

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

**Village Board Meeting  
Agenda  
Tuesday, Oct. 28, 2025  
5:30 p.m.**

<b>Village Board Meeting:</b>	
<b>Item #</b>	
1	Call to order
2	Pledge of Allegiance
3	Consent and Approval of Minutes of Regular meetings on Oct. 14, Vouchers dated Oct. 16 & Oct. 23
4	Correspondence: none
5	Citizens Comments:
6	President and Trustee Comments
7	Action on request by Somers Venture LLC, 42500 W 11 Mile Rd Suite C, Novi, MI 48375 (Owner); Nilax Patel, 711 N Elmhurst Rd, Prospect Heights, IL 60070 (Agent), requesting a Rezoning approval for a PUD Planned Unit Development Overlay Dist. amendment to allow a tenant within a multi-tenant building to display wall signage outside of that tenant's internal wall space or end cap wall area, on Tax Parcel #82-4-222-271-0309, located in the NE ¼ Section 27, T2 N, R22 E, Village of Somers. (For information only, the property is located just south of Firestone Complete Auto Care)
8	Action on first Payment Request for the 4th Street Culvert project in the amount of \$110,175.00.
9	Action on request From Bear Development for a Release of Easements (Parcels 82-4-222-151-0560, 82-4-222-151-0561, 82-4-222-151-0563).
10	Action on contract with Root-Pike Watershed Initiative Network (WIN) to conduct Communications and Outreach for Storm Water Permit (MS4) Requirements, term ending December 31, 2027
11	Action on changes to Fire & EMS Billing Rates
12	Action on Agent Application for Indiana Rockwell at Kwik Trip 597

13	Action on Operator’s Licenses: Action on Operator’s Licenses: Sejal Patel, Dale Iverson, Brittany Wutschel, Aaron Mueller, Jacob Starr, Elizabeth Murray, Thomas Mikkelsen, Sherri Tracy, and Jamie Ronge.
14	Adjourn

I hereby certify that as the designee of the chief elected official of the Village of Somers, I posted this notice of the Oct. 28, 2025 Village Board Meeting Agenda in 1 public place & on the Village website.

Dated this 24th day of October 2025

Wendy Burnette, 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 October 14, 2025**

President Stoner called the meeting to order 5:35 p.m.

President Stoner led the Pledge of Allegiance.

Present: President Stoner, Trustees Ben Harbach, Joe Smith, Karl Ostby, Jackie Nelson, Jack Aupperle, and Scott Fredrick. Also present: Administrator Jim Hurley, Clerk/Treasurer Wendy Burnette, and Chief Andersen.

**Consent and Approval of Minutes of Regular meetings on September 23, 2025, Vouchers dated September 25, October 2 & October 9th, ACH Payments for September, September Building Report and August Investment Statements**

Trustee Ostby moved to approve the Minutes of Regular meetings on September 23, 2025, Vouchers dated September 25, October 2 & October 9th, ACH Payments for September, September Building Report and August Investment Statements.

Seconded by Trustee Nelson.

Trustee Harbach questioned a few invoices that were answered by Chief Andersen and Superintendent Sullivan.

Motion carried.7-0 vote.

**Correspondence:**

None

**Citizen Comments**

Mark Molinaro came forth and spoke to the board about taking action to close the Somers House. He mentioned there has been around 3-4 deaths at the establishment and a lot of underage drinking. He stated that if we don't do something and allow them to stay open, we could be asking for a much greater impact to the Village.

Gregg Sinnen, 750 Green Bay Road, questioned why some budgeted CIP items were being charged to 50/50 to the general fund and sewer utility when the CIP clearly states that it will be used extensively for storm water and sewer utility. He also asked how department heads come up with the Estimated Useful Life of Replacements date. He mentioned that due to the expense of these costly machines, we should be getting the most use from them. The safer grant. He does support President Stoner regarding his statement that we will be liable for these new employees after the grant runs out. However, he feels confident that the Chief and Administration can handle the grant appropriately. Addressed concerns about a past decision to allow development cost, such as the water main extensions, to fall on homeowners. He acknowledges that this approach was unfair and apologized for supporting in the past. He emphasized that the current opportunity for development should

not be missed, particularly with the support of Tax Incremental Districts (TIDs) to help fund infrastructure. Referencing the Fire Chief's comments about future water needs, he noted that eventually, the entire village may require water service, and this plan facilitates that growth. He stressed that while the development wouldn't cover all costs, it would significantly contribute. Highlighted the importance of using development to help offset such costs.

Lee Broadway, 2401 2<sup>nd</sup> Street, came forth to ask the board if the water and sewer bill could come on one statement for his neighborhood. He also opened an exploratory committee to run for 15<sup>th</sup> district County Board Supervisor.

### **President and Trustee Comments**

President Stoner spoke about the speed study and interested developers for the Village.

Trustee Fredrick mentioned he agrees with Chairman Molinaro's concerns about Somers House. He supports closing the business.

Trustee Nelson stated that if we bring the Somers House to a Work Session, we should have legal present.

Trustee Aupperle asked why the city can shut down bars within weeks when stuff like this happens.

Trustee Ostby agreed that we need legal advice on this matter as the Somers House is clearly litigious.

Trustee Smith agrees that legal should be present for this work session topic

**Land Division (CSM): Flint 94 Commerce Center LLC, 900 W 48th Pl., Ste 900, Kansas City, MO 64112 (Owner), requests approval of a Certified Survey Map on Tax Parcel #s 82-4-221-131-0401, 82-4-221-131-0402, 82-4-221-131-0403, and 82-4-221-131-0404, located in the NE ¼ of Section 13, T2N, R21E, Village of Somers.**

Trustee Ostby moved to approve Land Division (CSM): Flint 94 Commerce Center LLC, 900 W 48th Pl., Ste 900, Kansas City, MO 64112 (Owner), a Certified Survey Map on Tax Parcel #s 82-4-221-131-0401, 82-4-221-131-0402, 82-4-221-131-0403, and 82-4-221-131-0404, located in the NE ¼ of Section 13, T2N, R21E, Village of Somers.

Second by Trustee Nelson

Motioned carried 7-0 vote.

President Stoner asked the IEA Attorney to come forth. She briefly explained the proposed CSM which was approved by the Plan Commission Board on October 13, 2025.

Trustee Fredrick asked if the ponds will be community property. The attorney mentioned the ponds will be for the benefit of the entire development.

Trustee Nelson inquired how many properties would share the pond. The attorney responded that possibly three properties would, as Lot 4 currently has no development plans. Trustee Nelson expressed concern about potential pond contamination and shared liability among multiple property owners. The attorney assured that Cummins is environmentally responsible and aware that any contamination would reflect poorly on them. She also noted that pond and soil testing showed no risks.

Trustee Nelson asked if there was a draft for shared responsibilities. The attorney said a maintenance agreement exists, stating the developer will handle pond and landscaping maintenance. Trustee Nelson requested legal review. Administrator Hurley confirmed that legal has reviewed the developer's agreement, which holds all beneficiaries of the ponds responsible. If the Village had to intervene, costs would fall on the owners.

Motion carried. 7-0 vote

## **2026 General Fund Budget Presentation**

Trustee Aupperle Motioned to table 2026 General Fund Budget Presentation.

Administrator Hurley requested to table the General Fund Budget Presentation until October 21, 2025, due to questions about the tax portion of the Town and Village. He preferred to postpone rather than provide incorrect information that might need correction a later meeting.

Seconded by Trustee Ostby

Motion carried. 7-0 vote

## **The 2024 Audit was received and will be filed**

Trustee Aupperle motioned to approve the 2024 Audit.

Seconded by Trustee Harbach

Motioned carried. 7-0 vote

Harbach noted that this was consistently delayed and was informed that the team is overworked.

## **Action on Staffing for Adequate Fire and Emergency Response (SAFER) Grant**

Trustee Aupperle moved to approve the Staffing for Adequate Fire and Emergency Response (SAFER) Grant

President Stoner expressed concerns that the current financial approach may mirror past patterns, referencing Gregg Sinnen projection model 75% funding in one and two, 60%

in year three, followed by a heavy financial burden on taxpayers in year four. He urged caution to avoid repeating past issues.

Trustee Ostby countered by noting that the Village is currently in a much stronger and better managed financial position. He pointed out that the County, which holds a better bond rating, follows specific reserve requirements. If the Village does the same, they would have approximately \$4 million in excess reserves.

Trustee Nelson understanding to the financial concerns, noting that she sees the potential risks ahead. She emphasized that the village is unlikely to ever lay off fire and rescue personnel. Reflecting on past experiences, she recalled attending meetings before the village was incorporated in 2015, when financial conditions were poor. She pointed out that earlier decisions such as paying for the town hall in cash instead of financing it negatively affected the village's bond rating and cash flow. Since, becoming a village, there has been significant progress and development. To build confidence in the village's financial outlook, suggested reviewing pending developments, particularly those outside the TIF (Tax Increment Financing) districts. Developments like Bear and Maple Crest will eventually contribute to the tax roll. Estimating future income from these areas could provide a clearer picture of projected revenue and support further discussions.

Trustee Ostby clarified that comparing the levy to reserves is like comparing apples to oranges. The levy funds the operating budget, while reserves can be used in various ways. Offered to review the numbers in more detail. Emphasized the importance of recent comprehensive staffing study conducted by an outside agency, which clearly showed that the fire department was significantly underfunded based on federal, state, and national standards. To address this, the village applied for and was ultimately awarded the highly competitive SAFER grant, after multiple rejections, due to the strength of their case for increased staffing. Noted the village is assuming a referendum will be held in April to request a levy increase to cover the added operational expenses. Adding the new hires likely won't be hired before the referendum.

Chief Andersen stated the new hires would not be made before the April referendum, with the earliest possible hiring date being late April though that may be delayed. The delay is due to the need to formally accept the SAFER grant through federal website, which is currently shut down. Once the grant is accepted the village is obligated to attempt hiring all eight positions. If funds are accepted and then the village backs out, the money must be repaid. However, legally, the board can instruct not to hire if referendum fails. If the grant is accepted but not used, the federal government must be notified, and doing so could negatively impact future grant opportunities. Referenced a previous SAFER grant awarded in 2006, which had a five-year, step-down funding structure. That grant ended in 2010-2011, coinciding with funds being used to build the current facility and event that contributed to the financial hardship of the Town.

Trustee Frederick shared that he had in depth conversations with Chief Andersen and another about past SAFER grant and how it was mismanaged, nearly crippling the village financially. However, he emphasized that the financial distress wasn't solely by the

SAFER grant there were multiple contributing factors. Recommends creating a report to track progress and allow for necessary adjustments moving forward.

Seconded by Trustee Smith

Motion carried 7-0 vote

**Action to extend the engineering and design of the Water Main Project along Highway E (12th street) to include Shoreland High School to the Post Office.**

Trustee Ostby moved to approve extending the engineering and design of the Water Main Project along Highway E (12th street) to include Shoreland High School to the Post Office.

Seconded by Trustee Nelson

Motion carried 7-0 vote

**Action on shared lobbyist contract to advance Bills in the U.S. Senate to have municipalities get their own ZIP Code.**

Trustee Aupperle moved to approve shared lobbyist contract to advance Bills in the U.S. Senate to have municipalities get their own ZIP Code.

Seconded by Trustee Harbach

Motion carried. 6-1 vote

**Action on utility locator purchase request**

Trustee Aupperle moved to approve utility locator purchase request

Utility Manager Fugate explained that the utility locator equipment was budgeted last year and the funds are still available. The locator is used when contractors call before digging to prevent damage to underground utilities. The proposed new equipment includes GPS, which will help build a more accurate GIS (Geographic Information System) map of village utilities, improving efficiency and accuracy for future locates and planning. Currently, the existing locator lacks GPS, leading to duplicated work and increased labor costs.

Trustee Harbach asked who initiates the call to check for utilities.

Utility manager Fugate responded that anyone digging is required to call 811 (Diggers Hotline), as well as utilities like WE Energies, AT&T, and Spectrum. The responsibility for locating utilities is shared between the utility locator and the contractor. The village is only responsible for locating and marketing its own infrastructure such as sewer, water, and stormwater not gas, fiber, or other utilities.

Seconded by Trustee Ostby

Motion carried 7-0 vote

**Action on application for the last 2 Class “B” (Picnic) Beer License from Hyslop Foundation DBA Hawthorn Hollow Nature Sanctuary & Arboretum for their Spooky Hollow Night 1 on October 17, 2025, and their Spooky Hollow Night 2 on October 24, 2025, from 5 p.m. to 9 p.m. Located at 880 Green Bay Road, Kenosha, Wisconsin 53144, and requests to waive fees.**

Trustee Ostby moved to approve application for the last 2 Class “B” (Picnic) Beer License from Hyslop Foundation DBA Hawthorn Hollow Nature Sanctuary & Arboretum for their Spooky Hollow Night 1 on October 17, 2025, and their Spooky Hollow Night 2 on October 24, 2025, from 5 p.m. to 9 p.m. Located at 880 Green Bay Road, Kenosha, Wisconsin 53144, and requests to waive fees.

Second by Trustee Harbach

Motion carried. 7-0 Vote

**Action on Operator’s Licenses: Aviance Ayers, Shirley Baldwin, Sarah Hamilton, Margaret Anders, Maria Palomo and Brooke Hilgers**

Trustee Harbach moved to approve Operator’s Licenses: Aviance Ayers, Shirley Baldwin, Sarah Hamilton, Margaret Anders, Maria Palomo and Brooke Hilgers.

Seconded by Trustee Ostby

Motion carried. 7-0 vote

**Motion to convene into Closed Session for the purpose of discussing with legal counsel regarding threatened or pending litigation pursuant to Section 19.85(1)(g), Wis. Stats., specifically litigation involving Ordinance violation (Roll call vote required)**

Trustee Frederick Aye, Trustee Nelson Aye, Trustee Aupperle Aye, President Stoner Aye, Trustee Ostby Aye, Trustee Smith Aye, and Trustee Harbach Aye.

**Adjourn**

Trustee Nelson moved to Adjourn at 6:30 pm.

Seconded by Trustee Frederick

Motion carried. 7-0 vote

These minutes were not officially approved by the Village Board. Drafted by Wendy Burnette Clerk/Treasurer on October 15, 2025

Check Date	Bank	Check	Vendor	Vendor Name	Amount
Bank POOL POOLED CASH					
10/16/2025	POOL	283(E)	SAMSMC	SAM'S CLUB MC/SYNCR	518.69
10/16/2025	POOL	284(E)	WID002	WI DEPT OF JUSTICE	91.00
10/16/2025	POOL	65367	REFUND UB	AARON GROGAN	674.11
10/16/2025	POOL	65368	AED	AED ESSENTIALS INC	211.00
10/16/2025	POOL	65369	ALERTALL	ALERT-ALL CORP	2,062.00
10/16/2025	POOL	65370	HOP001	ANDREA & ORENDORFF LLP	1,667.74
10/16/2025	POOL	65371	BTM001	BOUND TREE MEDICAL LLC	1,599.12
10/16/2025	POOL	65372	AMOCO	BP KENOSHA TRAVEL PLAZA LLC	936.85
10/16/2025	POOL	65373	FFP001	DAVIS-ULMER SPRINKLER CO INC	3,130.00
10/16/2025	POOL	65374	DAV001	DAVISON LAW OFFICE, LTD	171.00
10/16/2025	POOL	65375	HEARTLAND	HEARTLAND BUSINESS SYSTEMS LLC	258.75
10/16/2025	POOL	65376	HINCKLEY	HINCKLEY SPRINGS	46.95
10/16/2025	POOL	65377	J&EHEAT	J & E HEATING AND COOLING	142.00
10/16/2025	POOL	65378	JWM001	JERRY WILLKOMM INC	89.55
10/16/2025	POOL	65379	KEISLER	KATHY KEISLER	489.09
10/16/2025	POOL	65380	KCSHERIF	KENOSHA CO SHERIFF DEPT	78,920.90
10/16/2025	POOL	65381	KWU002	KENOSHA WATER UTILITY	87,146.89
10/16/2025	POOL	65382	MATRUCK	M A TRUCK PARTS INC	591.86
10/16/2025	POOL	65383	IPRINT	MTS PARTNERS INC	124.00
10/16/2025	POOL	65384	PAT001	PATS SERVICES INC	5,885.00
10/16/2025	POOL	65385	PAY001	PAYNE & DOLAN INC	246.12
10/16/2025	POOL	65386	R&RINS	R & R INSURANCE SERVICES INC	18,326.83
10/16/2025	POOL	65387	SBS001	SAFEGUARD BUSINESS SYSTEMS	108.97
10/16/2025	POOL	65388	SAFETY-K	SAFETY-KLEEN SYSTEMS INC	540.00
10/16/2025	POOL	65389	REFUND UB	SCS PIKE CREEK	413.80
10/16/2025	POOL	65390	REFUND UB	SCS PIKE CREEK	317.76
10/16/2025	POOL	65391	SKK001	SEYMOUR KREMER KOCH LLP	4,111.20
10/16/2025	POOL	65392	SOUTHPORT	SOUTHPORT ENGINEERED SYSTEMS	349.00
10/16/2025	POOL	65393	STAPLEAD	STAPLES	39.18
10/16/2025	POOL	65394	USPOST	US POSTMASTER	370.00
10/16/2025	POOL	65395	WEE001	WE ENERGIES	126.92
10/16/2025	POOL	65396	WEE001	WE ENERGIES	10.39
10/16/2025	POOL	65397	WEE001	WE ENERGIES	10.39
10/16/2025	POOL	65398	WEE001	WE ENERGIES	90.19
10/16/2025	POOL	65399	WEE001	WE ENERGIES	160.99
10/16/2025	POOL	65400	WEE002	WE ENERGIES	1,874.48
10/16/2025	POOL	65401	WES001	WESTERN CULVERT & SUPPLY INC	1,289.60
10/16/2025	POOL	65402	WIHUMANE	WISCONSIN HUMANE SOCIETY	926.88

