

**Town of Somers
7511 12th Street
Somers, WI 53171**

**Town Board Meeting
Agenda
Tuesday, October 11, 2022
5:15 p.m.**

Town Board Meeting:	
Item #	
1	Call to order
2	Pledge of Allegiance
3	Consent and Approval of Minutes of Town Board meetings on September 13, 2022 and Special Meeting on October 4, 2022
4	Correspondence:
5	Citizens Comments
6	Supervisor Comments
7	Action on proposed Ordinance 2022-002, an Ordinance to recreate section 5.11(E) of the code of Ordinances of the Town of Somers regrading Fireworks Prohibited
8	Discussion and possible action on Preliminary Resolution 2022-003 to levy special charges to tax roll
9	Adjourn

I hereby certify that as the designee of the chief elected official of the Town of Somers, I posted this notice of the October 11, 2022, Town Board Meeting & Agenda in 3 public places.

Dated this 7th day of October, 2022.

Brandi Baker, Clerk-Treasurer

Requests from persons with disabilities who need assistance to participate in this meeting should be made to the Clerk's Office at 262-859-2822 with as much notice as possible. **Notice is hereby given that members of the Town Board may participate telephonically. Notice is hereby given that members of the Village Board may be in attendance for the sole purpose of gathering information. A quorum may be present. However, no Board action will be taken.**

**Town of Somers
Proceedings from the Town Board Meeting September 13, 2022**

Chairman Mark Molinaro called the meeting to order at 5:15 p.m.

Present: Chairman Mark Molinaro, Supervisors Richard Lesko and James Armes.
Also present: Administrator Jason Peters, Clerk/Treasurer Brandi Baker.

Chairman Molinaro led the Pledge of Allegiance.

Consent and Approval of Minutes of Town Board meetings on August 10, 2022

Supervisor Lesko moved to approve the Minutes of Town Board meetings on August 10, 2022.

Seconded by Supervisor Armes. Motion carried. 3-0 vote

Correspondence

None

Citizen Comments

None

Supervisor's Comments

Chairman Molinaro commented on parking on grass, if an Ordinance about this comes to the Village, he would like to take a look at one for the Town.

Action on proposed Ordinance 2022-012, an Ordinance to recreate section 5.11(E) of the code of Ordinances of the Town of Somers regrading Fireworks Prohibited

Administrator noticed that the Ordinance had the incorrect number.

Supervisor Armes moved to table until next meeting with the correct Ordinance number.

Seconded by Supervisor Lesko. Motion carried. 3-0 vote.

Adjourn

Supervisor Armes moved to Adjourn at 5:19 pm.

Seconded by Supervisor Lesko. Motion carried. 3-0 vote

Drafted this 14th day of September 2022 by Brandi Baker, Clerk / Treasurer

These minutes are not official until approved by the Town Board

**Town of Somers
Proceedings from the Special Town Board Meeting October 4, 2022_**

Chairman Mark Molinaro called the meeting to order at 5:23 p.m.

Present: Chairman Mark Molinaro, Supervisors Richard Lesko and James Armes.
Also present: Administrator Jason Peters, Clerk/Treasurer Brandi Baker, and
Attorney Jeff Davison.

Chairman Molinaro led the Pledge of Allegiance.

Citizen Comments

None

Discussion and possible action on Commercial Insurance Renewal Proposal from Arthur Gallagher Risk Management Services, Inc. in the amount of \$6,764.00”

Supervisor Armes moved to approve Commercial Insurance Renewal Proposal from Arthur Gallagher Risk Management Services, Inc. in the amount of \$6,764.00”

Seconded by Supervisor Lesko. Motion carried. 3-0 vote.

Adjourn

Supervisor Armes moved to Adjourn at 5:27 pm.

Seconded by Supervisor Lesko. Motion carried. 3-0 vote

Drafted this 5th day of October 2022 by Brandi Baker, Clerk / Treasurer

These minutes are not official until approved by the Town Board



**TOWN OF SOMERS
TOWN BOARD
MEETING ITEM MEMORANDUM**

MEETING DATE: October 11, 2022

TO: Town Chair Molinaro and Town Supervisors

FROM: Brandi Baker Clerk/Treasurer

AGENDA ITEM: #7 Action proposed Ordinance 2022-002, an Ordinance to recreate section 5.11(E) of the code of Ordinances of the Town of Somers regrading Fireworks Prohibited

BACKGROUND:

An inquiry of a firework permit led Staff to discover a discrepancy in section 5.11(E) of the code of Ordinances of the Town of Somers regrading Fireworks Prohibited on who shall issue said permits. The purpose of revising is for clarification on this Ordinance that the Fire Chief should be issuing Firework permits in place of the Town Chairman.

Attorney Davison has drafted the attached ordinance.

PRIOR ACTION TAKEN:

This was discussed at the Work Session on September 6, 2022.

This was mislabeled on the September 13, 2022 Town Board Agenda. It was decided to bring back on the October 11, 2022 Board meeting for action with the correct Ordinance Number on the agenda.

