

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

**Village Board Meeting
Agenda
Tuesday, February 14th, 2023
5:30 p.m.**

Village Board Meeting:	
Item #	
1	Call to order
2	Pledge of Allegiance
3	Consent and Approval of Minutes of Regular meetings on January 24 th , 2023, Vouchers dated January 26 th , 2023, February 2 nd , 2023, February 9 th , 2023 and January 2023 Building Report
4	Correspondence:
5	Citizens Comments
6	President and Trustee Comments
7	<p>Plan Commission Recommendation:</p> <p style="padding-left: 40px;">a. Discussion and possible action on Request by: SRPF D Burlington Rd LLC, 111 E Wacker Drive, Suite 2600, Chicago, IL 60601 (Owner), Drue Stoehr, 2001 Ross Avenue, Suite 400, Dallas, TX 75201 (Agent), for approval of a Certified Survey Map (dated December 19, 2022 and prepared by John P. Konopacki of Pinnacle Engineering Group) to combine Tax Parcel #s 82-4-222-194-0101, 82-4-222-301-0050, 82-4-222-301-0040 & 82-4-222-301-0030 into one (1) 82.5470-acre parcel, located in the SE ¼ of Section 19 and the NE ¼ of Section 30, T2N, R22E, Village of Somers. <i>(For informational purposes only, this property is located at 10610 Burlington Road.)</i></p>
8	Discussion and possible action on approval of hiring of Scott Seymour for the position of Building Inspector
9	Action on proposed Resolution 2023-002, A Resolution to amend the 2023 Budget to reference updated Capital Improvement Plan projects for 2023

10	Action on proposed Ordinance No. 2023-004, An Ordinance to Create Section ZN5.03(8)(b)144 of the Code of Ordinances of the Village of Somers Relating to Standard for Conditional Uses for Event Facilities
11	Action on proposed Ordinance No. 2023-005, An Ordinance to Create Section ZN5.03(8)(b)62 of the Code of Ordinances of the Village of Somers Relating to Standard for Conditional Uses for Living Quarters for Watchmen and Caretakers in the M-2 District and PR-1 District
12	Action on proposed Ordinance No. 2023-006, An Ordinance to Create Section ZN4.06(2)(d) of the Code of Ordinances of the Village of Somers Relating to PR-1 Park-Recreational District Conditional Uses
13	Action on proposed agreement with Ehlers to create an updated Financial Management Plan
14	Action on proposed First Amendment to Development Agreement between the Village of Somers and HSA Acquisitions, Inc. for project on Tax Parcel #82-4-222-194-0200
15	Action on application for Class “B” (Picnic) Beer License from Shoreland Lutheran High School Booster Club for the Connections We Make: Dinner & Auction Event on March 25, 2023. Event to be held at Shoreland Lutheran High School, 9026 12th Street Kenosha, WI 53144
16	Discussion and possible action on application for Temporary Operators License: Amber Wasurick, for the Shoreland Lutheran High School Booster Club for the Connections We Make: Dinner & Auction Event on March 25, 2023.
17	Approval of Operator’s Licenses: Alexandria Dohogne
18	Adjourn

I hereby certify that as the designee of the chief elected official of the Village of Somers, I posted this notice of the February 14th, 2023, Village Board Meeting & Agenda in 1 public place & on the Village website.

Dated this 10th day of February, 2023

Brandi Baker, Clerk-Treasurer

Requests from person 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 Village Board may participate telephonically. Notice is hereby given that members of the Town Board may be in attendance for the sole purpose of gathering information. A quorum may be present. However, no Board action will be taken.**

**Village of Somers
Proceedings from the Regular Board Meeting January 24, 2023**

President Stoner called the meeting to order at 5:30 p.m.

President Stoner led the Pledge of Allegiance.

Present: President George Stoner, Trustees Gregg Sinnen, Ben Harbach, Jackie Nelson and Karl Ostby. Trustee Joe Smith was present via phone. Trustee Jack Aupperle was excused. Also present: Administrator Jason Peters, Clerk/Treasurer Brandi Baker, and Attorney Jeff Davison.

Consent and Approval of Minutes of Regular meetings on January 10, 2023 Vouchers dated January 12, 2023 and January 19, 2023 & October 2022 ACH Payments, November 2022 ACH Payments, and December 2022 ACH Payments

Trustee Ostby moved to approve the Minutes of Regular meetings on January 10, 2023 Vouchers dated January 12, 2023 and January 19, 2023 & October 2022 ACH Payments, November 2022 ACH Payments, and December 2022 ACH Payments.

Seconded by Trustee Harbach. Motion carried. 6-0 vote.

Correspondence

None

Citizen Comments

None

President and Trustee Comments

Trustee Sinnen would like to thank County Supervisor Dave Geertsen for attending and speaking at the January 17, 2023 Village work session.

Plan Commission Recommendations (GRACE35 LLC & Home Inspired II):

Action on request by: GRACE35 LLC, 8315 18th St, Kenosha, WI 53144 (Owner), William A. Morris, 5313 87th Pl., Pleasant Prairie, WI 53158 (Agent), for an amendment to the land use plan map for the Village of Somers (Map 80) as adopted in the Multi-Jurisdictional Comprehensive Plan for Kenosha County: 2035 from "Mixed Use" to "Governmental and Institutional", on Tax Parcel #82-4-222-161-0106, located in the NE 1/4 of Section 16, T2N, R22E, Village of Somers. (For informational purposes only, this property is located directly east of and adjacent to the Somers Village/Town Hall property).

Trustee Sinnen moved to approve request by: GRACE35 LLC, 8315 18th St, Kenosha, WI 53144 (Owner), William A. Morris, 5313 87th Pl., Pleasant Prairie, WI 53158 (Agent), for an amendment to the land use plan map for the Village of Somers (Map 80) as adopted in the Multi-Jurisdictional Comprehensive Plan for Kenosha County: 2035 from "Mixed Use" to "Governmental and Institutional", on Tax Parcel #82-4-222-161-0106, located in the NE 1/4 of Section 16, T2N, R22E, Village of Somers, subject to the following conditions:

1. Subject to final plans being reviewed and approved by Village Planning;
2. Subject to final engineering plans being reviewed and approved by Village Engineer;
3. Subject to Home Inspired II, LLC evidencing fee ownership of the above referenced tax parcel; and
4. Execution of a Development Agreement between the Village of Somers and Home Inspired II LLC"

Seconded by Trustee Nelson. Motion carried. 6-0 vote.

Trustee Sinnen asked Counsel if the previous concerns have been addressed.

**Action on request by: GRACE35 LLC, 8315 18th St, Kenosha, WI 53144 (Owner), William A. Morris, 5313 87th Pl., Pleasant Prairie, WI 53158 (Agent), for rezoning from B-2 Community Business Dist. to I-1 Institutional Dist., on Tax Parcel #82-4-222-161-0106, located in the NE 1/4 of Section 16, T2N, R22E, Village of Somers. (For informational purposes only, this property is located directly east of and adjacent to the Somers Village/Town Hall property).
Seconded by Trustee Sinnen. Motion carried. 6-0 vote.**

Trustee Ostby moved to approve the request by: GRACE35 LLC, 8315 18th St, Kenosha, WI 53144 (Owner), William A. Morris, 5313 87th Pl., Pleasant Prairie, WI 53158 (Agent), for rezoning from B-2 Community Business Dist. to I-1 Institutional Dist., on Tax Parcel #82-4-222-161-0106, located in the NE 1/4 of Section 16, T2N, R22E, Village of Somers, subject to the following conditions:

1. Subject to final plans being reviewed and approved by Village Planning;
2. Subject to final engineering plans being reviewed and approved by Village Engineer;
3. Subject to Home Inspired II, LLC evidencing fee ownership of the above referenced tax parcel; and
4. Execution of a Development Agreement between the Village of Somers and Home Inspired II LLC"

Seconded by Trustee Sinnen. Motion carried. 6-0 vote.

Action on request by: GRACE35 LLC, 8315 18th St, Kenosha, WI 53144 (Owner), William A. Morris, 5313 87th Pl., Pleasant Prairie, WI 53158 (Agent), for site plan and exterior fenestration review on Tax Parcel #82-4-222-161-0106, located in the NE 1/4 of Section 16, T2N, R22E, Village of Somers. (For informational purposes only, this property is located directly east of and adjacent to the Somers Village/Town Hall property).

Trustee Ostby moved to approve the Motion to approve request by: GRACE35 LLC, 8315 18th St, Kenosha, WI 53144 (Owner), William A. Morris, 5313 87th Pl., Pleasant Prairie, WI 53158 (Agent), for site plan and exterior fenestration review on Tax Parcel #82-4-222-161-0106, located in the NE 1/4 of Section 16, T2N, R22E, Village of Somers, subject to the following conditions:

1. Subject to final plans being reviewed and approved by Village Planning;
2. Subject to final engineering plans being reviewed and approved by Village Engineer;
3. Subject to Home Inspired II, LLC evidencing fee ownership of the above referenced tax parcel; and
4. Execution of a Development Agreement between the Village of Somers and Archives and Village of Somers and Home Inspired II LLC”

Seconded by Trustee Harbach. Motion carried. 6-0 vote.

Action on proposed Development Agreement between the Village of Somers and Home Inspired II LLC for “Home Inspired Senior Living Center”, A Proposed CBRF Facility Being a Part of Section 19, Town 2 North, Range 23 East

Trustee Sinnen moved to approve the motion to approve proposed Development Agreement between the Village of Somers and Home Inspired II LLC”

1. Subject to final plans being reviewed and approved by Village Planning;
2. Subject to final engineering plans being reviewed and approved by Village Engineer; and
3. Subject to Home Inspired II, LLC evidencing fee ownership of the above referenced tax parcel.

Seconded by Trustee Ostby. Motion carried. 6-0 vote.

Action on proposed Ordinance 2023-002, an Ordinance to repeal and recreate section 12.15 of the code of Ordinances of the Village of Somers relating to Cabaret Licenses

Trustee Ostby moved to waive first reading of Ordinance No 2023-002.

Seconded by Trustee Nelson. Motion carried. 6-0 vote.

Trustee Nelson moved to approve Ordinance No 2023-002, an Ordinance to repeal and recreate section 12.15 of the code of Ordinances of the Village of Somers relating to Cabaret Licenses.

Seconded by Trustee Sinnen. Motion carried. 6-0 vote.

Trustee Nelson mentioned that Clerk Baker and Attorney Davison are working on the new applications.

Trustee Sinnen commented on how this clears this up and allows non renewals instead of revocations. Keeps everyone on the same timeframe and thanked Trustee Nelson and Administration for this.

Trustee Harbach commented that the Sheriff and Fire departments should receive a copy.

Action on proposed Ordinance 2023-003, an Ordinance to create Section 12.155 of the Code of Ordinances of the Village of Somers relating to Special Events permit

Trustee Nelson moved to waive the first reading of Ordinance No 2023-003.

Seconded by Trustee Ostby. Motion carried. 6-0 vote.

Trustee Nelson moved to approve Ordinance No 2023-2003, an Ordinance to create Section 12.155 of the Code of Ordinances of the Village of Somers relating to Special Events permit.

Seconded by Trustee Sinnen. Motion carried. 6-0 vote.

President Stoner thanked the Staff for their effort.

Action on proposed Resolution 2023-001, A Resolution Establishing a “Somers Community Day”

Trustee Ostby moved approve proposed Resolution 2023-001, A Resolution Establishing a “Somers Community Day”

Seconded by Trustee Sinnen. Motion carried. 6-0 vote.

Trustee Harbach inquired whether this would be a one time or an annual event.

Administrator Peters commented that the Resolution is set up so it could be annual.

President Stoner thanked Nicco Celebre for his work on this.

Action on request from Chief Andersen to sell out of service 2000 Medtec Ambulance

Trustee Sinnen moved to approve request from Chief Andersen to sell out of service 2000 Medtec Ambulance.

Seconded by Trustee Ostby. Motion carried. 6-0 vote.

Discussion and possible action on request for partial payment #2 from Globe Contractors, Inc. in the amount of \$406,355.86 for Flint 94 Commerce Center Offsite Public Utility Plans

Trustee Harbach moved to approve request for partial payment #2 from Globe Contractors, Inc. in the amount of \$406,355.86 for Flint 94 Commerce Center Offsite Public Utility Plans.

Seconded by Trustee Ostby. Motion carried. 6-0 vote.

Approval of Operator's Licenses: None

Adjourn

Trustee Harbach moved to adjourn at 5:49pm.

Seconded by Trustee Nelson. Motion carried. 6-0 vote

Drafted this 25th day of January by Brandi Baker Clerk/Treasurer

These minutes are not official until approved by the Village Board.

Check Date	Bank	Check	Vendor	Vendor Name	Amount
Bank POOL POOLED CASH					
01/26/2023	POOL	61293	REFUND TAX	AARON & JILL VITKUS	523.43
01/26/2023	POOL	61294	AED	AED ESSENTIALS	394.00
01/26/2023	POOL	61295	REFUND TAX	ALAN M & BARBARA FERBER	251.44
01/26/2023	POOL	61296	REFUND TAX	AMANDA G WEIL	74.14
01/26/2023	POOL	61297	HOP001	ANDREA & ORENDORFF LLP	484.75
01/26/2023	POOL	61298	REFUND TAX	ANTHONY NELSON	209.69
01/26/2023	POOL	61299	BAT001	BATTERIES PLUS LLC	9.25
01/26/2023	POOL	61300	BAXTER	BAXTER & WOODMAN	25,205.04
01/26/2023	POOL	61301	BTM001	BOUND TREE MEDICAL LLC	779.69
01/26/2023	POOL	61302	REFUND TAX	BRENDA J ULICKI	298.08
01/26/2023	POOL	61303	REFUND TAX	BRIAN K SCHEND	110.60
01/26/2023	POOL	61304	REFUND TAX	BRUCE A CORNELL	252.84
01/26/2023	POOL	61305	BS&A	BS&A SOFTWARE	1,741.00
01/26/2023	POOL	61306	BORLAND	CARRIE BORLAND	400.00
01/26/2023	POOL	61307	SPECTRUM	CHARTER COMMUNICATIONS	21.90
01/26/2023	POOL	61308	SPECTRUM	CHARTER COMMUNICATIONS	344.16
01/26/2023	POOL	61309	CONWAY	CONWAY SHIELD	701.10
01/26/2023	POOL	61310	REFUND TAX	DAVID VAN BLARCOM	198.54
01/26/2023	POOL	61311	DAV001	DAVISON LAW OFFICE, LTD	1,140.00
01/26/2023	POOL	61312	DIG002	DIGGERS HOTLINE INC	1,578.05
01/26/2023	POOL	61313	EHLERS	EHLERS	3,800.00
01/26/2023	POOL	61314	EMC	EMC INSURANCE COMPANIES	24,497.60
01/26/2023	POOL	61315	EWALDCHE	EWALD CHEVROLET BUICK LLC	50,169.50
01/26/2023	POOL	61316	REFUND TAX	FREDERICK & PAGETTE TILSNER	501.85
01/26/2023	POOL	61317	UHS001	FROEDTERT SOUTH INC	251.85
01/26/2023	POOL	61318	REFUND TAX	GARRY & MARY ELLIS	616.54
01/26/2023	POOL	61319	GAT001	GATEWAY TECHNICAL COLLEGE	1,035.00
01/26/2023	POOL	61320	GLOBE	GLOBE CONTRACTORS INC	406,355.86
01/26/2023	POOL	61321	GRAPHICS	GRAPHICS INC	180.00
01/26/2023	POOL	61322	REFUND TAX	HEATHER JENSEN & NATHAN PICKERING	208.97
01/26/2023	POOL	61323	REFUND TAX	HENRY & HEIDI GARCIA	183.81
01/26/2023	POOL	61324	HWY001	HIGHWAY C SERVICE INC	21.69
01/26/2023	POOL	61325	REFUND TAX	HOWARD VENDRELL	103.68
01/26/2023	POOL	61326	IMG001	IMAGE TREND	400.00
01/26/2023	POOL	61327	REFUND TAX	JAMES A & ROXANE M KISLIA	259.94
01/26/2023	POOL	61328	JEF001	JEFFERSON FIRE & SAFETY INC	3,944.27
01/26/2023	POOL	61329	REFUND TAX	JEFFERY & KATHERINE JOHNSON	276.65
01/26/2023	POOL	61330	JWM001	JERRY WILLKOMM INC	84.36
01/26/2023	POOL	61331	REFUND TAX	JOHN & RUTHANN SPAAY	417.33
01/26/2023	POOL	61332	REFUND TAX	JOHN & SUSAN RICCHIO	442.78
01/26/2023	POOL	61333	REFUND TAX	JON & LAURA SVATEK	170.04
01/26/2023	POOL	61334	REFUND TAX	JOSEPH & NICOLE LYNN CENTENO	341.06
01/26/2023	POOL	61335	REFUND TAX	JOSHUA & MICHELLE MARTIN	625.62
01/26/2023	POOL	61336	LINEX	LINE-X OF KENOSHA	1,090.00
01/26/2023	POOL	61337	REFUND TAX	MARK & DEBRA SCHNEIDER	201.18
01/26/2023	POOL	61338	REFUND TAX	MATTHEW A GALLEY	477.33
01/26/2023	POOL	61339	MEDA001	MED ALLIANCE GROUP INC	14,712.50
01/26/2023	POOL	61340	MEN001	MENARDS - RACINE	430.89
01/26/2023	POOL	61341	REFUND TAX	MERRILL LYNCH FIRST FRANKLIN	6,781.35
01/26/2023	POOL	61342	MTL001	METALWORLD INC	1,173.18
01/26/2023	POOL	61343	REFUND TAX	MICHAEL & CYNTHIA DELUCA	309.67
01/26/2023	POOL	61344	REFUND TAX	MICHAEL A OLSON	3,736.75
01/26/2023	POOL	61345	NAP001	NAPA AUTO PARTS	15.74
01/26/2023	POOL	61346	NFP001	NATIONAL FIRE PROTECTION ASSOC	1,725.00
01/26/2023	POOL	61347	REFUND TAX	PATRICK & KATHRYN ROBERTS	184.06
01/26/2023	POOL	61348	QUADIENTLE	QUADIENT LEASING USA INC	214.68
01/26/2023	POOL	61349	REFUND TAX	RACHEL MUNNELLY	169.37

Check Date	Bank	Check	Vendor	Vendor Name	Amount
01/26/2023	POOL	61350	REFUND TAX	RICHARD R & LISA R RETZLAFF	167.16
01/26/2023	POOL	61351	RICOHUSA	RICOH USA, INC	193.43
01/26/2023	POOL	61352	REFUND TAX	ROGER & JANET WEGER	252.95
01/26/2023	POOL	61353	NOL001	RUSS NOLEN	589.10
01/26/2023	POOL	61354	REFUND TAX	RYAN J SMITH	444.42
01/26/2023	POOL	61355	REFUND TAX	SCOTT & SALLY MEYERS	225.98
01/26/2023	POOL	61356	REFUND TAX	SHELBY J NIELSEN	211.65
01/26/2023	POOL	61357	STRY001	STRYKER SALES LLC	632.23
01/26/2023	POOL	61358	TELEFLEX	TELEFLEX LLC	677.50
01/26/2023	POOL	61359	REFUND TAX	TERESA M & RICHARD OCHANDATEGUI	9,238.42
01/26/2023	POOL	61360	REFUND TAX	THOMAS & LORRIANE VOGEL	349.17
01/26/2023	POOL	61361	REFUND TAX	THOMAS & RHONDA BEERE	410.75
01/26/2023	POOL	61362	REFUND TAX	THOMAS W CAPPERT	41.77
01/26/2023	POOL	61363	REFUND TAX	THOMAS W CAPPERT	105.53
01/26/2023	POOL	61364	REFUND TAX	TIMOTHY & MAUREEN SCHRADER	128.03
01/26/2023	POOL	61365	VGS001	VAN'S GAS SERVICE INC	40.52
01/26/2023	POOL	61366	VPLPR	VILLAGE OF PLEASANT PRAIRIE	298.40
01/26/2023	POOL	61367	WEE001	WE ENERGIES	64.65
01/26/2023	POOL	61368	WEE001	WE ENERGIES	5,640.99
01/26/2023	POOL	61369	WEE001	WE ENERGIES	8,847.98

POOL TOTALS:

Total of 77 Checks:	589,388.43
Less 0 Void Checks:	0.00
Total of 77 Disbursements:	<u>589,388.43</u>

02/02/2023 01:41 PM
 User: jmartin
 DB: Somers

CHECK REGISTER FOR VILLAGE OF SOMERS
 CHECK DATE FROM 02/02/2023 - 02/02/2023

Check Date	Bank	Check	Vendor	Vendor Name	Amount
Bank POOL POOLED CASH					
02/02/2023	POOL	61370	AIR001	AIRGAS USA, LLC	447.79
02/02/2023	POOL	61371	BRUM	ANN BRUMBACK	52.46
02/02/2023	POOL	61372	REFUND TAX	ARCHIVES & ARMORY PMML WI LLC	411.97
02/02/2023	POOL	61373	REFUND TAX	BARBARA J WARD	311.80
02/02/2023	POOL	61374	BAXTER	BAXTER & WOODMAN	41,230.33
02/02/2023	POOL	61375	BAXTER	BAXTER & WOODMAN	1,747.50
02/02/2023	POOL	61376	BAKER	BRANDI BAKER	150.00
02/02/2023	POOL	61377	BORLAND	CARRIE BORLAND	400.00
02/02/2023	POOL	61378	DORNER	DORNER COMPANY	8,749.99
02/02/2023	POOL	61379	REFUND TAX	ERIK B & NICOLE MARIE HAYES	559.00
02/02/2023	POOL	61380	STO001	GEORGE STONER	319.03
02/02/2023	POOL	61381	REFUND TAX	HEATHER & CHRISTOPHER EDWARDS	303.09
02/02/2023	POOL	61382	HLK001	HOERNEL LOCK & KEY INC	252.00
02/02/2023	POOL	61383	REFUND TAX	JACK AUPPERLE & ANNA SPRINGHOFF	259.52
02/02/2023	POOL	61384	JEF001	JEFFERSON FIRE & SAFETY INC	846.92
02/02/2023	POOL	61385	SOR001	JOHN E SORENSEN	56.72
02/02/2023	POOL	61386	REFUND TAX	JOHN W & SHELLEY NUDI W ROGOWSKI	692.16
02/02/2023	POOL	61387	KARLSTORZ	KARL STORZ ENDOSCOPY-AMERICA INC	210.75
02/02/2023	POOL	61388	REFUND TAX	KATHERINE E FISCHER	56.69
02/02/2023	POOL	61389	KCSHERIF	KENOSHA CO SHERIFF DEPT	54,136.22
02/02/2023	POOL	61390	KENCNTPLAN	KENOSHA COUNTY PLANNING & DEVLPMT	16,650.00
02/02/2023	POOL	61391	KWU001	KENOSHA WATER UTILITY	35,194.95
02/02/2023	POOL	61392	KWU002	KENOSHA WATER UTILITY	56,168.74
02/02/2023	POOL	61393	LIFELINE	LIFE LINE BILLING SYSTEMS LLC	749.00
02/02/2023	POOL	61394	REFUND TAX	MARK P & LYNN S RUSSELL	290.01
02/02/2023	POOL	61395	MCDEVITTS	MCDEVITTS TOWING & REPAIR	151.26
02/02/2023	POOL	61396	OLENICZAK	OLENICZAK LAW LLC	1,519.35
02/02/2023	POOL	61397	REGFEE	REGISTRATION FEE TRUST	20.00
02/02/2023	POOL	61398	REFUND TAX	ROCHELLE ALBERTSON & DANIEL WELLS	134.93
02/02/2023	POOL	61399	STAPLEAD	STAPLES	1,200.50
02/02/2023	POOL	61400	STERICYCLE	STERICYCLE INC	16.01
02/02/2023	POOL	61401	TKITZ	TIMOTHY KITZMAN	24.25
02/02/2023	POOL	61402	REFUND TAX	TODD A & AMY M KEHL	135.33
02/02/2023	POOL	61403	TRCO001	TRUCK COUNTRY OF WISC	10.92
02/02/2023	POOL	61404	WAM001	WILLIAM A MORRIS	149.42