POOL TOTALS:

Total of 38 Checks:	214,069.20
Less 0 Void Checks:	0.00
Total of 38 Disbursements:	<u>214,069.20</u>

10/23/2025 01:31 PM  
User: HKRUK  
DB: Somers

CHECK REGISTER FOR VILLAGE OF SOMERS  
CHECK DATE FROM 10/23/2025 - 10/23/2025

Check Date	Bank	Check	Vendor	Vendor Name	Amount
Bank POOL POOLED CASH					
10/23/2025	POOL	65403	BAXTER	BAXTER & WOODMAN	44,959.40
10/23/2025	POOL	65404	BTM001	BOUND TREE MEDICAL LLC	2,269.03
10/23/2025	POOL	65405	CSC001	CENTURY SECURITY	35.00
10/23/2025	POOL	65406	SPECTRUM	CHARTER COMMUNICATIONS	183.34
10/23/2025	POOL	65407	THELETTER	CHRISTINA CHATMAN	407.00
10/23/2025	POOL	65408	KMCC001	FROEDTERT SOUTH	128.00
10/23/2025	POOL	65409	UHS001	FROEDTERT SOUTH INC-PHARMACY	94.70
10/23/2025	POOL	65410	NAP002	GENUINE PARTS COMPANY INC	72.00
10/23/2025	POOL	65411	KEISLER	KATHY KEISLER	10.02
10/23/2025	POOL	65412	KEN003	KENOSHA CO HWY DIVISION	56.91
10/23/2025	POOL	65413	ACEHARDWAR	KENOSHA HADWARE NORTH LLC	53.96
10/23/2025	POOL	65414	KWU002	KENOSHA WATER UTILITY	74,702.77
10/23/2025	POOL	65415	MEN001	MENARDS - RACINE	35.98
10/23/2025	POOL	65416	MUELLERCOM	MUELLER COMMUNICATIONS LLC	10,353.33
10/23/2025	POOL	65417	PAY001	PAYNE & DOLAN INC	142.37
10/23/2025	POOL	65418	QUADIENT	QUADIENT FINANCE USA INC	500.00
10/23/2025	POOL	65419	QUADIENTLE	QUADIENT LEASING USA INC	214.68
10/23/2025	POOL	65420	SHI001	SHERWIN INDUSTRIES INC	5,184.00
10/23/2025	POOL	65421	STRAND	STRAND ASSOCIATES INC	6,000.00
10/23/2025	POOL	65422	SUBSURFACE	SUBSURFACE SOLUTIONS LLC	11,943.33
10/23/2025	POOL	65423	TAP001	TAPCO	55.20
10/23/2025	POOL	65424	VONBRIES	VON BRIESEN & ROPER SC	4,422.00
10/23/2025	POOL	65425	WEE001	WE ENERGIES	225.53
10/23/2025	POOL	65426	WEE001	WE ENERGIES	249.16
10/23/2025	POOL	65427	WEE001	WE ENERGIES	5,337.21

POOL TOTALS:

Total of 25 Checks:	167,634.92
Less 0 Void Checks:	0.00
Total of 25 Disbursements:	167,634.92

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

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**MEETING DATE:** Oct. 28, 2025

**TO:** Village President Stoner and Village Trustees

**PREPARED BY:** Kevin Poirier, Assistant Administrator

**REVIEWED BY:** Jim Hurley, Village Administrator

**AGENDA ITEM:** #7 Action on request by Somers Venture LLC, 42500 W 11 Mile Rd Suite C, Novi, MI 48375 (Owner); Nilax Patel, 711 N Elmhurst Rd, Prospect Heights, IL 60070 (Agent), requesting a Rezoning approval for a PUD Planned Unit Development Overlay Dist. amendment to allow a tenant within a multi-tenant building to display wall signage outside of that tenant's internal wall space or end cap wall area, on Tax Parcel #82-4-222-271-0309, located in the NE ¼ Section 27, T2 N, R22 E, Village of Somers. *(For information only, the property is located just south of Firestone Complete Auto Care)*

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**BACKGROUND:**

Staff met with Salem Najjar of the SERVE Hospitality Group in the fall of 2023. Kolhbrook Design (herein referred to as the Applicant) has served as Mr. Najjar's agent in the design of the building. The Applicant wishes to bring a new commercial building to the Market Square area. The proposal is for a multi-tenant building, with a Tropical Smoothie Café as the anchor tenant. <https://www.tropicalsmoothiecafe.com/>

The project is due south of the Firestone building. As a part of this process the Applicant has submitted applications for a Conditional Use Permit, and Site Approval. The Conditional Use Permit requested is to allow for an outdoor seating area for the Tropical Smoothie Café. The outdoor area would consist of one table. The hours of operation for the business would be 7 a.m. to 9 p.m. The current zoning on the Parcel is B4. No zoning changes have been requested.

Plan Commission heard these requests on April 8<sup>th</sup> and held the necessary public hearing for the Conditional Use Permit. The Plan Commission approved conditional use permit for outdoor dining (7-0) and the site plan (7-0). The Plan Commission only request was that parking on the northernly portion of the property be available for employee parking.

The Owner requested a modification to the PUD Planned Unit Development Overlay District to allow for additional signs to be displayed since the building includes multiple tenants.

**PRIOR ACTION TAKEN:**

This item was presented to the Plan Commission on Oct. 13 and was recommended for approval.

**SUGGESTED ACTION/ACTION REQUESTED/COMMENTS:**

Staff suggest approving the request subject to the same condition that applied to the original rezoning and PUD.

*“Motion to approve request by Somers Venture LLC, 42500 W 11 Mile Rd Suite C, Novi, MI 48375 (Owner); Nilax Patel, 711 N Elmhurst Rd, Prospect Heights, IL 60070 (Agent), requesting a rezoning approval for a PUD Planned Unit Development Overlay Dist. amendment to allow a tenant with a multi-tenant building to display wall signage outside of that tenant’s internal wall space or end cap wall area, on Tax Parcel #82-4-222-271-0309, located in the NE ¼ Section 27, T2, N, R22, E, Village of Somers, subject to the following conditions:*

- 1. Subject to conditions as listed in Planning Memo dated March 22<sup>nd</sup>, 2024*
- 2. Subject to final plans being reviewed and approved by Village Planning;*
- 3. Subject to conditions as listed in Village Engineer Memo dated April 15<sup>th</sup>, 2024;*
- 4. Subject to final plans being reviewed and approved by Village Engineer; and*

**ATTACHMENTS:**

Minutes from Oct. 13, 2025 Plan Commission

County Planning & Development Report dated Oct. 3.

Application for Rezoning received August 15, 2025



Village of Somers  
Proceeding from the Village Plan  
Commission Meeting  
October 13, 2025

## 1. Call to Order

Chairman Stoner called the meeting to order at 5:53 p.m.

Present:

- Chairman George **Stoner**
- Commissioner Michael **DeLuca**
- Alternate Pat **Juliana(Virtual)**
- Commissioner Jerry Romanowski

Absent:

- Commissioner Don Boxx
- Commissioner Gregg Thompson
- Commissioner Troy Steege
- Assistant Administrator Kevin Poirier

Staff present in person: Administrator Jim Hurley, and Deputy Clerk Treasurer Eugenia Lara  
Village Trustees: Ben Harbach and Karl Ostby  
Others: Gregg Sinnen and Luke Godshall

## 2. Pledge of Allegiance

Chairman Stoner led everyone in the Pledge of Allegiance.

## 3. Approve Minutes of September 8, 2025, Joint Meeting with the Village Board contingent on the approval by the Village Board.

Commissioner Jerry Romanowski moved to approve to the minutes.

Seconded by Commissioner Michael Delucca.

Motion carried. 5-0 vote.

#### 4. Correspondence

None

#### 5. Citizen Comments

Greg Sinnen- 750 Green Bay Rd Kenosha, WI 53144 suggested a reminder be issued regarding the Village's expectation that business signs should include the name "Somers."

6. **Rezone with PUD: Public Hearing and Action on Request by:** Somers Venture LLC, 42500 W 11 Mile Rd Suite C, Novi, MI 48375 (Owner); Nilax Patel, 711 N Elmhurst Rd, Prospect Heights, IL 60070 (Agent), requesting a rezoning approval for a PUD Planned Unit Development Overlay Dist. amendment to allow a tenant with a multi-tenant building to display wall signage outside of that tenant's internal wall space or end cap wall area, on Tax Parcel #82-4-222-271-0309, located in the NE ¼ Section 27, T2 N, R22 E, Village of Somers. *(For more information only, the property is located just south of Firestone Complete Auto Care)*

Steve Kolber -828 Davis St, Evanston, IL Architect. Option #1 All tenants are allowed to have signage on all 4 sides. Option #2 The west tenant is allowed to have signage on (3) elevations: North, South & East. Option #3 Per rendering, the middle & West tenant are one and allowed to have signs on all 4 sides. Option (4) The middle & West tenant are one tenant & are allowed to have signs on all 3 sides of their choosing.

Commissioner Juliana motioned to action on request by Somers Venture LLC, 42500 W 11 Mile Rd Suite C, Novi, MI 48375 (Owner); Nilax Patel, 711 N Elmhurst Rd, Prospect Heights, IL 60070 (Agent), requesting a rezoning approval for a PUD Planned Unit Development Overlay Dist. amendment to allow a tenant with a multi-tenant building to display wall signage outside of that tenant's internal wall space or end cap wall area, on Tax Parcel #82-4-222-271-0309, located in the NE ¼ Section 27, T2, N, R22, E, Village of Somers. *(Form more information only, the property is located just south of Firestone Complete Auto Care)*

Seconded by: Commissioner Delucca

Motion carried 5-0 vote.

#### 7. **Land Division (CSM):**

Flint 94 Commerce Center LLC, 900 W 48<sup>th</sup> Pl., Ste 900, Kansas City, MO 64112 (Owner), requests approval of a Certified Survey Map on Tax Parcel #s 82-4-221-131-0401, 82-4-221-131-0402, 82-4-221-131-0403, and 82-4-221-131-0404, located in the NE ¼ of Section 13, T2N, R21E, Village of Somers.

Commissioner Delucca motioned to approve Flint 94 Commerce Center LLC, 900 West

48<sup>th</sup> Pl., Ste 900, Kansas City, MO 64112 (Owner), requests approval of a Certified Survey Map on Tax Parcel #s 82-4-221-131-0401, 82-4-221-131-0402, 82-4-221-131-0403, and 82-4-221-131-0404, located in NE ¼ Section 13, T2N, R21E, Village of Somers.

Seconded by Commissioner Julianna

Motioned carried. 5-0 vote.

**8. Adjourn**

Commissioner Boxx moved to adjourn.  
Seconded by Commissioner Chambers.  
Motion carried 5-0 vote.

Drafted 10/15/ 2025. These minutes are not official until approved by the Plan Commission. Submitted by Deputy/Clerk Treasurer Eugenia Lara.



# KENOSHA COUNTY

Shelly Billingsley, Director  
Department of Public Works &  
Development Services

Andy M. Buehler, Director  
Division of Planning & Development

**TO:** Village of Somers Plan Commission  
**FROM:** Luke Godshall, Kenosha County Planning & Development  
**APPLN DATE:** 08-15-25  
**RPT DATE:** 10-03-25  
**MTG DATE:** 10-13-25  
**RE:** Tropical Smoothie Café – Wall Signs

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## BACKGROUND:

1. Petitioner/Agent: Nilax Patel
  2. Property Owner: Somers Venture LLC
  3. Location/Address: 3199 Market Ln
  4. Tax key Number(s): 82-4-222-271-0309
  5. Area: 2.12 acres
  6. Existing Zoning: B-4 Planned Business District w/ PUD Planned Unit Development Overlay District
  7. Proposed Zoning: B-4 Planned Business District w/ PUD Planned Unit Development Overlay District
- 

## OVERVIEW:

The Petitioner has previously been approved to construct multi-tenant commercial building on the subject property which will contain a Tropical Smoothie Café and two additional commercial tenants. A PUD overlay has also been approved for this site to allow the paved drive aisle along the south side of the site to be located as close as 5 feet from the lot line (normally required to be 10 feet under Village zoning code).

## PLANNER COMMENTS:

The building and site are currently under construction, and a potential tenant for the middle tenant space has approached the Petitioner about the possibility of locating wall signage along Green Bay Road, within Tropical Smoothie Café's tenant area which encompasses the entire east side of the building facing Green Bay Road. Under current Village zoning regulations, wall signage for tenants in a multi-tenant building must be located within that tenant's internal wall space or end cap wall area ([Section ZN 3.07\(6\)\(h\)2a](#)). Given the north/south orientation of the tenant spaces within the building, the Petitioner is requesting an exception to allow a tenant to display wall signage outside of their internal wall space along Green Bay Road.

The Petitioner has indicated several options they would like the Plan Commission to consider:

- Option #1 - All (3) tenants are allowed to have signage on all (4) sides.
- Option #2 - The west tenant is allowed to have signage on (3) elevations: North, East and West. The middle tenant is allowed signage on (3) elevations: North, South and East.

- Option #3 - Per the rendering, the middle and west tenant are one tenant and are allowed to have signs on all (4) sides.
- Option #4 - The middle and west tenant are one tenant and are allowed to have signs on all (3) sides of their choosing.

Renderings depicting all sides of the building with wall signage have been supplied by the Petitioner.

**STAFF RECOMMENDATION:**

Should the Plan Commission choose to recommend approval of the submitted application, staff would recommend the following:

1. That a motion to approve the submitted rezoning application w/ PUD overlay should recognize the requested zoning ordinance deviation from Section ZN 3.07(6)(h)2a which states that in multi-tenant buildings, each tenant may place one wall sign per public entrance or wall/facade which fronts upon a public right-of-way or private drive and contained within the tenant's internal wall space or end cap wall area.



# VILLAGE OF SOMERS

## Department of Planning and Development

RECEIVED  
Sept. 2021

AUG 15 2025

Kenosha County  
Planning & Development

### REZONING APPLICATION

(a) Property Owner's Name:

Somers Venture LLC

Print Name: Nilax Patel

Signature:

Mailing Address: 711 N Elmhurst Rd

City: Prospect Heights

State: IL

Zip: 60070

Phone Number: 847-980-1632

E-mail (optional): Nilax@resaconstruction.com

Note: Unless the property owner's signature can be obtained in the above space, a letter of agent status **signed** by the legal property owner **must** be submitted if you are a tenant, leaseholder, or authorized agent representing the legal owner, allowing you to act on their behalf.

(b) Agent's Name (if applicable):

Print Name: \_\_\_\_\_

Signature: \_\_\_\_\_

Business Name: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Phone Number: \_\_\_\_\_ E-mail (optional): \_\_\_\_\_

(c) Tax key number(s) of property to be rezoned:

82-4-222-271-0309

Property Address of property to be rezoned:

3199 Market Lane

(d) Proposed use (a statement of the type, extent, area, etc. of any development project):

New retail center. Change PUD to allow wall signage for the middle tenant on the east facade of the building which is not that tenants wall space

**REZONING APPLICATION**

(e) Check the box next to any and all of the **existing** zoning district classifications present on the subject property:

<input type="checkbox"/> A-1 Agricultural Preservation District	<input type="checkbox"/> B-1 Neighborhood Business District
<input type="checkbox"/> A-2 General Agricultural District	<input type="checkbox"/> B-2 Community Business District
<input type="checkbox"/> A-3 Agricultural Related Manufacturing, Warehousing and Marketing District	<input type="checkbox"/> B-3 Highway Business District
<input type="checkbox"/> A-4 Agricultural Land Holding District	<input checked="" type="checkbox"/> B-4 Planned Business District
<input type="checkbox"/> AE-1 Agricultural Equestrian Cluster Single-Family District	<input type="checkbox"/> B-5 Wholesale Trade and Warehousing District
<input type="checkbox"/> R-1 Rural Residential District	<input type="checkbox"/> BP-1 Business Park District
<input type="checkbox"/> R-2 Suburban Single-Family Residential District	<input type="checkbox"/> B-94 Interstate Highway 94 Special Use Business District
<input type="checkbox"/> R-3 Urban Single-Family Residential District	<input type="checkbox"/> M-1 Limited Manufacturing District
<input type="checkbox"/> R-4 Urban Single-Family Residential District	<input type="checkbox"/> M-2 Heavy Manufacturing District
<input type="checkbox"/> R-4.5 Urban Single-Family Residential District	<input type="checkbox"/> M-3 Mineral Extraction District
<input type="checkbox"/> R-5 Urban Single-Family Residential District	<input type="checkbox"/> M-4 Sanitary Landfill and Hazardous Waste Disposal District
<input type="checkbox"/> R-6 Urban Single-Family Residential District	<input type="checkbox"/> I-1 Institutional District
<input type="checkbox"/> R-7 Suburban Two-Family and Three-Family Residential District	<input type="checkbox"/> PR-1 Park-Recreational District
<input type="checkbox"/> R-8 Urban Two-Family Residential District	<input type="checkbox"/> C-1 Lowland Resource Conservancy District
<input type="checkbox"/> R-9 Multiple-Family Residential District	<input type="checkbox"/> C-2 Upland Resource Conservancy District
<input type="checkbox"/> R-10 Multiple-Family Residential District	<input type="checkbox"/> FPO Floodplain Overlay District
<input type="checkbox"/> R-11 Multiple-Family Residential District	<input checked="" type="checkbox"/> PUD Planned Unit Development Overlay District
<input type="checkbox"/> R-12 Mobile Home/Manufactured Home Park-Subdivision District	<input type="checkbox"/> AO Airport Overlay District
	<input type="checkbox"/> RC Rural Cluster Development Overlay District

(f) Check the box next to any and all of the **proposed** zoning district classifications proposed for the subject property:

