

Village of Somers
Proceedings from the Regular Board June 23, 2026

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

President Stoner led the Pledge of Allegiance.

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

Consent and Approval of Minutes of Regular meetings on June 9th, Vouchers dated June 4, 11 and 18, & ACH Payments.

Trustee Aupperle moved to approve Minutes of Regular meetings on June 9th, Vouchers dated June 4, 11 and 18, & ACH Payments.

Seconded by Trustee Harbach

Motion carried. 7-0 vote

Correspondence: Correspondence: Letter from Root-Pike WIN regarding the Menominee Casino project, Public Service Commission letter about the Red Oak Ridge Energy Center final environmental impact statement, Kenosha County Letter about address change, DNR Notice of Air pollution control permit applications by Silgan Containers Manufacturing Corp, and by WE Energies

President and Trustee Comments:

Trustee Harbach asked if we ever resolved Mr. Sorensen's issue with the water in his yard. Administrative Hurley mentioned we were working on getting quotes for the drain ditch.

Citizens' Comments:

Ted Terletzky – 9015 12th Street

Mr. Terletzky thanked the Village Board for holding the public presentation regarding the village's levy challenges. He stated that the financial issues have been developing for many years and expressed support for implementing a PILOT (Payment in Lieu of Taxes) program as a temporary measure to help fund essential village services, including police, fire, public works, and administration. While acknowledging the additional cost to taxpayers, he stated that he believes the program is necessary until a long-term solution can be provided by the State of Wisconsin.

Mr. Terletzky also addressed concerns regarding construction work hours in residential areas. He stated that he had previously requested the Village establish contractor work-hour regulations but had not seen any action taken. He described experiencing construction noise beginning at approximately 5:30 a.m. and continuing until around 7:00 p.m., including backup alarms, dump trucks, and other heavy equipment. He expressed concern that the current ordinance does not restrict contractor work on weekends and requested

that the Village Board adopt and enforce reasonable construction work-hour regulations to minimize disturbances to nearby residents.

Action on proposed change order to the 2026 road repaving schedule to include 80th Avenue in the amount of \$79,525, plus insurance requirements

Trustee Ostby moved to approve proposed change order to the 2026 road repaving schedule to include 80th Avenue in the amount of \$79,525, plus insurance requirements

Seconded by Trustee Smith

Josh Fugate, Utilities Manager, explained that the bid for the paving program came in below the estimated cost, leaving allocated funds available within the paving budget. He stated that the proposed resurfacing of 80th Avenue qualifies as a change order within the allowable 15% of the contract value and presented the Board with the option to approve or deny the additional resurfacing using the existing budgeted funds.

Josh further explained that, as noted by Kevin, Assistant Administrator, a railroad right-of-entry permit is required because the project is located within the railroad right-of-way. However, because the work will not cross the railroad tracks, staff does not anticipate that railroad flaggers will be required. He noted that this determination will be confirmed after the permit application is submitted and reviewed by the railroad.

Motion carried. 7-0 vote

Action on Second Payment Request for 12th Street Water main extension project in the amount of \$868,018.97 from PTS Contractors, Inc

Trustee Harbach move to approve Second Payment Request for 12th Street Water main extension project in the amount of \$868,018.97 from PTS Contractors, Inc

Seconded by Trustee Ostby

President Stoner asked Josh Fugate if everything was going well with the project.

Josh Fugate, Utilities Manager, provided an update on the water main project, reporting that the work has progressed well. He stated that the casing and bore beneath the railroad tracks have been completed and connected with a safe water sample expected the following day. He also reported that the water main installation is complete, service lines have been extended to the right-of-way, and work is continuing the transfer station foundation.

In response to a question regarding reported settlement beneath the railroad tracks, Mr. Fugate explained that minor settlement had been detected during the boring operation and that additional monitoring had been requested. However, because railroad flagging services had concluded, no further work or monitoring can occur within the railroad right-of-way unless the railroad authorizes additional flaggers. He noted that the observed movement was minimal and that the railroad will determine whether further monitoring is necessary.

