor permits per town ordinance (**#C above**). Kelly Wilson seconded. Motion carried on a 2-1 vote; affirmative Lois and Wilson, opposed Glembocki.

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

Trade Name: Black Bull Fireworks

A. Annual Fireworks Sellers Permit - (Wheatland issued) for January 1 – December 31, 2023 for sales in the metal building at 32135 Geneva Rd., Parcel #95-4-119-013-0320 & 0330 with two 10 ft x 8 ft banners on each side of the free-standing sign and one 5 ft x 25 ft attached to the gable of the building, no outside storage except for two 8x40 steel storage containers during the temporary use permit dates of June 1-July 5 and per town ordinance

B. Sell fireworks possessor permit per town ordinance

Chairman Glembocki noted all of these permits for fireworks sales that are listed on tonight's agenda are subject to final inspection by the fire department for safety issues.

Kelly Wilson moved approval of an annual fireworks sellers permit (Wheatland issued) for January 1 – December 31, 2023 for sales in the metal building at 32135 Geneva Rd., Parcel #95-4-119-013-0320 & 0330 with two 10 ft x 8 ft banners on each side of the free-standing sign and one 5 ft x 25 ft attached to the gable of the building, no outside storage except for two 8x40 steel storage containers during the temporary use permit dates of June 1-July 5 and per town ordinance (**#A above**). William Glembocki seconded. Motion carried unanimously.

Andrew Lois moved approval of the application to sell fireworks possessor permits per town ordinance (**#B above**). Kelly Wilson seconded. Motion carried on a 2-1 vote; affirmative Lois and Wilson, opposed Glembocki.

Petition to Discontinue Public Way – Sarti Hills Subdivision from Edward Devall, Ingelise Devall, Derek Temple and Mina Temple

The board discussed the petition. Chairman said the town attorney has advised that state statutes do not allow a public way to be discontinued if any party of interest objects. In this case, parties of interest include the Devalls, Temples, Timothy Lois and the Town of Wheatland. There is no point to proceeding with the public hearing, etc. if one of the parties has objected. Chairman Glembocki stated Timothy Lois has stated his objection in writing.

The board during discussion agreed that for future planning, it is not in the best interests of the Town of Wheatland for this public way to be discontinued. If the land to the south of this subdivision were developed in the future, there would need to be access.

Attorney Brian Wanasek, representing the Devall and Temple interest said circuit court could be petitioned. The Sarti Hills Covenants allowed for that action if the road was not developed in 20 years. That was the test. Chairman said that for now, the town would not be in favor of discontinuing the public way.

Andrew Lois moved to deny the Petition to Discontinue Public Way – Sarti Hills Subdivision from Edward Devall, Ingelise Devall, Derek Temple and Mina Temple. Kelly Wilson seconded. Motion carried unanimously.

Recreation Board appointments – Steve Peters

William Glembocki moved to reappoint Steve Peters to the Recreation Board for a three-year term. Kelly Wilson seconded. Motion carried unanimously.

Announcements - Reports - Correspondence –

A. Reports

1. Road – Clerk reported the paver patch on 376th and 52nd was done. Looks good. Several other spots should be looked at for next year further south on 376th. Potholes were patched but

more is needed.

2. Chairman - none
3. Supervisor Lois - none
4. Supervisor Wilson – more complaints that ATVs are tearing up the floodplain properties in Oakwood Shores.
5. Treasurer – Deborah Vos reported a November 30 net worth of \$1,198,285.06. Kelly Wilson moved approval. William Glembocki seconded. Motion carried.
6. Clerk

	December 12, 2022 Meeting - Clerk's Report to Town Board
November Fire Calls	November - 9 Fire calls (3 of which were MABAS); 13 First Responder Calls = total of 22 calls
Broadband Test	Please participate in a broadband test of your internet at home and/or business. This is part of a Kenosha County initiative for improving broadband access. Log on to www.kenoshacounty.org/quickconnect . This will be available thru end of year.
Stop sign missing	376th/52nd St. intersection - stop sign and post stolen.
L.L. treatment report	Onterra will be issuing a comprehensive report this winter as part of the DNR surface water grant to control Hybrid Eurasian Milfoil. Treatment appears to be highly successful.
insurance settlement	May 8, 2022 barn fire - insurance company has reached a settlement with claimant Deputy Ken Krenz who was injured by Wheatland fire equipment.
DPW - open house	Jan. 9, 9 a.m. - Noon at Kenosha County Center - Open House to meet Shelly Billingsley, Director of Public Works & Development Services. Board and staff invited.

B. Correspondence - none

C. Announcements – Town Office will be closed for the holidays as follows:

- December 23, 24, 25, 26
- December 31 at noon and January 1 & 2
- Transfer station hours will be the normal Saturday 7 a.m. – 3 p.m. hours on December 24 and 31
- December 26, 2022 regular town board meeting is cancelled
- Kenosha County Broadband Speed Test – please take part. Log on to www.kenoshacounty.org/quickconnect
- Filed – Town Clerk Notice of Non-Candidacy for the April 4, 2023 Spring Election
- Election forms - April 4 Spring Election must be filed by January 3, 2023 @ office of town clerk

Financial matters:

A. Purchase approval – none

B. Other financial matters – Amend 2023 budget

Kelly Wilson moved to amend the 2023 budget to \$1,476,524 for receipts and \$1,476,524 for disbursements to reflect the action of the special town meeting of electors on November 28, 2022 which set the compensation including stipends to purchase health and retirement for town clerk at \$60,000 and for town treasurer at \$58,000 for the term beginning April 18, 2023. William Glembocki seconded. Motion carried unanimously.

Chairman William Glembocki signed a Notice of Non-Candidacy for the April 4, 2023 election.

Clerk noted the board should consider having the town planner attend more of the plan commission meetings and meeting with interested developers. The new clerk may need help in this area. The fees will need to be adjusted. Perhaps a percent of the total should be paid by the developer. Some staff expertise would be expected and the town's responsibility. Clerk will discuss with the town planner, Jeff Muenkel, and present something to the board for consideration.

Recent planner, engineer and attorney expenses in response to the gravel mining expansion meeting were discussed. Andrew Lois moved a motion to bill for all except the town would pay a portion, example: \$500 if the total was \$3,000. Kelly Wilson second. Motion carried.

Kelly Wilson motioned approval to enter an agreement with Andrea and Orendorff LLP for an audit of the 2022 financial statements for an amount not to exceed \$10,000, a \$455 increase from 2021. Andrew Lois seconded. Motion carried. Clerk will attempt to have audit completed before leaving office.

C. Clerk's Report of Disbursements for November 2022 – Kelly Wilson moved a motion to approve the Clerk's Report for the period of November 1 – 30, 2022 in the amount of \$66,910.48, check #31727 - #31810. William Glembocki seconded. Motion carried.

Adjournment – Kelly Wilson moved to adjourn at 7 p.m. William Glembocki seconded. Motion carried.

Respectfully submitted,

Sheila M. Siegler, Town Clerk