<input type="checkbox"/> A-1 Agricultural Preservation District	<input type="checkbox"/> B-1 Neighborhood Business District
<input type="checkbox"/> A-2 General Agricultural District	<input type="checkbox"/> B-2 Community Business District
<input type="checkbox"/> A-3 Agricultural Related Manufacturing, Warehousing and Marketing District	<input type="checkbox"/> B-3 Highway Business District
<input type="checkbox"/> A-4 Agricultural Land Holding District	<input checked="" type="checkbox"/> B-4 Planned Business District
<input type="checkbox"/> AE-1 Agricultural Equestrian Cluster Single-Family District	<input type="checkbox"/> B-5 Wholesale Trade and Warehousing District
<input type="checkbox"/> R-1 Rural Residential District	<input type="checkbox"/> BP-1 Business Park District
<input type="checkbox"/> R-2 Suburban Single-Family Residential District	<input type="checkbox"/> B-94 Interstate Highway 94 Special Use Business District
<input type="checkbox"/> R-3 Urban Single-Family Residential District	<input type="checkbox"/> M-1 Limited Manufacturing District
<input type="checkbox"/> R-4 Urban Single-Family Residential District	<input type="checkbox"/> M-2 Heavy Manufacturing District
<input type="checkbox"/> R-4.5 Urban Single-Family Residential District	<input type="checkbox"/> M-3 Mineral Extraction District
<input type="checkbox"/> R-5 Urban Single-Family Residential District	<input type="checkbox"/> M-4 Sanitary Landfill and Hazardous Waste Disposal District
<input type="checkbox"/> R-6 Urban Single-Family Residential District	<input type="checkbox"/> I-1 Institutional District
<input type="checkbox"/> R-7 Suburban Two-Family and Three-Family Residential District	<input type="checkbox"/> PR-1 Park-Recreational District
<input type="checkbox"/> R-8 Urban Two-Family Residential District	<input type="checkbox"/> C-1 Lowland Resource Conservancy District
<input type="checkbox"/> R-9 Multiple-Family Residential District	<input type="checkbox"/> C-2 Upland Resource Conservancy District
<input type="checkbox"/> R-10 Multiple-Family Residential District	<input type="checkbox"/> FPO Floodplain Overlay District
<input type="checkbox"/> R-11 Multiple-Family Residential District	<input checked="" type="checkbox"/> PUD Planned Unit Development Overlay District
<input type="checkbox"/> R-12 Mobile Home/Manufactured Home Park-Subdivision District	<input type="checkbox"/> AO Airport Overlay District
	RC Rural Cluster Development Overlay District

**REZONING APPLICATION**

**(g)** Your request must be consistent with the existing planned land use category as shown on Map 65 of the adopted "[Multi-Jurisdictional Comprehensive Plan for Kenosha County: 2035](#)".

The existing planned land use category for the subject property is:

<input type="checkbox"/> Farmland Protection	<input type="checkbox"/> Governmental and Institutional
<input type="checkbox"/> General Agricultural and Open Land	<input type="checkbox"/> Park and Recreational
<input type="checkbox"/> Rural-Density Residential	<input type="checkbox"/> Street and Highway Right-of-Way
<input type="checkbox"/> Agricultural and Rural Density Residential	<input type="checkbox"/> Other Transportation, Communication, and Utility
<input type="checkbox"/> Suburban-Density Residential	<input type="checkbox"/> Extractive
<input type="checkbox"/> Medium-Density Residential	<input type="checkbox"/> Landfill
<input type="checkbox"/> High-Density Residential	<input type="checkbox"/> Primary Environmental Corridor
<input type="checkbox"/> Mixed Use	<input type="checkbox"/> Secondary Environmental Corridor
<input checked="" type="checkbox"/> Commercial	<input type="checkbox"/> Isolated Natural Resource Area
<input type="checkbox"/> Office/Professional Services	<input type="checkbox"/> Other Conservancy Land to be Preserved
<input type="checkbox"/> Industrial	<input type="checkbox"/> Nonfarmed Wetland
<input type="checkbox"/> Business/Industrial Park	<input type="checkbox"/> Surface Water

**(h)** Attach a plot plan or survey plat of property to be rezoned (showing location, dimensions, zoning of adjacent properties, existing uses and buildings of adjacent properties, floodways and floodplains)—drawn to scale.

**(i)** The Village of Somers Department of Planning and Development may ask for additional information.

**(j)** The name of the County Supervisor of the district wherein the property is located ([District Map](#)):

Supervisory District Number: \_\_\_\_\_ County Board Supervisor: \_\_\_\_\_

**(k)** The fee specified in Section 12.05-8 of this ordinance.

Request for Rezoning Petition (payable to "Kenosha County").....\$1,450.00

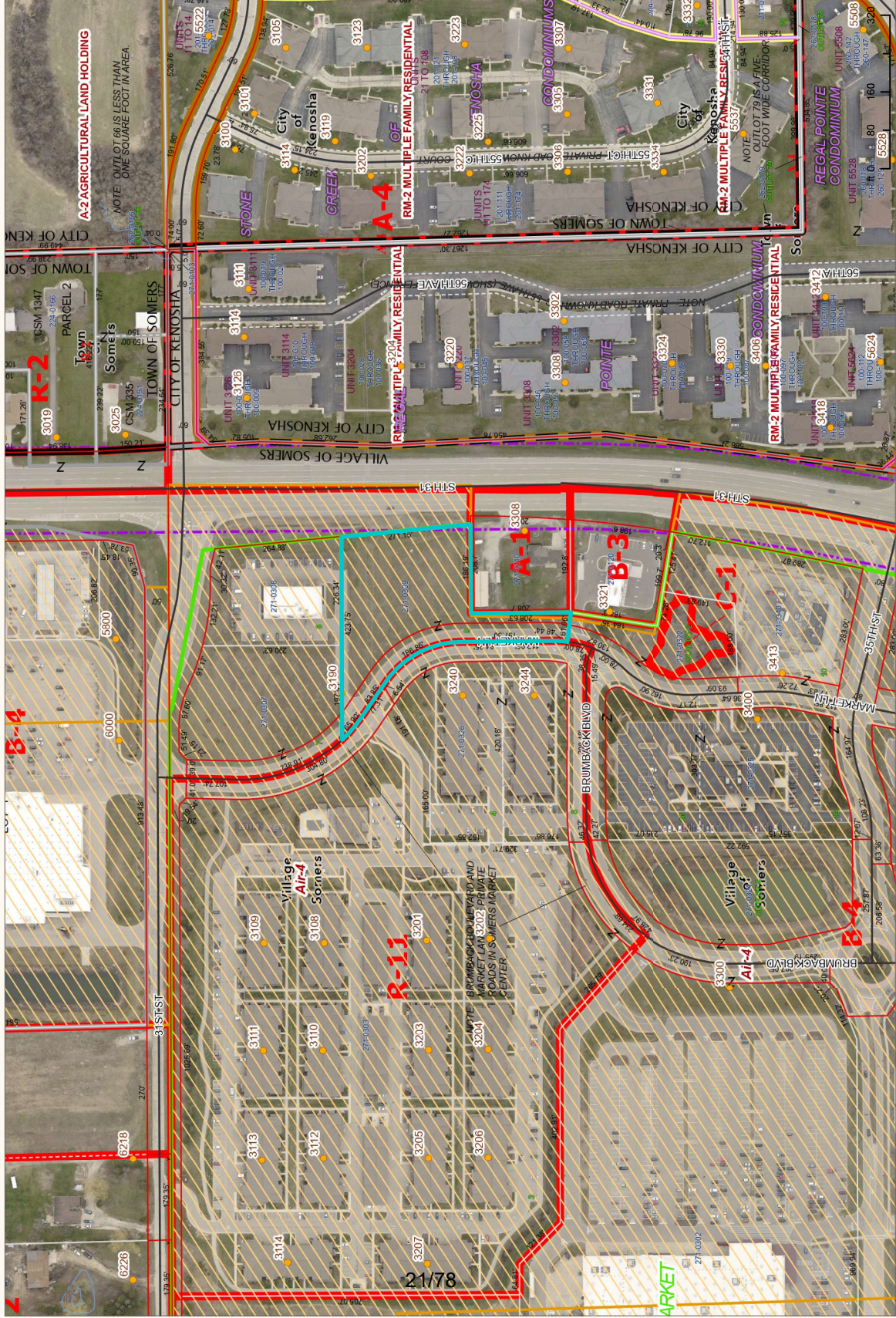
(For other fees see the [Fee Schedule](#))

**Note: Agricultural Use Conversion Charge**

The use value assessment system values agricultural land based on the income that would be generated from its rental for agricultural use rather than its fair market value. When a person converts agricultural land to a non-agricultural use (e.g. residential or commercial development), that person may owe a conversion charge. To obtain more information about the use value law or conversion charge, contact the Wisconsin Department of Revenue's Equalization Section at 608-266-2149 or visit <http://www.revenue.wi.gov/faqs/slf/useassmt.html>.

Note that the act of rezoning property from an agricultural zoning district to a non-agricultural zoning district does not necessarily trigger the agricultural use conversion charge. It is when the use of the property changes from agricultural that the conversion charge is assessed.

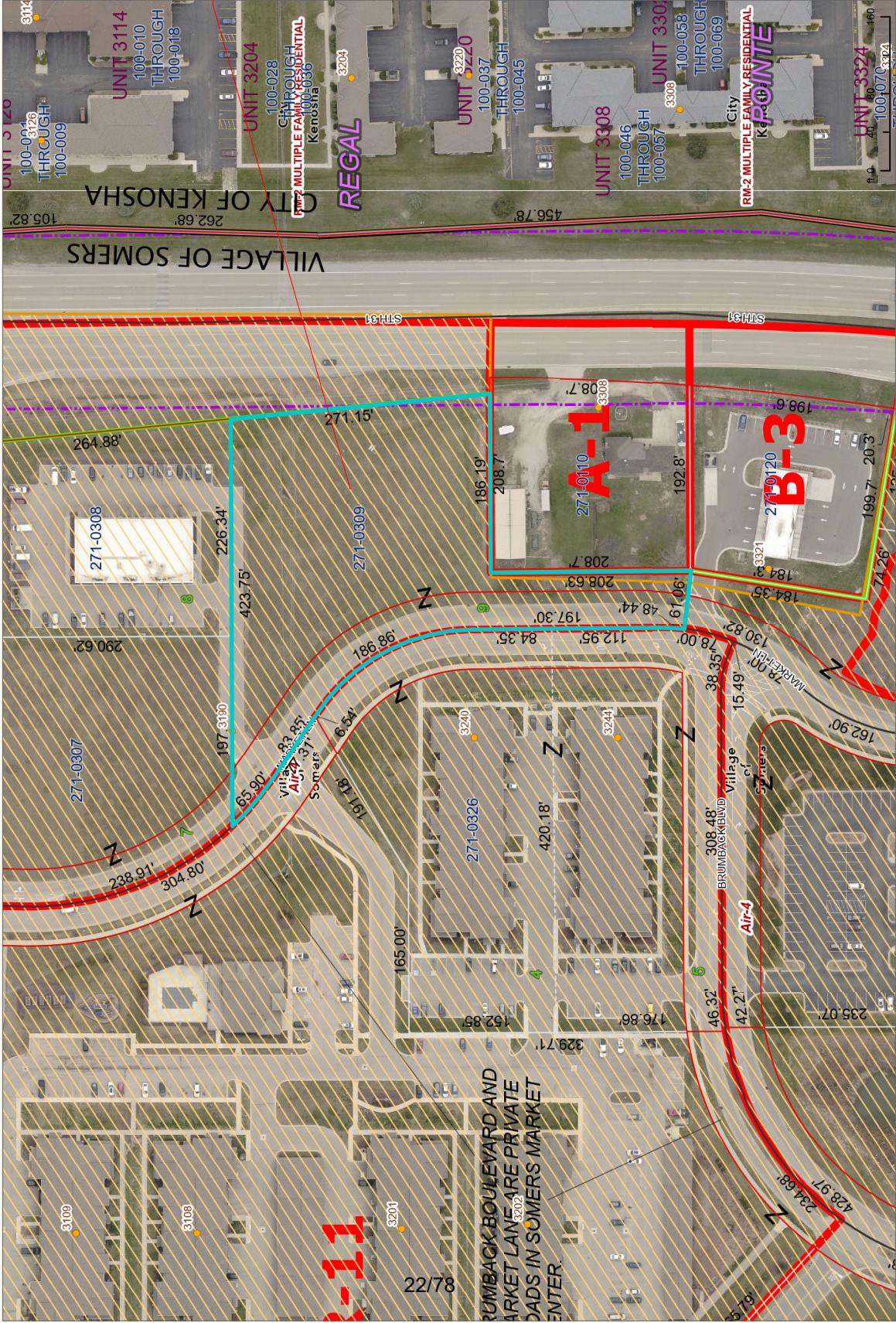
82-4-222-271-0309



DISCLAIMER: This map is neither a legally recorded map nor a survey and is not intended to be used as one. This drawing is a compilation of records, data and information located in various state, county and municipal offices and other sources affecting the area shown and is to be used for reference purposes only. Kenosha County is not responsible for any inaccuracies herein contained. If discrepancies are found, please contact Kenosha County.

Date Printed: 6/18/2024

82-4-222-271-0309



KENOSHA COUNTY  
INTERACTIVE MAPPING

Proposed:  
Amend PUD overlay to allow  
a building tenant to place  
wall signage outside of their  
internal wall space or end cap  
wall area



1" = 100'  
1:1,200

DISCLAIMER: This map is neither a legally recorded map nor a survey and is not intended to be used as one. This drawing is a compilation of records, data and information located in various state, county and municipal offices and other sources affecting the area shown and is to be used for reference purposes only. Kenosha County is not responsible for any inaccuracies herein contained. If discrepancies are found, please contact Kenosha County.

Date Printed: 6/18/2024



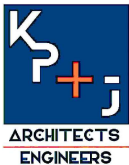
EXTERIOR NORTH SIDE - MARKET CENTRE



EXTERIOR SOUTH SIDE - MARKET CENTRE



EXTERIOR WEST SIDE - MARKET CENTRE

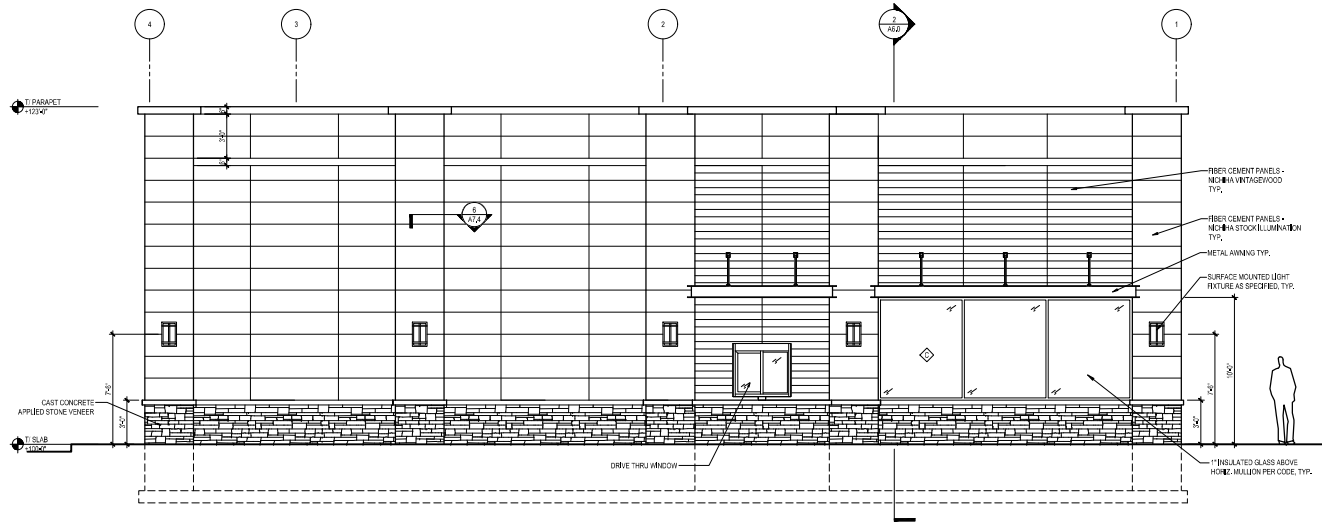


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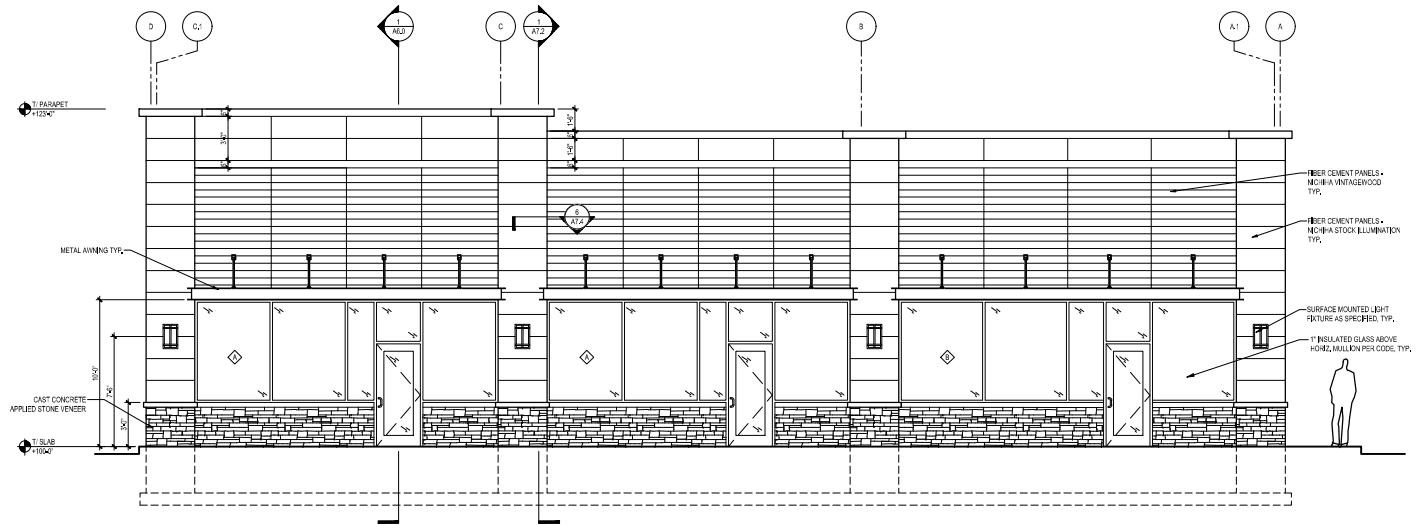
Somers Market Center.  
Village Of Somers, Kenosha County.