Motion carried. 7-0 vote

Action on proposed Ordinance 2026-003, to create Section 18.55 of the Code of Ordinances of the Village of Somers regarding the Comprehensive Plan: Shoreland Lutheran High School. Item was approved by the Village Board in 2024

Trustee Ostby moved to approve Ordinance 2026-003, to create Section 18.55 of the Code of Ordinances of the Village of Somers regarding the Comprehensive Plan: Shoreland Lutheran High School. Item was approved by the Village Board in 2024

Seconded by Trustee Nelson

Motion carried. 7-0 vote

Action on proposed Ordinance 2026-004, to create Section 18.56 of the Code of Ordinances of the Village of Somers regarding the Comprehensive Plan: Somers Creek Subdivision. Item was approved by the Village Board in 2025

Trustee Harbach move to approve Ordinance 2026-004, to create Section 18.56 of the Code of Ordinances of the Village of Somers regarding the Comprehensive Plan: Somers Creek Subdivision. Item was approved by the Village Board in 2025

Seconded by Trustee Nelson

Motion carried. 7-0 vote

Action on proposed Ordinance 2026-005, to create Section 18.57 of the Code of Ordinances of the Village of Somers regarding the Comprehensive Plan: Maplecrest Subdivision. Item was approved by the Village Board in 2025.

Trustee Nelson moved to approve Ordinance 2026-005, to create Section 18.57 of the Code of Ordinances of the Village of Somers regarding the Comprehensive Plan: Maplecrest Subdivision. Item was approved by the Village Board in 2025.

Seconded by Trustee Smith

Motion carried. 7-0 vote

Action of proposed Ordinance 2026-006, to create Section 18.58 of the Code of Ordinances of the Village of Somers regarding the Comprehensive Plan: David W Rasmussen & Scott B Rasmussen, 2004 3rd Street, Kenosha, WI 53140 (Owner), Raymond C. Leffler, 8338 Corporate Drive, Mt. Pleasant, WI 53406 (Agent); requests an amendment to the land use plan map for the Village of Somers (Map 80) as adopted in the Multi-Jurisdictional Comprehensive Plan for Kenosha County: 2035 from Suburban-Density Residential, PEC, Nonfarmed Wetland, Other Conservancy Land to be Preserved to Medium-Density Residential, Suburban-Density Residential, PEC, Nonfarmed Wetland, Other Conservancy Land to be Preserved, on Tax Parcel # 83-4- 223-062-0200, located in the NW ¼ of Section 6, T2N, R23E, Village of Somers. (For informational use only, this property is located on the south side of Highway 195 at 1911 1st Street)

Trustee Nelson moved to approve Ordinance 2026-006, to create Section 18.58 of the Code of Ordinances of the Village of Somers regarding the Comprehensive Plan: David W Rasmussen & Scott B Rasmussen, 2004 3rd Street, Kenosha, WI 53140 (Owner), Raymond C. Leffler, 8338 Corporate Drive, Mt. Pleasant, WI 53406 (Agent); requests an amendment to the land use plan map for the Village of Somers (Map 80) as adopted in the Multi-Jurisdictional Comprehensive Plan for Kenosha County: 2035 from Suburban-

Density Residential, PEC, Nonfarmed Wetland, Other Conservancy Land to be Preserved to Medium-Density Residential, Suburban-Density Residential, PEC, Nonfarmed Wetland, Other Conservancy Land to be Preserved, on Tax Parcel # 83-4- 223-062-0200, located in the NW ¼ of Section 6, T2N, R23E, Village of Somers. (For informational use only, this property is located on the south side of Highway 195 at 1911 1st Street)

Seconded by Trustee Ostby

Motion carried. 7-0 Vote

Action on Rezone Requested by: David W Rasmussen & Scott B Rasmussen, 2004 3rd Street, Kenosha, WI 53140 (Owner), Raymond C. Leffler, 8338 Corporate Drive, Mt. Pleasant, WI 53406 (Agent); requests approval of rezoning from A-2 General Agricultural Dist. & C-2 Upland Resource Conservancy Dist. to R-4.5 Urban Single-Family Residential Dist., R-2 Suburban Single-Family Residential Dist., R-8 Urban Two-Family Residential Dist., C-2 Upland Resource Conservancy Dist. & C-1 Lowland Resource Conservancy Dist., on Tax Parcel # 83-4- 223-062-0200, located in the NW ¼ of Section 6, T2N, R23E, Village of Somers. (For informational use only, this property is located on the south side of Highway 195 at 1911 1st Street)

