

## AUGUST 8, 2011 WHEATLAND TOWN BOARD MEETING

Meeting was called to order by Chairman William Glembocki at 6:30 p.m. on Monday, August 8, 2011 at the Town Hall in New Munster and he opened the meeting with the *Pledge of Allegiance*.

Town Board members present – Chairman Glembocki and Supervisors Andrew Lois and Robert Herda. Others present: Clerk Sheila Siegler, Treasurer Deborah Vos, Town Engineer Len Roecker, Wayne Kaddatz, Jeff Butler, Norm Kerkman, Mary Kerkman, Tom Barr, Brad Lois, Bill Heeg, Jack Bobula, Tim Delimat, Deanna Delimat, Alan Kaddatz, Mary Ochoa Petersen, Jeff Niederer, Cathy Meinen, and *West of the I* reporter Darren Hillock.

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 parcel #95-4-119-111-3120 received notice of the meeting by First Class Mail.

Andrew Lois moved approval of the July 25, 2011 Town Board Meeting Minutes. Robert Herda seconded. Motion carried.

- **Fire Dept.** – postponed to the next meeting
- **Public Comments** –
- **Rezoning Requests** sponsored by Kenosha County Planning, Development & Extension Education Committee, P.O. Box 520, Bristol, WI 53105 – Correction of previous mapping error.
  - A. Wayne Kaddatz, 39405 60<sup>th</sup> St., Burlington (owner) – Tax Parcel #95-4-119-061-0130 – 39503 60<sup>th</sup> St., Slades Corners, rezone from R-3 Urban Single-Family Residential District to R-7 Suburban Two-Family & Three-Family Residential District
  - B. Roger & Ethel Seno - 39509 60<sup>th</sup> St., Burlington (owner) – Tax Parcel #95-4-119-061-0140, rezone from R-7 Suburban Two-Family & Three-Family Residential District to R-3 Single-Family Residential District

Chairman Glembocki noted the Plan Commission had forwarded a favorable recommendation to the town board from the commission's July 25<sup>th</sup> meeting. This rezoning of the two parcels described above corrects a mapping error from years ago. The change will reflect the existing (and prior) use of the property.

Andrew Lois moved approval of a favorable recommendation to the Kenosha County Planning, Development & Extension Education Committee for the rezoning from R-3 to R-7 for Tax Parcel #95-4-119-061-0130, 39503 60<sup>th</sup> St. (Kaddatz) and from R-7 to R-3 for Tax Parcel #95-4-119-061-0140, 39509 60<sup>th</sup> St. (Seno) per applications submitted. Robert Herda seconded. Motion carried unanimously.

- **Rezoning request** of Northern Alpine Group LLC, 31401 60<sup>th</sup> St., Salem (owner), Tax Parcel #95-4-119-011-0100
  - A. Rezone from A-2 General Agricultural District, to R-2 Suburban Single-Family Residential District to create three single family lots – Lot 2 - 1.09 A., Lot 3 - 1.29 A., and Lot 4 – 1.22 A. Lot 1 – 18.9 A. will remain A-2, C-1 Lowland Resource Conservancy District and C-2 Upland Resource Conservancy District. This property is located at the southwest corner of the intersection of 60<sup>th</sup> St. (Hwy K) and Hwy NN.
  - B. Certified Survey Map creating four lots

Chairman Glembocki stated the Plan Commission had considered the Northern Alpine Group petition on July 25 and has forwarded a favorable recommendation to the town board for the rezoning and certified survey map. The new town land plan denotes this area as "Suburban Density Residential."

Robert Herda moved a motion to forward a favorable recommendation to the Kenosha County Planning, Development & Extension Education Committee for the rezoning of a part of Tax Parcel #95-4-119-011-0100 from A-2 to R-2 as described above, per the application submitted and approval of the Certified Survey Map creating the four lots. Robert Herda seconded. Motion carried.