EXTERIOR EAST SIDE- MARKET CENTRE



**2 EAST ELEVATION**  
SCALE: 1/4" = 1'-0"



**1 NORTH ELEVATION**  
SCALE: 1/4" = 1'-0"

BRAND PARTNER CLIENT  
 BRAND COORDINATORS  
 MEP ENGINEER  
 DEVELOPER  
 ARCHITECT  
**kolbrook design**  
 830 DANE STREET, SUITE 300  
 EVANSTON, IL 60201  
 OFFICE: 847.662.1902 | FAX: 847.662.9899  
 MICHAEL PROFESSIONAL DESIGN, INC. 275641



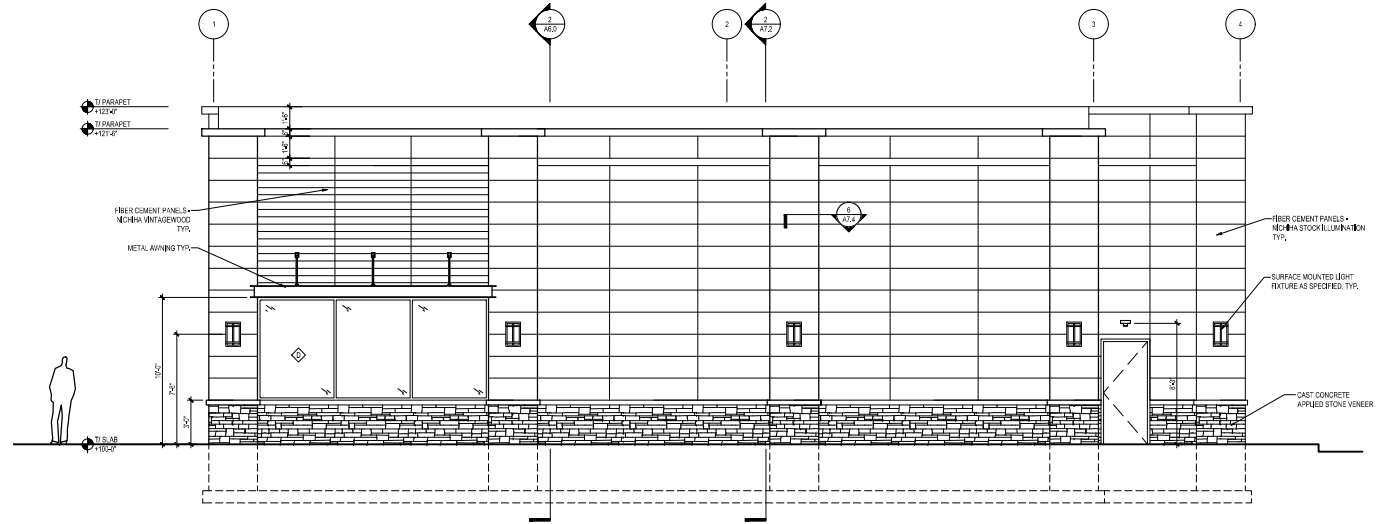
PROJECT:  
**SOMERS RETAIL CENTER**  
 LOT 8, SOMERS MARKET CENTER  
 VILLAGE OF SOMERS  
 WENOSHA COUNTY, WISCONSIN

DRAWING DATE: 08/22/2024  
 FOR PERMIT: 18/05/2024  
 REVISION: 18/05/2024

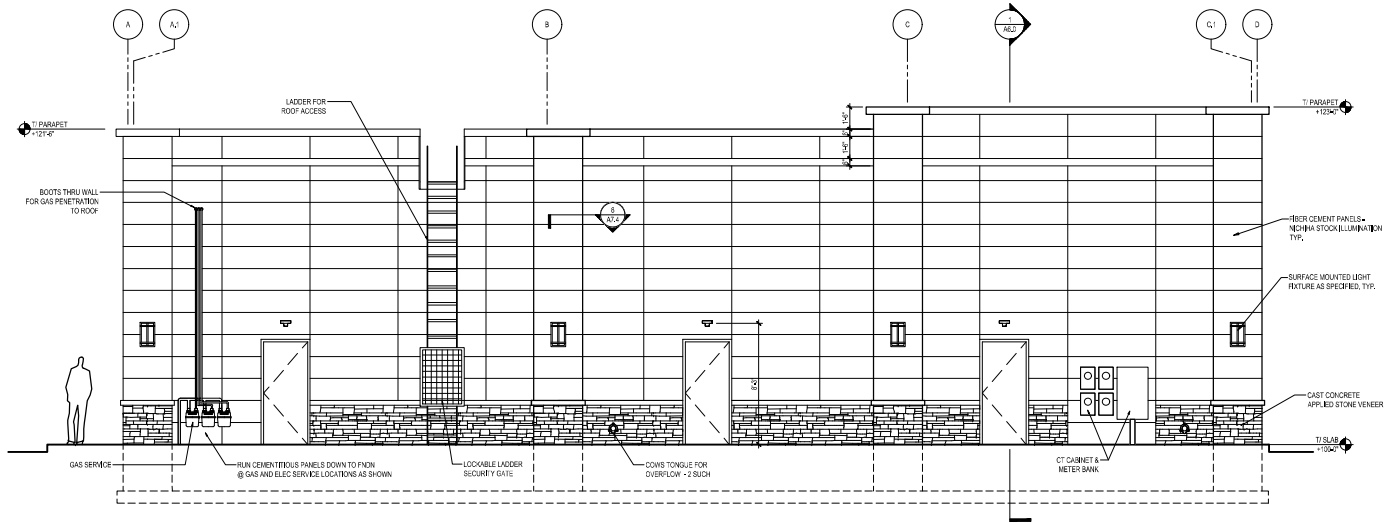
PREPARED BY: -  
 CHECKED BY: -  
 SHEET TITLE:

EXTERIOR ELEVATIONS

SHEET NO.  
**A5.0**  
 Kolbrook  
 Job No. 1874.025



**2 WEST ELEVATION**  
SCALE: 1/4" = 1'-0"



**1 SOUTH ELEVATION**  
SCALE: 1/4" = 1'-0"

BRAND PARTNER CLIENT  
 BRAND COORDINATORS  
 MEP ENGINEER  
 DEVELOPER  
 ARCHITECT  
**kolbrook design**  
 830 CAHNE STREET, SUITE 300  
 EVANSTON, IL 60201  
 OFFICE: 847.642.1962 | FAX: 847.642.8899  
 MICHAEL PROFESSIONAL DESIGN, INC. 275641



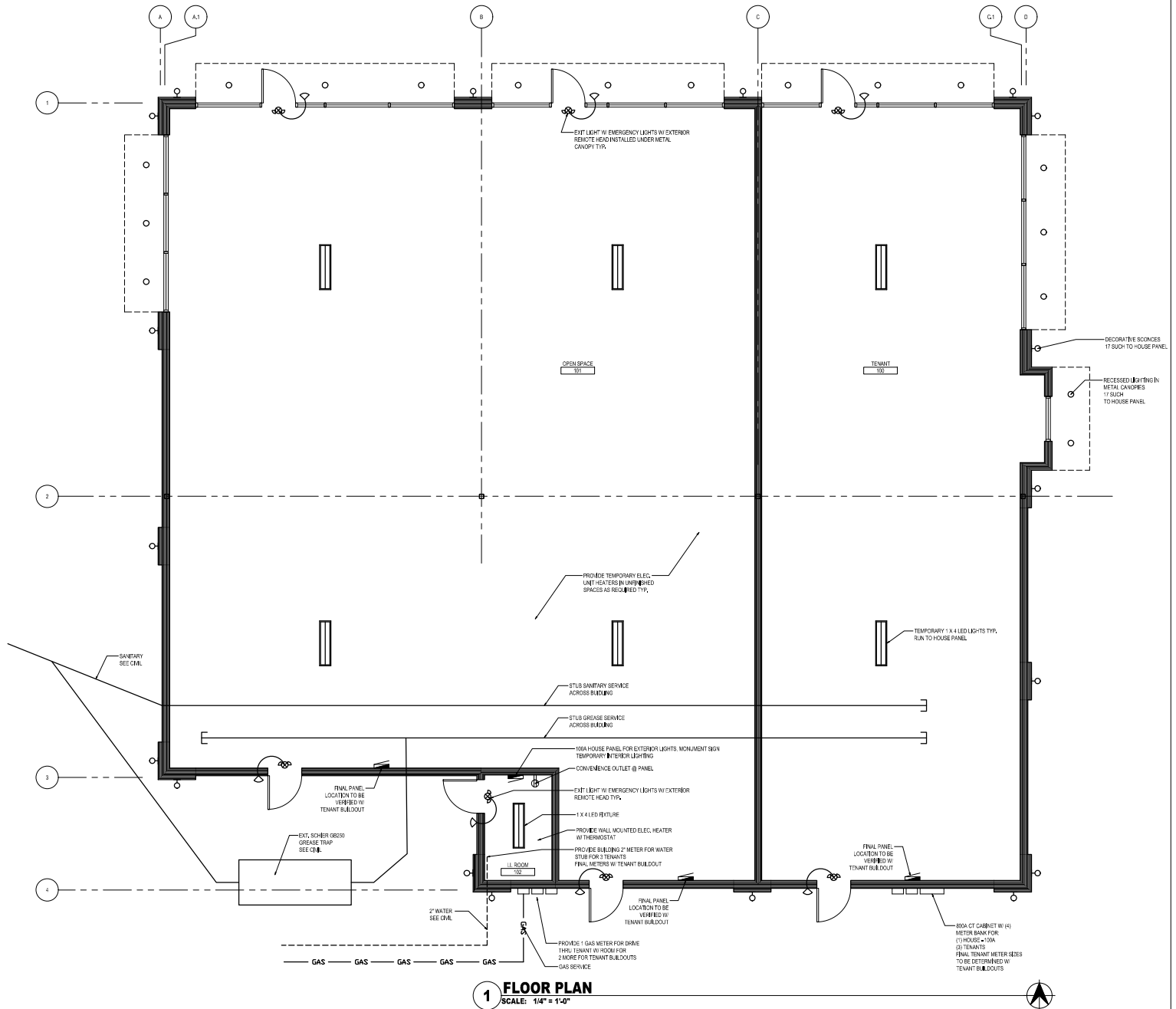
PROJECT:  
**SOMERS RETAIL CENTER**  
 LOT 8, SOMERS MARKET CENTER  
 VILLAGE OF SOMERS  
 KENOSHA COUNTY, WISCONSIN

DRAWING ISSUE	DATE
FOR PERMIT	08/22/2024
REVISION	11/05/2024

DESIGNED BY:	
CHECKED BY:	
SHEET TITLE:	EXTERIOR ELEVATIONS

SHEET NO.  
**A5.1**

Kolbrook Job No. 1874.025



BRAND PARTNER CLIENT  
 BRAND COORDINATORS  
 MEP ENGINEER  
 DEVELOPER  
 ARCHITECT

**kolbrook design**  
 830 W. STATE STREET, SUITE 300  
 EVANSTON, IL 60201  
 OFFICE: 847.642.1962 | FAX: 847.642.8999  
 MICHIGAN PROFESSIONAL DESIGN REG. 275641



PROJECT:  
**SOMERS RETAIL CENTER**  
 LOT 8, SOMERS MARKET CENTER  
 VILLAGE OF SOMERS  
 KENOSHA COUNTY, WISCONSIN

DATE	DRAWING REVISION
08/22/2024	FOR PERMIT
11/05/2024	REVISION 1

PREPARED BY: -  
 CHECKED BY: -  
 SHEET TITLE:

MEP PLAN

SHEET NO.

**MEP1.0**

Kolbrook  
 Job No. 1074025

## Chapter ZN 3. General Land Use Regulations

### § ZN 3.07. SIGNS.

2. Multi-Tenant Buildings and Shopping Centers.
  - a. Number: one per tenant, plus each tenant may place one wall sign per public entrance or wall/facade which fronts upon a public right-of-way or private drive and **contained within the tenant's internal wall space or end cap wall area.**
  - b. Area: Limited to 1.5 times the length of the wall on which the sign is to be placed, up to a maximum of 600 square feet.
  - c. Height: 20 feet in height above the mean centerline street grade.
  - d. Extension: Shall not extend more than 12 inches outside of a building's wall surface.
  - e. Lighting: Full cut-off; top-down directional or internal.
  - f. Landscaping: None required.



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

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**MEETING DATE:** Oct. 28, 2025

**TO:** Village President Stoner and Village Trustees

**PREPARED BY:** Kevin Poirier, Assistant Administrator

**REVIEWED BY:** Jim Hurley, Village Administrator

**AGENDA ITEM:** #8 Action on first Payment Request for the 4<sup>th</sup> Street Culvert project in the amount of \$110,175.00.

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**BACKGROUND:**

The 4th Street Culvert project was originally budgeted in the 2024 CIP. This improvement is critical to resolving persistent stormwater issues and maintaining safe and functional infrastructure. The project went to Bid this past summer, and Wanasek Corp. was awarded the project in the amount of \$113,000.00.

At the Oct. 28 Village Board meeting, Resolution 2025-10 was adopted to amend the 2025 Stormwater Capital Improvement Program (CIP) budget to support the completion of the 4th Street Culvert project, including construction and engineering expenses.

**FINANCIAL OR BUDGET CONSIDERATION:**

The project is paid by the Stormwater Fund. Baxter Woodman Engineer Brett Biwer recommended payment.

Total Contracted price:	\$113,00.00
First Payment Request:	\$110,175.00
Remaining:	\$2,825.00

**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 First Payment Request by Wanasek Corp. in the amount of \$110,175.00 for replacement of the 4<sup>th</sup> Street Culvert.”*

ATTACHMENTS:

Payment Recommendation from Engineer

Partial Lien Waiver

October 22, 2025

Wendy Burnette, Clerk  
Village of Somers  
7511 12<sup>th</sup> Street  
Somers, WI 53171

**Subject: Somers - 4<sup>th</sup> Street Culvert Replacement - Payment Recommendation**

Dear Wendy,

Enclosed is an Application for Payment from The Wanasek Corp., Contractor, for the 4<sup>th</sup> Street Culvert Replacement Project. A partial lien waiver is also attached. The following is our opinion of the amount due and payable to the Contractor:

Contract Price	\$113,000.00
Work Completed to Date	\$113,000.00
Less Amount Retained	<u>(\$2,825.00)</u>
Subtotal	\$110,175.00
Less Previous Payments	<u>(\$0.00)</u>
Total Amount Due for Partial Payment 1	\$110,175.00

**We recommend payment to The Wanasek Corp. for \$110,175.00.**

Sincerely,

BAXTER & WOODMAN, INC.  
CONSULTING ENGINEERS

*Brett D. Biber*

Brett D. Biber, P.E.

BDB/jmc

Encs.

C/email: Jim Huntley, Administrator  
Kevin Poirer, Assistant to the Administrator  
Doug Snyder, Village Engineer  
Erik Johnson, Wanasek

P:\SOMEV\2326136-4TH STREET CULVERT\00-DESIGN\13-FOR CONSTRUCTION\PAY APPLICATIONS\PAY REQUEST #1  
RECOMMENDATION 10-22-25.DOCX



**THE WANASEK CORP.**  
EXCAVATION & UTILITY CONTRACTOR

Invoice Number : 25-548  
 Invoice Date : 10/16/2025  
 Customer Number : 3710  
 Job Number : 25-548  
 Due Date : 11/15/2025

SOMERS, TOWN -VILLAGE  
 7511 12TH STREET  
 SOMERS, WI 53171

4th St. Culvert Repl  
 3424 4th Street  
 Somers, WI 53144

DATE	DESCRIPTION	QUANTITY	UNIT PRICE	AMOUNT
				\$0.00
10/16/2025	4TH STREEET CULVERT REPLACEMENT			113,000.00
				-----
	GROSS BILLINGS :			113,000.00
	RETAINAGE :			2,825.00
				\$0.00
				\$0.00
				-----
	NET BILLINGS :			\$110,175.00



00 62 76.02  
PARTIAL WAIVER OF LIEN  
(SAMPLE FORM)

STATE OF WISCONSIN }  
COUNTY OF Kenosha } SS

Gty # \_\_\_\_\_  
Loan # \_\_\_\_\_

TO WHOM IT MAY CONCERN:

WHEREAS the undersigned has been employed by Village/Town of Somers  
to furnish 4th Street Culvert Replacement  
for the premises known as Village/Town of Somers

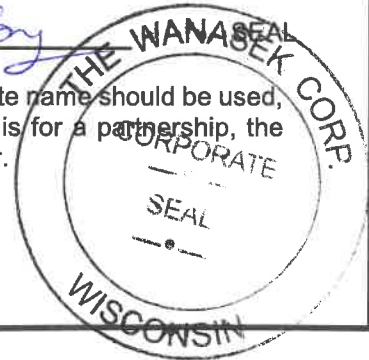
of which Village/Town of Somers is the owner.