POOL TOTALS:

Total of 35 Checks:	223,608.61
Less 0 Void Checks:	0.00
Total of 35 Disbursements:	<u>223,608.61</u>

02/09/2023 04:00 PM
 User: jmartin
 DB: Somers

CHECK REGISTER FOR VILLAGE OF SOMERS
 CHECK DATE FROM 02/09/2023 - 02/09/2023

Check Date	Bank	Check	Vendor	Vendor Name	Amount
Bank POOL POOLED CASH					
02/09/2023	POOL	61406	A&R001	A & R DOOR SERVICES INC	465.00
02/09/2023	POOL	61407	REFUND TAX	AARON SCHAUER	3,635.87
02/09/2023	POOL	61408	AAC001	ASSOCIATED APPRAISAL	2,689.50
02/09/2023	POOL	61409	AT&T001	AT&T	264.72
02/09/2023	POOL	61410	AT&T001	AT&T	115.44
02/09/2023	POOL	61411	AT&TMOB	AT&T MOBILITY	856.12
02/09/2023	POOL	61412	AYRES	AYRES ASSOCIATES INC	4,543.62
02/09/2023	POOL	61413	BTSC001	BOND TRUST SERVICES CORP	800.00
02/09/2023	POOL	61414	BTM001	BOUND TREE MEDICAL LLC	209.25
02/09/2023	POOL	61415	TRI-VISA	CARDMEMBER SERVICE	2,945.26
02/09/2023	POOL	61416	CDWGOV	CDW GOVERNMENT	1,346.52
02/09/2023	POOL	61417	CLIA	CLIA LABORATORY PROGRAM	180.00
02/09/2023	POOL	61418	EME001	EMERGENCY MEDICAL PRODUCTS INC	2,703.94
02/09/2023	POOL	61419	HOL001	HOLLAND SUPPLY, INC	82.89
02/09/2023	POOL	61420	JCLICHT	JC LICHT LLC	115.41
02/09/2023	POOL	61421	KCFRA	KENOSHA COUNTY FIRE/RESCUE ASSCN	2,463.00
02/09/2023	POOL	61422	KEN002	KENOSHA COUNTY TREASURER	2,025.57
02/09/2023	POOL	61423	KEN002	KENOSHA COUNTY TREASURER	1,072.26
02/09/2023	POOL	61424	MEN001	MENARDS - RACINE	11.98
02/09/2023	POOL	61425	MTP001	MT PLEASANT SEWER UTILITY	35,496.00
02/09/2023	POOL	61426	NAP001	NAPA AUTO PARTS	195.98
02/09/2023	POOL	61427	SAFEHARBOR	SAFE HARBOR HUMANE SOCIETY	845.39
02/09/2023	POOL	61428	SAMSMC	SAM'S CLUB MC/SYNCB	4,895.18
02/09/2023	POOL	61429	STAPLEAD	STAPLES	59.45
02/09/2023	POOL	61430	THELETTER	THE LETTERING MACHINE	122.25
02/09/2023	POOL	61431	ULINE	ULINE	399.37
02/09/2023	POOL	61432	UNINS	UNEMPLOYMENT INSURANCE	47.58
02/09/2023	POOL	61433	USDEPTTR	UNITED STATES TREASURY	350.02
02/09/2023	POOL	61434	WEE001	WE ENERGIES	225.69
02/09/2023	POOL	61435	WEE002	WE ENERGIES	93.08
02/09/2023	POOL	61436	WEE002	WE ENERGIES	1,840.71
02/09/2023	POOL	61437	WICOURT	WI COURT FINES & SURCHARGES	3,527.98
02/09/2023	POOL	61438	DNR001	WI DEPT OF NATURAL RESOURCES	70.00
02/09/2023	POOL	61439	WIL002	WIL-KIL PEST CONTROL	116.00

POOL TOTALS:

Total of 34 Checks:	74,811.03
Less 0 Void Checks:	0.00
Total of 34 Disbursements:	74,811.03

VILLAGE/TOWN OF SOMERS – BUILDING REPORT – JANUARY, 2023

FUND CODE & DESCRIPTION	NUMBER OF PERMITS	PERMIT FEES MONTHLY	NUMBER OF PERMITS YEAR TO DATE	PERMIT FEES YEAR TO DATE
101-HOUSES	1	2,558.00	1	2,558.00
101-ADDITIONS & ALTERATIONS-RES	2	110.00	2	110.00
101-ACCSRY BLD	1	50.00	1	50.00
101-OTHER PMT FEE (EARLY START)				
101-AGRICULTURAL				
101-APARTMENTS-MLF				
101-CONDOMINIUM				
101-COMMERCIAL BLD				
101-ADDITIONS & ALTERATIONS-COMM				
101-MANUFACTURING				
101-SIGNS	1	60.00	1	60.00
101-PLUMBING	2	90.00	2	90.00
101-HEATING	2	90.00	2	90.00
101-ELECTRIC	5	270.00	5	270.00
101-POOLS				
101-WRECKING				
101-OCCUPANCY				
101-FENCE	1	45.00	1	45.00
101-DRIVEWAY				
101-CULVERT				
101-MOVING				
101-RIGHT OF WAY ROAD OPENING	1	50.00	1	50.00
101-EROSION CONTROL				
101-VOLUNTARY DONATION IN LEIU OF IMPACT FEES				
101-LANDFILL PMT				
101-PUBLIC WKS				
101-PARK FEE				
101-FIRE STATION				
101-WA MTR HORN				
SUB-TOTAL 101	16	3,323.00	16	3,323.00
603-UD SR SVC FEE	1	2,800.00	1	2,800.00
603-				
SUB-TOTAL 603	1	2,800.00	1	2,800.00
602-KR SR SVC FEE				
SUB-TOTAL 602	0	0.00	0	0.00
601-WA SVC FEE				
601-TEMP WA FEE				
601-WA MTR HORN				
601-WA PMT				
601-				
601-				
SUB-TOTAL 601	0	0.00	0	0.00
TOTALS	17	6,123.00	17	6,123.00

**VILLAGE OF SOMERS
VILLAGE BOARD
MEETING ITEM MEMORANDUM**

MEETING DATE: Feb. 14, 2023

TO: Village President Stoner and Village Trustees

PREPARED BY: Jason J. Peters, Administrator

AGENDA ITEM: #7 Plan Commission Recommendations:

- a. Discussion and possible action on Request by: SRPF D Burlington Rd LLC, 111 E Wacker Drive, Suite 2600, Chicago, IL 60601 (Owner), Drue Stoehr, 2001 Ross Avenue, Suite 400, Dallas, TX 75201 (Agent), requests approval of a Certified Survey Map (dated December 19, 2022 and prepared by John P. Konopacki of Pinnacle Engineering Group) to combine Tax Parcel #s 82-4-222-194-0101, 82-4-222-301-0050, 82-4-222-301-0040 & 82-4-222-301-0030 into one (1) 82.5470-acre parcel, located in the SE ¼ of Section 19 and the NE ¼ of Section 30, T2N, R22E, Village of Somers. (*For informational purposes only, this property is located at 10610 Burlington Road.*)

BACKGROUND:

The Village began working with Stream Realty in late 2021 regarding their desire to bring a “Class A” warehousing/industrial project to approximately 90 acres (82-4-222-194-0101, 82-4-222-301-0030, 82-4-222-301-0040, 82-4-222-301-0050) located on CTH S, east of the recently approved HSA project. Phase I would bring a 612,252 sq. ft building. Phase II would bring two smaller buildings. In total, the Project would bring three buildings totaling 935,000 sq. ft. of warehousing/manufacturing space. In October the Board approved their rezoning, site plan and Developer’s Agreement subject to various conditions. One of the conditions required was to submit for a Certified Survey Map.

Stream has submitted their application for new Certified Survey Map. The CSM will serve to combine four (4) existing parcels into two (2) Lots. The CSM will also serve to dedicate area for a new Village public road running along the eastern edge of the development and create utility easements. Their request will be heard by the Plan Commission on Monday, February 13th.

PRIOR ACTION TAKEN:

The attached CSM has not been previously reviewed by the Board.

SUGGESTED ACTION/ACTION REQUESTED/COMMENTS:

In the interest of moving this project along in timely fashion, Administrator Peters has placed this matter on our agenda for discussion and possible action. Administrator Peters will present the recommendation of the Plan Commission to the Board at our meeting on February 14th. In the event that the Village Board agrees with the suggested action, a suggested motion to approve would be as follows:

“Motion to approve request by: SRPF D Burlington Rd LLC, 111 E Wacker Drive, Suite 2600, Chicago, IL 60601 (Owner), Drue Stoehr, 2001 Ross Avenue, Suite 400, Dallas, TX 75201 (Agent), requests approval of a Certified Survey Map (dated December 19, 2022 and prepared by John P. Konopacki of Pinnacle Engineering Group) to combine Tax Parcel #s 82-4-222-194-0101, 82-4-222-301-0050, 82-4-222-301-0040 & 82-4-222-301-0030 into one (1) 82.5470-acre parcel, located in the SE ¼ of Section 19 and the NE ¼ of Section 30, T2N, R22E, Village of Somers, subject to the following conditions:

- 1. Subject to final Certified Survey Map being reviewed and approved by Village Planning; and*
- 2. Subject to final Certified Survey Map being reviewed and approved by Village Engineer.*

ATTACHMENTS:

Planning Memo dated 01/30/2023

CSM Application



COUNTY OF KENOSHA

Division of Planning & Development

Andy M. Buehler, Director
Division of Planning & Development
19600 75th Street, Suite 185-3
Bristol, WI 53104-9772
(262) 857-1895

TO: Village of Somers Plan Commission
FROM: Luke Godshall, Kenosha County Planning & Development
RPT DATE: January 30, 2023
MTG DATE: February 13, 2023
APPLN DATE: January 3, 2023
RE: Certified Survey Map for Somers Business Park Development

BACKGROUND:

1. Petitioner/Agent: Drue Stoehr, SRPF D/BURLINGTON RD, LLC
 2. Property Owner: SRPF D/BURLINGTON RD, LLC
 3. Location/Address: 10524, 10610, 10812 Burlington Rd.
 4. Tax key Numbers: 82-4-222-194-0101, 82-4-222-301-0030, 82-4-222-301-0040, 82-4-222-301-0050
 5. Area: 89.86 acres
 6. Existing Zoning: A-1 Agricultural Preservation Dist., A-2 General Agricultural Dist., R-2 Suburban Single-Family Residential Dist., R-3 Urban Single-Family Residential Dist.
 7. Proposed Zoning: BP-1 Business Park Dist., PUD Planned Unit Development Overlay Dist.
 8. Future Land Use: Business/Industrial Park
-

OVERVIEW:

The Petitioner proposes to use the submitted Certified Survey Map (CSM) to reconfigure four (4) existing parcels into two (2) Lots which will make up the proposed Somers Business Park development. The CSM will also serve to dedicate area for a new Village public road running along the eastern edge of the development and establish easements necessary for the development (utilities, stormwater access, etc).

PLANNER COMMENTS:

The proposed CSM as submitted generally complies with the Certified Survey Map requirements contained in the Village of Somers Chapter 18 Land Division and Platting Control Ordinance. There may be minor revisions that will need to be made to the final recordable version of the CSM, such as any necessary revisions to comply with State of Wisconsin Dept. of Administration review comments, or other recommendations from Village staff, the Plan Commission, and/or Board.

STAFF RECOMMENDATION:

Should the Plan Commission choose to recommend approval of this CSM, staff would recommend the following conditions:

1. Subject to revising the CSM to address review comments from the Wisconsin Department of Administration.
2. Subject to making the following revision(s) to the CSM:
 - a) On Sheet 14 of 14, remove the signature block area for Plan Commission Approval.



COUNTY OF KENOSHA

Division of Planning & Development

Andy M. Buehler, Director
Division of Planning & Development
19600 75th Street, Suite 185-3
Bristol, WI 53104-9772
(262) 857-1895

3. Subject to sending an electronic copy of the revised CSM showing the aforementioned changes to the Kenosha County Department of Planning and Development office to receive sign-off prior to the surveyor preparing the recordable CSM document for signatures. The county contact is Luke Godshall who can be contacted at the following e-mail address: luke.godshall@kenoshacounty.org.
4. No land division shall be recorded if any portion or part of the parent parcel has any unpaid taxes or outstanding special assessments without prior approval of the local and Kenosha County Treasurer.
5. Subject to the Certified Survey Map (CSM) being recorded with the Kenosha County Register of Deeds within twelve (12) months of receiving approval from the Somers Village Board.



VILLAGE OF SOMERS

Department of Planning & Development

LAND DIVISION APPLICATION

In order for applications to be processed, all information, drawings, application signatures, and fees required shall be submitted at time of application.

Please check the appropriate box below for the type of application being submitted:

- Certified Survey Map
- Subdivision Preliminary Plat
- Subdivision Final Plat
- Condominium Plat

Applicant is: Property Owner Subdivider Other _____

Applicant Name: SRPF D/BURLINGTON RD, LLC (c/o Drue Stoehr) Date 12/20/2022

Mailing Address: 2001 Ross Avenue, Suite 400 Phone # 224-935-7799

Dallas, Texas 75201 Phone # _____

Tax Parcel Number(s): 82-4-222-194-0101, 82-4-222-301-0050, 82-4-222-301-0040, 82-4-222-301-0030

_____ Acreage of Project: Approximately 90.5

Location of Property (including legal description):

Being a part of Lot 1 of Certified Survey Map No. 278 and additional lands in the Northeast 1/4 and

Southeast 1/4 of the Southeast 1/4 of Section 19 and in the Northeast 1/4 of the Northeast 1/4 of Section 30,

Township 2 North, Range 22 East, Village of Somers, Kenosha County, Wisconsin

10812 Burlington Road

Subdivision/Development Name (if applicable): Somers Business Park

Existing Zoning: A-1, A-2, R-2, R-3 Proposed Zoning: PUD (BP-1)

Village Land Use Plan District Designation(s) (if applicable):

Present Medium Density Residential

Proposed Business/Industrial Park

Present Use(s) of Property: Residential and Farmland

Proposed Use(s) of Property: Class A Industrial

The subdivision abuts or adjoins a state trunk highway.....Yes () No (✓)

The subdivision will be served by public sewerYes (✓) No ()

The subdivision abuts a county trunk highwayYes (✓) No ()

The subdivision contains shoreland/floodplain areasYes (✓) No ()

The subdivision lies within the extra-territorial plat (ETP) authority
area of a nearby Village or CityYes () No (✓)

*Applicant is responsible for submitting to the ETP authority any fees and documentation
needed to obtain a recommendation.

REQUIRED SIGNATURE(S) FOR ALL APPLICATIONS:

John Cannon Green

Digitally signed by John Cannon Green
Date: 2023.01.03 15:05:19 -06'00'

Property Owner's Signature _____ Date _____

Property Owner's Signature _____ Date _____

REQUIRED APPLICABLE SIGNATURES:

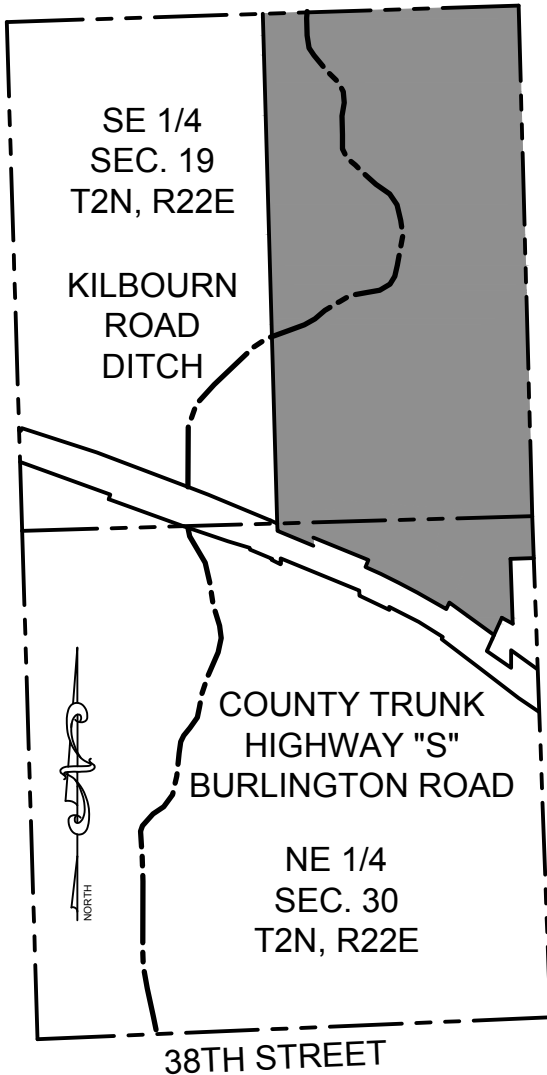
Applicant's Signature _____ Date _____

Developer's Signature _____ Date _____

CERTIFIED SURVEY MAP NO. _____

Being a part of Lot 1 of Certified Survey Map No. 278 and additional lands in the Northeast 1/4 and Southeast 1/4 of the Southeast 1/4 of Section 19 and in the Northeast 1/4 of the Northeast 1/4 of Section 30, Township 2 North, Range 22 East, Village of Somers, Kenosha County, Wisconsin

VICINITY MAP SCALE 1":1000'



Tax Key Number:
82-4-222-194-0101
82-4-222-301-0050
82-4-222-301-0040
82-4-222-301-0030

NOTES:

- All measurements have been made to the nearest one-hundredth of a foot.
- All angular measurements have been made to the nearest one second.
- Bearings referenced to the Wisconsin State Plane Coordinate System, South Zone (N.A.D. 1983/2011). The north line of the Southeast 1/4 of Section 19, Township 2 North, Range 22 East has a bearing of S88°09'21"W.
- Flood Zone Classification: The property lies within Zone "AE" and Zone "X" of the Flood Insurance Rate Map Community Panel No. 550590177D and 55059C0181D with an effective date of JUNE 19, 2012. Zone "AE" areas have Base Flood Elevations determined. Zone "X" areas are determined to be outside the 0.2% annual chance floodplain.
- Vertical Datum: North American Vertical Datum of 1988(12), (NAVD88). Contours are shown at a 2' interval based on actual ground survey and aerial lidar of the current ground terrain. Reference Benchmark: Concrete monument with brass cap at the northwest corner of the Southeast 1/4 Section 19, Town 2 North, Range 22 East, Elevation = 710.95.
- Any land below the ordinary high water mark of a lake or a navigable stream is subject to the public trust in navigable waters that is established under article IX, section 1, of the state constitution
- All existing buildings on this Certified Survey Map shall be removed.