- **Black Bull (Deanna Delimat – owner) presentation of possible additional types of fireworks sales**

Deanna Delimat and Tim Delimat addressed the board to ask the town to consider adopting an ordinance which would allow them to sell additional types of fireworks to in-state residents; currently they are allowed to sell the "good stuff" to out-of-state residents. Delimat provided the board with copies of ordinances and permits that have been used by local municipalities. They also showed two types of fireworks, one that can currently be purchased by an in-state resident and one only sold to out-of-state.

An ordinance would have to be created and a permit process approved. The town would receive

the permit fee which is usually \$4 - \$5 per permit. Currently the Town of Raymond, Village of East Troy, and Village of Big Bend have this type of ordinance and permit. Delimat said the town would not be held liable for any incidents relating to the fireworks sale. It also does not allow the purchaser to use them in the town. If the board would want to consider that, it would have to be included in the ordinance and would require another permit to be issued to each applicant.

Black Bull has been selling fireworks for 4<sup>th</sup> of July sales at the Wheatland Convenience Center for a few years now. They are tossing around opening a store in Wheatland.

Delimat said the ordinance can provide for a limit on the number of people selling fireworks by stating only one vendor license per population number, etc. That way you won't have one on every corner.

Board indicated they would take this request under consideration. Chairman said he will speak to the town attorney and include it on the August 22<sup>nd</sup> town board agenda if we are ready by then.

- **Discussion and possible action on 2011 snowplowing contract – subdivision roads**

Brad Lois, Finishing Touches LLC was present to discuss an extension of his current contract which ends 12/31/2011. Lois said he would drop the \$20,000 retainer fee requirement and keep the hourly rate per vehicle the same for the next three years.

Chairman said he has been discussing building a temporary salt bin on town property and has some preliminary prices. It would save time (thus money) for Finishing Touches because they currently pick up salt at the Kenosha County Highway Dept., Bristol. Brad Lois said they use 20 – 30 T. per snow storm depending on the type of storm and the temperature.

Chairman said we need to have billing by the 10<sup>th</sup> of the month for the previous month. Chairman also referred to some complaints about the plowing done by Finishing Touches but said they are balanced by the good comments on their work. He asked Lois if he was willing to agree to a four contract instead of three years at the same prices. Lois said he was. Chairman also said he had checked with the town attorney and we are not required to bid for a service contract; only public works contracts require bidding.

Chairman Glembocki moved to approve a four year extension of the current contract with Finishing Touches LLC (Brad Lois) at the same hourly rate thru 2015, with 10<sup>th</sup> of the month billing and no retainer fee. Supervisor Andrew Lois seconded. Motion carried.

- **Cathy Meinen – request to close part of 345<sup>th</sup> Ave. between Geneva Rd. and 63<sup>rd</sup> St., Friday, September 9<sup>th</sup> as part of the Tri-County Riders Toy Run for Love Inc.**

Cathy Meinen, 34500 Geneva Rd., owner of *Dave's Saloon*, presented her request to close part of 345<sup>th</sup> Ave. on September 9<sup>th</sup>. She told of her involvement with Love, Inc. for the past three years and collecting money and school items. The Tri-County Riders will be conducting their annual "Toy Run for Love, Inc." on September 11<sup>th</sup> and this is a prelude and a pre-registration party in conjunction with the actual run. WILL Rock Live will be at *Dave's Saloon* from 5 p.m. - ? She is asking that ½ of 345<sup>th</sup> be closed for motorcycle parking.

Chairman said in discussing this with Jeff Niederer, *B & D's Village Inn* owner, and Meinen other ideas have surfaced. A block party, outside band (old rock and roll type band) has been discussed. Also the town attorney advised the chairman that closing 345<sup>th</sup> entirely might be a safer option. Meinen asked for closing at 6:30, people should be in *B & D's* by then. Niederer said if it was to be closed, 7:30 would be better. Meinen said WILL Rock will be setting up at 4:30 p.m. and she will try to keep motorcycle parking on her side of 345<sup>th</sup> only. She also agreed that if it is closed at 7:30 to vehicles, it would also include motorcycles. They will have to be there before 7:30. Chairman said 345<sup>th</sup> Ave. is a one-way street so all exiting would be to the north and only the south end needs to be closed.