THE undersigned, for and in consideration of One Hundred Ten Thousand One Hundred Seventy-Five  
Dollars and 00/100 (\$ 110,175.00) Dollars, and other good and valuable considerations, the receipt  
whereof is hereby acknowledged do(es) hereby waive and release any and all lien or claim or right of lien under  
the Statutes of the State of Wisconsin, relating to Mechanic's liens, on the above described premises and  
improvements thereon, and on the monies or other considerations due or to become from the owner, on account  
of labor or services, material, fixtures or apparatus heretofore furnished to this date by the undersigned for the  
above described premises.

Given under 22 day of my hand October and seal \_\_\_\_\_ this  
25.

Shelly Schick  
Asst. Corp Secretary SEAL

Note: All waivers must be for the full amount paid. If waiver is for a corporation, corporate name should be used, corporate seal affixed and title of officer signing waiver should be set forth; if waiver is for a partnership, the partnership name should be used, partner should sign and designate himself as partner.





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

---

**MEETING DATE:** Oct. 28, 2025

**TO:** Village President Stoner and Village Trustees

**PREPARED BY:** Kevin Poirier, Assistant Administrator

**REVIEWED BY:** Jim Hurley, Village Administrator

**AGENDA ITEM:** #9 Action on request From Bear Development for a Release of Easements (Parcels 82-4-222-151-0560, 82-4-222-151-0561, 82-4-222-151-0563).

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**BACKGROUND:**

In 2006, the Town of Somers entered into a Developer’s Agreement with Bear to develop the Willow Creek site as a condominium project. In 2009, a CSM was recorded that dedicated public right of way and easements for the project. This project never moved forward for a variety of economic reasons.

As you may recall, Bear Development has been working with the Village for several years to bring a project to their Willow Creek site located on CTH E. In 2024, they presented a concept plan that would have included 33 single-family lots and 32 duplexes. Since this time, the Developer changed their plan for the Willow Creek site to only single-family homes. They have submitted their Final Plat to the Plan Commission for the 73 single-family home development.

**PRIOR ACTION TAKEN:**

At the March 11 Board meeting, action was taken to vacate the Public Right of Way for the former planned development.

At the Sept. 23 Board Meeting, Resolution 2025-012 was approved to vacate the Public Right of Way.

**SUGGESTED ACTION/ACTION REQUESTED/COMMENTS:**

These remaining easements were discovered during a title search. They were created when the development was planned to be condos. Now that the project consists of single-family homes, they are in the way of the project moving forward.

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

*“Motion to approve Release of Easements and other rights set forth in Certified Survey Map No. 2556, recorded on December 6, 2006, as Document Number 1503627, in the Register of Deed's Office of Kenosha County, Wisconsin (Parcels 82-4-222-151-0560, 82-4-222-151-0561, 82-4-222-151-0563) and directing Staff to execute and record the necessary documentation.”*

ATTACHMENTS:

Release of Easements Document

Certified Survey Map

Document Number

RELEASE OF EASEMENTS

For good and valuable consideration, the receipt of which is hereby acknowledged, the undersigned, being the parties bound by and benefitted by the Easements (as hereinafter defined), does hereby release any and all of its respective rights, title and interest to the restrictions, easements and other rights set forth in that certain Certified Survey Map No. 2556, recorded on December 6, 2006, as Document Number 1503627, in the Register of Deed's Office of Kenosha County, Wisconsin (the "CSM") as identified on the attached Exhibit A (including any and all Sanitary, Storm, Vision Corner Easements and the Temporary Turnaround Easement, together with the Setback Requirements all as identified on said CSM).

Recording Area

Name and Return Address

Bear Real Estate Group  
4011 80<sup>th</sup> Street  
Kenosha, WI 53142  
Attn. John Hotvedt

See attached Exhibit A  
(Parcel Identification Number)

Drafted by:  
John Hotvedt, Vice President – General Counsel  
Bear Real Estate Group  
4011 80<sup>th</sup> Street  
Kenosha, WI 53142

**IN WITNESS WHEREOF**, this Release shall be effective as of the date first set forth below.

Dated this \_\_\_\_ day of \_\_\_\_\_, 2025.

Village of Somers

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: Village Clerk

STATE OF WISCONSIN     )  
  ) SS  
COUNTY OF KENOSHA    )

Personally came before me this \_\_\_\_ day of \_\_\_\_\_, 2025 the above named \_\_\_\_\_, the City Clerk of the Village of Somers, and known to me to be the person who executed the foregoing instrument and acknowledge that he executed the same on behalf of said company by its authority.

\_\_\_\_\_  
\*  
\_\_\_\_\_  
Notary Public, Kenosha County, WI  
My commission (is)(expires):  
\_\_\_\_\_

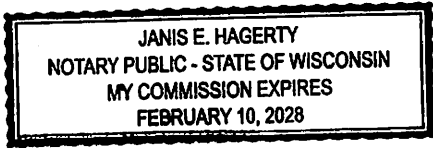
Somers Creek, Inc.



By: \_\_\_\_\_  
Stephen R. Mills, President

STATE OF WISCONSIN     )  
  ) SS  
COUNTY OF KENOSHA    )

Personally came before me this 25<sup>th</sup> day of September, 2025 the above named Stephen R. Mills, the President of Somers Creek, Inc., and known to me to be the person who executed the foregoing instrument and acknowledge that he executed the same on behalf of said company by its authority.



Janis E. Hagerty  
\* Janis E. Hagerty  
Notary Public, Kenosha County, WI  
My commission (~~is~~)(expires): 02.10.2028

**EXHIBIT A**  
Certified Survey Map No. 2556  
(see attached hereto)

Doc # 15031027

# CERTIFIED SURVEY MAP NO. 2556

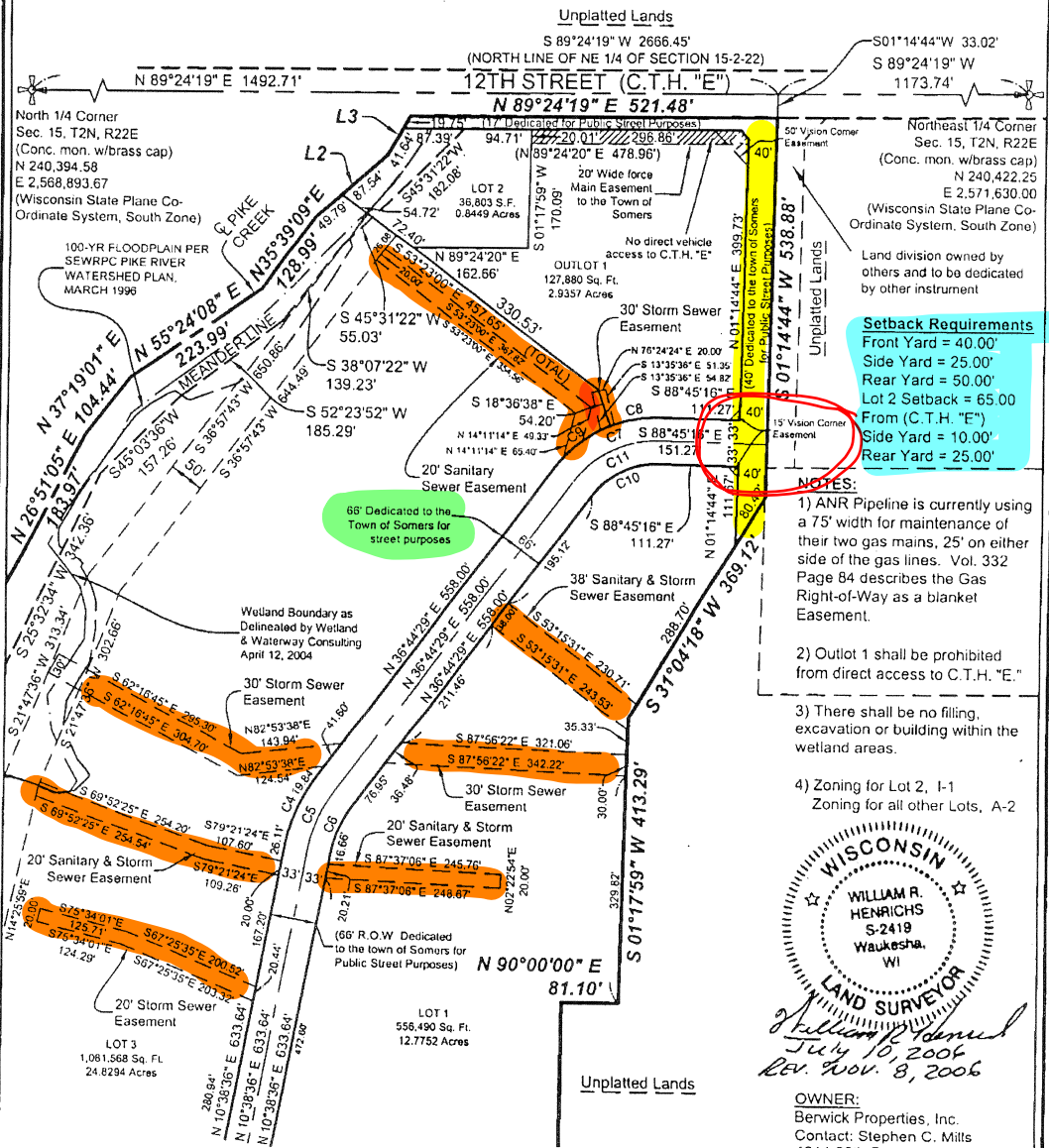
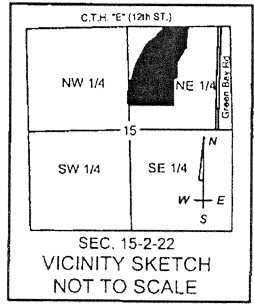
Being a part of the Northeast 1/4, Southwest 1/4 and Northwest 1/4 of Section 15, Township 2 North, Range 22 East, in the Town of Somers, Kenosha County, Wisconsin.



**Notes:**  
 ○—Denotes 1" iron pipe found  
 ●—Denotes 1" x 24" iron pipe set, 1.68 lbs. per lin. ft.

All bearings refer to Grid North of the Wisconsin State Plane Coordinate System, South Zone.

**GRAPHIC SCALE**  
 0' 100' 200' 300' 400'  
 1 INCH = 200 FEET



**Setback Requirements**  
 Front Yard = 40.00'  
 Side Yard = 25.00'  
 Rear Yard = 50.00'  
 Lot 2 Setback = 65.00'  
 From (C.T.H. 'E')  
 Side Yard = 10.00'  
 Rear Yard = 25.00'

- NOTES:**
- 1) ANR Pipeline is currently using a 75' width for maintenance of their two gas mains, 25' on either side of the gas lines. Vol. 332 Page 84 describes the Gas Right-of-Way as a blanket Easement.
  - 2) Outlot 1 shall be prohibited from direct access to C.T.H. 'E.'
  - 3) There shall be no filling, excavation or building within the wetland areas.
  - 4) Zoning for Lot 2, I-1 Zoning for all other Lots, A-2

**WISCONSIN**  
 WILLIAM R. HENRICHS  
 S-2419  
 Waukesha, WI  
**LAND SURVEYOR**  
*William R. Henrichs*  
 July 10, 2006  
 Rev. Nov. 8, 2006

**LANDCRAFT SURVEY AND ENGINEERING, INC.**  
 REGISTERED LAND SURVEYORS AND CIVIL ENGINEERS  
 2077 South 116th Street, West Allis, WI 53227  
 PH. (414) 604-0674 FAX (414) 604-0677  
 INFO@LANDCRAFTSE.COM

This instrument drafted by  
 William R. Henrichs, RLS S-2419

Job Number: 010003  
 July 10, 2006  
 Sheet 1 of 5 Sheets

Doc# 1503627

### CERTIFIED SURVEY MAP NO. 25510

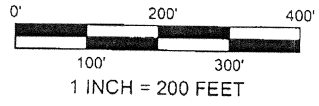
Being a part of the Northeast 1/4, Southwest 1/4 and Northwest 1/4 of the Northeast 1/4 of Section 15,  
Township 2 North, Range 22 East, in the Town of Somers, Kenosha County, Wisconsin.

Notes:  
○—Denotes 1" iron pipe found

●—Denotes 1" x 24" iron pipe set,  
1.68 lbs. per lin. ft.

All bearings refer to Grid North of the  
Wisconsin State Plane Coordinate  
System, South Zone.

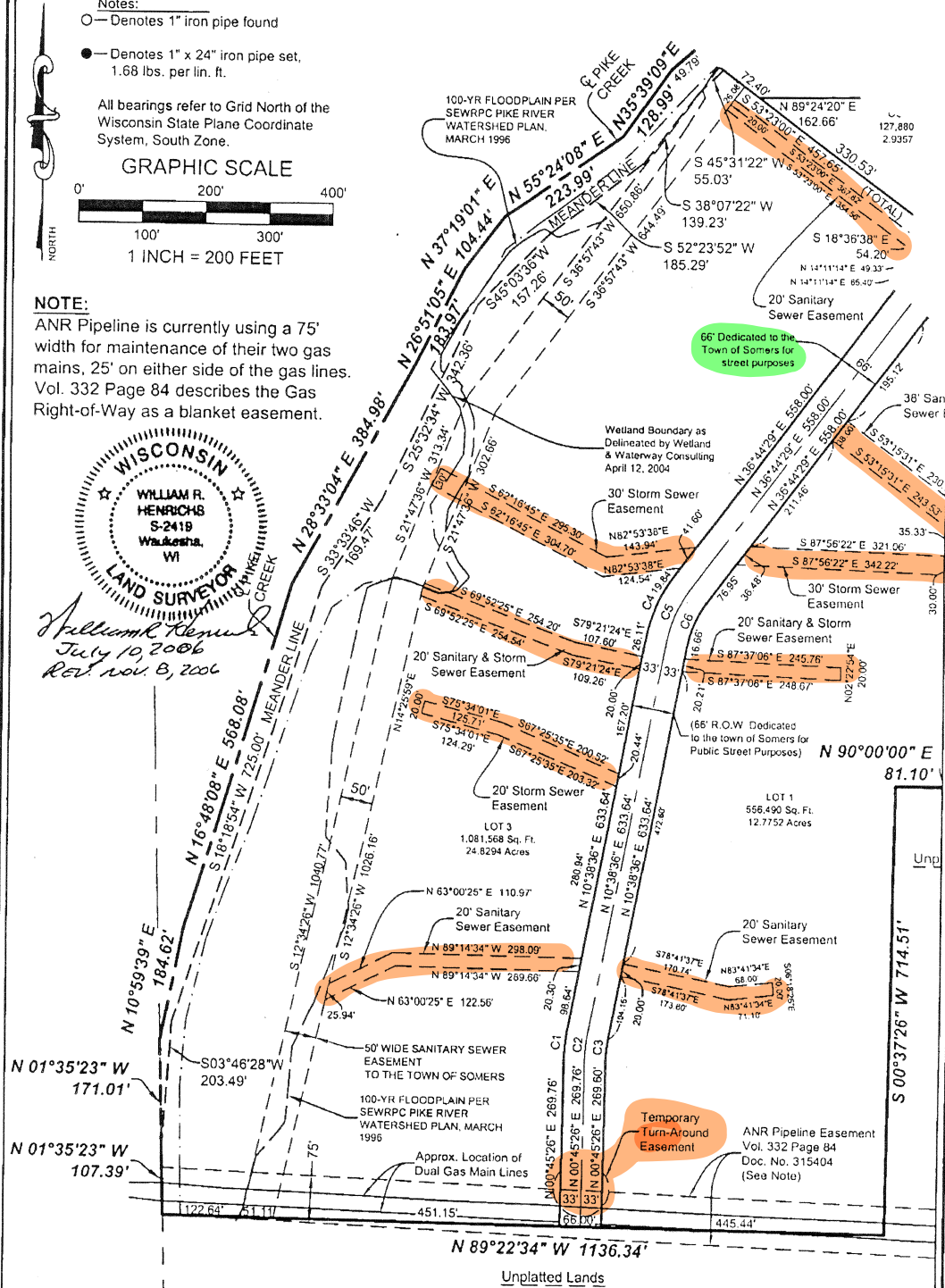
#### GRAPHIC SCALE



**NOTE:**  
ANR Pipeline is currently using a 75' width for maintenance of their two gas mains, 25' on either side of the gas lines. Vol. 332 Page 84 describes the Gas Right-of-Way as a blanket easement.



*William R. Henrichs*  
July 10, 2006  
Rev. noi. B, 2006



**LANDCRAFT SURVEY AND ENGINEERING, INC.**  
REGISTERED LAND SURVEYORS AND CIVIL ENGINEERS  
2077 South 116th Street, West Allis, WI 53227  
PH. (414) 604-0674 FAX (414) 604-0677  
INFO@LANDCRAFTSE.COM

This instrument drafted by  
William R. Henrichs, RLS S-2419

Job Number: 010003  
July 10, 2006  
Sheet 2 of 5 Sheets

Doc # 1503627

CERTIFIED SURVEY MAP NO. 25510

Being a part of the Northeast 1/4, Southwest 1/4 and Northwest 1/4 of Section 15, Township 2 North, Range 22 East, in the Town of Somers, Kenosha County, Wisconsin.