SUGGESTED ACTION/ACTION REQUESTED/COMMENTS:

The Ordinance will need to be introduced at the Board Meeting and the Board shall decide whether to take further action on October 11th. The Town has traditionally not waived the first reading of an ordinance. If Board wishes to do so, a suggested motion to approve would be as follows:

“Motion to waive first reading of Ordinance No. 2022-002”

“Motion to approve Ordinance 2022-002, an Ordinance to recreate section 5.11(E) of the code of Ordinances of the Town of Somers regrading Fireworks Prohibited”

ATTACHMENTS:

Ordinance 2022-002

ORDINANCE NO. 2022-002

AN ORDINANCE TO REPEAL AND RECREATE SECTION 5.11(E)
OF THE CODE OF ORDINANCES OF THE TOWN OF SOMERS
REGARDING FIREWORKS PROHIBITED

The Town Board of Supervisors of the Town of Somers, Kenosha County, Wisconsin, hereby repeals and recreates Section 5.11(E) of the Code of Ordinances of the Town of Somers to read as follows:

(E) **Fireworks Prohibited.** The use, possession and sale of fireworks within the Town is prohibited unless the Fire Chief has issued a permit in the manner set forth in §167.10(2), Wis. Stats. as used in this section of this ordinance the term fireworks includes the definitions set forth in §167.10(1), Wis. Stats., and including subsections (e),(f),(i),(j),(k),(l),(m) and (n).

(1) **Parental Liability.** A parent or guardian of a minor who consents to the use of fireworks by the minor is liable for all damage caused by the minor's use of fireworks.

(2) **Enforcement.** The Town Chairperson or the Chief may petition the Circuit Court in the name of the Town for an order enjoining violations of this section and any person who shall violate this section or any court order enjoining violations of this section of this ordinance may, upon order of the court have said fireworks seized and destroyed.

Dated at Somers, Wisconsin, this _____ day of _____, 2022.

TOWN OF SOMERS

By: _____
Mark Molinaro, Jr., Chairperson

Attest: _____
Brandi Baker, Clerk/Treasurer



www.somers.org

P.O. Box 197, Somers, WI 53171 • PH: (262) 859-2822 • FAX: (262) 859-2331

**TOWN OF SOMERS
TOWN BOARD
MEETING ITEM MEMORANDUM**

MEETING DATE: October 11th, 2022

TO: Town Chair Molinaro and Town Supervisors

PREPARED BY: Brandi Baker, Clerk-Treasurer

AGENDA ITEM: #8 Discussion and possible action on Preliminary Resolution No 2022-003 to Levy Special Charges to the tax roll

BACKGROUND:

Staff has been working to determine outstanding charges to levy on to the tax roll. Attorney Davison has drafted Preliminary Resolution No 2022-003. The resolution also sets a public hearing date on November 1, 2022 for the final resolution.

PRIOR ACTION TAKEN:

None

SUGGESTED ACTION/ACTION REQUESTED/COMMENTS:

In the event that the Town Board agrees with the suggested action, a suggested motion to approve would be as follows:

“Motion to approve Preliminary Resolution No 2022-003 to Levy Special Charges to the tax roll”

ATTACHMENTS:

Preliminary Resolution No 2022-003

Special Charge Table

RESOLUTION 2022-003

**PRELIMINARY RESOLUTION FOR SPECIAL ASSESSMENT
FOR PROPERTIES LOCATED IN TOWN OF SOMERS**

WHEREAS, the Town Board of the Town of Somers, Kenosha County,

Wisconsin, hereby resolves as follows:

1. That the owners of parcels of real property located in the Town of Somers, Kenosha County, Wisconsin, described in Schedule A attached hereto did cause the Town of Somers to expend money for wages, equipment costs, and attorney and consultant fees associated with benefits extended to the property owners, as described on such schedule.
2. The Clerk/Treasurer shall cause to be prepared a report of the Clerk/Treasurer on the proposed special assessments.
3. The Clerk/Treasurer shall make a copy of the report available for public inspection during regular office hours.
4. That the Town Clerk/Treasurer shall publish a Class 1 Notice under Chapter 985 of the Wisconsin Statutes for the purpose of alerting the public to a public hearing which the Town Board will conduct at the Town of Somers Town Hall, 7511 12th Street, Somers, Wisconsin, on the 1st day of November, 2022, commencing at 5:15 p.m. to hear all persons interested on the question of whether the amounts levied by the Town of Somers should be imposed as a special assessment upon the property.
5. That the Town Clerk/Treasurer shall also mail, not less than ten (10) days before the date set for the public hearing, a copy of this Notice to the property owners of record who will be affected by the proposed special

assessment whose post office address is known or can be ascertained with reasonable diligence.

Dated this 11th day of October, 2022.

TOWN OF SOMERS

By: _____
Mark Molinaro, Jr., Chairperson

Attest: _____
Brandi Baker, Clerk/Treasurer

SCHEDULE A

Name(s): Ronald G. & Janice K. Uttech

Parcel No. 80-4-222-232-0530

Assessment: \$1,363.47 (Culvert)

Name(s): Rita M. Lapoint

Parcel No. 80-4-122-031-0504

Assessment: \$754.11 (Cut Weeds)

Name(s): Sandra J. Richling

Parcel No. 80-4-222-242-0475

Assessment: \$793.59 (Cut Weeds)

Owner Name	Mailing Address	Parcel No.	Description of Work Done	Amount	Administration Charge	TOTAL
Ronald G. & Janice K. Uttech	5213 22 nd Street Kenosha, WI 53144	80-4-222-232-0530	Culvert	\$826.00	\$537.47	\$1,363.47
Rita M. Lapoint	Attn: Dawn Lapoint 3404 213 th Avenue Bristol, WI 53104	80-4-122-031-0504 6122 65 th Street	Cut Weeds	\$216.64	\$537.47	\$754.11
Sandra J. Richling	2220 30 th Avenue Kenosha, WI 53144	80-4-222-242-0475	Cut Weeds	\$256.12	\$537.47	\$793.59

\$1,500.00 – Attorney Fees
100.00 – Publication cost (est)
3.42 – Postage = 57¢ x 3 2
9.00 – Administrative Fee = \$3 x 3
\$1,612.42 ÷ 3 = \$537.47 ea. property