Meinen said the outside band was Plan "B" and asked for 8 – 12 band playing time with 12:30 as a grace period. Chairman asked about alcohol outside. Meinen said she would set up a beer station outside but tickets would have to be purchased inside and all other alcoholic beverages would be sold inside but likely could be carried outside. CJW distributor suggested to her that wrist bands be used to control any underage drinking. Only plastic cups or cans would be used.

Chairman asked for any comment from the audience. There was none.

Chairman said the outside beer and alcohol and band would have to be listed on the next town board meeting agenda before any action can be taken.

Chairman Glembocki moved a motion to close the west side of 345<sup>th</sup> Ave. at 3 p.m., Friday, September 9<sup>th</sup> and to close all of 345<sup>th</sup> Ave. at 7:30 p.m. until the next day. Supervisor Herda seconded. Motion carried. Chairman reminded Cathy Meinen the town would need a Certificate of Insurance from her establishment showing liability coverage.

Supervisor Lois suggested that a yellow ribbon be used to denote the parking area at 3 p.m. and

then when the street closes at 7:30 p.m., string the yellow ribbon along the entrance to 345<sup>th</sup> Ave. at Geneva Rd.

- **Ordinance No. 2011—004 – creating section 37.65 relating to installation and maintenance of 911 Emergency Signs**

- A. First reading
- B. Waive second reading
- C. Adoption

Ordinance No. 2011—004 was read by the Clerk. Chairman said this has been discussed at meetings for months and asked for a motion to waive the second reading. Andrew Lois moved to waive the second reading. Robert Herda seconded. Motion carried.

Robert Herda moved a motion to adopt Ordinance No. 2011 – 004 creating section 37.65 of the Code of Ordinances of the Town of Wheatland. Andrew Lois seconded. Motion carried.

Responding to a question from Jeff Butler, 6631 373<sup>rd</sup> Ave., Chairman Glembocki said the hope and the plan was to have the signs installed before the ground freezes for the winter.

- **77<sup>th</sup> Street decision – property owners on street purchased and now own the private road**

Chairman Glembocki said 77<sup>th</sup> St. from 328<sup>th</sup> Ave. to the lake has been purchased by the 77<sup>th</sup> St. Lily Lake Association from Kenosha County and is now owned by the property owners on the street. It will remain a private road with the association responsible for all maintenance and service.

- **Discuss creating a 25 mph speed limit on Geneva Rd. from Hwy 50 to “KD”**

Chairman said this was brought up by a resident at the last meeting. He has investigated the matter. We will need to change the ordinance to change to 25. There are six 35 mile signs for eastbound travel and only one for westbound traffic. If changed to 25, we will balance that out for each lane. There are more elderly and small children in town. Action to consider the change will be on the next meeting's agenda.

- **Alcoholic Beverage Operator (Bartender) License Application:** Brian H. Hammarstrom, W1600 Hwy B, Genoa City – *B&D's Village Inn*

Background check and alcohol server class certificate requirements have been met. Andrew Lois moved approval of an alcoholic beverage operator license for Brian H. Hammarstrom. Robert Herda seconded. Motion carried.

- **Reports**

- A. Road report – none
- B. Other reports - none

- **Announcements –**

- A. Saturday, September 10, 8 a.m. – 1 p.m. Kenosha County Household Hazardous Waste Program at Pleasant Prairie Municipal Center, 8600 Green Bay Rd
- B. 2011 Property Assessment Revaluation notices will be mailed the week of August 15
- C. Open Book – Review Property Assessment – September 9 & 10 at Town Hall. Call Associated Appraisal at 800.721.4157 to schedule appointment.

- **Correspondence**

- A. Thank you from Eileen Mullins who helped organize the movie night at the beach sponsored by the town. The committee hopes to have the activity again next year.
- B. Thank you from *SHOW* – U of Wisconsin School of Medicine and Public Health - Survey of the Health of Wisconsin for the town's assistance with hosting the Mobile Examination Center earlier this year for the health survey of a random group of Wheatland residents.

- **Financial matters:**

- A. Purchase approval
  - 1. Review and possible action on bids for road paving:
    - a. 52<sup>nd</sup> between “KD” and 368<sup>th</sup> (1 mi.) and
    - b. alternate - 368<sup>th</sup> between 55<sup>th</sup> & 31<sup>st</sup> (1.7 mi.).