SURVEYOR'S CERTIFICATE

STATE OF WISCONSIN)
MILWAUKEE COUNTY) SS

I, William R. Henrichs, Registered Land Surveyor, do hereby certify:

That I have surveyed, mapped and divided that part of the Northeast 1/4, the Southwest 1/4 and the Northwest 1/4 of Section 15, Township 2 North, Range 22 East, in the Town of Somers, Kenosha County, Wisconsin, which is bounded and described as follows:

Commencing at the Northeast Corner of said Northeast 1/4;
Thence S 89°24'19" W, along the North line of said Northeast 1/4, 1173.74 feet;
Thence S 01°14'44" W, 33.02 feet to a point on the South Right-of-Way line of 12th Street (C.T.H. "E"), and the Point of Beginning;
Thence S 01°14'44" W, 538.88 feet;
Thence S 31°04'18" W, 369.12 feet;
Thence S 01°17'59" W, 413.29 feet;
Thence N 90°00'00" W, 81.10 feet;
Thence S 00°37'26" W, 714.51 feet;
Thence N 89°22'34" W, 1136.34 feet;
Thence N 01°35'23" W, 278.40 feet to Centerline Pike Creek;
Thence N 10°59'39" E, along said Centerline, 184.62 feet;
Thence N 16°48'08" E, along said Centerline, 568.08 feet;
Thence N 28°33'04" E, 384.98 feet;
Thence N 26°51'05" E, 183.97 feet;
Thence N 37°19'01" E, 104.44 feet;
Thence N 55°24'08" E, 223.99 feet;
Thence N 35°39'09" E, 128.99 feet;
Thence N 48°31'01" E, 137.33 feet;
Thence N 30°04'05" E, 61.69 feet to the South Right of Way line of 12th Street (C.T.H. "E");
Thence N 89°24'19" E, along said Right of Way line, 521.48 feet to the Point of Beginning.
Said lands containing 1,976,292 square feet, or 45.3694 acres.

CURVE TABLE
Table with 5 columns: CURVE, RADIUS, ARC LENGTH, CHORD, CHORD BEARING. Contains 11 rows of curve data (C1-C11).

LINE TABLE
Table with 3 columns: LINE, LENGTH, BEARING. Contains 3 rows of line data (L1-L3).

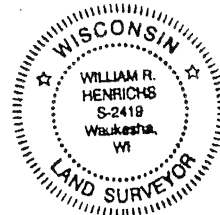
That I have made such survey, land division and map by the direction of Berwick Properties, Inc., owner of said land.

That such plat 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 provisions of Chapter 236 of the Wisconsin State Statutes and the Town of Somers Land Division Ordinance in surveying, mapping and dividing the same.

July 10, 2006
Date
REV. NOV. 8, 2006

William R. Henrichs
Registered Land Surveyor, S-2419



LANDCRAFT SURVEY AND ENGINEERING, INC.
REGISTERED LAND SURVEYORS AND CIVIL ENGINEERS
2077 South 116th Street, West Allis, WI 53227
PH. (414) 604-0674 FAX (414) 604-0677
INFO@LANDCRAFTSE.COM

This instrument drafted by William R. Henrichs, RLS S-2419
Job Number: 010003
July 10, 2006
Sheet 3 of 5 Sheets

Docket # 15031027

CERTIFIED SURVEY MAP NO. 25510

Being a part of the Northeast 1/4, Southwest 1/4 and Northwest 1/4 of the Northeast 1/4 of Section 15, Township 2 North, Range 22 East, in the Town of Somers, Kenosha County, Wisconsin.

PLAN COMMISSION APPROVAL

Approved by the Plan Commission of the Town of Somers on this 9 day of October, 2006.

11/14/2006 Date

Carol Fischer Carol Fischer, Clerk/Treasurer Chairperson

TOWN BOARD APPROVAL

Approved by the Town Board of the Town of Somers on this 10 day of November, 2006.

11/16/2006 Date

Jean Anderson Jean Anderson, Clerk/Treasurer

11/14/2006 Date

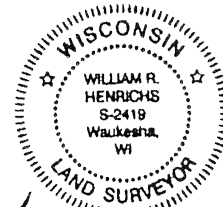
Carol Fischer Carol Fischer, Chairperson

KENOSHA COUNTY LAND USE COMMITTEE APPROVAL

Approved by the Kenosha County Land Use Committee on this 11th day of October, 2006.

11/21/06 Date

Fred Ekornaas Fred Ekornaas, Chairman



William R. Henrichs July 10, 2006 Rev. Nov. 8, 2006

LANDCRAFT SURVEY AND ENGINEERING, INC. REGISTERED LAND SURVEYORS AND CIVIL ENGINEERS 2077 South 116th Street, West Allis, WI 53227 PH. (414) 604-0674 FAX (414) 604-0677 INFO@LANDCRAFTSE.COM

This instrument drafted by William R. Henrichs, RLS S-2419 Job Number: 010003 July 10, 2006 Sheet 5 of 5 Sheets

Dwg # 15031627

CERTIFIED SURVEY MAP NO. 2556

Being a part of the Northeast 1/4, Southwest 1/4 and Northwest 1/4 of the Northeast 1/4 of Section 15, Township 2 North, Range 22 East, in the Town of Somers, Kenosha County, Wisconsin.

CORPORATE OWNER'S CERTIFICATE OF DEDICATION

Berwick Properties, Inc., a corporation duly organized and existing under and by virtue of the laws of the State of Wisconsin, as owner, does hereby certify that said corporation caused the land described on this certified survey map to be surveyed, divided, mapped and dedicated as represented on this certified survey map.

IN WITNESS WHEREOF, the said Berwick Properties, Inc. has caused these presents to be signed by Stephen C. Mills, its president, at Kenosha, Kenosha County, Wisconsin, and its corporate seal to be hereunto affixed on this 15<sup>th</sup> day of NOVEMBER, 2006.

In the presence of: Berwick Properties, Inc.

*SC*

Stephen C. Mills, President

STATE OF WISCONSIN  
MILWAUKEE COUNTY ) SS

Personally came before me this 15<sup>th</sup> day of November, 2006, Stephen C. Mills, President, of the above named corporation, to me known to be the person who executed the foregoing instrument, and to me known to be such President of said corporation, and acknowledged that they executed the foregoing instrument as such officer as the deed of said corporation, by its authority.

*Dina M. Perrine*

Notary Public

State of Wisconsin

My Commission Expires: 12/28/2008

DINA M. PERRINE



*William R. Henrichs*  
July 10, 2006  
Rev. Nov. 8, 2006

LANDCRAFT SURVEY AND ENGINEERING, INC.

REGISTERED LAND SURVEYORS AND CIVIL ENGINEERS

2077 South 116th Street, West Allis, WI 53227

PH. (414) 604-0674 FAX (414) 604-0677

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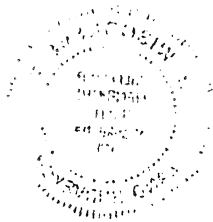
This instrument drafted by

William R. Henrichs, RLS S-2419

Job Number: 060000

July 10, 2006

Sheet 4 of 5 Sheets



DOCUMENT

1503627

RECORDED  
At Kenosha County, Kenosha, WI 53140  
Louise I. Principe, Register of Deeds  
on 12/06/2006 at 11:18AM  
60059268 \$21.00

REGDEED3

JENF



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

---

**MEETING DATE:** Oct. 28, 2025

**TO:** Village President Stoner and Village Trustees

**PREPARED BY:** Kevin Poirier, Assistant Administrator

**REVIEWED BY:** Jim Hurley, Village Administrator

**AGENDA ITEM:** #10 Action on contract with Root-Pike Watershed Initiative Network (WIN) to conduct Communications and Outreach for Storm Water Permit (MS4) Requirements, term ending December 31, 2027

---

**BACKGROUND:**

For the past 11 years, Root-Pike WIN has worked with Somers to meet the Village's communication requirements and public outreach requirements under our storm water discharge permit (MS4). In the past, this program has been funded by DNR. The DNR ended funding for this program in 2019. In 2021, the Village entered into a two-year agreement for Root-Pike WIN to serve as our outreach partner. This agreement will end on December 31<sup>st</sup>. They have requested a new agreement be entered into for years 2026 and 2027.

They are seeking a payment for the two-year contract in the amount of \$4,769. The cost will not change from the current 2024-2025 agreement. The only change is due to possible requirements by the WDNR. Should education and outreach requirements expand during the contractual period, then WIN Root-Pike will make changes to comply without changing the overall cost of the program.

**FINANCIAL OR BUDGET CONSIDERATION:**

This contract has been factored into the Village's proposed 2026 Budget.

**PRIOR ACTION TAKEN:**

This item was discussed at the Oct. 21 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 contract with Root-Pike Watershed Initiative Network (WIN) to conduct Communications and Outreach for Storm Water Permit (MS4) Requirements, term ending December 31, 202.”*

ATTACHMENTS:

Proposed Contract with Root-Pike Watershed Initiative Network (WIN)



*Restoring, Protecting and Sustaining the Root-Pike Basin*

September 13, 2025

Kevin Poirier  
Assistant Administrator – Village and Town of Somers  
7511 – 12th Street  
Kenosha, WI 53144

**RE: STORM WATER PERMIT REQUIREMENTS FOR COMMUNICATIONS AND OUTREACH**

Dear Kevin,

Root-Pike Watershed Initiative Network is once again pleased to offer our *Respect Our Waters* public outreach services to help the Village and Town of Somers meet your DNR stormwater permit requirements. Through the creation of the *Respect Our Waters* program, we have been educating residents of southeastern Wisconsin about stormwater and water quality for more than a decade. Attached you will find a new contract for 2026 and 2027 to continue our cooperative pursuit of cleaner water, less flooding and a stronger sense of place.

In the following pages, you will find a report on the value Root-Pike WIN has provided, ways we meet the DNR's specific requirements, and a two-year contract and budget. Education and outreach requirements were confirmed with DNR stormwater specialist, Samantha Katt on August 18<sup>th</sup>, 2025. One small update was made under *Scope: Community Outreach Events* to clarify participation in at least the minimum required number of active events annually as stated in your permit (page 6). Should MS4 updates in education and outreach occur during the contract period, program changes will be implemented to meet the revised requirements. Root-Pike WIN is mission-driven, so we not only do this work at not-for-profit rates, but we do it with a passion for clean water. **Should you decide NOT to renew your contract with Root-Pike WIN, your municipality will be responsible for meeting these requirements on your own.**

For more than 25 years, we have been part of this community, and for that we are thankful. No other 501(c)3 is dedicated to restoring, protecting, and sustaining the rivers in SE Wisconsin with DNR/EPA-approved watershed restoration plans. **The deadline for renewal with Root-Pike WIN is December 15, 2025.** We look forward to continuing this valuable relationship with the Village and Town of Somers.

Very Sincerely,

Laura Buska  
Respect Our Waters Program Manager / (262) 358-3394



*Restoring, Protecting and Sustaining the Root-Pike Basin*

## **HISTORY**

Root-Pike WIN founded the *Respect Our Waters* program in 2009 as a way for municipalities to provide stormwater education and outreach to residents, and municipal leaders and staff in an efficient and cost-effective manner. The *Respect Our Waters* program educates residents through informational mailers, social media, emails and events through a collective of municipalities who share the cost of the program. The program is designed to change homeowner habits related to water quality while realizing economies of scale with regard to the development and management of the program. The Southeastern Wisconsin Clean Water Network (SWCWN) works with municipal leaders and staff to implement best practices for improving the quality of stormwater runoff and reducing flooding. Root-Pike WIN also advances projects and programs in our DNR/EPA-approved Nine Key Element watershed restoration plans, by working with SWCWN members. This public-private partnership is a win/win for our watersheds and SWCWN members as projects in these plans measurably reduce flooding, increase water quality, improve native habitats, and create a stronger sense of place in your municipality. Below is a recap of the 2024-25 program:

### **Respect Our Waters**

The *Respect Our Waters* program helps achieve key Education and Public Outreach recommendations in our Watershed Restoration Plans. We connect with the community through mailers, social media posts, online campaigns, articles, radio appearances, website hosting, and event giveaways. We also educate through in-person school and public presentations, volunteer days, workshops, and attendance at community events with interactive displays that share stormwater information in fun and memorable ways.

In 2024, the *Respect Our Waters* program took part in 63 events throughout Southeastern Wisconsin. Collaborations with Root-Pike WIN's *Pollinator Patch Program* brought to life turf-to-native prairie "living classroom" transformations at five parks, two schools, one town hall, and one church in the Root-Pike basin. In all, the ROW program actively reached over 5,505 event attendees, students, and volunteers about stormwater issues and solutions, and offered hundreds of free educational giveaways that promoted best management practices. Passively, a Valpak mailer promoting the onsite use of grass clippings reached 146,843 mailboxes, ~300 letters were mailed to BMP owners inviting them to participate in a stormwater pond webinar, and stormwater pollution posters were displayed in libraries within every municipality for two months. In the digital realm, a new stormwater pond website page was created and the *Watershed Wednesday* social media campaign with collaborator *Sweet Water* continued. By the end of 2024, a total of thirty-five boosted social media posts, twenty articles, eight emails, eight new signs, seven posters, three mailers, three radio broadcasts, and one annual *Water Resources Survey* passively reached over 885,417 people in the Root-Pike basin watersheds about stormwater topics, pollutants, and solutions.

### **Southeastern Wisconsin Clean Water Network**

Part of *Respect Our Waters*, the SWCWN is made up of 19 municipalities plus the University of Wisconsin-Parkside. The goal of this program is to bring stormwater runoff pollution awareness and best management practices to these stormwater permit holders' residents. In 2020, Root-Pike WIN and *WI Salt Wise* began collaborating to provide education and events for SWCWN members. Collaborations will continue and promotions of *Smart Salting* training sessions virtually and in-person will be provided to DPWs. Meetings of the SWCWN will occur on a quarterly basis, either in-person or virtually, to discuss solutions to keep our water clean.

### **General Education and Outreach**

Root-Pike WIN is always considering creative, innovative, and engaging ways to connect the public to their watershed. In 2024, Valpak was used to the onsite use of grass clippings to 146,843 homeowners. To target individuals impacting through construction, we boosted a LinkedIn post featuring an educational erosion control flyer to construction firms, reaching 110,058 industry workers. For DPW's, a winter maintenance open house was offered as a



*Restoring, Protecting and Sustaining the Root-Pike Basin*

refresh in salt equipment calibration techniques that save Municipalities money and protect from the negative impacts of oversalting.

## **MEETING PERMIT REQUIREMENTS**

Root-Pike WIN has been working with municipalities to meet storm water discharge permit requirements with a turnkey communications program funded by a cooperative made up of each municipality and the Department of Natural Resources. The following excerpts that pertain to our services are found in the State of Wisconsin's N.R. 216 storm water discharge permit requirements. Root-Pike WIN confirmed these excerpts and potential updates with the DNR in August 2025. Should MS4 updates occur during the contract period, changes to the program will be implemented to meet the revised requirements:

*"NR 216.07 Permit requirements. The department shall issue permits using the information provided by the applicant and other pertinent information when developing permit conditions. Permits shall, at a minimum, require all of the following:*

*(1) Public education and outreach.*

*(a) A public education and outreach program to distribute materials to the public or conduct equivalent public outreach to increase awareness of storm water impacts on waters of the state. The program shall at a minimum be designed to achieve all of the following:*

- 1. Promote detection and elimination of illicit discharges or water quality impacts associated with discharges from municipal separate storm sewer systems.*
- 2. Inform and educate the public to facilitate the proper management of materials and encourage the public to change their behavior that may cause storm water pollution from sources including automobiles, pets, household hazardous waste and household practices.*
- 3. Promote beneficial onsite reuse of leaves and grass clippings and proper use of lawn and garden fertilizers and pesticides.*
- 4. Promote the management of stream banks and shorelines by riparian landowners to minimize erosion, and restore and enhance the ecological values of the waterway.*
- 5. Promote infiltration of residential storm water runoff from rooftop downspouts, driveways and sidewalks.*

*(b) A program that includes elements to achieve all of the following:*

- 1. Inform and educate those responsible for the design, installation or maintenance of construction site erosion control and storm water management practices on how to design, install and maintain the practices.*
- 2. Target businesses and activities that may pose a storm water contamination concern, and where appropriate, educate specific audiences such as lawn care companies and restaurants on methods of storm water pollution prevention.*
- 3. Promote environmentally sensitive land development designs by developers and designers.*

*Note: The public education and outreach program should be tailored, using a mix of locally appropriate strategies to educate the general public and target specific audiences likely to have significant storm water impacts.*



*Restoring, Protecting and Sustaining the Root-Pike Basin*

# Contract for Professional Services

## **Information & Education Program for Meeting the Department of Natural Resources Storm Water Permit Requirements**

January 1, 2026 to December 31, 2027

*Provided by: Root-Pike Watershed Initiative Network*



*Restoring, Protecting and Sustaining the Root-Pike Basin*

## **PART I: SERVICES**

### **A. PROGRAM Description**

1. The service contract is dated January 1, 2026, and is between Root-Pike Watershed Initiative Network, Inc. (hereinafter referred to as the “Contractor”) and the **Village and Town of Somers** (hereinafter referred to as the “Client”). The Contractor will provide services to coordinate and execute a two-year public outreach, education and public participation project for the Client on behalf of Root River, Pike River, Pike Creek, Oak Creek, Wind Point and the Upper Des Plaines watersheds in fulfilling the Information and Education requirements of their State of Wisconsin issued stormwater discharge permits (Wis. Admin. Code, Chapter NR 216). The PROGRAM will continue to be known as *Respect Our Waters* (hereinafter referred to as the “PROGRAM”).
2. The PROGRAM has the following objectives during the term of this contract, per the NR 216 requirements:
  - NR 216.07(1)(b)1. Inform and educate those responsible for the design, installation or maintenance of construction site erosion control and storm water management practices on how to design, install and maintain the practices.
  - NR 216.07(1)(a)2. Inform and educate the public to facilitate the proper management of materials and encourage the public to change their behavior that may cause storm water pollution from sources including automobiles, pets, household hazardous waste and household practices;
  - NR 216.07(1)(a)3. Promote beneficial onsite reuse of leaves and grass clippings and proper use of lawn and garden fertilizers and pesticides;
  - NR 216.07(1)(a)4. Promote the management of stream banks and shorelines by riparian landowners to minimize erosion, and restore and enhance the ecological values of the waterway;
  - NR 216.07(1)(a)5. Promote infiltration of residential storm water runoff from rooftop downspouts, driveways and sidewalks;
3. The PROGRAM may address the following requirements should the opportunity arise:
  - NR 216.07(1)(a)1. Promote detection and elimination of illicit discharges or water quality impacts associated with discharges from municipal separate storm sewer systems;
  - NR 216.07(1)(b)2. Target businesses and activities that may pose a storm water contamination concern, and where appropriate, educate specific audiences such as lawn care companies and restaurants on methods of storm water pollution prevention;
  - NR 216.07(1)(b)3. Promote environmentally sensitive land development designs by developers and designers.