DECEMBER 19, 2022

Prepared for:
SRPF D/BURLINGTON RD, LLC
2001 ROSS AVENUE, SUITE 400
DALLAS, TEXAS 75201

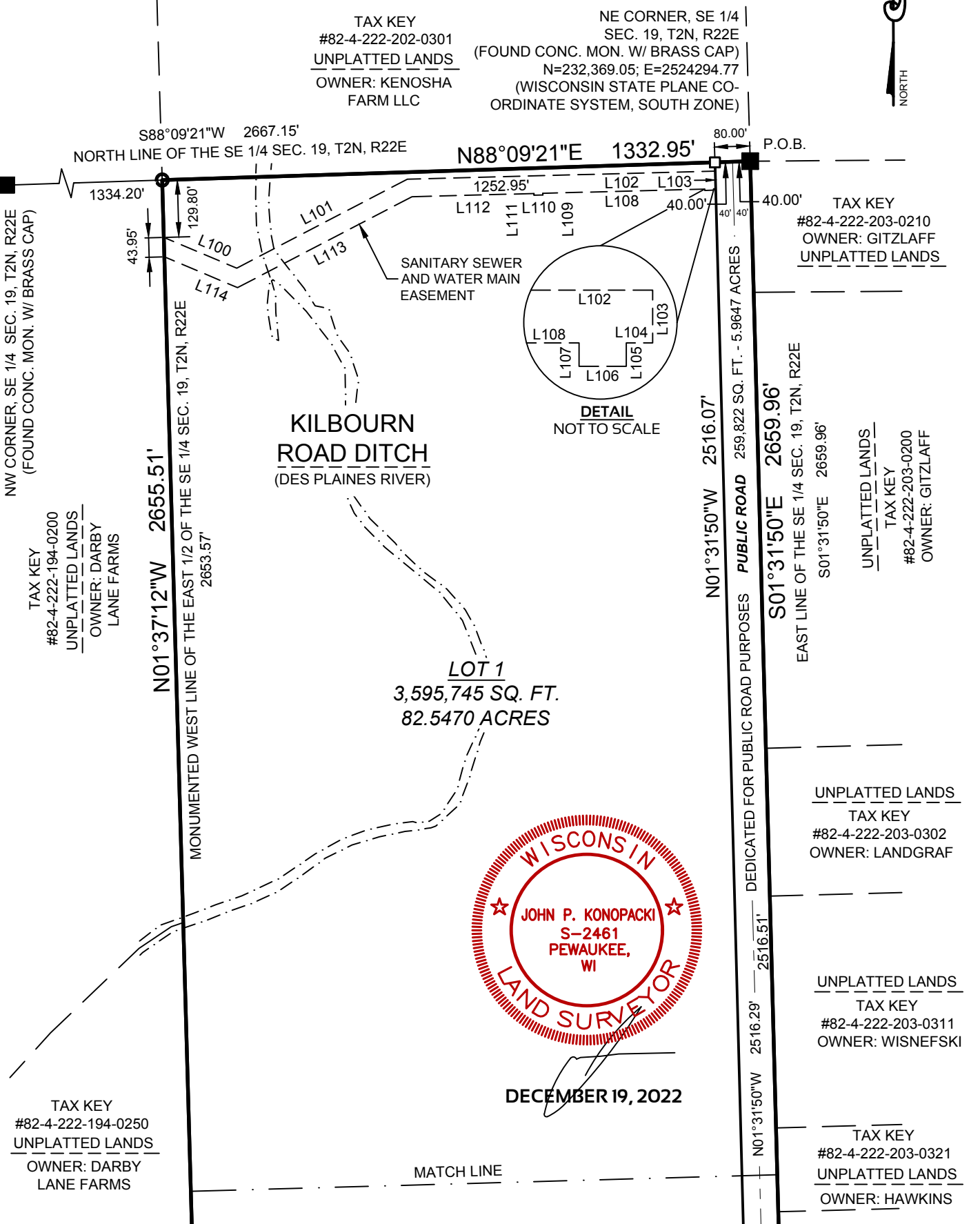
Prepared By:
PINNACLE ENGINEERING GROUP
20725 WATERTOWN ROAD | SUITE 100
BROOKFIELD, WI 53186
OFFICE: (262) 754-8888

This instrument drafted by John P. Konopacki, PLS-License No. S-2461

PEG JOB#2360.00
SHEET 1 OF 14

CERTIFIED SURVEY MAP NO. _____

Being a part of Lot 1 of Certified Survey Map No. 278 and additional lands in the Northeast 1/4 and Southeast 1/4 of the Southeast 1/4 of Section 19 and in the Northeast 1/4 of the Northeast 1/4 of Section 30, Township 2 North, Range 22 East, Village of Somers, Kenosha County, Wisconsin



TAX KEY
#82-4-222-202-0301
UNPLATTED LANDS
OWNER: KENOSHA FARM LLC

NE CORNER, SE 1/4
SEC. 19, T2N, R22E
(FOUND CONC. MON. W/ BRASS CAP)
N=232,369.05; E=2524294.77
(WISCONSIN STATE PLANE CO-ORDINATE SYSTEM, SOUTH ZONE)

TAX KEY
#82-4-222-203-0210
UNPLATTED LANDS
OWNER: GITZLAFF

TAX KEY
#82-4-222-194-0200
UNPLATTED LANDS
OWNER: DARBY LANE FARMS

UNPLATTED LANDS
TAX KEY
#82-4-222-203-0200
OWNER: GITZLAFF

UNPLATTED LANDS
TAX KEY
#82-4-222-203-0302
OWNER: LANDGRAF

UNPLATTED LANDS
TAX KEY
#82-4-222-203-0311
OWNER: WISNEFSKI

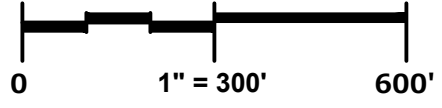
TAX KEY
#82-4-222-203-0321
UNPLATTED LANDS
OWNER: HAWKINS



DECEMBER 19, 2022

- LEGEND:**
- - Denotes Found 1-1/2" Iron Pipe
 - - Denotes Set 3/4" X 18" Iron Rebar, 1.5 LBS./FT.

GRAPHICAL SCALE (FEET)



Prepared By:
PINNACLE ENGINEERING GROUP
20725 WATERTOWN ROAD | SUITE 100
BROOKFIELD, WI 53186
OFFICE: (262) 754-8888

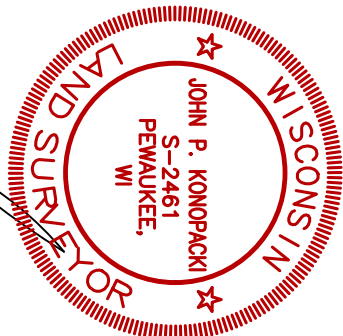
This instrument drafted by John P. Konopacki, PLS-License No. S-2461

PEG JOB#2360.00
SHEET 2 OF 14

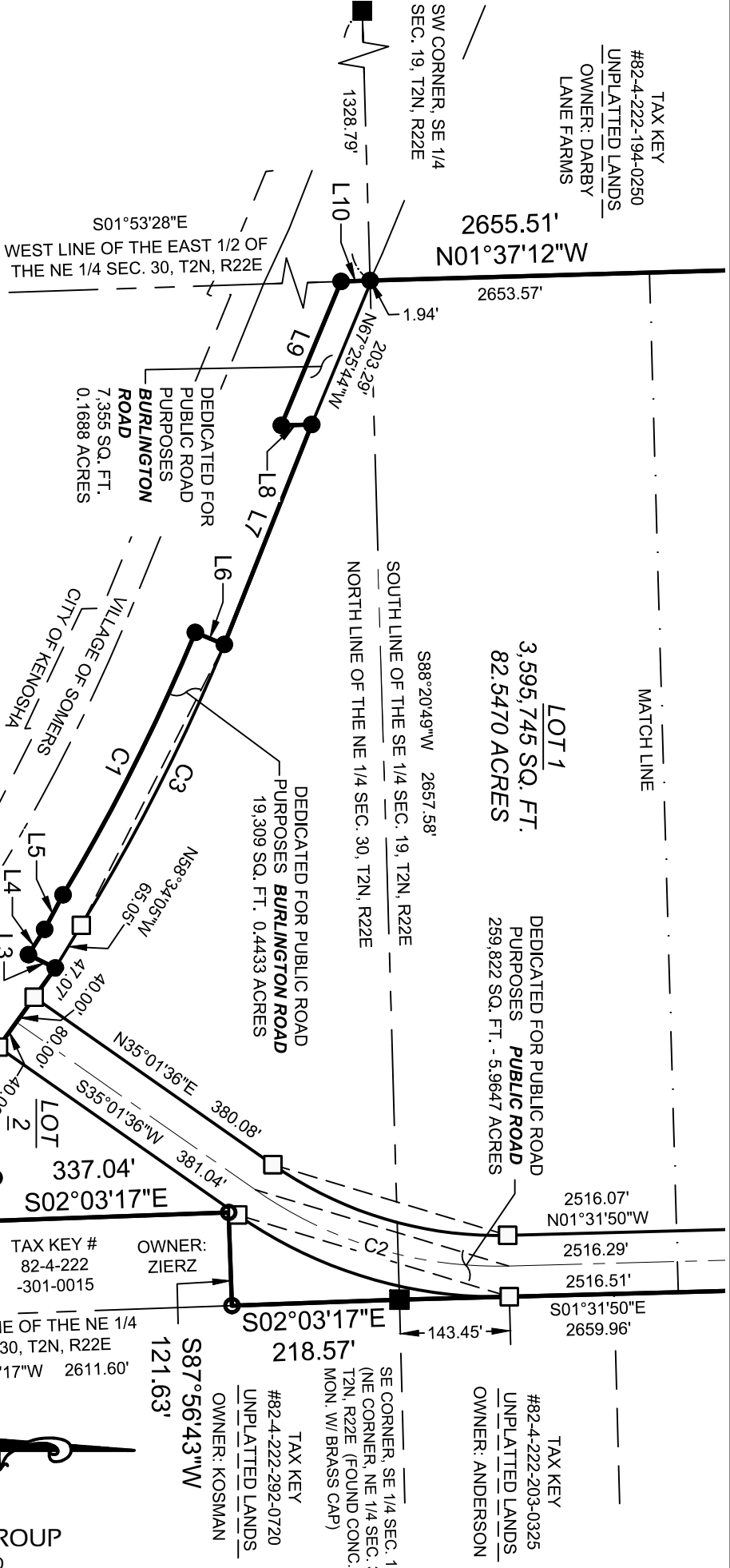
CERTIFIED SURVEY MAP NO. _____

Being a part of Lot 1 of Certified Survey Map No. 278 and additional lands in the Northeast 1/4 and Southeast 1/4 of the Southeast 1/4 of Section 19 and in the Northeast 1/4 of the Northeast 1/4 of Section 30, Township 2 North, Range 22 East, Village of Somers, Kenosha County, Wisconsin

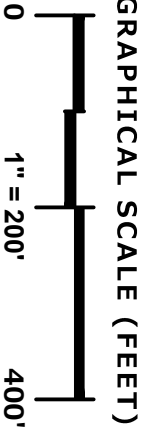
TAX KEY
#82-4-222-194-0250
UNPLATTED LANDS
OWNER: DARBY
LANE FARMS



DECEMBER 19, 2022



- LEGEND:**
- - Denotes Found 1" Iron Pipe
 - - Denotes Found 3/4" Iron Rebar
 - - Denotes Set 3/4" X 18" Iron Rebar, 15 LBS./FT.



UNPLATTED LANDS
TAX KEY #
82-4-222-301-0020
OWNER: COUNTY
OF KENOSHA



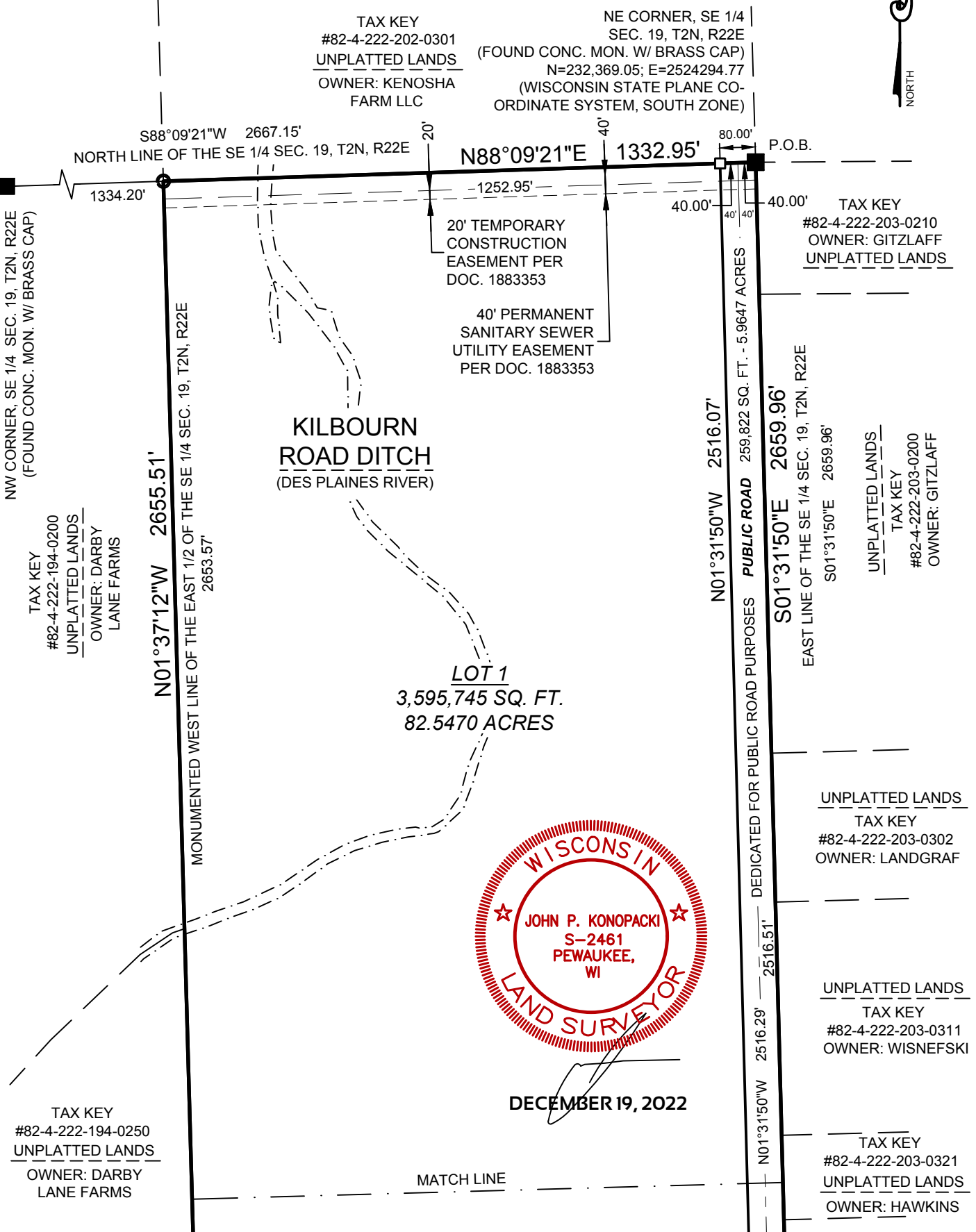
Prepared By:
PINNACLE ENGINEERING GROUP
20725 WATERTOWN ROAD | SUITE 100
BROOKFIELD, WI 53186
OFFICE: (262) 754-8888

This instrument drafted by John P. Konopacki, PLS-License No. S-2461

PEG JOB#2360.00
SHEET 3 OF 14

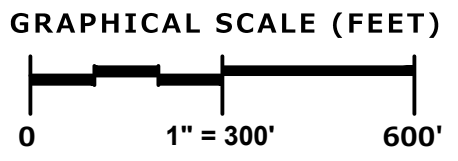
CERTIFIED SURVEY MAP NO. _____

Being a part of Lot 1 of Certified Survey Map No. 278 and additional lands in the Northeast 1/4 and Southeast 1/4 of the Southeast 1/4 of Section 19 and in the Northeast 1/4 of the Northeast 1/4 of Section 30, Township 2 North, Range 22 East, Village of Somers, Kenosha County, Wisconsin



DECEMBER 19, 2022

- LEGEND:**
- - Denotes Found 1-1/2" Iron Pipe
 - - Denotes Set 3/4" X 18" Iron Rebar, 1.5 LBS./FT.



Prepared By:
PINNACLE ENGINEERING GROUP
20725 WATERTOWN ROAD | SUITE 100
BROOKFIELD, WI 53186
OFFICE: (262) 754-8888

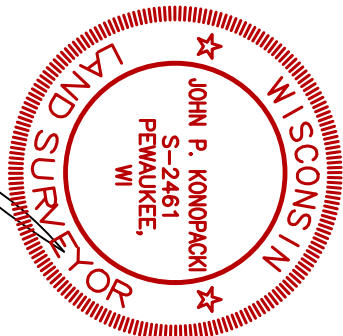
This instrument drafted by John P. Konopacki, PLS-License No. S-2461

PEG JOB#2360.00
SHEET 4 OF 14

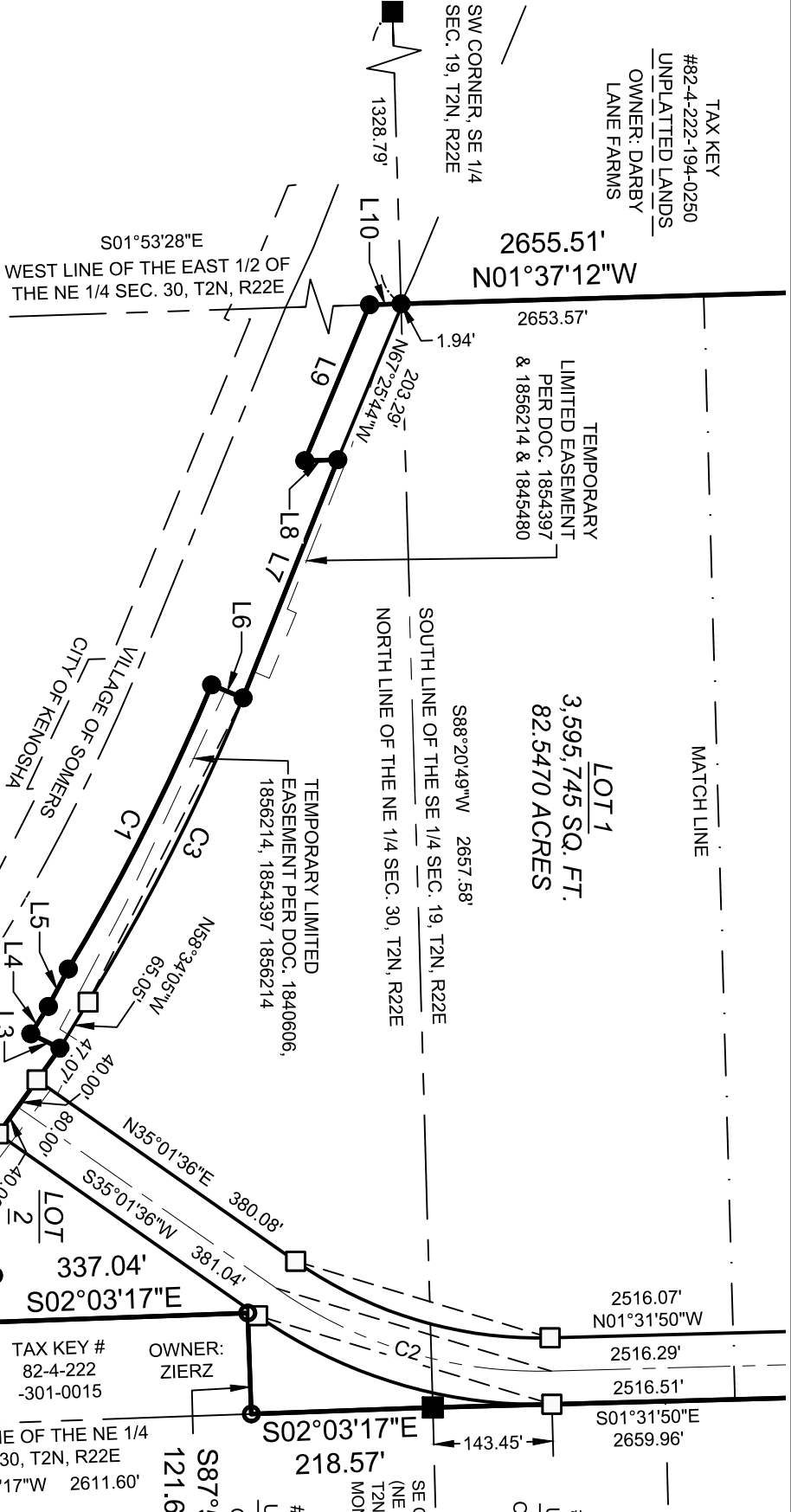
CERTIFIED SURVEY MAP NO. _____

Being a part of Lot 1 of Certified Survey Map No. 278 and additional lands in the Northeast 1/4 and Southeast 1/4 of the Southeast 1/4 of Section 19 and in the Northeast 1/4 of the Northeast 1/4 of Section 30, Township 2 North, Range 22 East, Village of Somers, Kenosha County, Wisconsin

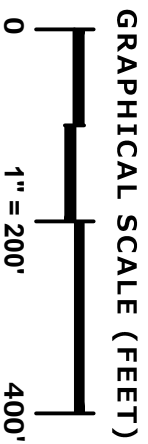
TAX KEY
#82-4-222-194-0250
UNPLATTED LANDS
OWNER: DARBY
LANE FARMS



DECEMBER 19, 2022



- LEGEND:**
- - Denotes Found 1" Iron Pipe
 - - Denotes Found 3/4" Iron Rebar
 - - Denotes Set 3/4" X 18" Iron Rebar, 15 LBS./FT.



LOT 2
55,707 SQ. FT.
1,278.9 ACRES

UNPLATTED LANDS
TAX KEY #
82-4-222-301-0020
OWNER: COUNTY OF KENOSHA

SE CORNER, NE 1/4 SEC. 30, T2N, R22E (FOUND 2" IRON PIPE IN ROOT OF TREE)



Prepared By:
PINNACLE ENGINEERING GROUP
20725 WATERTOWN ROAD | SUITE 100
BROOKFIELD, WI 53186
OFFICE: (262) 754-8888

This instrument drafted by John P. Konopacki, PLS-License No. S-2461

TAX KEY
#82-4-222-203-0325
UNPLATTED LANDS
OWNER: ANDERSON

TAX KEY
#82-4-222-292-0720
UNPLATTED LANDS
OWNER: KOSMAN

PEG JOB#2360.00
SHEET 5 OF 14

CERTIFIED SURVEY MAP NO. _____

Being a part of Lot 1 of Certified Survey Map No. 278 and additional lands in the Northeast 1/4 and Southeast 1/4 of the Southeast 1/4 of Section 19 and in the Northeast 1/4 of the Northeast 1/4 of Section 30, Township 2 North, Range 22 East, Village of Somers, Kenosha County, Wisconsin



NE CORNER, SE 1/4
 SEC. 19, T2N, R22E
 (FOUND CONC. MON. W/ BRASS CAP)
 N=232,369.05; E=2524294.77
 (WISCONSIN STATE PLANE CO-
 ORDINATE SYSTEM, SOUTH ZONE)

WETLAND PER HEARTLAND
 ECOLOGICAL GROUP INC.
 OCTOBER 2021

N88°09'21"E 1332.95' P.O.B.

NW CORNER, SE 1/4 SEC. 19, T2N, R22E
 (FOUND CONC. MON. W/ BRASS CAP)

N01°37'12"W 2655.51'

SECONDARY ENVIRONMENTAL
 CORRIDOR PER SOUTHEAST
 WISCONSIN REGIONAL
 PLANNING COMMISSION 2010
 ENVIRONMENTAL CORRIDORS

LOT 1

DEDICATED FOR PUBLIC ROAD PURPOSES
 S01°31'50"E 2659.96'

APPROXIMATE ORDINARY
 HIGH WATER MARK
 EL.=703.6

100 YEAR
 FLOOD PLAIN



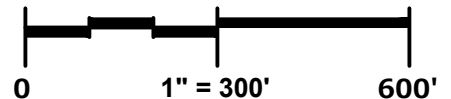
DECEMBER 19, 2022

MATCH LINE

LEGEND:

- - Denotes Found 1-1/2" Iron Pipe
- - Denotes Set 3/4" X 18" Iron Rebar, 1.5 LBS./FT.

