

DECEMBER 14, 2009 WHEATLAND TOWN BOARD MEETING

Meeting was called to order by Chairman Glembocki at 6:30 p.m. on Monday, December 14, 2009 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, Treasurer Deborah Vos, Constable Bob Haas, Building Inspector Tim Popanda, Fire Chief Alan Kaddatz, Bill Heeg, Jeff Butler, Gil Badger, Attorney Stephen Clubb, and Philip Piccolo.

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.

- **Fire Dept. –**

Fire Chief Alan Kaddatz reported results of the December 7, 2009 election of officers, as follows: Chief – Alan Kaddatz, Assistant Chief – Dennis Floeter, Sec'y-Treasurer – Bob Rynkiewicz, and Captains: Jerry Schuerman, Brian Kerkman, Bob Rynkiewicz, and Louie Denko.

- **Public Comments - none**

- **Review and consideration of proposals for the demolition of the dwelling at 31421 77th St., Tax Parcel #95-4-119-121-0900 (former Grabowski) purchased by the Town of Wheatland with funding from DNR Municipal Flood Control Grant Program No. MFC-30016-08**

Six proposals were returned with amounts ranging from \$3,025 to \$4,250. All have met the criteria of the proposals. Chairman said the low bidder was Kerkman Bros. Const. Co. and the high bid was Mike's Landscaping. The RFP process was coordinated by the administrator for the Kenosha County Housing Authority, John Meland.

Robert Herda moved to award the contract for the demolition of the structures on Tax Parcel #95-4-119-121-0900 to the low bidder, Kerkman Bros. Const. Co. in the amount of \$3,025. Andrew Lois seconded. Motion carried.

- **Review and consideration of proposals for the demolition of the structures at 7009 316th Ave., owned by Philip Piccolo, 6926 316th Ave., Salem, WI 53168 to fulfill a raze order**

Town Building Inspector Tim Popanda coordinated the RFP process for the demolition of the structures on the property at 7009 316th Ave. Popanda stated contractors were contacted from the list used by the Kenosha County Housing Authority for the floodplain demolitions.

Three picked up proposals. Two were returned by Mike's Landscaping & Excavating and Barhyte Excavating. The low bid was \$5,350 plus side proposal of \$500 for temporary abandonment of the well from Mike's Landscaping. Barhyte's bid was \$6,300. Popanda said he will get a separate price from Huemann Well, Gehring Well Drillers and Golhke Well for temporary abandonment of the well. Popanda's recommendation would be the low bidder Mike's Landscaping. Mike's Landscaping has met the criteria and has done prior, satisfactory work for the town.

Attorney Stephen Clubb, representing Philip Piccolo, spoke. They are proposing the garage be allowed to stand if Kenosha County Zoning will allow the structure to remain without a residence on the lot. Clubb said he contacted Ben Fiebelkorn, Kenosha Co. Planning & Development today to inquire about the possibility of the garage remaining. Popanda also spoke to Fiebelkorn and if the board allows the garage to remain, county zoning said an agreement may be possible.

Popanda – discussed today with Town Attorney Davison the possibility of the board agreeing to the proposal to keep the garage and stipulations for a written agreement to that effect: garage must be made weather-tight, secured, owner must agree to not contest the removal of the structure and Piccolo must pay the legal costs to date, plus \$500 escrow for additional costs to put the agreement together. This is a total of \$2,471.50 + \$500 = \$2,971.50.

Chairman – the demo proposal cost would change if we allow the garage structure to remain. \$2,971.50 would have to be paid, perhaps by noon tomorrow. We would work with the excavator to remove the demo cost of the garage. Attorney Clubb objected to the timing; it is too

soon.

Discussion - time frame for garage should be no more than three weeks. Clubb asked for extra time because of the holiday. Jan. 15 was agreed to as the completion for the garage repair.

Glembocki asked if not done by Jan. 15?

Popanda – Davison suggested the board approve the house demo tonight and leave the garage for later.

Constable Bob Haas recommended holding off on raze order until Jan. 15 and if garage not done, take all down at once. Popanda suggested the board approve tonight and instruct contractor he can't start until Jan. 15.

Clubb asked that the demo be held off until the 15th to give Piccolo opportunity to do a controlled burn. Fire Chief Kaddatz said it is too close to neighbors. The fire department would not consider a training burn.

Responding to Chairman Glembocki, Popanda said demo costs would be billed to Piccolo and required to be paid 30 days from invoice date.

Supervisor Lois – he is in favor of end of year to pay the \$2971.50 and Jan. 15 to complete garage repair. Glembocki said he was agreeable also, if \$2971.50 (certified check, cashier check or cash) is paid by Dec. 31, noon.

Clubb asked for price adjustment on real estate property assessment. Chairman said that whatever is there Jan. 1 would be assessed for 2010. Structures removed after that date would be adjusted on the 2011 tax bill.