*Restoring, Protecting and Sustaining the Root-Pike Basin*

## **B. Scope**

**Target Audience:** Based on the results from the 2010 and 2016 household surveys administered under this PROGRAM, the Contractor will target the ‘homeowner families with children’ demographic who live in the geographic area served by the Client and perform their own yard work, wash their cars, and walk their dogs. The Contractor will also target specific sub-watershed units if they are defined in one of our EPA/DNR-approved Nine Key Element Watershed Restoration Plans as a pollutant “hotspot”.

**Message:** The Contractor, and originator of the Respect Our Waters PROGRAM, will continue to utilize creative, innovative, and engaging ways to connect the public to their watershed. Outreach efforts will focus on educating individuals on managing pet waste, yard waste, lawn chemicals, leaky car chemicals, rain barrels, rain gardens, and illicit dumping into storm sewers to keep our waters clean. All other outreach activities, as outlined in the scope of work below, will use similar messaging to meet objectives described in section A.3. of this contract. The Contractor will also use the data, conclusions and recommendations in our three, EPA/DNR-approved Nine Key Element Watershed Restoration Plans for education and outreach to a variety of audiences with targeted messaging.

### **1. Community Outreach Events**

**Goal:** Participate each year in at least the minimum required number of active events as stated in your permit, to promulgate the *Respect Our Waters* campaign.

**Deliverable:** The Contractor will participate in at least the minimum required number of active events as stated in your permit within your Municipality over the 2026-2027 contract period for the Respect Our Waters campaign. The Contractor will engage event attendees using a stormwater runoff model demonstration, engaging displays, children’s games and activities, and numerous free giveaway publications and other items. The Contractor will provide all the necessary components to complete this part of the program by coordinating and staffing the events, supplying the materials and equipment already in the Contractors possession. This also covers travel costs and insurance. The events satisfy:

- NR 216.07(1)(a)2. Inform and educate the public about runoff pollutant issues/solutions
- NR 216.07(1)(a)3. Promote beneficial onsite reuse of lawn waste
- NR 216.07(1)(a)4. Promote healthy stream banks and shorelines
- NR 216.07(1)(a)5. Promote landowner infiltration solutions



*Restoring, Protecting and Sustaining the Root-Pike Basin*

## **2. Storm Water “Hot Spots” Targeting**

Goal: Reduce pollution numbers for total suspended solids, chlorides phosphorus, *E. coli* and nitrogen via targeted outreach to residents in a specific Nine Element Plan-identified pollutant hotspot area in each member municipality. Reduce pollution numbers for phosphorus, *E. coli* and nitrogen.

Deliverable: The Contractor will raise awareness of hotspot issues and provide solutions to residents using targeted outreach in the form of mailings and in-person contact. The Contractor will use the EPA/DNR-approved Nine Key Element Watershed Restoration Plans as the default guide for outreach and solutions. The Contractor will adapt the messaging as necessary where a Nine Key Element plan does not exist or cover a specific runoff pollutant issue. The Contractor will work to bring awareness and action to issue and may work with The Client and/or landowner to resolve the issue as part of physical project under a separate contract/project. This outreach satisfies:

- NR 216.07(1)(a)2. Inform and educate the public about runoff pollutant issues/solutions
- NR 216.07(1)(a)3. Promote beneficial onsite reuse of lawn waste
- NR 216.07(1)(a)4. Promote healthy stream banks and shorelines
- NR 216.07(1)(a)5. Promote landowner infiltration solutions

## **3. Public Awareness Communications**

Goal: Promote solutions that address the critical watershed issues in local print and online publications.

Deliverable: The Contractor will create story pitches regarding the PROGRAM that get published in print and online to audiences using more targeted local media (newspapers, community magazines, and municipal sites, etc.). This activity satisfies:

- NR 216.07(1)(b)1. Educate contractors and selectively monitor construction erosion control
- NR 216.07(1)(a)2. Inform and educate the public about runoff pollutant issues/solutions
- NR 216.07(1)(a)3. Promote beneficial onsite reuse of lawn waste
- NR 216.07(1)(a)4. Promote healthy stream banks and shorelines
- NR 216.07(1)(a)5. Promote landowner infiltration solutions

## **4. Social Media Communications**

Goal: Bring awareness to urban watershed issues and solutions for homeowners through ongoing mass communications.

Deliverable: The Contractor will develop content, create website updates and implement social media posts. This activity satisfies:

- NR 216.07(1)(b)1. Educate contractors and selectively monitor construction erosion control
- NR 216.07(1)(a)2. Inform and educate the public about runoff pollutant issues/solutions
- NR 216.07(1)(a)3. Promote beneficial onsite reuse of lawn waste
- NR 216.07(1)(a)4. Promote healthy stream banks and shorelines
- NR 216.07(1)(a)5. Promote landowner infiltration solutions



*Restoring, Protecting and Sustaining the Root-Pike Basin*

**5. Construction Site Erosion Prevention**

Goal: Communicate the importance of erosion control practices to local construction companies by working with field staff and leadership.

Deliverable: The contractor will identify and communicate with construction leaders about the importance of erosion control during rain events. This activity satisfies:

- NR 216.07(1)(b)1. Educate contractors and selectively monitor construction sites



Restoring, Protecting and Sustaining the Root-Pike Basin

### C. PROGRAM Budget \*

	Somers
<b>INCOME</b>	
2024-25 Local Share	\$ 4,769
<b>2026-27 Budget</b>	<b>\$ 4,769</b>
<b>ACTIVITIES</b>	
1) Outreach Events (Public & SWCWN)	\$ 1,431
2) Target Nine Element Plan Hotspot	\$ 1,431
3) News Story Pitches	\$ 477
4) Outreach Media	\$ 477
5) Construction Communications	\$ 477
<b>Subtotal Program Costs</b>	<b>\$ 4,292</b>
Fiscal Agent Fees	\$ 477
<b>Total Expenses</b>	<b>\$ 4,769</b>

\*The scope and activities of the *Respect Our Waters* program may change depending on conditions (such as COVID and/or inflation), needs and opportunities, but the overall cost of the program will not.



*Restoring, Protecting and Sustaining the Root-Pike Basin*

## **D. Assumptions & Conditions**

This agreement is subject to the following terms & conditions:

1. The Client agrees to make an annual payment to the Contractor to fund the PROGRAM in the dollar amount described in the Proposal and this Contract and agree to make payments no later than February 1, 2026 and February 1, 2027 unless other arrangements are made with the Client.
2. The Contractor agrees to be the fiscal agent for the duration (two years) of the PROGRAM, commencing January 1, 2026 and ending December 31, 2027 and will receive financial remuneration (built into PROGRAM budget) for its services to cover costs incurred for program management, accounting, operations, insurance and legal needs.
3. The Contractor will complete the tasks listed in the Scope between January 1, 2026 and December 31, 2027.
4. The Contractor will submit an annual report to the Client on or before January 31, 2027 and January 31, 2028.
5. Should the DNR change the education and outreach requirements of your storm water discharge permit before the term of this contract expires, The Contractor will adjust the scope, schedule and costs to meet the new requirements, and provide The Client a revised contract for approval of the new PROGRAM.

## **E. Team**

The Contractor will provide the following personnel to provide services to the Client. If any of these persons become unavailable, the Contractor will notify and secure approval from the Client prior to replacement of such persons. Any person replacing team members shall have similar or superior qualifications. The following personnel will provide services for this PROGRAM:

- Laura Buska, Program Manager, Root-Pike Watershed Initiative Network (Primary Contact)
- Kristi Heuser, SWCWN Coordinator, Root-Pike Watershed Initiative Network
- Dave Giordano, Executive Director, Root-Pike Watershed Initiative Network
- Amy Kolb, Accounting, Root-Pike Watershed Initiative Network

## **F. Decisions**

The Contractor will follow the approved budget and scope of services with input from the Client to implement the PROGRAM. Most content can be developed and implemented by the Contractor, but final content and reach decisions will be made by the Client should a dispute arise.



*Restoring, Protecting and Sustaining the Root-Pike Basin*

## **PART II: COMPENSATION**

### **A. Compensation**

**Compensation** to the Contractor for services rendered January 1, 2026 through December 31, 2027 (two years) by employees working on the PROGRAM in accordance with PART I, services of the Agreement will be for a not-to-exceed fee of \$4,769 to implement the PROGRAM over the two-year term of the contract. This fee includes salary and reimbursable items including mileage, copies, printing, postage, materials, subcontractors, promotional items and other reimbursable expenses in the PROGRAM budget directly related to the implementation of the PROGRAM, as well as financial remuneration for the Client.

### **B. Billing and Payment**

1. The Contractor will provide a yearly accounting report of all PROGRAM expenses during the term of the contract from January 1, 2026 to December 31, 2027. The Contractor can provide standard reports from QuickBooks as needed by the Client.
2. The Contractor shall maintain accounting records of its costs in accordance with generally accepted accounting practices. Access to such records will be provided during normal business hours with reasonable notice during the term of this Agreement and for 3 years after completion.



*Restoring, Protecting and Sustaining the Root-Pike Basin*

## **PART III: CONTRACTOR STANDARD TERMS AND CONDITIONS**

**STANDARD OF CARE.** Services shall be performed in accordance with the standard of professional practice ordinarily exercised by the applicable profession at the time and within the locality where the services are performed. No warranty or guarantee, express or implied is provided, including warranties or guarantees contained in any uniform commercial code. The Contractor, upon notice from the Client, will re-perform any non-conforming services without additional compensation. If deficiencies are not corrected in a timely manner, the Client may cause the same to be corrected and deduct costs incurred by reason of such deficiency from the Contractor's compensation.

**CHANGE OF SCOPE.** The scope of Services set forth in this Agreement is based on the facts known at the time of execution of this Agreement, including, if applicable, information supplied by the Contractor and the Client. The Contractor will promptly notify the Client if any perceived changes of scope in writing and the parties shall negotiate modifications to the Agreement with input from the Wisconsin Department of Natural Resources. No payment for services beyond those described in the original scope will be authorized without a written modification to this Agreement.

**DELAYS.** If events beyond the control of the Contractor, including, but not limited to, fire, flood, explosion, riot, strike, war, process shutdown, act of God or the public enemy, and act or regulation of any government agency, result in delay to any schedule established in this Agreement, such schedule shall be extended for a period equal to the delay.

**TERMINATION/SUSPENSION.** Either party may terminate this Agreement upon 30 days written notice to the other party in the event of substantial failure by the other party to perform in accordance with its obligations under this Agreement. If the Contractor fails to correct or cause to be corrected such failure to perform within ten (10) days of written notice by the Client, the Contractor shall be deemed to be in default of this Agreement. The Contractor will return all unused and uncommitted funds within 30 days.

**REUSE OF INSTRUMENTS OF SERVICE.** All reports, publications, artwork, electronic files, and other documents prepared by the Contractor as instruments of service shall remain the property of the Contractor. The Contractor shall retain all common law, statutory and other reserved rights, including the copyright thereto. Reuse of any instruments of service including electronic media, for any purpose other than that for which such documents or deliverables were originally prepared, or alteration of such documents or deliverables without written authorization or adaptation by the Contractor for the intended purposes, shall be at the Contractor's sole risk.

**VENDOR COSTS.** Any opinion of vendor costs prepared by the Contractor is supplied for the general guidance only. Since the Contractor has no control over bidding or market conditions, the Contractor cannot guarantee the accuracy of such opinions as compared to contract bids or actual costs to the Contractor or its clients.



*Restoring, Protecting and Sustaining the Root-Pike Basin*

**SAFETY.** The Contractor shall establish and maintain PROGRAMs and procedures for the safety of its employees. The Contractor specifically disclaims an authority or responsibility for general job safety and safety of persons other than the Contractor’s employees.

**MODIFICATION.** This Agreement, upon execution by both parties hereto, can be modified only by written instrument signed by both parties.

**INSURANCE.** The Contractor shall maintain insurance coverage as described herein:

Comprehensive General Liability	\$1,000,000	occurrence/aggregate
Automobile Liability	\$1,000,000	occurrence/aggregate
Worker’s Compensation/Employers Liability	Statutory	
Professional Liability	\$1,000,000	occurrence/aggregate
Umbrella Liability	\$1,000,000	occurrence/aggregate

**INDEMNIFICATION AND HOLD HARMLESS.** To the fullest extent permitted by law, the Contractor shall indemnify and hold the Client harmless from and against any and all claims of any party or parties that make a demand, bring a claim, or institute a legal action allegedly arising out of the Agreement and/or the PROGRAM and the Contractor further agrees to indemnify and hold the Client harmless for any loss, liability, and damages sustained by the Contractor, its agents, employees, and representatives by reason of injury or death to persons or damage to tangible property. This provision extends to all attorney’s fees, costs, interest and resulting settlement amounts and/or judgments.

**ASSIGNMENT.** The rights and obligations of this Agreement cannot be assigned by either party without written permission of the other party.

**NO WAIVER.** No waiver by either party of any default by the other party in the performance of any particular section of this Agreement shall invalidate another section of the Agreement or operate as a waiver of any future default, whether like or different in character.

**SEVERABILITY.** The various terms, provisions and covenants herein contained shall be deemed to be separate and severable, and the invalidity or unenforceability of any of them shall not affect or impair the validity or enforceability of the remainder.

**INDEPENDENT CONTRACTOR STATUS.** The Contractor has “Independent Contractor Status” and will maintain complete control of and responsibility for its employees, agents, methods, and operations.



*Restoring, Protecting and Sustaining the Root-Pike Basin*

DISPUTE RESOLUTION. In the event of a dispute arising out of or relating to this Agreement or the services to be rendered hereunder, the Contractor and the Client agree to attempt to resolve such disputes in the following manner. First, the parties agree to attempt to resolve such disputes through direct negotiations between the appropriate representatives of each party. Second, if such negotiations are not fully successful, the parties agree to attempt to resolve any remaining dispute by formal nonbinding mediation conducted in accordance with rules and procedures to be agreed upon by the parties. Third, if such negotiations fail, either party may pursue an action in the circuit courts of the State of Wisconsin.



*Restoring, Protecting and Sustaining the Root-Pike Basin*

## **PART IV: AGREEMENT**

This Agreement is by and between the Contractor:

**Root-Pike Watershed Initiative Network**

4116 12<sup>th</sup> St.  
Kenosha, WI 53144  
262-883-4018 / dave@rootpikewin.org

and

The Client

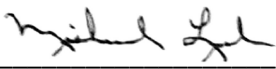
**Village and Town of Somers**

Who agree as follows:

Root-Pike Watershed Initiative Network hereby agrees to perform the services set forth in Part I/Services for the compensation set forth in Part II/compensation. Root-Pike Watershed Initiative Network shall be authorized to commence the Services upon execution of this Agreement and written authorization to proceed from the **Village and Town of Somers**. The **Village and Town of Somers** and the Root-Pike Watershed Initiative Network agree that this signature page, together with Parts I-III, constitute the entire Agreement between them relating to the PROGRAM.

Approved for  
**Root-Pike Watershed Initiative Network**

Approved for  
**Village and Town of Somers**

Signature: 

Signature: \_\_\_\_\_

Name: Michael A. Luba

Name: \_\_\_\_\_

Title: Root-Pike WIN Board President

Title: \_\_\_\_\_

Date: 9/5/2025

Date: \_\_\_\_\_

# SOMERS FIRE & RESCUE



CHIEF  
Benjamin Andersen

P.O. Box 197  
Somers, WI 53171  
(262-859-2277)

To: President Stoner, Administrator Peters, and Village Board

From: Fire Chief Benjamin Andersen

Subject: Approval of Changes to Fire & EMS Billing Rates

I am requesting the Village Board approve the updated Fire and EMS Billing rate chart listed below.

Charge Category	Current Rate \$	New Requested Rate \$
BLS Resident	1300	1300
BLS Non-Resident	1500	2000
ALS Resident	1400	1400
ALS Non-Resident	1600	2500
ALS2 Resident	1600	1600
ALS 2 Non-Resident	1800	2800
BLS on Scene Res	250	250
BLS on Scene NR	300	500
ALS on scene Res	1000	1000
ALS on scene NR	1100	1600
Mileage Resident	22	22
Mileage Non-Resident	25	35
Structure Fire	Itemized	1500
MVA Rate	500	1500
Vehicle Extrication	700	2000
Vehicle Fire	500	1500
Engine Rate	400	400
Ladder Truck Rate	400	400
Tender/Tanker Rate	300	300
Brush Truck Rate	300	300
False Fire Alarm	250	250
Co Alarm	100	100
Firefighter (per hour)	20	20
Public Works heavy Equipment Rate	0	\$2500

# SOMERS FIRE & RESCUE



CHIEF  
Benjamin Andersen

P.O. Box 197  
Somers, WI 53171  
(262-859-2277)

<b>Consumable Goods</b>	<b>Rate</b>
F500 Foam	\$35/Gallon
Sawzall Blades	\$5 each
Rotary Saw Blades	\$25 Each
Oil Dry	\$10/Gallon
Grinder Disks/ Cut off wheel	\$5 Each
Chainsaw Chain	\$20 Each
Plug/Dike/Containment Kit	\$100 Each
Hazardous Materials Containment Pool	\$250 Each
Attack Hose (Damaged & Out of Service)	\$150 per length
Supply Hose (Damaged & Out of Service)	\$200 per Length
Tarps (if left at scene for property conservation)	\$10 Each
Fire Extinguisher recharge	\$50



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

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**MEETING DATE:** October 28, 2025

**TO:** Village President Stoner and Village Trustees

**PREPARED BY:** Wendy Burnette, Clerk/Treasurer

**AGENDA ITEM:** #12 Action on Agent Application for Indiana Rockwell at Kwik Trip 597

**BACKGROUND:**

Kwik Trip 597 would like to appoint Indiana Rockwell as their New Agent for the convenience store located at 11350 28<sup>th</sup> Street. Indiana Rockwell's background check results showed extensive violations within the past 5 years. His record however is showing that it was expunged.