GRAPHICAL SCALE (FEET)



Prepared By:

PINNACLE ENGINEERING GROUP

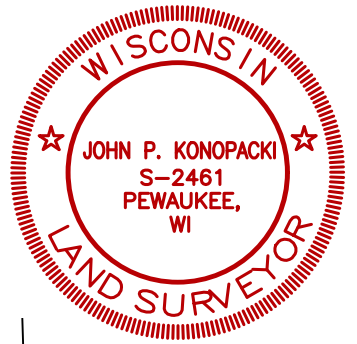
20725 WATERTOWN ROAD | SUITE 100
 BROOKFIELD, WI 53186
 OFFICE: (262) 754-8888

This instrument drafted by John P. Konopacki, PLS-License No. S-2461

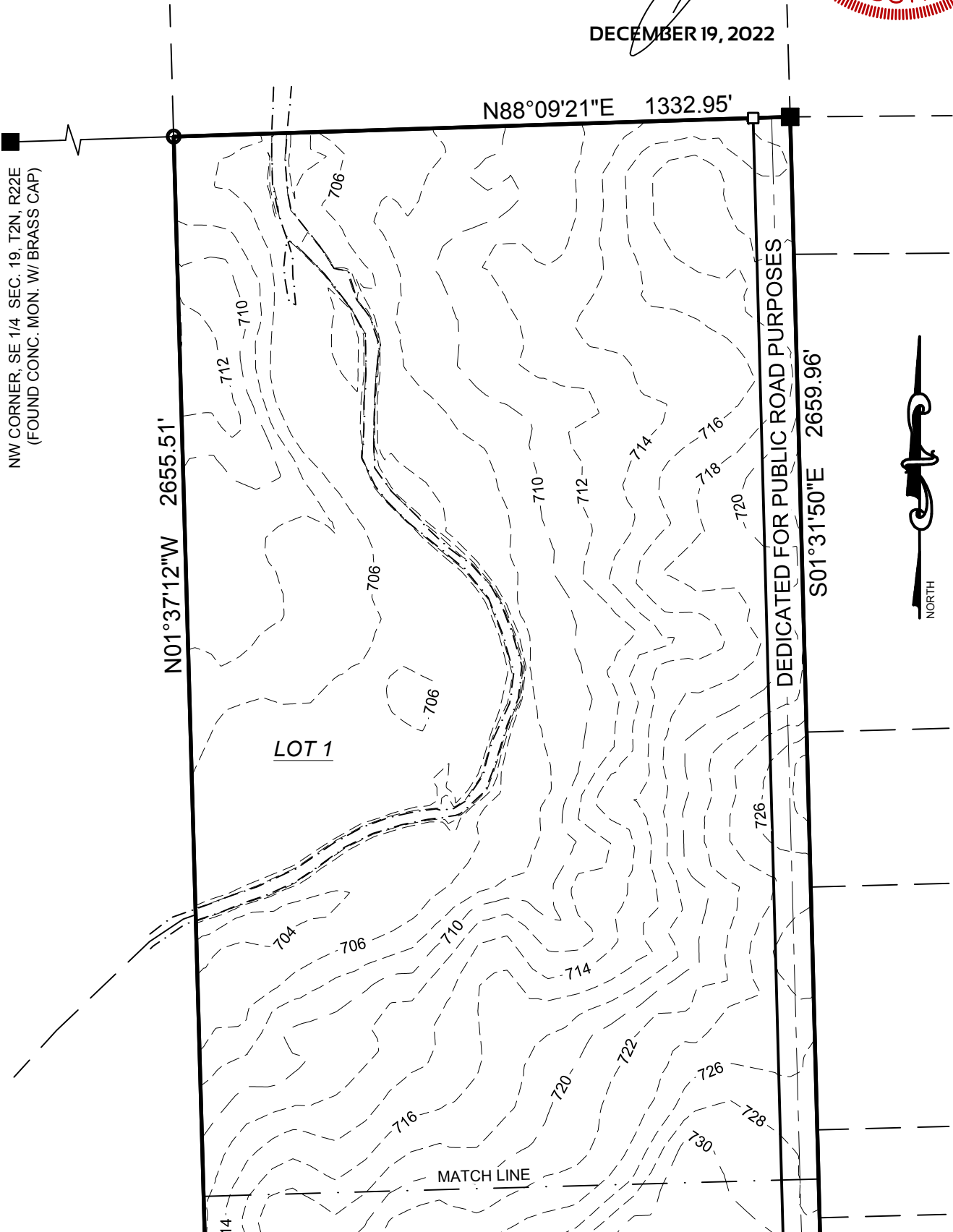
PEG JOB#2360.00
SHEET 6 OF 14

CERTIFIED SURVEY MAP NO. _____

Being a part of Lot 1 of Certified Survey Map No. 278 and additional lands in the Northeast 1/4 and Southeast 1/4 of the Southeast 1/4 of Section 19 and in the Northeast 1/4 of the Northeast 1/4 of Section 30, Township 2 North, Range 22 East, Village of Somers, Kenosha County, Wisconsin



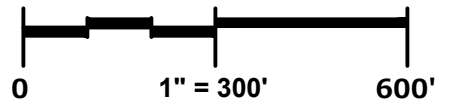
DECEMBER 19, 2022



LEGEND:

- - Denotes Found 1-1/2" Iron Pipe
- - Denotes Set 3/4" X 18" Iron Rebar, 1.5 LBS./FT.

GRAPHICAL SCALE (FEET)



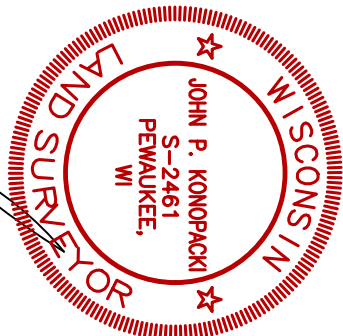
Prepared By:
PINNACLE ENGINEERING GROUP
 20725 WATERTOWN ROAD | SUITE 100
 BROOKFIELD, WI 53186
 OFFICE: (262) 754-8888

This instrument drafted by John P. Konopacki, PLS-License No. S-2461

PEG JOB#2360.00
SHEET 7 OF 14

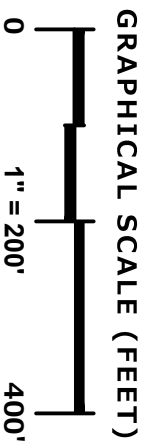
CERTIFIED SURVEY MAP NO. _____

Being a part of Lot 1 of Certified Survey Map No. 278 and additional lands in the Northeast 1/4 and Southeast 1/4 of the Southeast 1/4 of Section 19 and in the Northeast 1/4 of the Northeast 1/4 of Section 30, Township 2 North, Range 22 East, Village of Somers, Kenosha County, Wisconsin

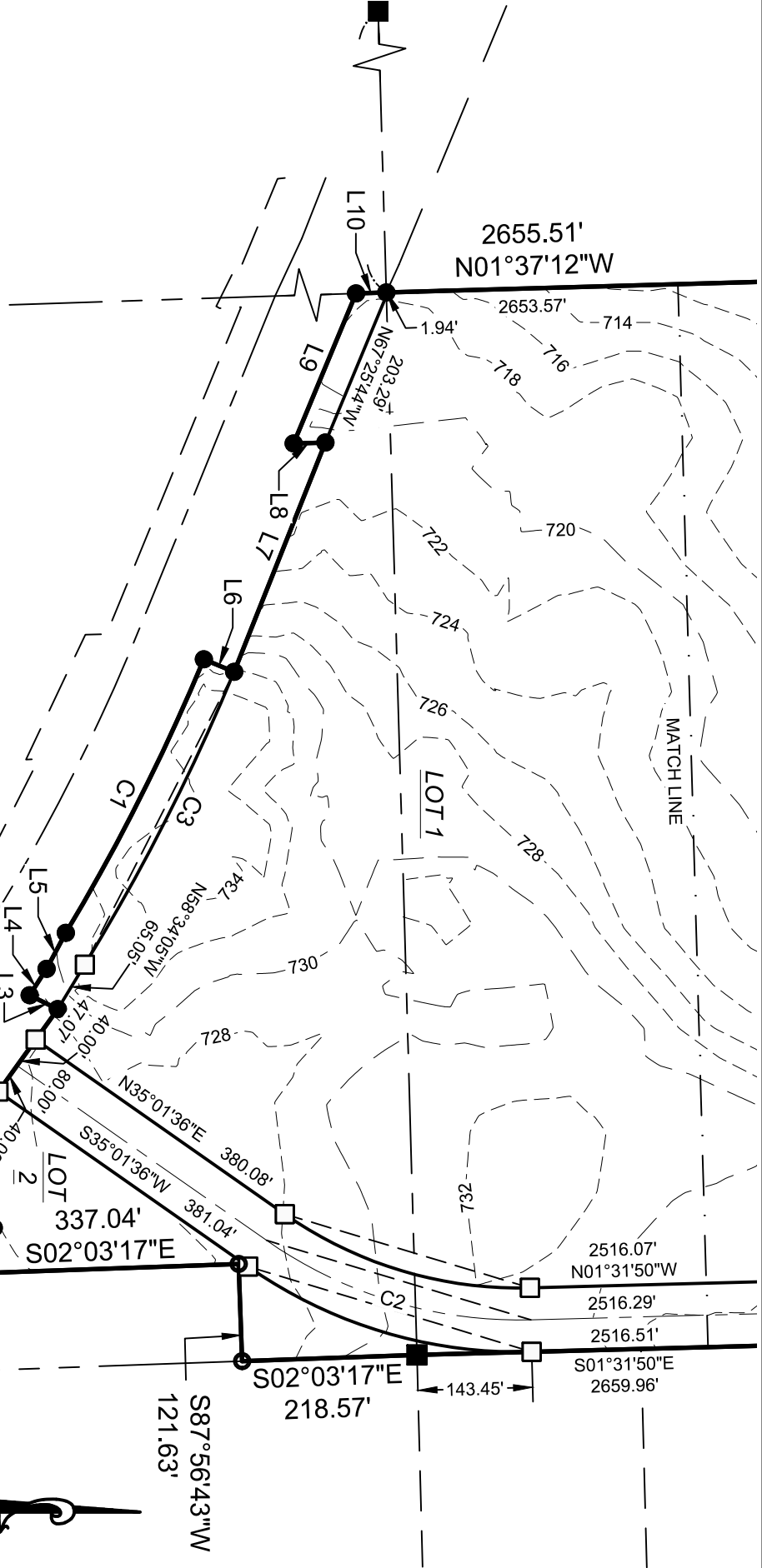


DECEMBER 19, 2022

- LEGEND:**
- - Denotes Found 1" Iron Pipe
 - - Denotes Found 3/4" Iron Rebar
 - - Denotes Set 3/4" X 18" Iron Rebar, 15 LBS./FT.



BURLINGTON ROAD
COUNTY TRUNK HIGHWAY "S"
 (VARIABLE PUBLIC R.O.W.)



Prepared By:
PINNACLE ENGINEERING GROUP
 20725 WATERTOWN ROAD | SUITE 100
 BROOKFIELD, WI 53186
 OFFICE: (262) 754-8888

This instrument drafted by John P. Konopacki, PLS-License No. S-2461

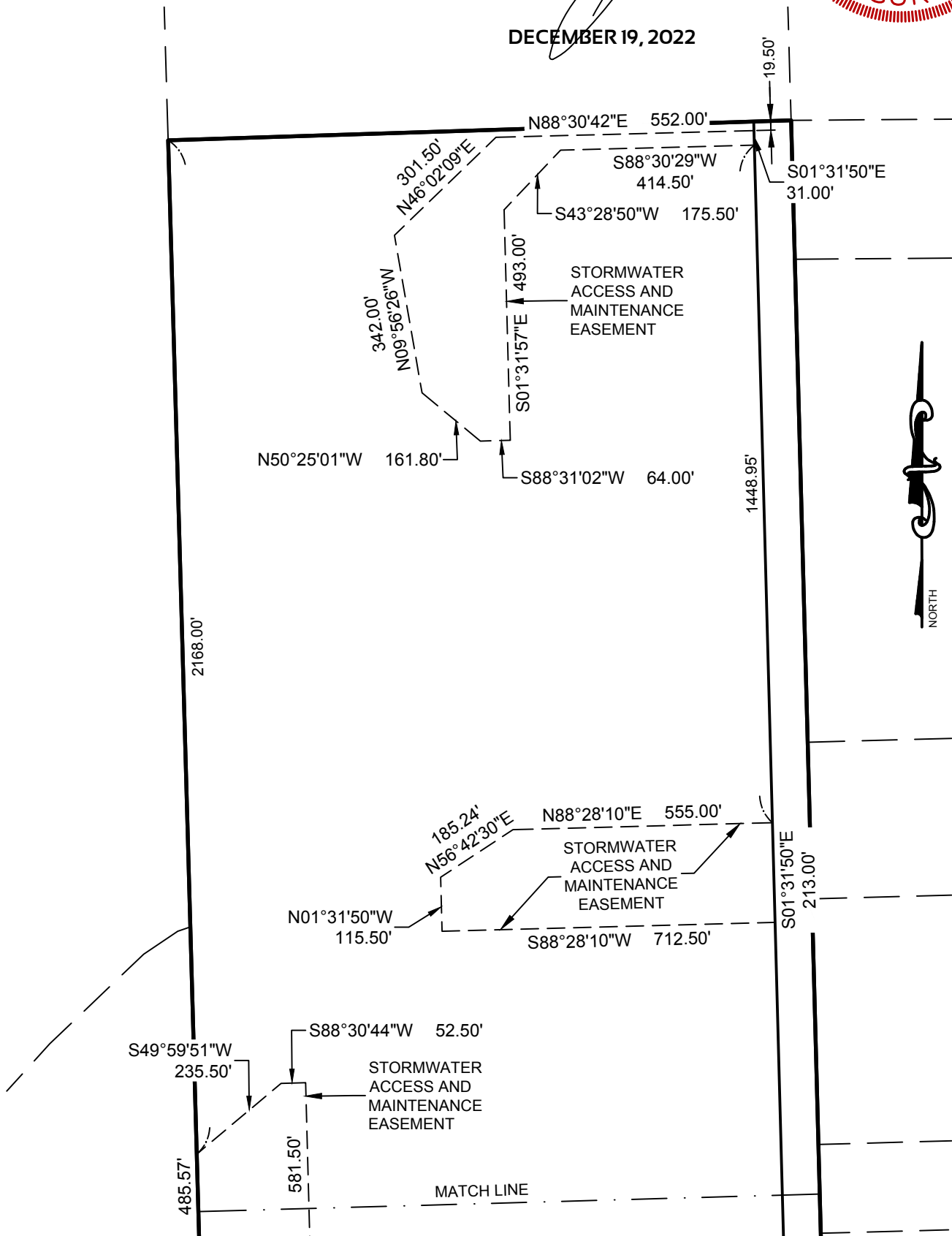
PEG JOB#2360.00
SHEET 8 OF 14

CERTIFIED SURVEY MAP NO. _____

Being a part of Lot 1 of Certified Survey Map No. 278 and additional lands in the Northeast 1/4 and Southeast 1/4 of the Southeast 1/4 of Section 19 and in the Northeast 1/4 of the Northeast 1/4 of Section 30, Township 2 North, Range 22 East, Village of Somers, Kenosha County, Wisconsin



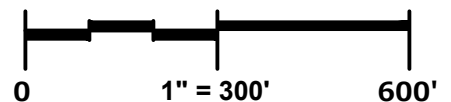
DECEMBER 19, 2022



LEGEND:

- - Denotes Found 1-1/2" Iron Pipe
- - Denotes Set 3/4" X 18" Iron Rebar, 1.5 LBS./FT.

GRAPHICAL SCALE (FEET)



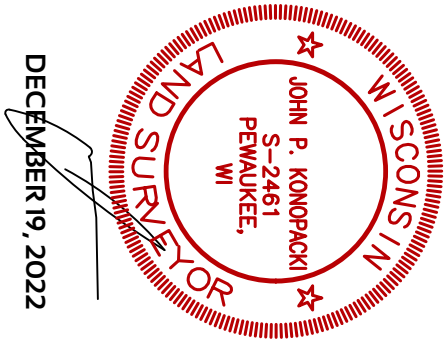
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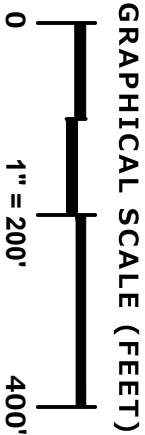
PEG JOB#2360.00
SHEET 9 OF 14

CERTIFIED SURVEY MAP NO. _____

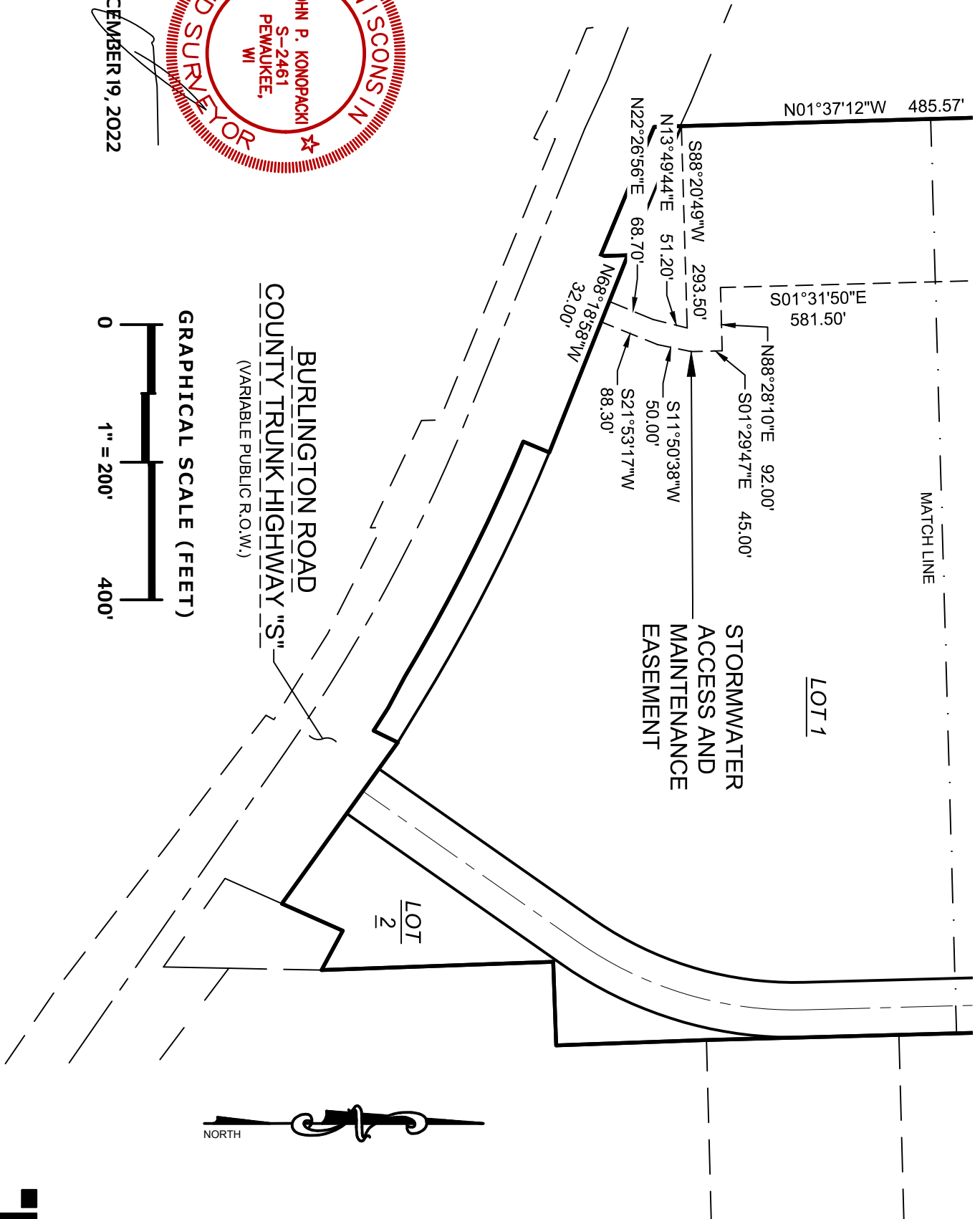
Being a part of Lot 1 of Certified Survey Map No. 278 and additional lands in the Northeast 1/4 and Southeast 1/4 of the Southeast 1/4 of Section 19 and in the Northeast 1/4 of the Northeast 1/4 of Section 30, Township 2 North, Range 22 East, Village of Somers, Kenosha County, Wisconsin



DECEMBER 19, 2022



BURLINGTON ROAD
COUNTY TRUNK HIGHWAY "S"
(VARIABLE PUBLIC R.O.W.)



Prepared By:
PINNACLE ENGINEERING GROUP
20725 WATERTOWN ROAD | SUITE 100
BROOKFIELD, WI 53186
OFFICE: (262) 754-8888

This instrument drafted by John P. Konopacki, PLS-License No. S-2461

PEG JOB#2360.00
SHEET 10 OF 14

CERTIFIED SURVEY MAP NO. _____

Being a part of Lot 1 of Certified Survey Map No. 278 and additional lands in the Northeast 1/4 and Southeast 1/4 of the Southeast 1/4 of Section 19 and in the Northeast 1/4 of the Northeast 1/4 of Section 30, Township 2 North, Range 22 East, Village of Somers, Kenosha County, Wisconsin

SURVEYOR'S CERTIFICATE

STATE OF WISCONSIN)
WAUKESHA COUNTY) SS

I, John P. Konopacki, Professional Land Surveyor, do hereby certify:

That I have surveyed, mapped and divided that part of Lot 1 of Certified Survey Map No. 278, as recorded in the Register of Deeds office for Kenosha County as Document No. 592423, and additional lands in the Northeast 1/4 and Southeast 1/4 of the Southeast 1/4 of Section 19 and in the Northeast 1/4 of the Northeast 1/4 of Section 30, Township 2 North, Range 22 East, Village of Somers, Kenosha County, Wisconsin described as follows:

Beginning at the northeast corner of the Southeast 1/4 of said Section 19;
Thence South 01°31'50" East along the east line of said Southeast 1/4, 2659.96 feet to the southeast corner of said Southeast 1/4;
Thence South 02°03'17" East along the east line of the Northeast 1/4 of Section 30, 218.57 feet;
Thence South 87°56'43" West, 121.63 feet;
Thence South 02°03'17" East, 337.04 feet;
Thence North 61°38'30" West, 65.00 feet;
Thence South 23°55'30" West, 96.86 feet to the north right of way line of Burlington Road;
Thence North 54°16'56" West along said north right of way line, 288.51 feet to the east line of Certified Survey Map No. 278;
Thence South 26°07'56" West along the east line of said Lot 1, 39.07 feet to the north right of way line of Burlington Road - County Trunk Highway "S";
Thence North 57°29'29" West along said north line, 39.18 feet;
Thence North 61°50'54" West along said north line, 51.08 feet to a point on a curve;
Thence northwesterly 383.40 feet along the arc of said curve to the left and said north right of way line, whose radius is 2617.00 feet and whose chord bears North 63°14'09" West, 383.06 feet;
Thence North 22°34'02" East along said north right of way line, 41.00 feet;
Thence North 68°18'58" West along said north right of way line, 308.49 feet;
Thence South 01°39'49" East along said north right of way line, 39.68 feet;
Thence North 67°25'58" West along said north right of way line, 203.12 feet to the west line of the East 1/2 of the Northeast 1/4 of Section 30;
Thence North 01°53'28" West along said west line, 37.83 feet to a point on the north line of the Northeast 1/4 of said Section 30;
Thence North 01°37'12" West along the monumented west line of the East 1/2 of the Southeast 1/4 of Section 19, 2655.51 feet to the north line of said Southeast 1/4;
Thence North 88°09'21" East along said north line, 1332.95 feet to the Point of Beginning.