Len Roecker, Town Engineer, summarized the reason the town was considering a different type of overlay for a couple of roads as a trial. A road with lower traffic volume and lesser loads is a good candidate. Base subsoil can be an issue; you need a stable base. In recent years, asphalt producers have been looking for an economical way to rehabilitate a “tired” road, one being a “thin overlay.” Some have come up with their own proprietary mixture that is cost effective and durable. We did include a three year warranty requirement in the bid which is above the normal one year. It gives the town a level of protection.

Roecker reported bid requests were noticed in the *Kenosha News*. Two bids were received for the 52<sup>nd</sup> St. work and the alternate bid for the 368<sup>th</sup> Ave. road overlay: B. R. Amon, Elkhorn and Payne and Dolan, Kenosha. Bids were opened at 10 a.m. at the town hall today, August 8, 2011. B. R. Amon came in at 29% lower for the same overlay paving.

Roecker said as a comparison, 376<sup>th</sup> Ave. rehabilitation consisting of pulverizing, base work and paving, in 2008 cost \$286,000 per mile. Recent overlays, without pulverizing, but using a traditional thickness of asphalt cost \$148,000 - \$150,000 per mile. With the type of thin overlay being considered tonight, the cost is about \$65,000 per mi. Roecker said the overlay should give you good performance for 6 – 10 years and is a way of spreading out scarce dollars.

Roecker said the submitted bids do include centerline striping and shouldering.

- B. R. Amon:
  - A. Base bid - 52<sup>nd</sup> Ave. (between “KD” and 368<sup>th</sup> Ave.) - \$62,660
  - B. Alternate “A” - 368<sup>th</sup> Ave. – \$108,307.50
- Payne & Dolan Inc.:
  - A. Base bid – 52<sup>nd</sup> Ave. (between “KD” and 368<sup>th</sup> Ave.) - \$89,480
  - B. Alternate “A” – 368<sup>th</sup> Ave. - \$147,387.50

Chairman said he isn't sure we have \$171,000 to spend. He'd like approve the base bid tonight and wait until the next meeting to decide on the Alternate “A” Bid.

Supervisor Herda said he would like to try this out on 52<sup>nd</sup> St. to make sure this is what we want to do. Wait until next year for the 368<sup>th</sup> Ave. overlay. Chairman said it is a valid point but he would still like to consider 368<sup>th</sup> Ave.

Supervisor Lois asked which road is in the poorest condition. Roecker said he believes 368<sup>th</sup> has more deficiencies. But he does think 52<sup>nd</sup> St. is a good candidate for trying this product.

Supervisor Lois said if we have the \$108,000, maybe we should do 368<sup>th</sup> Ave. instead of 52<sup>nd</sup> St.

Chairman Glembocki said he's been getting plenty of complaints about 52<sup>nd</sup> but not 368<sup>th</sup>. A mile is a good chunk. Lois said he agrees with Herda and maybe we're spending money on a product we're not sure of. Responding to Chairman Glembocki, Roecker said we would have to bid 368<sup>th</sup> again next year or whenever it was decided to do the project.

Supervisor Lois moved a motion to approve the base bid of \$62,660 for one mile of 52<sup>nd</sup> St. from “KD” to 368<sup>th</sup> Ave. Supervisor Herda seconded. Motion carried unanimously. Roecker said he would get the contracts to Amon and work would begin as soon as they put it in their schedule.

Chairman directed the Clerk to send a letter to the 52<sup>nd</sup> St. residents informing them the road will be paved.

B. Clerk's Report of July Disbursements

Chairman Glembocki moved approval of the Clerk's Report of July Disbursements, checks #21303 thru #21384, dated July 1 – 29, 2011 in the amount of \$63,268.67. Andrew Lois seconded. Motion carried.

C. Other financial matters - none

- **Adjournment –**

Meeting adjourned at 8 p.m. on a motion by Robert Herda and second by Andrew Lois.

Respectfully submitted,

Sheila M. Siegler, Town Clerk