Trustee Nelson moved to approve Rezone Requested by: David W Rasmussen & Scott B Rasmussen, 2004 3rd Street, Kenosha, WI 53140 (Owner), Raymond C. Leffler, 8338 Corporate Drive, Mt. Pleasant, WI 53406 (Agent); requests approval of rezoning from A-2 General Agricultural Dist. & C-2 Upland Resource Conservancy Dist. to R-4.5 Urban Single-Family Residential Dist., R-2 Suburban Single-Family Residential Dist., R-8 Urban Two-Family Residential Dist., C-2 Upland Resource Conservancy Dist. & C-1 Lowland Resource Conservancy Dist., on Tax Parcel # 83-4- 223-062-0200, located in the NW ¼ of Section 6, T2N, R23E, Village of Somers. (For informational use only, this property is located on the south side of Highway 195 at 1911 1st Street)

Seconded by Trustee Harbach

Trustee Aupperle asked if this failed at the Plan Commission Meeting. Administrator Hurley stated, Initially, it was a negative recommendation, and then it came to the village board, the applicant was here, and the board agreed for the commission to reconsider it. So it went back to the commission, and then the commission heard the board's suggestions and adopted a resolution, and now it's back to the board.

Trustee Ostby stated that the Plan Commission's reconsideration was influenced by additional information provided by Trustee Nelson. He explained that the supplemental information included an analysis of surrounding communities, property values, and comparable developments, demonstrating that the proposal was consistent with the character of the surrounding area. He noted that this additional analysis was a significant factor in the Plan Commission's revised recommendation.

Trustee Aupperle expressed concern regarding the public process associated with the Plan Commission's reconsideration of the proposal. He stated that residents who attended and opposed the proposal at the initial public hearing may have believed the matter had concluded after the Plan Commission's initial negative recommendation. Because the reconsideration was not held as a public hearing, he noted that some residents felt they were unaware the proposal would be considered again and were therefore unable to provide additional public input. Trustee Aupperle acknowledged these concerns and suggested the Village may need to review its procedures for notifying the public when matters are returned to the Plan Commission for reconsideration.

The Board discussed the public notification process for the proposed development following its reconsideration by the Plan Commission. Trustee Aupperle expressed concern that residents who opposed the proposal at the initial public hearing may not have been aware that the item would return to the Plan Commission, suggesting this contributed to a perception that the proposal had been advanced without adequate public input.

Administrator Hurley explained that the proposal itself did not change and that all meetings were properly notified in accordance with state law. He stated that while public hearing notices are required for formal hearings, subsequent meetings are publicly posted in advance, providing opportunities for interested residents to attend. He also noted that some residents had contacted the Village and were aware the matter would be returned to the Village Board but did not attend the meeting. He emphasized that the Plan Commission serves in an advisory capacity and that the Village Board retains the authority to request reconsideration based on additional information before making the final decision.

During further discussion, President Stoner stated that the revised recommendation was not the result of the proposal being "rammed through," but rather because the Plan Commission received additional explanations regarding the rezoning request, lot sizes, access requirements, and applicable Wisconsin Department of Transportation standards. President Stoner stated that, after receiving this information and addressing previous concerns, the Plan Commission voted to recommend approval of the proposal.

Motion carried. 6-1 vote

Action on Preliminary Plat (land division) Requested by: David W Rasmussen & Scott B Rasmussen, 2004 3rd Street, Kenosha, WI 53140 (Owner), Raymond C. Leffler, 8338 Corporate Drive, Mt. Pleasant, WI 53406 (Agent); requests approval of a preliminary plat (dated February 24, 2026, and prepared by John P. Konopacki of Pinnacle Engineering Group), on Tax Parcel # 83-4-223-062-0200, located in the NW ¼ of Section 6, T2N, R23E, Village of Somers. (For informational use only, this property is located on the south side of Highway 195 at 1911 1st Street)