Dedicating that portion of subject property as graphically shown for public right of way purposes.

Containing 3,940,850 square feet (90.4695 acres) of land Gross and 3,654,364 square feet (83.8927 acres) of land Net more or less.


That I have made such survey, land division and map by the direction of SRPF D/BURLINGTON RD, LLC, owner of said land.

That such map is a correct representation of all the exterior boundaries of the land surveyed and the land division thereof made.

That I have fully complied with the requirements of Section 236.34 of the Wisconsin State Statutes and the Village of Somers Land Division and Platting Control Ordinance in surveying, mapping and dividing the land within the certified survey map.

Date: DECEMBER 19, 2022




John P. Konopacki
Professional Land Surveyor S-2461

Prepared By:

PINNACLE ENGINEERING GROUP

20725 WATERTOWN ROAD | SUITE 100

BROOKFIELD, WI 53186

OFFICE: (262) 754-8888

This instrument drafted by John P. Konopacki, PLS-License No. S-2461

PEG JOB#2360.00

SHEET 11 OF 14

CERTIFIED SURVEY MAP NO. _____

Being a part of Lot 1 of Certified Survey Map No. 278 and additional lands in the Northeast 1/4 and Southeast 1/4 of the Southeast 1/4 of Section 19 and in the Northeast 1/4 of the Northeast 1/4 of Section 30, Township 2 North, Range 22 East, Village of Somers, Kenosha County, Wisconsin

OWNER'S CERTIFICATE OF DEDICATION

SRPF D/BURLINGTON RD, LLC, a Limited Liability Company duly organized and existing under and by virtue of the laws of the State of _____, as owner, does hereby certify that said limited liability company caused the land described on this certified survey map to be surveyed, divided, mapped and dedicated as represented on this certified survey map.

SRPF D/BURLINGTON RD, LLC, as owner, does further certify that this certified survey map is required by Chapter 236 of the Wisconsin State Statutes to be submitted to the following for approval:

- 1. Village of Somers

IN WITNESS WHEREOF, the said SRPF D/BURLINGTON RD, LLC has caused these presents to be signed by (name - print) _____, (title) _____, at (city) _____, _____ County, _____ (State), on this _____ day of _____, 20____.

In the presence of: SRPF D/BURLINGTON RD, LLC

Name (signature) - Title

STATE OF _____)
_____ COUNTY) SS

Personally came before me this _____ day of _____, 20____, (name) _____, (title) _____, of the above named SRPF D/BURLINGTON RD, LLC, to me known to be the person who executed the foregoing instrument, and to me known to be such _____ (title) of said limited liability company, and acknowledged that they executed the foregoing instrument as such officer as the deed of said limited liability company, by its authority.

Notary Public
Name: _____
State of _____
My Commission Expires: _____

CONSENT OF CORPORATE MORTGAGEE

_____, a corporation duly organized and existing under and by virtue of the laws of the State of _____, mortgagee of the above described land, does hereby consent to the surveying, dividing, mapping and dedication of the land described in the forgoing affidavit of John P. Konopacki, surveyor, and does hereby consent to the above certification of owners.

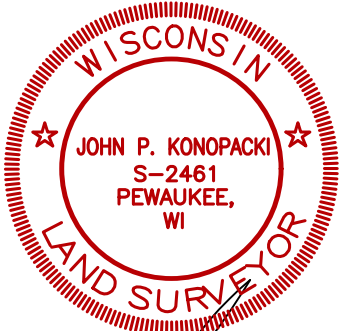
IN WITNESS WHEREOF, the said _____, has caused these presents to be signed by _____, its _____, and its corporate seal to be hereunto affixed this _____ day of _____, 20____.

Date Name - Title

STATE OF _____)
_____ COUNTY) SS

Personally came before me this _____ day of _____, 20____, _____, to me known to be the person who executed the foregoing instrument and to me known to be such officer of said corporation and acknowledged the same.

Notary Public
Name: _____
State of _____
My Commission Expires: _____



DECEMBER 19, 2022

Prepared By:
PINNACLE ENGINEERING GROUP
20725 WATERTOWN ROAD | SUITE 100
BROOKFIELD, WI 53186
OFFICE: (262) 754-8888

This instrument drafted by John P. Konopacki, PLS-License No. S-2461

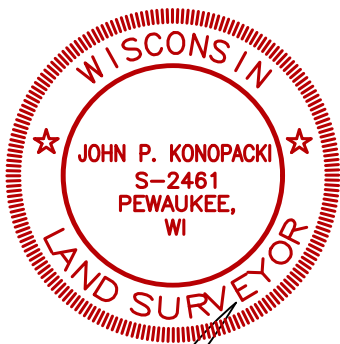
PEG JOB#2360.00
SHEET 12 OF 14

CERTIFIED SURVEY MAP NO. _____

Being a part of Lot 1 of Certified Survey Map No. 278 and additional lands in the Northeast 1/4 and Southeast 1/4 of the Southeast 1/4 of Section 19 and in the Northeast 1/4 of the Northeast 1/4 of Section 30, Township 2 North, Range 22 East, Village of Somers, Kenosha County, Wisconsin

SANITARY SEWER AND WATER MAIN EASEMENT		
LINE NO.	BEARING	DISTANCE
L100	S67°09'08"E	179.29'
L101	N62°28'07"E	435.97'
L102	N88°30'29"E	697.59'
L103	S01°31'50"E	40.00'
L104	S88°30'29"W	4.80'
L105	S01°29'31"E	3.00'
L106	S88°30'29"W	20.00'
L107	N01°29'31"W	3.00'
L108	S88°30'29"W	367.05'
L109	S01°29'31"E	3.75'
L110	S88°30'29"W	20.00'
L111	N01°29'31"W	3.75'
L112	S88°30'29"W	276.52'
L113	S62°28'07"W	445.53'
L114	N67°09'08"W	179.90'

LINE TABLE		
LINE NO.	BEARING	DISTANCE
L1	N61°38'30"W	65.00'
L2	S23°55'30"W	96.86'
L3	S26°07'56"W	39.07'
L4	N57°29'29"W	39.18'
L5	N61°50'54"W	51.08'
L6	N22°34'02"E	41.00'
L7	N68°18'58"W	308.49'
L8	S01°39'49"E	39.68'
L9	N67°25'58"W	203.12'
L10	N01°53'28"W	37.83'



DECEMBER 19, 2022

CURVE TABLE							
CURVE NO.	LENGTH	RADIUS	DELTA	CHORD BEARING	CHORD LENGTH	TANGENT IN	TANGENT OUT
C1	383.40'	2617.00'	008°23'39"	N63°14'09"W	383.06'	N59°02'20"W	N67°25'58"W
C2	350.93'	550.00'	036°33'27"	N16°44'53"E	345.00'	N35°01'36"E	N01°31'50"W
WEST ROW	325.40'	510.00'	036°33'27"	N16°44'53"E	319.91'	N35°01'36"E	N01°31'50"W
EAST ROW	376.45'	590.00'	036°33'27"	N16°44'53"E	370.09'	N35°01'36"E	N01°31'50"W
C3	411.25'	2658.00'	008°51'53"	N63°00'02"W	410.84'	N58°34'05"W	N67°25'58"W

Prepared By:
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 20725 WATERTOWN ROAD | SUITE 100
 BROOKFIELD, WI 53186
 OFFICE: (262) 754-8888

This instrument drafted by John P. Konopacki, PLS-License No. S-2461

PEG JOB#2360.00
SHEET 13 OF 14

CERTIFIED SURVEY MAP NO. _____

Being a part of Lot 1 of Certified Survey Map No. 278 and additional lands in the Northeast 1/4 and Southeast 1/4 of the Southeast 1/4 of Section 19 and in the Northeast 1/4 of the Northeast 1/4 of Section 30, Township 2 North, Range 22 East, Village of Somers, Kenosha County, Wisconsin

PLAN COMMISSION APPROVAL

Approved by the Plan Commission of the Village of Somers on this _____ day of _____, 20__.

Date

George Stoner, Chairman

Date

Mary Ann Cole, Clerk-Treasurer

VILLAGE BOARD APPROVAL

Approved by the Village Board of the Village of Somers on this _____ day of _____, 20__.

Date

George Stoner, Village President

Date

Brandi Baker, Clerk-Treasurer




DECEMBER 19, 2022

 Prepared By:
PINNACLE ENGINEERING GROUP
20725 WATERTOWN ROAD | SUITE 100
BROOKFIELD, WI 53186
OFFICE: (262) 754-8888

This instrument drafted by John P. Konopacki, PLS-License No. S-2461

PEG JOB#2360.00
SHEET 14 OF 14

**VILLAGE OF SOMERS
VILLAGE BOARD
MEETING ITEM MEMORANDUM**

MEETING DATE: February 14th, 2023

TO: Village President Stoner and Village Trustees

PREPARED BY: Jason J. Peters, Administrator

AGENDA ITEM: #8 Discussion and possible action on approval of hiring of Scott Seymour for the position of Building Inspector

BACKGROUND:

Early in 2023, Village Inspector Russ Nolen informed the Village of his intent to retire. The position has been posed since early January. Several resumes were submitted to the Village. Staff interviewed Scott Seymour on February 8th. Mr. Seymour possesses all the certifications and work experience the interview panel was looking for.

PRIOR ACTION TAKEN:

After checking references, Administrator Peters tendered an offer to Mr. Seymour. After a small amount of negotiations, he accepted a salary of \$75,000 with three weeks of vacation and is scheduled to report to work on Feb. 27, 2023. The matter has not been previously reviewed by the Board.

SUGGESTED ACTION/ACTION REQUESTED/COMMENTS:

As the three weeks of vacation is a small deviation from our Employee Manual, Administrator Peters would like the offer to be formally approved by the Board. In the event that the Village Board agrees with the suggested action, a suggested motion to approve would be as follows:

“Motion to approve the hiring of Scott Seymour for the position of Building Inspector with offer tendered”

ATTACHMENTS:

Resume

Scott A. Seymour

Objective: To join the Somer's Village/Town Building Department as a Building Inspector working in a team environment, aligning with my strong work ethic and desire for positive community relations.

Qualifications/Certifications

State of Wisconsin DSPS Certified:

- Commercial Building & HVAC Inspector
- UDC Construction & HVAC Inspector
- UDC Plumbing Inspector
- UDC Electrical Inspector
- Erosion Control Inspector

American Heart Association: *Heartsaver CPR AED Certified Provider*

Education

Associate Degree Program- Civil Engineering (Architectural/ Structural), Gateway Technical College

- Graduated May 2012 on Dean's List with 3.75 GPA
- Course work included AutoCAD, REVIT 3D Architecture, AutoCAD Civil 3D, Structural Mechanics, Project Management, Construction Estimating, Reinforced Concrete, Steel Design and Detailing, Commercial/Residential Code

Professional Experience

Commercial/Residential Building Inspector, Village of Caledonia 05/2018- present

- Review plans and specifications for compliance with local and state building codes
- Conduct on-site building inspections, including footing, foundation, rough carpentry, insulation, soil erosion, and occupancy inspections
- Meet with contractors, owners and the general public to answer questions regarding building, and soil erosion codes
- Maintain accurate records of all Building, HVAC, Plumbing, and Electrical permits and inspections
- Coordinate with the zoning department all violations

Owner and Operator of Seymour Carpentry, Kenosha/Racine County area 09/2002- 05/2018

- Bid jobs from blueprints or custom design for finish carpentry, cabinetry, and stairways
- Design/ build/install custom fireplace mantels, cabinets, bookcases and architectural moldings
- Perform construction jobs including: drywall, replacing doors, windows, roofing, and siding

Professional Membership/Organizations

- Gateway Technical College Civil Engineering Program Advisory Board
- Building Inspectors Association of Southeast Wisconsin
- Lakeshore Repeater Association

Military Work Experience

Wisconsin Army National Guard, Racine, WI 12/2002-11/2010

Active Guard: Unit Readiness NCO, Armory Facilities Manager, Platoon Sergeant

- Managed daily unit operations & logistics including payroll, personnel files for over 120 Soldiers, supervised platoon of forty soldiers during deployment to Iraq, collaborated to develop and coordinate battery training schedules and activities

Reserve Guard: Non-Commissioned Officer & Army Instructor

Indiana National Guard, Artillery Section Team Leader, Spencer, IN 01/2000-11/2002

United States Marine Corps, Infantry, Anti-Tank Assaultman, Small Arms Weapons & Primary Marksmanship Instructor 07/1989-12/1999

**VILLAGE OF SOMERS
VILLAGE BOARD
MEETING ITEM MEMORANDUM**

MEETING DATE: February 14th, 2023

TO: Village President Stoner and Village Trustees

PREPARED BY: Jason J. Peters, Administrator

AGENDA ITEM: #9 Action on proposed Resolution 2023-002, A Resolution to amend the 2023 Budget to reference updated Capital Improvement Plan projects for 2023

BACKGROUND:

The Village adopted the 2023 Budget on November 29th, 2022 through Resolution 2022-021. At this meeting, President Stoner requested that several trucks be added to the CIP due to supply chain issues. It was suggested at that time that a Work Session be scheduled to discuss amending the CIP. In early January the Board reviewed the Fire Departments CIP requests.

Staff presented updates to the CIP at our February 7th Work Session. Below is a bullet pointed breakdown of the requests. Staff has broken down each fund and is presenting them in the attached separate spreadsheets. The attached Resolution includes the CIP Budget in the format that the said budget has been traditionally presented to the Board.

General Fund CIP

Key changes from 2023 CIP Budget approved in November 2022.

Administration

- \$0 increase, requested change from mobile radar to speed limit signs.

Paving

- Added 100th Avenue Mastic Crack Treatment
 - Increase \$57,600

Public Works

- Added Replacement of JBC Backhoe
 - \$253,000 (Full price Komatsu Model WA270 does not include trade in value of \$19,000)
- Added 12 Yard Snow Patrol Truck to 2024
 - 2024 Cash increase \$292,627
- Added 5 Yard Snow Patrol Truck to 2024
 - 2024 Cash increase \$283,746
- Added HD2500 Pickup and Snowplow (replace totaled 2013)
 - Increase \$51,600 (Full price, actual cost to Village is only \$30,600 due to settlement with insurance company)
- Added Asphalt Walk Behind Saw
 - Increase \$17,000
- Total increase from Original 2023 Public Works CIP
 - Increase of \$22,000

Public Safety

- Moved the following items from 2022 to 2023
 - \$75,000 for radio replacement
 - \$50,000 for Tender 6361 refurbishing
 - \$30,000 for Old Grass rig, new backend & plow
- Increase of \$155,000 (but this money has been rolled over from 2022)

New proposed Total General Fund CIP spending

- \$ 2,860,300

New proposed funds needed in 2023 Cash

- \$1,085,300

- Total Overall Cash
 - \$1,240,300

Stormwater CIP

- Added Neumiller Woods Phase II funds that were inadvertently removed from 2023 Budget
 - \$30,000 (rolled over from previous budgets)
- Added the hiring of Engineering firm for Stormwater Management Plan
 - \$30,000

New proposed funds needed in 2023 Cash

- \$30,000
- Total Overall Cash
 - \$175,000

One questions that always arises during the CIP process is the status of our onetime contributions. During our Saturday Work Session in September of 2022, Administrator Peters provided the Boards with a list of contributions received and possible contributions to be received in the future. Administrator Peters has updated this list. The years 2022 and 2023 are provided below. Those marked in yellow have been received and are earning interest.

One Time Contributions in 2023		One Time Contributions in 2022	
Darby/HSA	\$ 510,742.80	Becknell 49 acres	\$ 390,798.80
Grohs/Stream Building I	\$ 428,576.00	Carthage College	\$ 23,738.15
Grohs/Stream Building II	\$ 108,360.00	Eagle Chateau	\$ 4,590.00
Grohs/Stream Building III	\$ 117,390.00	Flint Building 1 lot 1	\$ 375,593.93
Home Inspired II	\$ 28,205.00	Flint Building 3 Lot 4	\$ 260,219.38
Mission 94	\$ 15,400.00	Market Lane Chipotle	\$ 14,863.15
Mister Car Wash	\$ 42,506.00		
Park 94	\$ 313,600.00		
Savannah	\$ 370,000.00		
Turn Key	\$ 4,590.00		
	\$ 1,939,369.80		\$ 1,069,803.41

PRIOR ACTION TAKEN:

The Board reviewed these changes to the general fund CIP at our February 7th Work Session. The Board also discussed the changes to the Storm Water Utility Budget at our February 7th Work Session.

SUGGESTED ACTION/ACTION REQUESTED/COMMENTS:

Staff would recommend the revisions to the 2023 CIP plan. In the event that the Village Board agrees with the suggested action, a suggested motion to approve would be as follows:

“Action on proposed Resolution 2023-002, A Resolution to amend the 2023 Budget to reference updated Capital Improvement Plan projects for 2023”

ATTACHMENTS:

Consolidated CIP

Resolution 2023-002

Exhibit A

2023 Consolidated CIP												
	2023 total proposed CIP budget	2023 proposed General fund	2023 proposed Sewer fund CIP	2023 proposed Water fund CIP	2023 proposed Stormwater fund CIP	2023 proposed TID #1 CIP	Use of funds					Use of carry over funds from previous borrowings
							Carried over from 2022	2023 borrowing	2023 cash	2024 cash	ARPA funds	
General fund:												
Paving:												
Somers Estates	1,500,000	1,500,000						1,500,000				
100 th Avenue Mastic Crack Treatment	57,600	57,600							57,600			
	1,557,600	1,557,600							57,600			
Public works:												
Replacement of 2001 JBC Backhoe -Average cost-(estimates -3)	253,000	253,000							253,000			
12-Yard Snow Patrol Truck-2024 Cash	292,627									292,627		
5-Yard Snow Patrol Truck-2024 Cash	283,746									283,746		
HD2500 Pickup and Snowplow-21,000 from insurance	51,600	51,600							51,600			
Asphalt Walk Behind Saw	17,000	17,000							17,000			
	897,973	321,600							321,600	576,373		
Parks:												
Bleacher Replacement	-	-										
Parking Addition	-	-										
	-	-										
Public Safety:												
Van to replace current inherited Public Works Van	75,000	75,000							75,000			
Equipment Trailer	-	-										
Chief Command Vehicle	100,000	100,000							100,000			
Replacement of UTV	100,000	100,000							100,000			
Drone	35,000	35,000							35,000			
Extrication Equipment	60,000	60,000							60,000			
Inflatable Fire Safety House	15,000	15,000							15,000			
Thermal Imagine Camera	25,000	25,000							25,000			
Plymponent Exhaust Removal System	70,000	70,000							70,000			
Impact Crash Absorption Trailer	35,000	35,000							35,000			
EMS Supply Inventory Control System	27,000	27,000							27,000			
Autoload Stretcher (6343 Ambulance)	-	-										
Battery Powered Ventilation Fans	20,000	20,000							20,000			
Light tower (6312)	-	-										
SCBA Replacement Program	60,000	60,000							60,000			
Radio Replacement	75,000	75,000					75,000					
Tender 6361 Refurbishment	50,000	50,000					50,000					
Old grass rig - new backend and new plow on - moved from 2020 to 2021	30,000	30,000					30,000					
	777,000	777,000					155,000		622,000			
Administration:												
Office Improvements	36,100	36,100							36,100			
Village buildings HVAC Repairs	13,000	13,000							13,000			
Flashing Speed Limit Sign-Qty 4	15,000	15,000							15,000			
Auditorium Audio/Video	120,000	120,000								120,000		
Replacement Computer Plan	20,000	20,000							20,000			
	204,100	204,100							84,100		120,000	
TOTAL GENERAL FUND	3,436,673	2,860,300					155,000		1,085,300	576,373	120,000	
Sewer fund:												
Eaglewood Lift Station Capacity Increase	750,000		750,000						750,000			
Lichter Lift Station	750,000		750,000						750,000			
I&I Replacement/Repaid Program	200,000		200,000						200,000			
2008 Chevrolet 1500 Pickup	51,000		51,000						51,000			
TOTAL SEWER FUND	1,751,000		1,751,000						1,751,000			
Water fund:												
Water Meter AMR Program	351,318			351,318							351,318	
TOTAL WATER FUND	351,318			351,318							351,318	

Village of Somers

RESOLUTION NO. 2023-002

**A RESOLUTION TO AMEND THE 2023 VILLAGE OF SOMERS
BUDGET TO REFERENCE UPDATED CAPITAL IMPROVEMENT PLAN
PROJECTS FOR 2023**

WHEREAS, the Village Board adopted a 2023 CIP Budget;

WHEREAS, there is a need to update the Capital Projects Plan to determine which capital projects and capital equipment purchases should go forward; and

WHEREAS, the Village Board has reviewed changes that need to be made to reference capital projects and capital equipment purchases that the Village Board wishes to move forward with in 2023; and

NOW THEREFORE, the Village Board of the Village of Somers, Kenosha County, Wisconsin does hereby resolve:

1. That the Amended 2023 Capital Projects Plan for the Village of Somers 2023 as set forth in Exhibit A, which is attached hereto and incorporated herein, is authorized and approved.

