

MAY 11, 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 Supervisor Andrew Lois. Robert Herda was excused.

Others present: Clerk Sheila Siegler, Fire Chief Alan Kaddatz, Hoyt Harms, Jody, Regner, Tom Regner, Renee Petranech, Jim Mirek, Jennifer Reed, Jack Bobula, Bill Heeg, Jeff Butler and one citizen.

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. Property owners who abut tax parcel #95-4-119-111-3275, 7819 336th Ave., were notified by First Class Mail.

Bill Glembocki moved approval of the Minutes of the April 27, 2009 and the corrected Minutes of April 1, 2009. Andrew Lois seconded. Motion carried.

- **Fire Dept. Report –**

Chief Kaddatz said there are two cars near the volleyball courts at New Munster Park. The fire department is using the cars for extraction training. Chief talked to the transfer station operator, Jack Bobula. They will be parking the cars in a corner of the transfer station that is out of the way and then use that area for training. Broken glass would be a problem in the V-ball playing area.

- **Public Comments – none**

- **Request for a variance from the Kenosha County General Zoning and Shoreland/Floodplain Zoning Ordinance:**

Petitioner: Hoyt A. Harms, 7819 336th Ave., Burlington, parcel #95-4-119-111-3275
Variance: construct a 10' x 18' second level deck with no stairs and a 10' x 18' patio directly below the deck with a proposed 14' setback from 336th Ave. (ordinance requires 30'); residence has an existing 24' setback

Chairman asked Clerk to read into the record a letter of opposition to the Hoyt Harms variance. The letter is from Tom & Jody Regner, owners of property across the street. The Regners state it is their opinion that they will have an increase of storm water run-off if this is allowed, Harms should have planned for this when he remodeled the house, Harms has other options, and this variance does not meet the statute standards for granting a variance.

Chairman discussed the layout with Supervisor Lois. Harms did have a zoning permit for the raising of the structure. The deck/balcony could be considered a safety factor in the event of a fire. Chairman did not feel the added deck/balcony would increase storm water run-off.

At the request of Supervisor Lois, Jody Regner was asked to speak. She reiterated statements made in the letter. She said Kenosha County told her Harms should have had a variance for the "raising" of the structure and none could be found. She is pursuing that avenue with the zoning office. She said the patio in the street yard is prohibited and is a part of the variance request. A patio can only be located in a side or rear yard according the zoning ordinance. Harms caused his own hardship by not obtaining all his approvals before beginning the remodeling. She is looking for the town to support their opposition. They do not object to a "jump" deck for an escape route. The patio and deck are their objections.

Chairman Glembocki said the county has the final approval. He said Harms does really need some type of escape route from the second floor.

Supervisor Lois suggested a small deck and railing and a patio in the back yard.

Hoyt Harms said neighbors have cement steps and other things sticking out seven or eight feet into the right-of-way. He showed photos taken standing parallel to the row of houses and from both directions to prove his point.

Hoyt Harms also said the roadway is 80 ft. and not the usual 66 ft.

Chairman Glembocki moved to postpone a decision for the Harms variance request until the town board meeting that is planned for May 18th. Supervisor Lois seconded. Motion carried.

- **Meyer Material Company, 1819 Dot St., P.O. Box 522, McHenry, IL 60050 for the**

mining operation/ready-mix plant at 4111 392nd Ave.

A. Conditional Use Permit (County) - two year renewal for gravel mining operation on 392nd Ave. - tax parcels #95-4-219-291-0100, 291-0300, 291-0400, 292-0300, 292-0200, 293-0100, 293-0200, 293-0300, 293-0400, 294-0100

B. Owner and Operator Permits (Town) for the above Ron & Bonnie Denko, Bert & Lillian Robers, and Ray & Gloria Tenhagen properties

Supervisor Lois moved a favorable recommendation to the Kenosha County Board of Supervisors Land Use Committee for a two-year renewal of the Conditional Use Permit for Meyer Material Company for the mining operation and ready-mix plant at 4111 392nd Ave. for the parcels listed above and per application. Chairman Glembocki seconded. Motion carried.

Chairman Glembocki moved approval of the Town of Wheatland Owner and Operator Permits for the above mining operation and ready-mix plant at 4111 392nd Ave. for the properties owned by Ron & Bonnie Denko, Bert & Lillian Robers, and Ray & Gloria Tenhagen and for the operator, Meyer Material Company, for the properties as listed above and per application. Supervisor Lois seconded. Motion carried.

