

JUNE 29, 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, Jeff Davison, Fire Chief Alan Kaddatz, Jim Mirek, Jeff Butler, Tadeusz & Margorzata Wojt, Bill Heeg, Jack Bobula, Wayne Kaddatz, Tim Wolcott, Frank Lumm, and Marilyn Magnuski.

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 Tax Parcel #95-4-119-111-3110 (Wojt) and #95-4-119-053-0310 (Rowley) were notified by First Class Mail. A Notice of Alcoholic Beverage License Application was printed as a legal notice in the *Kenosha News* on three consecutive days, June 15, 16, 17, 2009.

Andrew Lois moved approval of the Minutes of the June 8, 2009 Adjourned Board of Review meeting and the June 8, 2009 town board meeting. Robert Herda seconded. Motion carried.

- **Fire Dept. Report –**

Fire Chief Kaddatz thanked everyone for their support of the June 26-28 Fire Dept. Festival. All in all, crowds were down a bit but it was another successful year.

- **Public comments – none**

- Town Attorney discussion and possible appointment –

Town Chairman Glembocki said after the board had expressed a wish to look at changing town attorneys, he checked other municipalities in Kenosha County. Jeff Davison's name came up with many favorable responses. He is currently the attorney for the Town of Somers and the Village of Paddock Lake. Neither of those two municipalities border the Town of Wheatland.

Jeff Davison was present and gave a rundown of his firm and experience. He's worked on special projects with other municipalities and is well-versed in municipal issues. He noted his hourly rate for municipalities is \$175 per hour. If he would not be available, John Mulligan (his partner) would be able to respond. They try to get back to clients the same day.

Chairman Glembocki asked for a motion and second to appoint Jeff Davison as the town attorney. Supervisor Andrew Lois moved a motion to appoint Jeffrey J. Davison, Davison & Mulligan, Ltd, Kenosha, as the town attorney for the Town of Wheatland. Robert Herda seconded. Motion carried.

- **Variance request - Tadeusz & Margorzata Wojt, 9040 Lakeshore Rd., Pleasant Prairie, WI 53158 for Tax Parcel #95-4-119-111-3110, 7729 334th Ave., Lilly Lake.**

Existing house is non-conforming and located 4.5 feet from the north property line (ordinance requires 10 feet). The request is to add a 23x22 ft. addition to the west side, 16x36.4 ft. addition to the south and 20.6x12.3 ft. addition to the east side. None of the additions will further encroach on the yard requirements.

Marilyn Magnuski, 7723 334th Ave., asked if the additions would be one level? She was concerned about a structure blocking light. Wojt said the additions will be one story. Wojt said this will be their full-time residence once the remodeling is done.

Robert Herda moved a favorable recommendation to the Kenosha County Board of Adjustments for the variance per application submitted by Tadeusz and Margorzata Wojt for Tax Parcel #95-4-119-111-3110. Andrew Lois seconded. Motion carried.

- Request of Lilly Lake Summerhaven Association, for 4th of July Celebration activities on July 4

A. close Lilly Lake Rd. from 76th St./334th Ave. to 77th St./334th Ave. along the public beach (per map submitted), from 10:00 a.m. until 1 p.m. for a Parade and 4th of July Celebration on Saturday, July 4, 2009.

B. donation to help fund the 4th of July Celebration

Clerk noted this item was asked to be withdrawn because the event has been cancelled.

William Glembocki moved to accept the withdrawal of the Lilly Lake Summerhaven Ass'n 4th of

July request. Andrew Lois seconded. Motion carried.

- **Request for an Animal Permit for property located at 6701 400th Ave., Tax Parcel #95-4-119-053-0310 – current owner Charles R. Rowley.**

Applicant: Tim & Lisa Wolcott, 6302 344th Ave., Burlington, WI 53105

Request is for a permit for three horses on non-conforming A-2 zoned property (5.2 A.) and additional leased land of 5 A. for a total acreage for animal use of 10.2 A.

Tim Wolcott said he is attempting to purchase this property and having a few horses for the family is important. He has an agreement for a lease of 5 acres from the neighboring farmer, David Boilini. Chairman Glembocki said the lease would be required if the permit is approved; if you lose the lease, you will lose the permit.

Jeff Butler, 6631 373rd Ave., said that it is impossible to get a fire truck to the property in case of a fire. He wanted to know if Wolcott would be clearing the brush and trees from the long lane. Wolcott said he was looking for a secondary driveway over Boilini's property. There is a farm lane that would work out from this property which is .58 mile from Hwy "P" in the middle of a farm field. Wolcott said he would be opening up the driveway. The power company did take off the tall stuff.

Andrew Lois moved approval of the application of Tim & Lisa Wolcott for a town-issued Animal Permit for Tax Parcel #95-4-119-053-0310, for three horses, subject to application statements, provided Wolcott leases and keeps a lease for the extra acreage to keep the total at 10 A. or above. If the lease is lost, the permit will be revoked. Robert Herda seconded. Motion carried. Clerk's Note: the Animal Permit will be issued to Tim & Lisa Wolcott once the property has been purchased.