Dated this _____ day of February, 2023

George Stoner, President

Brandi Baker, Clerk-Treasurer

2/3 vote required

Village of Somers CIP Improvements - KR Sewer - 02/14/2023																													
Project	Departments Involved									Impr Year	Cost Estimate	Funding							Budget Year						Notes				
	Streets	Sanitary	Water	Storm	Parks	Fire	PW	Admin	Priority			Tax Levy	KR Sewer	TID #1	TID #2	TID #3	TID #4	Pot SW Util	Pot Donors	Pot Asm/Dev	2023	2024	2025	2026		2027	2028	2029	2030
Sanitary Utility																													
CTH KR Utility Relocation Project No. 191350 #2019-008																													
	x									1	2020	\$120,000	x														\$120,000		
Total Sanitary Utility																													
																					\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$120,000	
TOTAL CIP - KR Sewer																		\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$120,000			

Village of Somers CIP Improvements - Water Fund - 02/14/2023																														
Project	Departments Involved							Impr Year	Cost Estimate	Funding							Budget Year					Notes								
	Streets	Sanitary	Water	Storm	Parks	Fire	PW			Admin	Priority	Tax Levy	Water Utility	TID #1	TID #2	TID #3	TID #4	Pot SW Util	Pot Donors	Pot Asm/Dev	2023		2024	2025	2026	2027	2028	2029	2030	Total
Water Utility																														
22nd Ave Main Replacement (E to A)			x					1	2016	\$615,000		x																	\$386,000	
Meter Pit Adjustment Program ⁴			x					1	2017	TBD												\$100,000							\$100,000	
Village Water Study			x					1	2017	\$50,000		x																	\$16,830	
Water Meter AMR Program ³			x					1	2018	\$235,000		x								\$351,318									\$351,318	ARPA Funds to be used
Sheridan road side street water mains			x					1	2020	\$3,200,000																			\$5,500,000	Move from 2020 to 2021
Hwy S reconstruction projec \$80,000 *90% #2019-002			x						2020	\$72,000		x																	\$72,000	90% of Hwy S reconstruction (construction and engineering inspection cost). 10% will be paid by Sewer.
22nd Ave Main Replacement (A to KR)			x					1	2023-24	\$500,000		x								\$0	\$50,000	\$500,000							\$550,000	moved engineering to 2024 construction 2025
Looping Program - Racine Interconnect			x						TBD	\$370,000		x																	\$0	
Looping Program - Mt. Pleas Interconnect			x						TBD	\$685,000		x																	\$0	
Looping Program - CTH E West			x						TBD	\$385,000		x																	\$0	
Looping Program - CTH E East			x						TBD	\$510,000		x																	\$0	
CTH A/Y Roundabout Utility reconstruction project \$240,000*80%									2022	\$192,000		x																		Actual Costs ARPA Funds were used.
Sheridan Road Utility Relocation (State Project Driven *** See if this can be apart of SDWL)																														
Total Water Utility																				\$351,318	\$50,000	\$600,000	\$0	\$0	\$0	\$0	\$0	\$0	\$6,976,148	
TOTAL CIP - WATER UTILITY																			\$351,318	\$50,000	\$600,000	\$0	\$0	\$0	\$0	\$0	\$0	\$6,976,148		

Village of Somers CIP Improvements - Sewer UD#1 - 02/14/2023																																										
Project	Departments Involved							Impr Year	Cost Estimate	Funding								Budget Year												Notes												
	Streets	Sanitary	Water	Storm	Parks	Fire	PW			Admin	Priority	Tax Lev	Sewer Utility	TID #1	TID #2	TID #3	TID #4	Pot SW Util	Pot Donors	Pot Assn/Dev	2016 (Actual)	2017		2018		2019		2020			2021		2022	2023	2024	2025	2026	2027	2028	2029	2030	Total
																						Original	Budgeted	Actual	Original	Budgeted	Actual	Original	Budgeted		Actual	Original										
Sanitary Utility																																										
Carthage Lift Station & Force Main	x							1	2016	\$2,190,000	x								\$2,190,000																	\$2,190,000						
11th Place Lift Station Replacement Project No. 170289 #2019-003	x							1	2019-20	\$1,319,800	x								\$80,000	\$0	\$0	\$1,600,000	\$1,400,000	\$0	\$84,800	\$84,800	\$1,235,000									\$1,319,800						
Village Sewer Study	x							1	2018	\$45,000	x										\$45,000															\$0						
West Side Lift Station (1500 GPM)	x							1	2019	\$1,155,000				x							\$55,000	\$0	\$0	\$1,100,000	\$0									\$0								
West Side Force Main (Dual 6" & 10")	x							1	2019	\$2,100,000				x							\$200,000	\$0	\$0	\$1,900,000	\$0									\$0								
7th Street Lift Station	x							1	2020	\$750,000	x													\$55,000	\$0	\$750,000									\$750,000							
Hwy 5 reconstruction project \$80,000*10% #2019-002	x								2020	\$8,000	x															\$8,000									\$8,000	10% of Hwy 5 reconstruction (construction and engineering inspection cost). 90% will be paid by Water.						
Seawall Lift Station	x							1	2020	\$750,000	x															\$750,000									\$750,000							
Eaglewood Lift Station Capacity Increase	x								Moved from 2021 to 2022	\$750,000	x																\$0	\$0	\$750,000								\$750,000	Moved 2022 to 2023				
Lichter Lift Station	x								2022	\$750,000																	\$0	\$750,000								\$750,000	Moved 2022 to 2023					
Sheridan Road Sanitary Sewer Rehabilitation - moved from 2020 to 2021 from \$4,000,000 to \$4,854,000									2021	\$4,854,000																\$4,854,000	\$4,854,000									\$4,854,000	Move from 2020 to 2021					
CTH A/Y Roundabout Utility reconstruction project \$240000*20% - see Water CIP that covers 80% of this cost									2022	\$48,000																\$53,393									\$53,393	Changed the total amount from \$250,000 to \$240,000 - ARPA FUNDS WERE USED						
I&I Replacement/Repair Program	x							1	Annual	\$200,000	x							\$200,000	\$280,000		\$200,000	\$225,000		\$200,000	\$200,000	\$119,094	\$0	\$400,000	\$400,000	\$0	\$200,000	\$200,000	\$200,000	\$200,000	\$200,000	\$200,000	\$200,000	\$200,000	\$2,200,000			
15% contingency for 11th place, 7th street, Seawall lift stations and for Hwy 5									2020	\$411,450	x															\$411,450									\$411,450							
Total Sanitary Utility																					\$2,100,000	\$1,625,000	\$0	\$3,255,000	\$284,800	\$203,894	\$3,154,450	\$5,254,000	\$5,254,000	\$53,393	\$1,700,000	\$200,000	\$200,000	\$200,000	\$200,000	\$200,000	\$200,000	\$200,000	\$14,036,643			
Utility Equipment																																										
GMC Utility Truck	x							1	2018	\$75,000	x										\$75,000	\$75,000	\$75,000											\$75,000								
2008 Chevrolet 1500 Pickup	x	x						1	2022	\$50,000	x																\$51,000								\$51,000	Was a 2022 Item Ordered in 2022 will not show up until 2023						
GMC Utility Van	x	x						1	2024	\$35,000	x																\$0	\$35,000							\$35,000	Moved from 2024 to 2025						
2013 Peterbilt Vac-Con	x							1	2030	\$380,000	x																								\$380,000	\$380,000						
2018 GMC Utility Crane Truck	x							1	2030	\$0	x																							\$0	\$0	Removed from 2030 \$100,000						
Total Utility Equipment																				\$0	\$75,000	\$75,000	\$75,000	\$0	\$0	\$0	\$0	\$0	\$0	\$51,000	\$0	\$35,000	\$0	\$0	\$0	\$0	\$0	\$380,000	\$541,000			
TOTAL CIP - SEWER UD#1									\$2,190,000	\$0	\$2,175,000	\$1,700,000	\$75,000	\$3,255,000	\$284,800	\$203,894	\$3,154,450	\$5,254,000	\$5,254,000	\$53,393	\$1,751,000	\$200,000	\$235,000	\$200,000	\$200,000	\$200,000	\$200,000	\$200,000	\$200,000	\$200,000	\$200,000	\$580,000	\$14,577,643									

Village of Somers CIP Improvements - TID #1 - 02/14/2023(FIRST PARK 94 PHASE 2 UTILITIES)																													
Project	Departments Involved								Impr Year	Cost Estimate	Funding							Budget Year					Notes						
	Streets	Sanitary	Water	Storm	Parks	Fire	PW	Admin			Priority	Tax Levy	Sewer Utility	TID #1	TID #2	TID #3	TID #4	Pot SW Util	Pot Donors	Pot Asm/Dev	2023	2024		2025	2026	2027	2028	2029	2030
Sanitary Utility																													
First Industrial 2nd Northern Sewer extension Project No. 200203.80 #2020-003 - move from 2020 to 2021	X									2021	\$2,000,000		x														\$4,500,000	Move from 2020 to 2021 from \$2,000,000 to \$2,500,000	
Total Sanitary Utility																					\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$4,500,000	
Water Utility																													
First Industrial 3800 feet of 16-inch Water Main at \$250/foot with granular backfill and restoration - move from 2020 to 2021- now moved to 2022		x								2017/2021 to 2022	\$3,335,000		x														\$1,600,000	Move from 2020 to 2021 . Now moved to 2022.	
Total Water Utility																					\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$1,600,000	
TOTAL CIP - TID #1																			\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$6,100,000	
GRANT: 2020-003																													
2020-003 - no revenue acct listed, \$1,572,427.62 expenses balance																													

Village of Somers CIP Improvements - TID #2 - 02/14/2023 (VERIZON DEVELOPMENT, BEAR DEVELOPMENT (PHASE 2), MARKET LANE & MARKET CENTER, MISTER CAR WASH)																									
Project	Departments Involved								Impr Year	Cost Estimate	Funding							Total	Notes						
	Streets	Sanitary	Water	Storm	Parks	Fire	PW	Admin			Priority	Tax Levy	Sewer Utility	TID #1	TID #2	TID #3	TID #4			Pot SW Util	Pot Donors	Pot Asm/Dev	2023	2024	2025
Sanitary Utility																									
Total Sanitary Utility																									
										\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0					
Water Utility																									
															\$0										
Total Water Utility																									
										\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0						
TOTAL CIP - TID #2										\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0						
GRANT: 2018-006, 2018-007 (Phase 2), 2020-033, 2021-001, 2021-007, 2022-005, 2022-015																									
2018-006 - no revenue in balance, \$2,422.95 expenses balance																									
2018-007 - no revenue in balance, \$3,081.50 expenses balance																									
2020-033 - \$138,000 revenue balance, \$133,470.23 expenses balance																									
2021-001 - no balance left in revenue or expenses (Activity = \$5,000 revenue & \$7,145.00 expenses)																									
2021-007 - no balance left in revenue or expenses (Activity = \$5,000 revenue & \$3,159.25 expenses)																									
2022-005 - no balance left in revenue or expenses (Activity = \$5,000 revenue & \$7,482.25 expenses)																									
2022-015 - NOT IN BS&A																									

Village of Somers CIP Improvements - TID #3 (KWIK TRIP DEVELOPMENT PRE-DEVELOP, SEWER & WATER-PHASE 1, PUMPING STATIONS (W&S), 2021 CIP BORROWED PORTION, DARBY LANE FARMS, BECKNELL WATER MAIN)																				
Project	Departments Involved								Impr Year	Cost Estimate	Funding							Total	Notes	
	Streets	Sanitary	Water	Storm	Parks	Fire	PW	Admin			Priority	Tax Levy	Sewer Utility	TID #1	TID #2	TID #3	TID #4			TID #6
Sanitary Utility																				
	x											x								\$0
Total Sanitary Utility																				\$0
Water Utility																				
																				\$0
Total Water Utility																				\$0
TOTAL CIP - TID #3										\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	
GRANT: 2018-001, 2019-012, 2020-022, 2020-023, 2021-014, 2021-019, 2022-008																				
2018-001 - \$128,172.74 revenue balance, \$109,216.67 expenses balance																				
2019-012 - no revenue acct listed, \$10,077,743.26 expenses balance																				
2020-022 - no revenue acct listed, \$1,418,428.17 expenses balance																				
2020-023 - no revenue acct listed, \$1,826,013.8 expenses balance																				
2021-014 - no revenue acct listed, \$159,399.30 expenses balance																				
2021-019 - \$20,000 revenue balance, \$33,878.94 expenses balance																				
2022-008 - \$585,371.73 revenue balance, \$303,590.11 expenses balance																				

Village of Somers CIP Improvements - TID #4 (RAVINE PARK, WILLOW CREEK DEVELOPMENT)																											
Project	Departments Involved									Impr Year	Cost Estimate	Funding							Total	Notes							
	Streets	Sanitary	Water	Storm	Parks	Fire	PW	Admin	Priority			Tax Levy	Sewer Utility	TID #1	TID #2	TID #3	TID #4	Pot SW Util			Pot Donors	Pot Asm/Dev	2023	2024	2025	2026	2027
Sanitary Utility																											
Total Sanitary Utility																											
																			\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Water Utility																											
Total Water Utility																											
																			\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
TOTAL CIP - TID #4																			\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
GRANT: 2018-004, 2018-005, 2019-006																											
2018-004 - no revenue in budget, \$155,371.79 expenses balance																											
2018-005 - no revenue in budget, \$2,640.75 expenses balance																											
2019-006 - no activity																											

Village of Somers CIP Improvements - TID #5 (COLLEGE PARK)																				
Project	Departments Involved								Impr Year	Cost Estimate	Funding							Total	Notes	
	Streets	Sanitary	Water	Storm	Parks	Fire	PW	Admin			Priority	Tax Levy	Sewer Utility	TID #1	TID #2	TID #3	TID #4			TID #6
Sanitary Utility																				
																				\$0
Total Sanitary Utility										\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Water Utility																				
																				\$0
Total Water Utility										\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
TOTAL CIP - TID #5										\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	
GRANT: 2020-025																				
2020-025 - \$25,000 revenue, \$16,907.37 expenses balance																				

Village of Somers CIP Improvements - TID #6 (TAWANI PROPERTY DEVELOPMENT, SEWER & WATER WEST OF DIVIDE, BIRCHELL SEWER, PUMPING STATIONS (S&W), PMA GRADING EROSION SURFACE WATER REVIEW, BIRCHELL 100TH AVE, CTH E & 94)																																				
Project	Departments Involved								Impr Year	Cost Estimate	Funding							2023	2024	2025	2026	2027	2028	2029	2030	Total	Notes									
	Streets	Sanitary	Water	Storm	Parks	Fire	PW	Admin			Priority	Tax Levy	Sewer Utility	TID #1	TID #2	TID #3	TID #4											TID #6	Pot SW Util	Pot Donors	Pot Asm/Dev					
Sanitary Utility																																				
																			\$0																	
Total Sanitary Utility																			\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Water Utility																																				
																			\$0																	
Total Water Utility																			\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
TOTAL CIP - TID #6																			\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
GRANT: 2019-012, 2020-018, 2020-021, 2020-022, 2020-023, 2020-024, 2020-030, 2020-034																																				
2019-012 - no revenue acct listed, \$10,077,743.26 expenses balance																																				
2020-018 - \$13,827,137.22 revenue balance, \$1,100,914.78 expenses balance																																				
2020-021 - \$3,000 revenue balance, \$5,837.50 expenses balance																																				
2020-022 - no revenue acct listed, \$1,418,428.17 expenses balance																																				
2020-023 - no revenue acct listed, \$1,826,013.8 expenses balance																																				
2020-024 - no revenue in balance, \$19,139.75 expenses balance																																				
2020-030 - \$138,000 revenue balance, \$133,470.23																																				
2020-034 - no revenue or expense in balance																																				

Village of Somers CIP Improvements - TID #7 (SEWER & WATER WEST OF DIVIDE-PHASE 1, PUMPING STATIONS S&W)																					
Project	Departments Involved								Impr Year	Cost Estimate	Funding							Total	Notes		
	Streets	Sanitary	Water	Storm	Parks	Fire	PW	Admin			Priority	Tax Levy	Sewer Utility	TID #1	TID #2	TID #3	TID #4			TID #6	Pot SW Util
Sanitary Utility																					
																					\$0
Total Sanitary Utility																					
											\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0		\$0
Water Utility																					
																					\$0
Total Water Utility																					
											\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0		\$0
TOTAL CIP - TID #7										\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0		
GRANT: 2019-012, 2020-022, 2020-023																					
2019-012 - no revenue acct listed, \$10,077,743.26 expenses balance																					
2020-022 - no revenue acct listed, \$1,418,428.17 expenses balance																					
2020-023 - no revenue acct listed, \$1,826,013.8 expenses balance																					

Village of Somers CIP Improvements - TID #8 (SEWER & WATER WEST OF DIVIDE-PHASE 1, PUMPING STATIONS S&W)																					
Project	Departments Involved								Impr Year	Cost Estimate	Funding							Total	Notes		
	Streets	Sanitary	Water	Storm	Parks	Fire	PW	Admin			Priority	Tax Levy	Sewer Utility	TID #1	TID #2	TID #3	TID #4			TID #6	Pot SW Util
Sanitary Utility																					
																				\$0	
Total Sanitary Utility																					
										\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	
Water Utility																					
																				\$0	
Total Water Utility																					
										\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	
TOTAL CIP - TID #8										\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	
GRANT: 2019-012, 2020-022, 2020-023																					
2019-012 - no revenue acct listed, \$10,077,743.26 expenses balance																					
2020-022 - no revenue acct listed, \$1,418,428.17 expenses balance																					
2020-023 - no revenue acct listed, \$1,826,013.8 expenses balance																					

Village of Somers CIP Improvements - TID #10 (LAKE OF SOMERS, LLC APTS, FIRST PARK 94 WATER MAIN)																					
Project	Departments Involved								Impr Year	Cost Estimate	Funding							Total	Notes		
	Streets	Sanitary	Water	Storm	Parks	Fire	PW	Admin			Priority	Tax Levy	Sewer Utility	TID #1	TID #2	TID #3	TID #4			TID #6	Pot SW Util
Sanitary Utility																					
																					\$0
Total Sanitary Utility										\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	
Water Utility																					
																					\$0
Total Water Utility										\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	
TOTAL CIP - TID #10										\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0		
GRANT: 2020-013, 2022-003																					
2020-013 - \$20,000 revenue balance, \$8,922.30 expenses balance																					
2022-003 - \$816,245.87 revenue balance, \$934,060.42 expenses balance																					

**VILLAGE OF SOMERS
VILLAGE BOARD
MEETING ITEM MEMORANDUM**

MEETING DATE: February 14th, 2023

TO: Village President Stoner and Village Trustees

PREPARED BY: Jason J. Peters, Administrator

- AGENDA ITEM:**
- #10 Action on proposed Ordinance No. 2023-004, An Ordinance to Create Section ZN5.03(8)(b)144 of the Code of Ordinances of the Village of Somers Relating to Standard for Conditional Uses for Event Facilities
 - #11 Action on proposed Ordinance No. 2023-005, An Ordinance to Create Section ZN5.03(8)(b)62 of the Code of Ordinances of the Village of Somers Relating to Standard for Conditional Uses for Living Quarters for Watchmen and Caretakers in the M-2 District and PR-1 District
 - #12 Action on proposed Ordinance No. 2023-006, An Ordinance to Create Section ZN4.06(2)(d) of the Code of Ordinances of the Village of Somers Relating to PR-1 Park-Recreational District Conditional Uses

BACKGROUND:

Hawthorn Hallow applied for a conditional use permit in 2022 to cover certain activities on their property. This request was reviewed by the Plan Commission and the Board. Based on discussions the Village has had internally and with Hawthorn Hallow, the following additions to our Zoning Ordinance have been proposed. The additional language that would allow properties with PR-1 Park-Recreational District to provide facilities and/or devote specific areas of the property on which to conduct private events (such as for weddings, private parties, corporate retreats, etc.), which may or may not include overnight lodging associated with the events. The proposed ordinance additions also include the creation of a new Conditional Use to allow for these types of event facilities in PR-1 zoning, as well as provide for the ability for property caretakers to live on the property as either a Conditional Use or Accessory Use under the PR-1 zoning district.

PRIOR ACTION TAKEN:

This matter was reviewed and discussed at our February 7th Work Session. The proposed ordinances were not reviewed at that time. Attorney Davison has drafted the appropriate ordinances facilitate the requested updates to the Village's Zoning Ordinance.

SUGGESTED ACTION/ACTION REQUESTED/COMMENTS:

Staff would recommend approval of the attached proposed Ordinances. In the event that the Village Board agrees with the suggested action, a suggested motion to approve would be as follows:

#10

“Motion to waive first reading of proposed Ordinance No. 2023-004”

“Motion to approve proposed Ordinance No. 2023-004, An Ordinance to Create Section ZN5.03(8)(b)144 of the Code of Ordinances of the Village of Somers Relating to Standard for Conditional Uses for Event Facilities”

#11

“Motion to waive first reading of proposed Ordinance No. 2023-005”

“Motion to approve proposed Ordinance No. 2023-005, An Ordinance to Create Section ZN5.03(8)(b)62 of the Code of Ordinances of the Village of Somers Relating to Standard for Conditional Uses for Living Quarters for Watchmen and Caretakers in the M-2 District and PR-1 District”

#12

“Motion to waive first reading of proposed Ordinance No. 2023-006”

“Motion to approve proposed Ordinance No. 2023-006, An Ordinance to Create Section ZN4.06(2)(d) of the Code of Ordinances of the Village of Somers Relating to PR-1 Park-Recreational District Conditional Uses”

ATTACHMENTS:

Proposed Ordinance No. 2023-004

Proposed Ordinance No. 2023-005

Proposed Ordinance No. 2023-006

ORDINANCE NO. 2023-004

AN ORDINANCE TO CREATE SECTION ZN5.03(8)(b)144
OF THE CODE OF ORDINANCES OF THE VILLAGE OF SOMERS
RELATING TO STANDARDS FOR CONDITIONAL USES FOR EVENT FACILITIES

The Village Board of Trustees of the Village of Somers, Kenosha County, Wisconsin, hereby creates Section ZN5.03(8)(b)144 of the Code of Ordinances of the Village of Somers to read as follows:

- 144 Event Facilities (with or without lodging) in the PR-1 District. For the purpose of hosting events, meetings, private parties, weddings, corporate retreats and other similar uses which have associated lodging on the property.
- a The minimum parcel size shall be ten (10) acres.
 - b A two hundred (200) foot open buffer shall be provided on all sides of the property not abutting a public roadway. Outdoor event facilities shall not be permitted within this buffer area. Where possible, suitable landscaping shall remain or be grown within the buffer area.
 - c Landscape buffer plantings shall be provided along a property line where there is an abutting residence, and which are intended to screen views, lights and noise from the operation. A landscape buffer planting plan shall be submitted with the application and approved by the Village Plan Commission and Board.
 - d Parcels shall have frontage along a paved public road for direct access.
 - e Any facilities used for lodging must be associated with events on the property and receive necessary approvals from the Kenosha County Health Department.
 - f Access by private easement must be formalized and be recorded or available for recording. Modifications of existing easements resulting from the proposed use(s) must be approved in writing by all easement parties. The Village of Somers may require easement(s) to allow site access by Village Fire & Rescue and/or law enforcement.
 - g All ingress/egress driveways, internal circulation drives, and parking areas shall be located in such a manner to minimize traffic hazards

associated with entering and exiting the public roadway as approved by Village Fire & Rescue.