Popanda – after payment, an agreement could be in place for Jan. 11, 2010 meeting. Under raze order Popanda can't issue a building permit for repair of the garage until an agreement is in place that allows the garage to remain.

Glembocki – if we don't have a verbal agreement here, there is no point in going further.

Discussions on special town board meeting dates of Jan. 4 or Dec. 21 if payment is made. When asked directly, Piccolo said he would not pay the \$2971.50 in the next day or two.

Requirements considered by board if payment is made:

1. payment of \$2,971.50 by noon on Dec. 31
2. will hold off on razing structures until Jan. 15. Raze would not start until Jan. 18, 2010.
3. garage would still have to be weather-tight (shingled, not plastic covering), and secure by Jan. 15.

Chairman asked for a motion to approve Mike's Landscaping for \$5,350 for removal of all structures plus an additional allowance of \$500 for temporary abandonment of well – wait until 8 a.m., Jan. 18.

Lois – the motion should include that Piccolo pay \$2,971.50 as soon as possible.

Chairman said if not paid we are going ahead to remove all structures. Popanda noted that if amount is paid before Dec. 31, we would work toward an agreement to keep the garage.

Chairman Glembocki motioned to approve the low bid of Mike's Landscaping, \$5,350 for removal of both structures at 6926 316th Ave. to fulfill the raze order with an additional \$500 for temporary abandonment of the well. Andrew Lois seconded the motion. Motion carried.

Chairman said everyone knows what they need to do. If you do your end, it will all work out o.k.; otherwise, we are going ahead with it.

Popanda stated to Phil Piccolo, "Please do not reconnect the electric service. If reconnected, it will only cost you more."

- **Appoint election inspectors for two year term, Jan. 1, 2010 – Dec. 31, 2011**

Robert Herda moved a motion to appoint election inspectors for the January 2010 to December 2011 term as follows: Rosella Wilson, Edith Spiegelhoff, Sandra Koehnke, Marilyn Lichter, Patricia Elverman, Carol Kerkman, Ruth Perry, Mary Ehr, and Carol McKenzie. Andrew Lois seconded. Motion carried.

- **Alcoholic Beverage Operator (Bartender) License applications:**

- A. Arden R. Sorenson, 33513 Geneva PL, Burlington – *Wheatland Conv. Center*
- B. Amanda L. Recknagel, 833 Browns Lake Dr. #205, Burlington – *Wheat. Conv.*

Ctr

Applications were reviewed; background check was clear and school certificates furnished. Andrew Lois moved approval of alcoholic beverage operator licenses for Arden R.

Sorenson and Amanda L. Recknagel. Robert Herda seconded. Motion carried.

- **Appoint two Recreation Board Members for the three year terms of Jeffrey Niederer and Andrew Lois, Jr.**

Glembocki moved approval of the appointment of Jeffrey Niederer and Andrew Lois, Jr. to three-year terms on the Recreation Board. Robert Herda seconded. Motion carried.

- **Cancel December 28, 2009 regular town board meeting**

Robert Herda moved a motion to cancel the December 28th meeting. Andrew Lois seconded. Motion carried.

- **Reports**

A. Treasurer's report for the month of November – Treasurer Vos reported income of \$75,527.94 and expenses of \$157,931.24.

Andrew Lois moved approval. Robert Herda seconded. Motion carried.

B. Building Inspector report for the month of November – Building Inspector Popanda had no report of activity for November. Popanda presented copies of a proposed fee schedule for a 2010 building permit increase. The last fee revision was May 2004. Popanda's proposal includes a comparison of fees charged by various municipalities in Kenosha County. Adopting the proposed fee increases would put Wheatland in the middle of the range of fees. Chairman said the board will consider this for adoption in January.

C. Road report – Chairman said he had snow complaints of homeowners plowing driveway snow into the road. The 76th St. & 336th Ave. intersection in Lilly Lake was reconfigured during the paving this Fall. White plastic posts have been ordered to be installed by the Kenosha Co. Hwy. Dept. on the southeastern corner to alert drivers to the changed intersection.

- Announcements –
- Correspondence –

Information regarding the Wisconsin Dept. of Revenue's current proposal to require county-wide assessing in the entire state was received by the board. There are several public hearings scheduled with the closest in Waukesha. Chairman said he didn't have enough information on the matter yet to form an opinion.

The new recycling law will require some changes at the town transfer station. More information will be forthcoming.

- Financial matters:

A. Purchase approval - none

B. Review and approve clerk's report for disbursements - period November 1 - 30 –

Robert Herda moved approval of the Itemized Statement of Disbursements of checks #19500 thru #19595 dated November 3 thru 30, 2009 in the amount of \$157,031.23. Andrew Lois seconded. Motion carried.

- **Adjournment** – Herda moved and Lois seconded a motion to adjourn at 7:15 p.m. Motion carried.

Respectfully submitted,