Trustee Harbach move to approve Preliminary Plat (land division) Requested by: David W Rasmussen & Scott B Rasmussen, 2004 3rd Street, Kenosha, WI 53140 (Owner), Raymond C. Leffler, 8338 Corporate Drive, Mt. Pleasant, WI 53406 (Agent); requests approval of a preliminary plat (dated February 24, 2026, and prepared by John P. Konopacki of Pinnacle Engineering Group), on Tax Parcel # 83-4-223-062-0200, located in the NW ¼ of Section 6, T2N, R23E, Village of Somers. (For informational use only, this property is located on the south side of Highway 195 at 1911 1st Street)

Seconded by Trustee Nelson

Trustee Nelson wanted to point out that one of the primary concerns raised by neighboring residents was the amendment to the neighborhood plan to allow smaller lot sizes instead of one-acre lots. She stated that they reviewed several nearby subdivisions and compared average home values, concluding that the proposed development would include homes with values comparable to or greater than those in surrounding neighborhoods. She also noted that existing homes on one-acre lots in the area have lower average assessed values than the proposed homes, indicating that the development would not negatively affect surrounding property values. The discussion concluded with acknowledgment that the remaining concerns appeared to relate more to the public process than to the merits of the proposed development itself.

Motion carried. 6-1 vote

Action on proposed Ordinance 2026-007, to amend Section 9.03 of the Code of Ordinances of the Village of Somers regarding Throwing or Shooting Projectiles in the Right-of-Way within the Village of Somers

Trustee Ostby moved to approve Ordinance 2026-007, to amend Section 9.03 of the Code of Ordinances of the Village of Somers regarding Throwing or Shooting Projectiles in the Right-of-Way within the Village of Somers

Seconded by Trustee Aupperle

Trustee Fredrick asked if this ordinance included fireworks. Administrator Hurley mentioned it only changes the right of way. Chief Andersen stated that we have a fireworks ordinance that prohibits fireworks in the village.

Motion carried. 7-0 vote

Action on proposed amendment to allow public comments at Village work session meetings

Trustee Aupperle moved to approve proposed amendment to allow public comments at Village work session meetings.

Seconded by Trustee Fredrick

Motion carried. 6-1 vote.

Action on proposed Pilot Meeting Schedule: July – August 2026

Trustee Ostby moved to approve Pilot Meeting Schedule: July – August 2026

Seconded by Trustee Aupperle

President Stoner stated he does not support this pilot meeting schedule

Trustee Fredrick Aye, Trustee Nelson Aye, Trustee Aupperle Nay, President Stoner Nay, Trustee Ostby Aye, Trustee Harbach Nay, Trustee Smith Aye.

Motion carried. 4-3 vote

Action on Operator's License: Grace Eigenberger

Trustee Aupperle moved to deny Operator's License: Grace Eigenberger

Seconded by Trustee Ostby

Motion carried. 7-0 vote

Action on Operator's Licenses: Denise Ambrosini, Ella Carter, Lauri Deeds, Hannah Eiden, Samara Gorman, Alyssa Harper, William Harris, Montana Hipper, Julie Kunath, Daisy Lara

Roldan, Richard Mancilla, J. Santiago Mora Mora, Angela Quillen, Monica Rogers, Daniel Santarelli, Lilith Sorenson, Anna Vignali

Trustee Ostby moved to approve Operator's Licenses: Denise Ambrosini, Ella Carter, Lauri Deeds, Hannah Eiden, Samara Gorman, Alyssa Harper, William Harris, Montana Hipper, Julie Kunath, Daisy Lara Roldan, Richard Mancilla, J. Santiago Mora, Angela Quillen, Monica Rogers, Daniel Santarelli, Lilith Sorenson, and Anna Vignali

Seconded by Trustee Fredrick

Motion carried. 7-0 vote

Action on Special Event Permit application from J&M's Bar and Grill for Saturday, June 27th from 11 a.m. to 9 p.m., located at 8013 12th Street, Kenosha, WI 53144

Trustee Harbach moved to approve Special Event Permit application from J&M's Bar and Grill for Saturday, June 27th from 11 a.m. to 9 p.m., located at 8013 12th Street, Kenosha, WI 53144

Seconded by Trustee Nelson

Motion carried. 7-0 vote

Motion to adjourn

Trustee Harbach moved to adjourn at 6:13pm

Seconded by Trustee Nelson

Motion carried 7-0 vote

These minutes were approved by the Village Board on July 14, 2026. Wendy Burnette, Clerk/Treasurer