- h The increase in traffic generated by the proposed use(s) shall not create a nuisance to nearby residents by way of traffic or noise.
- i Parking areas may be either gravel or paved. Handicapped parking spaces shall be paved and meet all state standards. Sufficient parking spaces to accommodate the proposed use(s) shall be provided and shall be based on an overall plan that has been reviewed and approved by Village Fire & Rescue. Overflow parking on grass or hay areas may be permissible as approved by Village Fire & Rescue. Parking on public rights-of-way is not permitted.
- j Parking areas of any type shall not be located within the required buffer area and must meet the parking requirements of §ZN 3.06(3)(j) and (k).
- k Building occupancy and site capacity limits, as determined by the Village Building Inspector and/or Village Fire & Rescue, shall not be exceeded for any event occurring on the property.
- l Signage shall comply with §ZN 3.07.
- m Any newly proposed or changed outdoor lighting shall consist of full cut-off luminaries and shall not exceed an illumination level of 0.5 foot-candles as measured at the property line. Lighting fixtures shall be shielded or directed in such a manner to prevent light from shining directly onto abutting rights-of-way and adjacent properties (cut-off type luminaries only). No protruding lenses are allowed, and lenses must be constructed so as to be parallel to the constructed yard grade. All security lighting shall be shielded and aimed so that illumination is directed only to the designated areas. General flood lighting fixtures shall be discouraged.
- n No on or off-premise signs, banners, or billboards shall be constructed, erected, or displayed without first obtaining proper permits from the State, Village or local unit of government in which they are being located.
- o Structures shall be inspected by Village Fire & Rescue and Building Inspector prior to the Village meetings and shall meet all Village Fire and Building Code standards prior to occupancy.
- p Parcels not served by public sanitary sewer shall be served by Private

Onsite Wastewater Treatment Systems (POWTS) which meet all requirements of Chapter 15 of the Kenosha County Sanitary Code and Private Sewage System Ordinance, and Wis. Admin. Code § SPS 382 - 385 and their corresponding design manuals regarding POWTS. Parcels not currently served by sanitary sewer and/or municipal water shall be required to connect to sanitary sewer and/or municipal water upon availability.

- q It is the responsibility of the applicant to comply with all State and local regulations regarding public health. This includes proper and adequate toilet and hand washing facilities, showering facilities, proper food preparation and serving conditions, adequate tested potable water, proper disposal of refuse and food by-products on a timely basis. The Kenosha County Division of Health requires permits and inspections to assure the event is conducted within laws of proper sanitation and health. The applicant shall obtain all necessary health-related permits and assure that all necessary tests and inspections are conducted.
- r Food vendors shall be licensed by the Kenosha County Health Department.
- s Amplified music and dancing may be permitted only within approved structures and/or areas of the property. Village noise ordinances shall be complied with. Amplified music shall be subject to applicable Village licensing requirements.
- t The sale and consumption of alcoholic beverages on the premises is subject to applicable Wisconsin Statutes, Administrative Code provisions, and Village licensing requirements.

Dated at Somers, Wisconsin, this ____ day of _____, 2023.

VILLAGE OF SOMERS

By: _____
George Stoner, President

Attest: _____
Brandi Baker, Clerk/Treasurer

ORDINANCE NO. 2023-005

AN ORDINANCE TO REPEAL AND RECREATE SECTION ZN5.03(8)(b)62
OF THE CODE OF ORDINANCES OF THE VILLAGE OF SOMERS
RELATING TO STANDARDS FOR CONDITIONAL USES FOR LIVING QUARTERS
FOR WATCHMEN AND CARETAKERS IN THE M-2 DISTRICT AND PR-1 DISTRICT

The Village Board of Trustees of the Village of Somers, Kenosha County,
Wisconsin, hereby repeals and recreates Section ZN5.03(8)(b)62 of the Code of Ordinances of
the Village of Somers to read as follows:

- 62 Living quarters for watchmen and caretakers in the M-2 District and PR-1 District.
- a A site plan shall be presented to the Plan Commission.
 - b Not more than one (1) such living quarters shall be permitted per parcel.
 - c Said living quarters shall not exceed one thousand (1,000) square feet.
 - d Said conditional use permit terminates at such time as the aforementioned quarters are no longer used as living quarters for watchmen or caretakers.

Dated at Somers, Wisconsin, this _____ day of _____, 2023.

VILLAGE OF SOMERS

By: _____
George Stoner, President

Attest: _____
Brandi Baker, Clerk/Treasurer

ORDINANCE NO. 2023-006

AN ORDINANCE TO REPEAL AND RECREATE SECTION ZN4.06(2)(d)
OF THE CODE OF ORDINANCES OF THE VILLAGE OF SOMERS
RELATING TO PR-1 PARK-RECREATIONAL DISTRICT CONDITIONAL USES

The Village Board of Trustees of the Village of Somers, Kenosha County, Wisconsin, hereby repeals and recreates Section ZN4.06(2)(d) of the Code of Ordinances of the Village of Somers to read as follows:

(d) Conditional Uses. (see also Section ZN 5.03(8))

- 1 Amusement Parks, carnivals, circus, fairground and exposition grounds
- 2 Archery and firearm ranges (outdoors)
- 3 Arena, stadium, coliseums, auditoriums and gymnasiums
- 4 Assemblies over five thousand (5,000)
- 5 Beaches and public swimming pools
- 6 Campgrounds (rental)
- 7 Conversion of a resort into a residential condominium
- 8 Golf Courses
- 9 Golf driving ranges
- 10 Large wind energy system
- 11 Living quarters for watchmen and caretakers
- 12 Marinas and marine sales and services
- 13 Minibike trails
- 14 Event Facilities (with or without lodging)
- 15 Recreational vehicle (RV) campground or subdivisions
- 16 Resorts

- 17 Skeet and trap shooting ranges
- 18 Ski hills with restaurants and ski shops
- 19 Snowmobile trails
- 20 Sportsmen clubs
- 21 Summer theaters and amphitheaters or band shells
- 22 Zoological and botanical gardens

Dated at Somers, Wisconsin, this _____ day of _____, 2023.

VILLAGE OF SOMERS

By: _____
George Stoner, President

Attest: _____
Brandi Baker, Clerk/Treasurer



**VILLAGE OF SOMERS
VILLAGE BOARD
MEETING ITEM MEMORANDUM**

MEETING DATE: February 14th, 2023

TO: Village President Stoner and Village Trustees

PREPARED BY: Jason J. Peters, Administrator

AGENDA ITEM: #13 Action on proposed agreement with Ehlers to create an updated Financial Management Plan

BACKGROUND:

While our 2023 goals have not been officially brought the Board at this time, one of the universal themes have been that the Village needs to update its financial management plan. The last major update to the Plan was in November of 2016. On January 19th, Finance, Administration, President Stoner and Trustee Ostby met with Jon Cameron from Ehlers to discuss updating the Village's financial management plan. One major topic of discussion was updating our 5-year CIP plan to make this more user friendly for both Staff and the Board.

Mr. Cameron has provided the attached proposal to update our Financial Management plan. Along with the CIP update, one major model that would aid in our financial planning will be projections on our Consolidated Tax Levy and Rate. The Board has discussed heavily the possibility of having to go out for a public safety referendum. This model would help gauge the need for said referendum.

This Plan would also address our Utility Funds future needs. The fee quoted is \$8,500. If the Village would like to do an annual update, there would be an additional charge of \$5,000.

PRIOR ACTION TAKEN:

This agreement was reviewed and discussed at our February 7th Work Session.

SUGGESTED ACTION/ACTION REQUESTED/COMMENTS:

Administration would recommend the approval of the attached agreement to engage Ehlers to create an updated Financial Management Plan In the event that the Village

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

“Motion to approve proposed agreement with Ehlers to create an updated Financial Management Plan”

ATTACHMENTS:

Financial Management Plan Proposal

January 30, 2023

Jason Peters, Village/Town Administrator
Village of Somers, Wisconsin
7511 12th St
PO Box 197
Somers, WI 53171

**Re: Written Municipal Advisor Client Disclosure with the Village of Somers (“Client”) for
2023 Financial Management Plan Update (“Project”) Pursuant to MSRB Rule G-42)**

Dear Jason:

As a registered Municipal Advisor, we are required by Municipal Securities Rulemaking Board (MSRB) Rules to provide you with certain written information and disclosures prior to, upon or promptly, after the establishment of a municipal advisory relationship as defined in Securities and Exchange Act Rule 15Ba1-1. To establish our engagement as your Municipal Advisor, we must inform you that:

1. When providing advice, we are required to act in a fiduciary capacity, which includes a duty of loyalty and a duty of care. This means we are required to act solely in your best interest.
2. We have an obligation to fully and fairly disclose to you in writing all material actual or potential conflicts of interest that might impair our ability to render unbiased and competent advice to you. We are providing these and other required disclosures in **Appendix A** attached hereto.

As your Municipal Advisor, Ehlers shall provide this advice and service at such fees, as described within **Appendix B** attached hereto.

This documentation and all appendices hereto shall be effective as of its date unless otherwise terminated by either party upon 30 days written notice to the other party.

During the term of our municipal advisory relationship, this writing might be amended or supplemented to reflect any material change or additions.

We look forward to working with you on this Project.

Sincerely,

Ehlers & Associates

A handwritten signature in blue ink that reads 'Jon Cameron'. The signature is fluid and cursive, with a large loop for the 'J' and a distinct 'P' for the first initial.

Jon Cameron
Senior Municipal Advisor/Vice President

¹ This document is intended to satisfy the requirements of MSRB Rule G-42(b) and Rule G-42(c).

Appendix A

DISCLOSURE OF CONFLICTS OF INTEREST/OTHER REQUIRED INFORMATION

Actual/Potential Material Conflicts of Interest

Ehlers has no known actual or potential material conflicts of interest that might impair its ability either to render unbiased and competent advice or to fulfill its fiduciary duty to Client.

Other Engagements or Relationships Impairing Ability to Provide Advice

Ehlers is not aware of any other engagement or relationship Ehlers has that might impair Ehlers' ability to either render unbiased and competent advice to or to fulfill its fiduciary duty to Client.

Affiliated Entities

Ehlers offers related services through two affiliates of Ehlers, Bond Trust Service Corporation (BTSC) and Ehlers Investment Partners (EIP). BTSC provides paying agent services while Ehlers Investment Partners (EIP) provides investment related services and bidding agent service. Ehlers and these affiliates do not share fees. If either service is needed in conjunction with an Ehlers municipal advisory engagement, Client will be asked whether or not they wish to retain either affiliate to provide service. If BTSC or EIP are retained to provide service, a separate agreement with that affiliate will be provided for Client's consideration and approval.

Solicitors/Payments Made to Obtain/Retain Client Business

Ehlers does not use solicitors to secure municipal engagements; nor does it make direct or indirect payments to obtain or retain Client business.

Payments from Third Parties

Ehlers does not receive any direct or indirect payments from third parties to enlist Ehlers recommendation to the Client of its services, any municipal securities transaction or any financial product.

Payments/Fee-splitting Arrangements

Ehlers does not share fees with any other parties and any provider of investments or services to the Client. However, within a joint proposal with other professional service providers, Ehlers could be the contracting party or be a subcontractor to the contracting party resulting in a fee splitting arrangement. In such cases, the fee due Ehlers will be identified in a Municipal Advisor writing and no other fees will be paid to Ehlers from any of the other participating professionals in the joint proposal.

Municipal Advisor Registration

Ehlers is registered with the Securities and Exchange Commission (SEC) and Municipal Securities Rulemaking Board (MSRB).

Material Legal or Disciplinary Events

Neither Ehlers nor any of its officers or municipal advisors have been involved in any legal or disciplinary events reported on Form MA or MA-I nor are there any other material legal or disciplinary events to be reported. Ehlers' application for permanent registration as a Municipal Advisor with the (SEC) was granted on July 28, 2014 and contained the information prescribed under Section 15B(a)(2) of the Securities and Exchange Act of 1934 and rules thereunder. It did not list any information on legal or disciplinary disclosures.

Client may access Ehlers' most recent Form MA and each most recent Form MA-I by searching the Securities and Exchange Commission's EDGAR system (currently available at <http://www.sec.gov/edgar/searchedgar/companysearch.html>) and searching under either our Company Name (Ehlers & Associates, Inc.) or by using the currently available "Fast Search" function and entering our CIK number (0001604197).

Ehlers has not made any material changes to Form MA or Form MA-I since that date.

Conflicts Arising from Compensation Contingent on the Size or Closing of Any Transaction

The forms of compensation for municipal advisors vary according to the nature of the engagement and requirements of the client. Compensation contingent on the size of the transaction presents a conflict of interest because the advisor may have an incentive to advise the client to increase the size of the securities issue for the purpose of increasing the advisor's compensation. Compensation contingent on the closing of the transaction presents a conflict because the advisor may have an incentive to recommend unnecessary financings or recommend financings that are disadvantageous to the client. If the transaction is to be delayed or fail to close, an advisor may have an incentive to discourage a full consideration of such facts and circumstances, or to discourage consideration of alternatives that may result in the cancellation of the financing or other transaction.

Any form of compensation due a Municipal Advisor will likely present specific conflict of interests with the Client. If a Client is concerned about the conflict arising from Municipal Advisor compensation contingent on size and/or closing of their transaction, Ehlers is willing to discuss and provide another form of Municipal Advisor compensation. The Client must notify Ehlers in writing of this request within 10 days of receipt of this Municipal Advisor writing.

MSRB Contact Information

The website address of the MSRB is www.msrb.org. Posted on the MSRB website is a municipal advisory client brochure that describes the protections that may be provided by MSRB rules and how to file a complaint with the financial regulatory authorities.

Appendix B

Scope of Service

Client has requested that Ehlers & Associates to prepare a Financial Management Plan Update (“Project”). Ehlers & Associates proposes and agrees to provide the following scope of services:

Confirm Planning Objectives

- Prior to commencing the work, we will review our approach with Client staff to ensure that we have a full understanding of the Client’s objectives, any areas of concern or focus, and desired process outcomes. If necessary, we can modify our Scope of Services to meet specific Client needs.

Gather Required Information

- To complete our work, we will need to gather certain information which may include prior year audits and budgets (generally five years); current year budget; capital improvement plans; existing debt service schedules and allocations; strategic planning documents; staffing plans; and policies pertaining to fund balance, debt management; post-issuance compliance and financial management (Ehlers & Associates may already have some or all this information on file).

Prepare Financial Model

- Based on the Client’s objectives and the information available, we will update the Client-specific Excel based financial planning model that includes:
 - **Credit Profile Evaluation.** An assessment of selected financial, debt and demographic indicators will be prepared comparing Client to the Statewide median indicators for its rating peer group, and to other governmental entities of comparable size or location. If applicable, the assessment will also include a comparison with the medians of the next higher rating classification and to representative governmental entities in that class. Analysis will be provided to identify areas of strength and potential weakness in the Client’s credit profile.
 - **Valuation Forecast.** We will project growth in equalized value based on historical valuation trends, and anticipated potential for and timing of new development based on Client input. If applicable, “TID IN” and “TID OUT” forecasts will be provided. The impact of TID closure will be considered based on Client direction. One or more potential growth scenarios may be modeled based on Client’s objectives.

- **Fund Forecasts.** We will forecast revenues and expenditures for the following funds based on prior year budgetary trends. Based on the Client’s objectives and the information available to us, one or more alternate fund forecasts may be developed to reflect adjustments to service levels and staffing.
 - General Fund
 - Debt Service Fund
 - Capital Improvement Fund (including applicable TIF projects)
 - Water Utility Fund
 - Sanitary Sewer Utility Fund

- **Capital Planning Model.** Using Client’s capital improvement plans, we will prepare one or more models identifying funding sources for identified projects. Fund balances, tax levy, debt proceeds, and annual revenues will be evaluated as funding sources.

- **Debt Model.** We will prepare a current debt service schedule including projected debt abatement sources and tax levy requirements. To the extent that debt financing is required for capital improvement projects, the projected impact of that financing will be modeled. The model will also forecast debt limit capacity utilization and the projected impact of future debt obligations on selected debt profile indicators (for General Obligation debt).

- **Consolidated Tax Levy and Rate Projection Model.** A summary forecast will be provided projecting the future tax levy that would be required to support the General Fund, Capital Projects Fund, Debt Service Fund, and other levy supported funds. Based on the valuation projection model, a forecasted equalized tax rate will be provided. Future levy requirements will be tested against applicable levy and rate limits. A similar summary forecast will be provided for any enterprise funds included in the model and will include a projection of any additional revenue requirements needed to support the forecast.

Conduct Governing Body Workshops

- A total of two workshops will be conducted concurrent with development of the financial model. The purpose of the workshops will be to present key data, observations, findings, alternatives, and recommendations, and to seek input of Governing Body members and key staff at periodic intervals before the model is finalized. Specific workshop dates, and the points at which they occur in the process, will be established in consultation with the Client based on the objectives of Client, the availability of the Governing Body and key staff, and the availability of information needed to complete the plan. Workshop duration is typically two hours, with three-to-four-week intervals between workshops. Workshops are generally more effective when held independent of other Governing Body meetings.

Final Report

- Following completion of the model and workshops, we will prepare a summary report that includes and explains all primary elements of the forecast model. The report will include a summary of key observations and recommendations. If applicable, we will recommend modifications to existing Client policies pertaining to fund balance, debt management, post-issuance compliance and financial management.

Annual Update

- We can prepare an annual update to the Financial Management Plan as part of the budgeting process. This would include annually updating the fund projections for all funds listed above and conducting one workshop session with the Village Board. This typically coincides with the kickoff of the budgeting process but can be completed at the client's discretion.

Compensation

In return for the services set forth in the "Scope of Service," Client agrees to compensate Ehlers & Associates in the amount of \$8,500.

In the event the client would like to proceed with an annual update to the Financial Management Plan, that work can be completed in an amount of \$5,000.

For any service directed by Client and not covered by this, or another applicable Appendix, Ehlers & Associates will bill Client at an hourly rate that is dependent upon the task/staff required to meet Client request at no less than \$125.00/hour and not to exceed \$350.00/hour.

Payment for Services

For all compensation due to Ehlers & Associates, we will invoice Client for the amount due at the completion of the work. Our fees include our normal travel, printing, computer services, and mail/delivery charges. The invoice is due and payable upon receipt by the Client.



**VILLAGE OF SOMERS
VILLAGE BOARD
MEETING ITEM MEMORANDUM**

MEETING DATE: February 14th, 2023

TO: Village President Stoner and Village Trustees

PREPARED BY: Jason J. Peters, Administrator

AGENDA ITEM: #14 Action on proposed First Amendment to Development Agreement between the Village of Somers and HSA Acquisitions, Inc. for project on Tax Parcel #82-4-222-194-0200

BACKGROUND:

The Village began working with HSA Acquisitions in August of 2021 regarding their desire to bring a “Class A” warehousing/industrial building to approximately 65 acres (Parcel 82-4-222-194-0200) located off of CTH S. In December of 2021, the Board approved a building would be approximately 775,000 sq. ft. in area. The plan also indicated the possibility of adding an additional 130,000 sq. ft to the building, making the total square footage to be approximately 905,000 sq. ft. HSA has indicated that they would like to build the larger building. In order for the Village to grant building permits for the HSA project, we have requested that the developer enter into a First Amendment to their Development Agreement.

PRIOR ACTION TAKEN:

This agreement was reviewed and discussed at our February 7th Work Session.

SUGGESTED ACTION/ACTION REQUESTED/COMMENTS:

Staff would recommend approval of the amendment to the developer’s agreement. In the event that the Village Board agrees with the suggested action, a suggested motion to approve would be as follows:

“Motion to approve proposed First Amendment to Development Agreement between the Village of Somers and HSA Acquisitions, Inc. for project on Tax Parcel #82-4-222-194-0200, subject to the following conditions:

- 1. Subject to updated plans being reviewed and approved by Village Planning;*

2. *Subject to updated engineering plans being reviewed and approved by Village Engineer.*

ATTACHMENTS:

Memorandum from Attorney Davison

Proposed First Amendment to Development
Agreement between the Village of Somers and HSA Acquisitions, Inc.

Attorney Jeffrey J. Davison

1207 55th Street
Kenosha, WI 53140
Telephone No. (262) 657-5165
Fax No. (262) 657-5517
dmltd@sbcglobal.net

Memorandum

TO: Jason Peters
FROM: Attorney Jeffrey J. Davison
DATE: February 2, 2023
SUBJECT: Proposed First Amendment to Development Agreement between the Village of Somers and Somers Highland Industrial, LLC (HSA/Darby)

As you know, the developer in the above project has elected to build a larger building than that originally envisioned under the plans which were approved in detail and which are contained in the Development Agreement. The Development Agreement was signed and recorded and now needs to be updated to reflect the larger building.

In addition to updating many of the exhibits to reflect the larger building, the northwest corner of the building slightly encroaches into the floodplain. The amendment of floodplain maps can be a very complicated process which requires approval of the WDNR and FEMA. As you know, we have met with those agencies and we have been able to obtain a consensus as to how this project can proceed to construction while FEMA is reviewing an application for a floodplain amendment (called a LOMR-f). The WDNR has already signed off on the approved post-construction floodplain elevations but I will omit most of the tedious detail as to exactly how the LOMR permitting process occurs.

In any event, the developer would like to start building as soon as possible so as to complete the building this calendar year, a goal which is shared by the Village for real estate tax reasons. The developer has and/or is in the process of submitting the updated exhibits. Assuming that the Village Board is in agreement that the Amendment should be finalized, the development is seeking and we would recommend that building permits be issued to the developer once the Amendment to the Development Agreement has been reviewed at a workshop session by the Village Board and all revised exhibits have been approved by the Village engineers, Planning & Development and staff.