- **Review and consideration of proposals for the demolition of the dwelling at 7512 314th Ave. purchased by the Town of Wheatland with funding from DNR Municipal Flood Control Grant Program No. MFC-30016-08**

Kenosha County Housing Authority Director John Meland has tabulated the proposals submitted from five companies. Copies were distributed to the board.

Siegler Grading & Excavating LLC, Elkhorn quoted \$6,900 and has provided all documentation required by the RFP. \$7,150 was the next lowest. The range was from \$6,900 to \$15,991.50. Meland reported there is asbestos to remove in this structure and that accounts for the increase in price from the demolition proposal for another house that was awarded at the April 27th meeting. Meland is recommending the board award the work to Siegler Grading.

Supervisor Lois moved to award the demolition for the dwelling at 7512 314th Ave. to Siegler Grading & Excavating for a cost of \$6,900. Chairman Glembocki seconded. Motion carried.

- **Request from St. Alphonsus School Boosters' Club for approval of a 5K run and 2 mi. walk and the closing of certain New Munster streets, part of Geneva Rd. and C.T.H. "KD" (352nd Ave.) which is a county road on Sat., May 23, 2009, 8 a.m. - 9:30 a.m. Memorial Day Weekend**

This is the 13th Annual Run and insurance is provided by St. Alphonsus Church. Andrew Lois moved approval of the closing of certain New Munster streets, part of Geneva Rd. and "KD" intersection with the same route as previous years. William Glembocki seconded the motion. Motion carried.

- **Appointment of Paul J. Falduto, Jr. as Lilly Lake Water Patrol Officer for the 2009 season –**

William Glembocki moved to re-appoint Paul J. Falduto, Jr. as the Lilly Lake Water Patrol Officer for the 2009 season. Falduto is fully certified as a Lieutenant for the Kenosha County Sheriff's Dept. Andrew Lois seconded. Motion carried. A Yamaha Wave-Runner will again be provided to the town thru Recreation Plus, Twin Lakes and the Yamaha Law Loan/Government Purchase Program.

- **Reschedule May 25th regular town board meeting which will fall on Memorial Day**

William Glembocki moved to reschedule the May 25th meeting to May 18th at 6:30 p.m. Andrew Lois seconded. Motion carried. Chairman noted there will also be a Plan Commission meeting on May 18th at 7:30.

- **Reports**

A. Treasurer's report for the month of April listed income of \$236,895.44 and expenses of \$267,851.51. This included flood control grant program reimbursement of \$185,133.05. Report was accepted as printed on a motion by Lois and second by Glembocki.

B. Building Inspector report for the month of April showed 10 permits, fees of \$610, and value of improvements of \$163,600. Report was accepted as printed on a motion by Lois and second by Glembocki.

C. Road report and confirm or change date of May 16 for annual road inspection –

Glembocki moved to change the planned road inspection date from May 18 to May 23, 8 a.m. Lois seconded. Motion carried.

Other road reports – crack sealing is being done. This is costly but necessary because it does save the pavement and adds years of life to the pavement.

D. Recreation Board report - recommended purchase of trailer to transport mower at cost not to exceed \$2,000. Glembocki moved to accept the Recreation Board report recommending purchase of a trailer at a cost not to exceed \$2,000. Lois seconded. Motion carried.

- **Announcements –**

- A. Girl Scout Troop #7061 Wheatland Center School will be planting & maintaining flowers around New Munster Park sign for 2009 – a scouting community project.

- **Correspondence**

- A. Gypsy Moth Aerial Spraying will take place by the end of May in the 327th Ave. neighborhood, weather dependent

- B. Notice of Filing of Petition for Incorporation & May 15 Hearing from the Town of Bristol has been received.

- **Financial matters:**

- A. Purchase approval

- 1. trailer for New Munster Park to transport lawn mower to various town parks

Andrew Lois moved to authorize Jack Bobula to purchase a trailer from Chico's, Kansasville at a price not to exceed \$2,000. William Glembocki seconded. Motion carried.

- B. Review and approve clerk's report for disbursements - period April 1 - 30, 2009

Andrew Lois moved to approve the April 1 – 30, 2009 Clerk's Report of Disbursements in the amount of \$267,851.51, checks #18788 thru #18896. William Glembocki seconded. Motion carried.

- Andrew Lois moved to adjourn at 7:30 p.m. William Glembocki seconded. Motion carried.

Respectfully submitted,

Sheila M. Siegler, Town Clerk