**PRIOR ACTION TAKEN:**

This matter was discussed at our October 21, 2025, Work Session.

**SUGGESTED ACTION/ACTION REQUESTED/COMMENTS:**

A suggested motion would be as follows:

*"Motion to approve Operator License: Indiana Rockwell"*

*"Motion to deny Operator License: Indiana Rockwell"*

**PRIOR ACTION TAKEN:**

None.

Form  
CTV-102

# Cigarette, Tobacco, and Electronic Vaping Device Appointment of Agent

Date

Agent Type (check one):  Original  Change

<b>Part A: Agent Information</b>		
1. Last Name Rockwell	2. First Name Indiana	3. M.I. C.
4. Email LicensingDept@kwiktrip.com		5. Phone 262-914-7745
6. Home Address 1731 Madison Rd.		
7. City Kenosha	8. State WI	9. Zip Code 53140
10. Date of Birth 8/13/2000	11. Drivers License/State ID State of Issuance WI	

<b>Part B: Questions</b>	
1. Have you completed Form CTV-101, <i>Cigarette, Tobacco, and Electronic Vaping Device - Individual Questionnaire</i> ? Submit a completed Form CTV-101 with this form. <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
2. If this is a change of agent, please describe the reason for the agent change. Attach additional sheets if necessary. New manager assigned to oversee the store.	

<b>Part C: Business Information</b>		
1. Legal Business Name (individual name if sole proprietor) Kwik Trip, Inc.		
2. Business Trade Name or DBA Kwik Trip 597		
3. Entity Type (check one) <input type="checkbox"/> Limited Liability Company <input checked="" type="checkbox"/> Corporation		
4. Premises Address 11350 28th St.		
5. City Kenosha	6. State WI	7. Zip Code 53144

<b>Part D: Attestations</b>	
<b>READ CAREFULLY BEFORE SIGNING:</b> I, the Licensee or Permittee, authorize the above-named individual to act for the above-named corporation or limited liability company with full authority and control of the premises and of all business relative to cigarettes, tobacco products, and/or electronic vaping devices conducted therein. I certify that I am authorized by the entity to authorize this individual to act on behalf of the entity. If I am appointing a successor agent, I rescind all previous agent appointments for this premises. Further, I understand that I may be prosecuted for submitting false statements and affidavits in connection with this application, and that any person who knowingly provides materially false information on this application may be required to forfeit not more than \$1,000 if convicted.	
Signature of Licensee or Permittee (office member, or authorized signatory) <i>Scott P. Zietlow</i>	Date 8/26/25
Name of Person Signing Scott P. Zietlow	Title President/CEO
<b>READ CAREFULLY BEFORE SIGNING:</b> I, the Agent, hereby accept this appointment as agent for the above-named corporation or limited liability company and assume full responsibility for the conduct of all business relative to sales of cigarettes, tobacco products, and/or electronic vaping devices conducted on the premises for the above-named business. I further understand that I may be prosecuted for submitting false statements and affidavits in connection with this form, and that any person who knowingly provides materially false information on this form may be required to forfeit not more than \$1,000 if convicted.	
Signature of Agent <i>[Signature]</i>	Date 8/26/25

Date

Form  
CTV-101

### Cigarette, Tobacco, and Electronic Vaping Device - Individual Questionnaire

<b>Part A: Business Information</b>			
1. Legal Business Name (individual name if sole proprietor) Kwik Trip, Inc.			
2. Business Trade Name or DBA Kwik Trip 597			
3. Entity Type (check one)			
<input type="checkbox"/> Sole Proprietor	<input type="checkbox"/> Partnership	<input type="checkbox"/> Limited Liability Company	<input checked="" type="checkbox"/> Corporation

<b>Part B: Individual Information</b>			
1. Name (Last) Rockwell	2. Name (First) Indiana	3. Name (M.I.) C.	
4. Relationship to Business (Title) Agent	5. Email LicensingDept@kwiktrip.com	6. Phone 262-914-7745	
7. Home Address 1731 Madison Rd.			
8. City Kenosha	9. State WI	10. Zip Code 53140	11. Date of Birth 8/13/2000
12. Drivers License/State ID Number On File		13. Drivers License/State ID State of Issuance WI	

<b>Part C: Individual's Address History</b>			
List in chronological order all of your addresses within the last 5 years. Attach additional sheets if necessary.			
Previous Address 1 1731 Madison Rd.	City Kenosha	State WI	Zip Code 53140
Previous Address 2 2517 71st St.	City Kenosha	State WI	Zip Code 53143
Previous Address 3	City	State	Zip Code
Previous Address 4	City	State	Zip Code
Previous Address 5	City	State	Zip Code
Previous Address 6	City	State	Zip Code
If applicable, list all states and counties you have lived in as an adult. Attach additional sheets if necessary.			
State WI	County Kenosha	State	County
State	County	State	County

Continued →



## Alcohol Beverage Individual Questionnaire

Date
------

All individuals involved in the alcohol beverage business must complete this form, including:

- sole proprietor
- all partners of a partnership
- all officers, directors, and agent of a corporation or nonprofit organization
- members and agent of a limited liability company

Your alcohol beverage application or renewal is not complete until all required Individual Questionnaires are submitted.

<b>Part A: Business Information</b>	
1. Legal Business Name (individual name if sole proprietor) Kwik Trip, Inc.	
2. Business Trade Name or DBA Kwik Trip 597	
3. Entity Type (check one) <input type="checkbox"/> Sole Proprietor <input type="checkbox"/> Partnership <input type="checkbox"/> Limited Liability Company <input checked="" type="checkbox"/> Corporation <input type="checkbox"/> Nonprofit Organization	

<b>Part B: Individual Information</b>			
1. Last Name Rockwell		2. First Name Indiana	
		3. M.I. C.	
4. Relationship to Business (Title) Agent		5. Email licensingDept@kwiktrip.com	6. Phone 262-914-7745
7. Home Address 1731 Madison Rd.			
8. City Kenosha		9. State WI	10. Zip Code 53140
		11. Date of Birth 8/13/2000	
12. Drivers License/State ID Number On File		13. Drivers License/State ID State of Issuance WI	

<b>Part C: Address History</b>			
1. Do you currently live in Wisconsin?			<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
If yes, provide the month and year when you permanently moved to Wisconsin			(MM/YYYY) 08/2000
2. List in chronological order all of your addresses within the last 5 years. Attach additional sheets if necessary.			
Previous Address 1 1731 Madison Rd.		City Indiana	State WI
		Zip Code 53140	
Previous Address 2 2517 71st St.		City Kenosha	State WI
		Zip Code 53143	
Previous Address 3		City	State
		Zip Code	
Previous Address 4		City	State
		Zip Code	
Previous Address 5		City	State
		Zip Code	
3. List all states and counties you have lived in as an adult. Attach additional sheets if necessary.			
State WI	County Kenosha	State	County
State	County	State	County

Continued →

**Part D: Criminal History**

1. Have you ever been convicted of any offenses (excluding traffic offenses unless related to alcohol beverages) for violation of any federal, Wisconsin, or another state's laws or of any county or municipal ordinances?  Yes  No

If yes to question 1, please list details of each conviction below. Attach additional sheets as needed.

Law/Ordinance Violated	Location	Conviction Date
Sexual intercourse with child 16 or older	Kenosha, WI	2/21/22

Penalty Imposed	Was sentence completed? . . . . .
\$1,000 fine. Court record expunged 2/21/23	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

Law/Ordinance Violated	Location	Conviction Date

Penalty Imposed	Was sentence completed? . . . . .
	<input type="checkbox"/> Yes <input type="checkbox"/> No

Law/Ordinance Violated	Location	Conviction Date

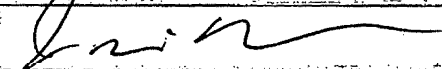
Penalty Imposed	Was sentence completed? . . . . .
	<input type="checkbox"/> Yes <input type="checkbox"/> No

2. Are charges for any offenses currently pending against you (excluding traffic offenses unless related to alcohol beverages) for violation of any federal, Wisconsin, or another state's laws or any county or municipal ordinances?  Yes  No

If yes to question 2, describe nature and status of pending charges using the space below. Attach additional sheets as needed.

**Part E: Attestation**

**READ CAREFULLY BEFORE SIGNING:** Under penalty of law, I have answered each of the above questions completely and truthfully. I certify that I am not prohibited from participating in this business due to any involvement in another tier of the alcohol beverage industry as a restricted investor. I understand that any license issued contrary to Wis. Stat. Chapter 125 shall be void under penalty of state law. I further understand that I may be prosecuted for submitting false statements and affidavits in connection with this application, and that any person who knowingly provides materially false information on this application may be required to forfeit not more than \$1,000 if convicted.

Signature: 

Date: 8/26/25

Form:  
AB-101

# Alcohol Beverage Appointment of Agent

Date

### Agent Type (check one)

- Original (no fee)       Successor (\$10 fee for municipal licensees only)

### Part A: Business Information

1. Legal Business Name (individual name if sole proprietor)  
Kwik Trip, Inc.

2. Business Trade Name or DBA  
Kwik Trip 597

3. Entity Type (check one)       Limited Liability Company       Corporation       Nonprofit Organization

4. Alcohol Beverage Business Authorization (check one)  
 Municipal Retail License       State Permit

5. If successor agent, provide State Permit or Municipal Retail License Number

6. Describe the reason for appointing a successor agent, if successor is checked above.

New manager assigned to oversee the store.

### Part B: Agent Information

1. Last Name: Rockwell      2. First Name: Indiana      3. M.I.: C.

4. Email: LicensingDept@kwiktrip.com      5. Phone: 262-914-7745

6. Home Address: 1731 Madison Rd.

7. City: Kenosha      8. State: WI      9. Zip Code: 53140      10. Date of Birth: 8/13/2000

11. Drivers License/State ID Number: On File      12. Drivers License/State ID State of Issuance: WI

### Part C: Agent Questions

1. Have you satisfied the responsible beverage server training requirement? Submit proof of completion.       Yes       No

2. Have you completed Form AB-100, Alcohol Beverage Individual Questionnaire (licensee) or Form AB-300, Alcohol Beverage Personal Questionnaire (permittee)?       Yes       No

3. Have you been a Wisconsin resident for at least 90 continuous days? See instructions for exceptions.       Yes       No

Continued →

**Part D: Business Attestation**

READ CAREFULLY BEFORE SIGNING: I, the **Undersigned**, authorize the above-named individual to act for the above-named corporation, nonprofit organization, or limited liability company with full authority and control of the premises and of all alcohol beverage activities on such premises. I certify that I am authorized by the above-named entity to authorize this individual to act on behalf of the entity. If I am appointing a successor agent, I rescind all previous agent appointments for this premises. Further, I understand that I may be prosecuted for submitting false statements and affidavits in connection with this application, and that any person who knowingly provides materially false information on this application may be required to forfeit not more than \$1,000 if convicted.

Last Name Zietlow		First Name Scott	M.I. P.
Title President	Email LicensingDept@kwiktrip.com		Phone 608-793-4741
Signature <i>Scott P. Zietlow</i>		Date 8/26/25	

**Part E: Agent Attestation**

READ CAREFULLY BEFORE SIGNING: I, the **Agent**, hereby accept this appointment as agent for the above-named corporation, nonprofit organization, or limited liability company and assume full responsibility for the conduct of all alcohol beverage activities on the premises for the above-named business. I further understand that I may be prosecuted for submitting false statements and affidavits in connection with this application, and that any person who knowingly provides materially false information on this application may be required to forfeit not more than \$1,000 if convicted.

Last Name Rockwell		First Name Indiana	M.I. C.
Signature <i>[Handwritten Signature]</i>		Date 8/26/25	

# Wisconsin Responsible Beverage Seller/Server Training

## INDIANA ROCKWELL

has met all training requirements and successfully completed the above course and/or exam.

Certification Number: SL191469

Date of Completion: 02/04/2025



Authorized Signature

This certificate represents the successful completion of an approved Wisconsin Department of Revenue Responsible Beverage Server Course in compliance with secs. 125.04(5)(a)5., 125.17(6), and 134.66(2m), Wis. Stats. Present this certificate to your local municipal clerk's office to receive your Operator's or Retail license.

Diversys Learning, Inc.  
1101 Arrow Point Drive, Suite 302  
Cedar Park, TX 78613

**CITY OF KENOSHA  
625-52ND STREET, KENOSHA, WISCONSIN 53140**

**"CLASS A" LIQUOR (CIDER ONLY) LICENSE  
for the Sale of CIDER LIQUOR ONLY FROM 6:00 AM TO 9:00 PM**

**WHEREAS**, the local governing body of the **CITY OF KENOSHA, COUNTY OF KENOSHA, WISCONSIN**, has, upon application duly made, granted and authorized the issuance of a **"CLASS A" LIQUOR (CIDER ONLY)** License to **KWIK TRIP, INC , INDIANA ROCKWELL , Agent**, to sell **CIDER LIQUOR ONLY** as defined by and pursuant to Chapter 125 of the Statutes of Wisconsin and Local Ordinances.

**AND WHEREAS**, said applicant has complied with all requirements necessary for obtaining such license(s).

**LICENSES ARE HEREBY ISSUED** to said applicant to sell, deal and traffic in, at retail, **CIDER LIQUOR ONLY** at the following described premises:

**KWIK TRIP #371 , 6300 52ND ST  
Premises Description: ONE-STORY FRAME CONSTRUCTION WITH STORAGE IN WALK-IN COOLR  
FOR THE PERIOD FROM 07/01/25 TO 06/30/26  
License # 002064 260003 199**

**This License must be framed and posted in a conspicuous place in the room where fermented malt beverages and/or intoxicating liquors are sold or served.**

Given under my hand and the corporate seal of the  
CITY OF KENOSHA, WISCONSIN

Michelle L. Nelson, City Clerk/Treasurer

*Michelle L. Nelson*

David F. Bogdala, Mayor

*D.F.B.*



**THE CITY OF  
KENOSHA**  
CHART A BETTER COURSE

**CITY OF KENOSHA  
625-52ND STREET, KENOSHA, WISCONSIN 53140**

**CLASS "A" RETAIL BEER LICENSE  
for the Sale of Fermented Malt Beverages  
LICENSE NUMBER: 002064 260025 202**

**WHEREAS**, the local governing body of the **CITY OF KENOSHA, COUNTY OF KENOSHA, WISCONSIN**, has, upon application duly made, granted and authorized the issuance of a **CLASS "A" RETAIL BEER** License to **KWIK TRIP, INC , INDIANA ROCKWELL , Agent**, to sell **Fermented Malt Beverages** as defined by and pursuant to Chapter 125 of the Statutes of Wisconsin and Local Ordinances.

**AND WHEREAS**, said applicant has paid to the Treasurer the sum of **\$ 500.00** for such **CLASS "A" RETAIL BEER** License as provided by local ordinances and has complied with all requirements necessary for obtaining such license(s).

**LICENSES ARE HEREBY ISSUED** to said applicant to sell, deal and traffic in, at retail, **Fermented Malt Beverages** at the following described premises:

**KWIK TRIP #371 , 6300 52ND ST  
Premises Description: ONE STORY FRAME CONSTRUCTION WITH STORAGE IN WALK-IN COOLR  
FOR THE PERIOD FROM 07/01/25 TO 06/30/26**

This License must be framed and posted in a conspicuous place in the room where fermented malt beverages and/or intoxicating liquors are sold or served.

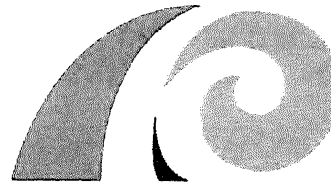
Given under my hand and the corporate seal of the  
CITY OF KENOSHA, WISCONSIN

Michelle L. Nelson, City Clerk/Treasurer

*Michelle L. Nelson*

David F. Bogdala, Mayor

*D.F. Bogdala*



**THE CITY OF  
KENOSHA**  
CHART A BETTER COURSE



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

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**MEETING DATE:** October 28, 2025

**TO:** Village President Stoner and Village Trustees

**PREPARED BY:** Wendy Burnette – Clerk/Treasurer

**AGENDA ITEM:** #13 Action on Operator’s Licenses: Sejal Patel, Dale Iverson, Brittany Wutschel, Aaron Mueller, Jacob Starr, Elizabeth Murray Thomas Mikkelsen, Sherri Tracy, and Jamie Ronge

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**BACKGROUND:**

Sejal Patel, Dale Iverson, Brittany Wutschel, Aaron Mueller, Jacob Starr, Elizabeth Murray Thomas Mikkelsen, Sherri Tracy, and Jamie Rongehave applied for operator’s licenses for the Village of Somers.

No discrepancies with the application.

**SUGGESTED ACTION/ACTION REQUESTED/COMMENTS:**

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

*“Motion to approve Operator License for: Sejal Patel, Dale Iverson, Brittany Wutschel, Aaron Mueller, Jacob Starr, Elizabeth Murray, Thomas Mikkelsen, Sherri Tracy, and Jamie Ronge.”*

**ATTACHMENTS:**

None