- **Alcoholic Beverage License Renewals for 2009/10 license year**

- A. Class "B" Combination Fermented Malt Beverage & Intoxicating Liquors - 11 renewal applications

Clerk noted there are actually 10 renewals and one original because Jeffrey Niederer is changing from a sole proprietor to a limited liability corporation.

Robert Herda moved approval of the Class "B" Combination Fermented Malt Beverage & Intoxicating Liquors License for JMN LLC, dba B & D's Village Inn, 34414 Geneva Rd. New Munster per application submitted with Jeffrey J. Niederer as Agent. William Glembocki seconded. Motion carried.

Andrew Lois moved approval of the 10 renewal Class "B" Combination Fermented Malt Beverage & Intoxicating Liquors Licenses per applications submitted: Local Folks, Inc., Lily Lake Enterprises LLC, Marino's Country Aire, Inc., Oakland Pit Stop, Inc. 39600 Bloomfield Road LLC, Last Chance West, Inc., Luisa's Pizza, Inc., Dave's Saloon LLC, Sly Fox Inn LLC, and Sundance-Powers Lake LLC. Robert Herda seconded. Motion carried.

- B. Class "B" Fermented Malt Beverage application - 1 renewal application

Robert Herda moved approval of a renewal Class "B" Fermented Malt Beverage License for Joann Ellingson. Andrew Lois seconded. Motion carried.

- C. Class "A" Package Goods - 1 renewal application

Andrew Lois moved approval of a renewal Class "A" Package Goods License for Tucker Bay Energies LLC. Robert Herda seconded. Motion carried.

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

- A. Original license: Mary P. Niederer, P.O. Box 834, New Munster – *B & D Village Inn* and Sara Howard, 6533 246th Ave., Salem – *B & D Village Inn*

Clerk noted requirements for alcohol beverage server class and background checks have been met. Andrew Lois moved approval of operator licenses for Mary P. Niederer and Sara Howard. Robert Herda seconded. Motion carried.

- B. Renewal licenses – 102 renewal applications

William Glembocki moved approval of the 102 renewal operator applications per list submitted. Robert Herda seconded. Motion carried.

- **Mobile home park license renewal**

Andrew Lois moved approval of a renewal mobile home park license for Wheatland Estates Mobile Home Park. Robert Herda seconded. Motion carried.

- **Reports**

A. Road report – Chairman said we need to figure out where the money will come from to fix some of our worst roads. A list will need to be prioritized and a Special Town Meeting called for elector approval to amend the road budget.

B. Other reports – none

- **Announcements** – none

- **Correspondence** –

A. Chairman sent a letter on behalf of TDS Telecom in their quest for stimulus funds to upgrade their broadband service. Currently some parts of Wheatland do not have access to broadband.

B. KABA (Kenosha Area Business Alliance) provided a copy of “Kenosha First 2009” – An Economic Development Strategy for Kenosha County: The Next Phase. This is the initial phase of a comprehensive strategic planning process intended to better align Kenosha County’s resources toward future economic development opportunities. Copy is available if anyone wishes to look it over.

- **Financial matters:**

A. Purchase approval / bill approval - none

B. Municipal Court Clerk Deborah K. Vos attendance at Court Clerk’s Seminar Oct. 7, 8 & 9, 2009 - Wisconsin Dells

Robert Herda moved approval of seminar costs for registration, meals, lodging, and mileage for the municipal court clerk for October 7 – 9, 2009. William Glembocki seconded. Motion carried.

C. Other financial matters – approval of online banking. Clerk explained there is no change in accounts but this will give the clerk and treasurer an opportunity to transfer money and view transactions online. M & I furnish security keys for these online accounts which they assure us are very secure.

Robert Herda moved approval of beginning online banking. Andrew Lois seconded. Motion carried.

D. Credit Card for town use - discuss and approve a credit card policy and open an account. Chairman Glembocki thought there should be a card available with the authorized users being the clerk or treasurer. The credit card can be used for other town expenses by going thru the clerk or treasurer. A policy will be written by the clerk for the board’s signature.

Andrew Lois moved a motion to approve application for a no-fee credit card in the amount of \$5,000 from M&I Bank with the clerk and treasurer as the authorized users. Robert Herda seconded. Motion carried.

E. Authorize the cost for an updated sign for L.L. Boat Launch site –

Chairman Glembocki said the board had all looked at the sign at the Lilly Lake Beach Public. Some of the wording needs updating. We have received a price from a local sign painter but want to ask a couple of other places. A wooden sign similar to what is there would be approximately \$600 and last longer. The current sign was installed in the early 1990’s. A vinyl graphics sign on wood would cost approximately \$400 but is expected to only last up to seven years. Chairman asked whether we want the same sign, back to back. Clerk said that some people now say they couldn’t read the sign because they weren’t facing that direction and it should be on both sides.

Clerk said the DNR and water patrol officer have both suggested wording for the sign. A final copy will be run thru them before any sign is ordered.

William Glembocki moved approval to authorize two signs with a total cost up to \$1,200 with the clerk to check with other sign painters for costs. Robert Herda seconded. Motion carried.

Clerk noted we will also need an ordinance change before the sign is posted.

- **Adjournment** -

Robert Herda moved to adjourn at 7:15 p.m. Andrew Lois seconded. Motion carried.

Respectfully submitted,

Sheila M. Siegler, Town Clerk