The practical reality is that this building is going to take months to complete. We have been advised by FEMA that the review process for the LOMR-f letter should be 60 - 90 days. The application has already been filed with FEMA by the developer. Following issuance of the LOMR-f letter, the Village

would conduct a public hearing and then move to amend the floodplain map to exclude the small corner of the building improvement site from the floodplain. The developer could be building the building for the next two or three months while this process is unfolding.

You will note from reviewing the proposed Amendment that any building which proceeds will be done by the developer at its own risk, given the contingency that the corner of the building has to be removed from the floodplain. We have an extensive indemnification paragraph in the underlying Development Agreement. The final paragraph in the Amendment to the Development Agreement incorporates all provisions of the original Development Agreement which are not modified by the Amendment to the Agreement. This would include the indemnification provision. It would also include the voluntary donation in lieu of impact fees paragraph.

I believe that this summarizes the process in the request from the developer and staff that this construction be allowed to proceed with the conditions stated herein. To recapitulate, all of the smaller building plans have been fully approved, the fenestration, landscaping, photometrics, etc., is the same, only bigger. All indications from both the WDNR and FEMA are that the requests for a LOMR-f will be approved. The developer will proceed at its own risk while seeking the LOMR-f letter but only after all of the updated exhibits have been approved by the Village and its consultants.

If you have any questions concerning the foregoing, please do not hesitate to contact me.

First Amendment to Development
Agreement between the Village of Somers
and Somers Highland Industrial, LLC

WITNESS THIS AGREEMENT made and entered into this _____ day of _____, 2023, by and between the VILLAGE OF SOMERS, Kenosha County, Wisconsin, the VILLAGE OF SOMERS UTILITY DISTRICT (“District”) and the VILLAGE OF SOMERS WATER UTILITY (“Utility”) (the Village of Somers, the Utility and the District are hereinafter collectively referred to as the “Village”) and SOMERS HIGHLAND INDUSTRIAL, LLC (hereinafter referred to as the “Developer”).

Davison Law Office, Ltd.
1207 55th Street
Kenosha, WI 53140

WHEREAS, on the 23rd day of February, 2022, the Village and the Developer entered into an Agreement for the development of certain Real Property, which Agreement was recorded in the office of the Register of Deeds for Kenosha County, Wisconsin, on July 18, 2022, as Document No. 1932426 and which is referred to herein as the “Agreement”; and

82-4-222-194-0200

WHEREAS, the legal description for the Property is described with more particularity on the attached Exhibit “A”, which is incorporated herein by reference; and

WHEREAS, the parties wish to modify the Agreement, as delineated in this First Amendment to the Agreement.

NOW, THEREFORE, based upon the mutual promises contained herein, the parties hereby agree as follows:

1. **Modification of Development Agreement.** The parties hereby agree that the Development Agreement as it relates to Section V.K. entitled “Exhibits Incorporated by Reference” located on page 22 of the Development Agreement relating to exhibits which are incorporated by reference shall be modified as follows:

“K. EXHIBITS INCORPORATED BY REFERENCE.

Each of the terms, conditions and specifications described, noted or depicted on the following Exhibits are hereby incorporated herein by reference. Any updated exhibits attached to this Amendment shall replace and supercede the original corresponding exhibit attached to the Development Agreement:

Exhibit “A”	Certified Survey Map (new exhibit)
Exhibit “B”	Site Plan (amended and attached)
Exhibit “C”	Stormwater Plan

- Exhibit “D” Watermain Plan (amended and attached)
- Exhibit “E” Form of Letter of Credit
- Exhibit “G” Landscape Plan (amended and attached)
- Exhibit “H” Photometrics Plan (amended and attached)
- Exhibit “I” Building Design (amended and attached)
- Exhibit “DD” Declaration of Stormwater Facility Maintenance and Management Maintenance Plan
- Exhibit “EE” Sewer and Water Main Drawing (amended and attached)
- Exhibit “GG” Landscape Plan”

2. **Modification of Development Agreement.** The parties agree that the Development Agreement as it relates to Section III.G. entitled “Site Plan Approval and Zoning; Permits and Assessments” located at page 18 of the Development Agreement shall modified as follows:

“G. SITE PLAN APPROVAL AND ZONING; PERMITS AND ASSESSMENTS.

1. The Site Plan attached hereto as Exhibit “B” and incorporated herein by reference has been approved by the Village Board and the zoning and Site Plan for the Property shall not be changed, modified or altered without the prior written consent of the Developer and the Village, except as provided herein. The Developer understands and agrees that a portion of the modified Site Plan proposes to build the building within the existing floodplain. To this end, the Developer agrees that it is proceeding at its own risk to build the building within the floodplain and that no occupancy permit will be issued by the Village for the building until such time as the area which the building encroaches upon the floodplain has been removed from the floodplain pursuant to approvals issued by FEMA, WDNR and Village ordinance following public hearing.

2. The Developer may allow crops to be planted and any portion of the Property to be used for agricultural purposes until such time as that portion of the Property is developed.

3. Any amendment to this Development Agreement may be modified or amended as provided in Paragraph VI.B. below.

4. The Village agrees that all special assessments, permit fees, connection fees and other charges by the Village and Utility shall not be charged against any portion of the Property or its users, in a manner which would be in excess of those charged generally for commercial development in the Village.

5. The Site Plan and zoning approvals granted by virtue of this Agreement shall be in effect for an initial period of five (5) years from the date of this Agreement. In the event that the Developer fails to obtain approval for the construction of at least one building on the Property commence construction on such building(s) within five (5) years of the date of this Agreement, then, after written notice and hearing before the Village Board, the Village may choose to revoke this Agreement and zoning approvals.”

3. **Survival of All Other Terms and Conditions of Development Agreement.** Except as modified herein, all of the terms and conditions of the Development Agreement between the Village and Developer shall remain in full force and effect as if fully stated herein.

DEVELOPER
SOMERS HIGHLAND INDUSTRIAL, LLC, a Delaware
limited liability company

By: HSA Somers Investors, LLC, an Illinois limited liability
company, as co-managing member

By: _____
Printed Name: _____
Authorized Member of Board of Managers

STATE OF _____)
) ss.
COUNTY OF _____)

Personally came before me this ____ day of _____, 2023, the above-named
_____, on behalf of Somers Highland Industrial, LLC, to me known to be the person
who executed the foregoing instrument and acknowledged the same.

Printed Name: _____
Notary Public; _____ County, _____
My commission expires _____.

This instrument was drafted by

Attorney Jeffrey J. Davison
DAVISON LAW OFFICE, LTD.

EXHIBIT "A"

RECORD LEGAL DESCRIPTION:

A part of the West 1/2 of the Southeast 1/4 of Section 19, Township 2 North, Range 22 East of the Fourth Principal Meridian, and more particularly described as follows:

Begin at the Southwest corner of said Southeast 1/4 section; thence North 01°28'35" West 431.50 feet to the point of beginning of land hereinafter described; thence North 01°28'35" West 2208.08 feet to the center of said section; thence South 88°15'20" East along the North line of said Southeast 1/4 1334.20 feet; thence South 01°26'02" West 1816.61 feet; thence South 46°07'25" West 492.47 feet; thence South 00°31'25" West 501 feet; thence North 66°54'35" West 1064.41 feet to the point of beginning. Excepting therefrom land conveyed for highway purposes in Warranty Deed executed by Frank J. Hucek and Betty M. Hucek to Kenosha County, dated April 12, 1995 and recorded in the office of the Register of Deeds for Kenosha County, Wisconsin on April 18, 1995 as Document No. 988942, further excepting therefrom lands conveyed in Warranty Deed recorded May 7, 2009 as Document No. 1587470, further excepting therefrom that portion of land conveyed in Warranty Deed recorded June 11, 2019 as Document No. 1843608, said land being in the Village of Somers, County of Kenosha, State of Wisconsin.

"AS SURVEYED" LEGAL DESCRIPTION:

Being a part of the Southwest 1/4 and Northwest 1/4 of the Southeast 1/4 of Section 19, Township 2 North, Range 22 East, Village of Somers, Kenosha County, Wisconsin, described as follows:

Commencing at the Northeast corner of the Southeast 1/4 of said Section 19; thence South 88°09'21" West along the North line of said Southeast 1/4, 1332.95 feet to the monumented East line of the West 1/2 of said Southeast 1/4 and the point of beginning; thence South 01°37'12" East along said monumented East line, 1645.34 feet to a meander line of the Kilbourn Road Ditch; thence South 70°48'31" West along said meander line, 83.53 feet; thence South 46°19'48" West along said meander line, 539.33 feet; thence South 00°21'01" West along said meander line, 405.98 feet to the North right of way line of Burlington Road - County Trunk Highway "S"; thence North 69°16'53" West along said North right of way line, 469.25 feet; thence North 72°02'47" West along said North right of way line, 411.19 feet; thence South 17°57'13" West along said North right of way line, 15.00 feet; thence North 74°14'25" West along said North right of way line, 9.74 feet to the West line of said Southeast 1/4; thence North 01°44'12" West along said West line, 2127.44 feet to the Northwest corner of said Southeast 1/4; thence North 88°09'21" East along the aforesaid North line of the Southeast 1/4, 1334.20 feet to the point of beginning. Including that portion of land between said meander line and the centerline of Kilbourn Road Ditch.

PARCEL NO. 82-4-222-194-0200



**VILLAGE OF SOMERS
VILLAGE BOARD
MEETING ITEM MEMORANDUM**

MEETING DATE: February 14, 2023

TO: Village President Stoner and Village Trustees

PREPARED BY: Brandi Baker, Clerk-Treasurer

- AGENDA ITEM:**
- #15 Action on application for Class “B” (Picnic) Beer License from Shoreland Lutheran High School Booster Club for the Connections We Make: Dinner & Auction Event on March 25, 2023. Event to be held at Shoreland Lutheran High School, 9026 12th Street Kenosha, WI 53144
 - #16 Discussion and possible action on application for Temporary Operators License: Amber Wasurick, for the Shoreland Lutheran High School Booster Club for the Connections We Make: Dinner & Auction Event on March 25, 2023.

BACKGROUND:

PRIOR ACTION TAKEN:

This was discussed at the February 7, 2023 Village Work Session.

SUGGESTED ACTION/ACTION REQUESTED/COMMENTS:

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

“Motion to approve the Discussion and possible action on application for Temporary Operators License: Amber Wasurick, for the Shoreland Lutheran High School Booster Club for the Connections We Make: Dinner & Auction Event on March 25, 2023. And waive fees.”

“Motion to approve the application for Temporary Operators License: Amber Wasurick, for the Shoreland Lutheran High School Booster Club for the Connections We Make: Dinner & Auction Event on March 25, 2023. And waive fees”

ATTACHMENTS:

Temporary Class “B” / “Class B” Retailers License Application and Site Plan

Request to waive fees letter.

Application for Temporary Class "B" / "Class B" Retailer's License

See Additional Information on reverse side. Contact the municipal clerk if you have questions.

FEE \$ 10.00

Application Date: 1/25/2023

Town Village City of Somers

County of Kenosha

The named organization applies for: (check appropriate box(es).)

A Temporary Class "B" license to sell fermented malt beverages at picnics or similar gatherings under s. 125.26(6), Wis. Stats.

A Temporary "Class B" license to sell wine at picnics or similar gatherings under s. 125.51(10), Wis. Stats.

at the premises described below during a special event beginning 03/25/2023 and ending 03/25/2023 and agrees to comply with all laws, resolutions, ordinances and regulations (state, federal or local) affecting the sale of fermented malt beverages and/or wine if the license is granted.

1. Organization (check appropriate box) → Bona fide Club Church Lodge/Society
 Chamber of Commerce or similar Civic or Trade Organization
 Veteran's Organization Fair Association

(a) Name Shoreland Lutheran High School Booster Club

(b) Address 9026 12th Street
(Street) Town Village City

(c) Date organized _____

(d) If corporation, give date of incorporation _____

(e) If the named organization is not required to hold a Wisconsin seller's permit pursuant to s. 77.54 (7m), Wis. Stats., check this box:

(f) Names and addresses of all officers:

President Al Ferber 11021 7th Street, Sturtevant, WI 53177

Vice President Jody Hafeman - 10891 - 292 Ave, Trevor, WI 53179

Secretary Ronda Bailey - 341 - 100th Ave Sturtevant, WI 53177

Treasurer _____

(g) Name and address of manager or person in charge of affair: Paul Scriver 4113 Felicia Run, Kansasville, WI 53139

2. Location of Premises Where Beer and/or Wine Will Be Sold, Served, Consumed, or Stored, and Areas Where Alcohol Beverage Records Will be Stored:

(a) Street number 9012 12th Street

(b) Lot _____ Block _____

(c) Do premises occupy all or part of building? Part

(d) If part of building, describe fully all premises covered under this application, which floor or floors, or room or rooms, license is to cover: _____

3. Name of Event

(a) List name of the event The Connections We Make: A Dinner Auction

(b) Dates of event 03/25/2023

DECLARATION

The Officer(s) of the organization, individually and together, declare under penalties of law that the information provided in this application is true and correct to the best of their knowledge and belief.

Officer [Signature]
(Signature/date)

Officer [Signature]
(Signature/date)

Date Filed with Clerk 1/30/2023

Date Granted by Council _____

Shoreland Lutheran Booster Club
(Name of Organization)

Officer [Signature]
(Signature/date)

Officer _____
(Signature/date)

Date Reported to Council or Board _____

License No. _____

Additional Information

May be Granted and Issued only to:

- (1) Bona fide clubs.
- (2) State, county, or local fair associations, or agricultural societies.
- (3) Churches, lodges, or societies that have been in existence for at least 6 months prior to the date of application.
- (4) Posts of veterans organizations.
- (5) Chambers of commerce or similar civic or trade organizations organized under ch. 181, Wis. Stats.

Application:

- (1) Filing: In writing, for each event, on Form AT-315.
- (2) The local licensing authority may act on application or authorize an official or body of the municipality to issue the license. (ss. 125.26(1) and 125.51(1)(a), Wis. Stats.)

- (3) The written application shall be filed with the clerk of the municipality in which premises are located:

Class "B" (Beer):

- a. The governing body shall establish any waiting period before granting of a license for events lasting less than 4 days (s. 125.04(3)(f), Wis. Stats.)
- b. At least 15 days prior to the granting of the license for events lasting 4 or more days.

"Class B" (Wine):

The application shall be filed with the clerk of the local municipality in which the event will be held at least 15 days prior to the granting of the license.

- (4) Seller's Permit: Sec. 77.54 (7m), Wis. Stats., provides an exemption from Wisconsin sales and use taxes relating to certain sales by a nonprofit organization. Check the box if your organization qualifies for the exemption and therefore is not required to hold a seller's permit.
- (5) Publication: Not required.

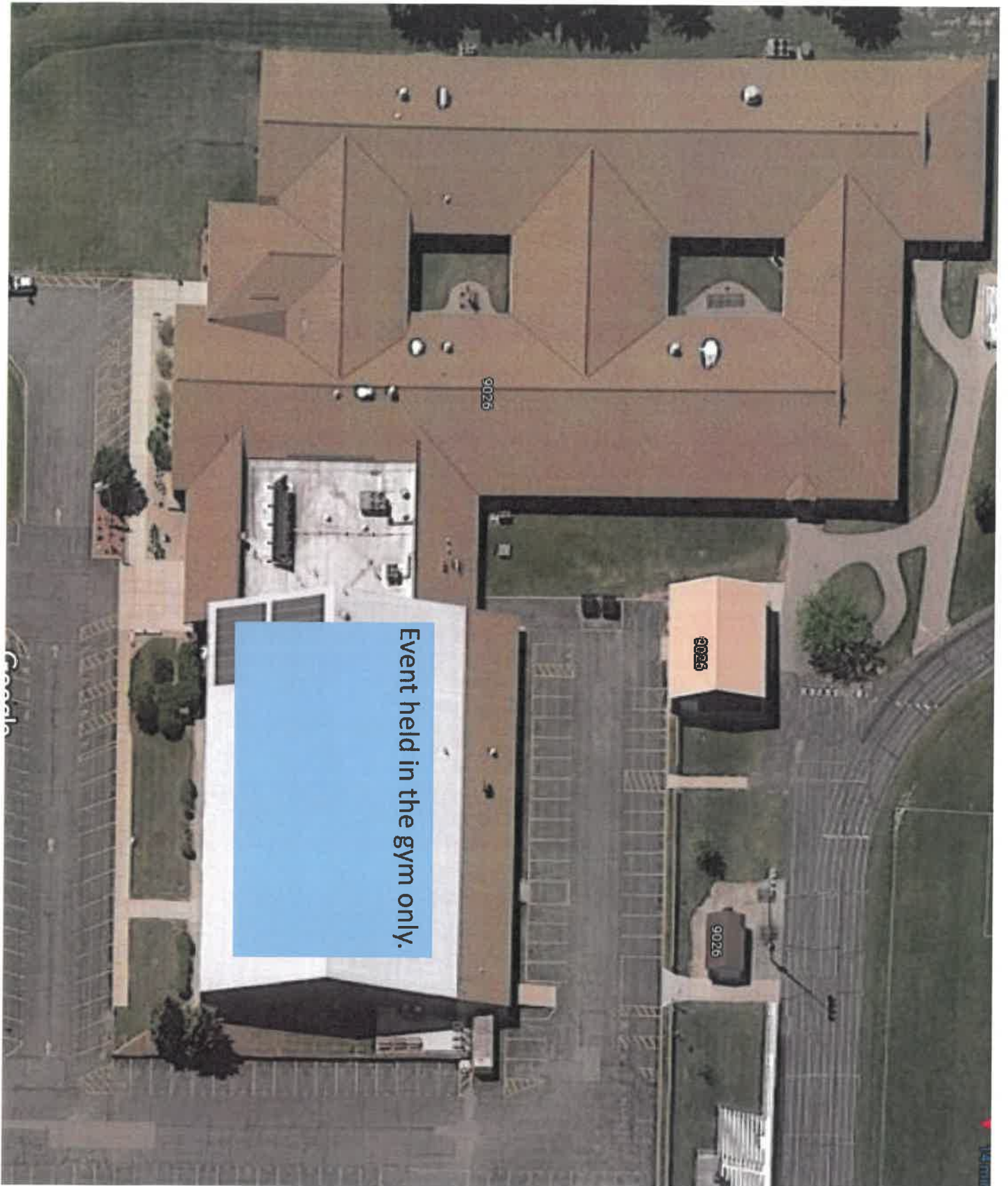
Fee: Determined by the municipality, but may not exceed \$10. (Exception: No additional fee may be charged if organization is applying for both a Temporary Class "B" and a Temporary "Class B" license for the same event.)

Duration: The day, or consecutive days, that the specified event is in progress. A municipality may issue up to 20 licenses to the same licensee for a single event, if each license is issued for the same date and time.

Restrictions:

- (1) License may not be issued to individuals.
- (2) Licenses to organizations, other than ex-servicemen's organizations, can be issued only for a picnic or similar gathering. They may not be issued for business or social meetings of the organization.
- (3) Licenses for club or organization meetings may be issued only to ex-servicemen's posts.
- (4) License may cover either a specified area or the entire picnic grounds.
- (5) License issued to a county or district fair must cover the entire fairground (ss. 125.26(6) and 125.51(10), Wis. Stats.)
- (6) No license to clubs having any indebtedness to any wholesaler for more than 15 days for beer (s. 125.33(7), Wis. Stats.) and 30 days for wine (s. 125.69(4)(b), Wis. Stats.)
- (7) Licensed operator(s) must be present at all times (ss. 125.26(6), 125.32(2) - Beer; 125.51(10), 125.68(2) - Wine; 125.17)
- (8) The licensed club, club members, or any other persons are not permitted to possess intoxicating liquor on licensed premises on the Temporary Class "B"/Class B licensed picnic area. (s. 125.32(6), Wis. Stats.)
- (9) Not more than 2 wine licenses may be issued to any club, county or local fair association, agricultural association, church, lodge, society, chamber of commerce or similar civic or trade organization or veterans' post in any 12 month period. A municipality may issue up to 20 wine licenses to the same licensee if: 1) each license is issued for the same date and times, 2) the licensee is the sponsor of an event held at multiple locations within the municipality on this date and at these times, 3) an admission fee is charged for participation in the event and no additional fee is charged for service of alcohol beverages at the event, and 4) within the immediately preceding 12-month period, the municipality has issued these multiple licenses for fewer than 2 events. In addition, each event for which multiple licenses are issued shall count as one license toward the 2-license limit.
- (10) Licensed organizations must purchase their product from a licensed wholesaler.

NOTE: Most coolers presently on the market have a fermented malt beverage base allowing sale under a beer license, e.g. Bartles and James, Seagrams, etc.



Event held in the gym only.



SHORELAND
LUTHERAN HIGH SCHOOL

Jan 25, 2023

To Whom It May Concern (Town of Somers):

I understand that alcoholic beverages will be distributed at the Shoreland Lutheran High School event being held on Saturday, March 25, 2023 from 5:00 P.M. until 9:00 P.M. The event is entitled "The Taste of Shoreland." It is a fundraiser for our parochial school's tuition assistance fund.

I am hereby requesting a waiver allowing our school to serve alcohol under the conditions established and supervised by our planning committee. I am also requesting that you waive the fees for the Bartender License and the Class B License due to Shoreland Lutheran High School being a not-for-profit organization.

Proceeds from this event are used for tuition assistance, not for the profit of an individual or party.

Thank you for your consideration.

Sincerely,



Mr. Paul Scriver

President

9026 12th Street • PO Box 295 • Somers, WI 53171
Ph: 262.859.2595
www.slhs.us



**VILLAGE OF SOMERS
VILLAGE BOARD
MEETING ITEM MEMORANDUM**

MEETING DATE: February 14, 2023

TO: Village President Stoner and Village Trustees

PREPARED BY: Brandi Baker, Clerk/Treasurer

AGENDA ITEM: #17 Action on recommendation to approve operator licenses for Alexandria Dohogne

BACKGROUND:

Alexandria Dohogne has applied for operators' licenses for the Village of Somers. No discrepancies with the applications.

PRIOR ACTION TAKEN:

None.

SUGGESTED ACTION/ACTION REQUESTED/COMMENTS:

Staff recommends approval. In the event that the Village Board agrees with the recommendation to approve applications, a suggested motion would be as follows:

“Motion to approve Operator Licenses: Alexandria Dohogne”

ATTACHMENTS:

NONE