

Town of Oconomowoc
APPROVED

Board of Supervisors

September 15, 2008

Call to Order/Pledge of Allegiance:

Chairman Hultquist called the meeting to order at 6:03 p.m. with the Pledge of Allegiance. Present were Chairman Hultquist, Supervisors Janis Husak, John Roelandts, Brian Wiemer, and John Koepke. Also present were Town Attorney William Chapman, Police Chief James Wallis, Highway Superintendent Owen Salzman, Administrator/Planner Jeffrey Herrmann, and Clerk/Treasurer Terry Leaman.

Eight Residents were in attendance.

Approve Minutes: August 18, 2008 Board of Supervisors Meeting and August 27, 2008 Special Board Meeting.

A motion was made by Supervisor Husak and seconded by Supervisor Roelandts to approve the minutes as presented. The motion carried unanimously.

Correspondence:

Supervisor Husak said she was contacted by Paul and Carol Fischer, owners of property adjacent to the Mapleton Community Center. They are interested in selling the property and wanted to give the Town the first opportunity to purchase it. An appraisal from Steve Reich for \$145,000.00 was given to Administrator Herrmann.

The Clerk/Treasurer read two letters. The first was from resident Barbara Stranak regarding pets relieving themselves along the beach near Mary Lane. The second letter was from the Humane Animal Welfare Society (HAWS) thanking the Town Board for their contribution of \$500.00 for their facility expansion.

Comments from the floor on Agenda items or any other items: None

OLD BUSINESS: None

NEW BUSINESS:

1. Consider and Act on Special Event Application for No Wisconsequences Mixer, October 18, 2008 – Okauchee Lion's Park – Matthew Sewell.

The Plan Commission has reviewed the Lion's Club Conditional Use Permit and has allowed additional events: They approved 15 large and 15 small events. Only two of the events can have amplified music after 10 p.m.; Okauchee Days and the Street dance.

A motion was made by Supervisor Husak and seconded by Supervisor Koepke to approve the Special Event Application for No Wisconsequences Mixer subject to the live music ending by 10 p.m. The motion carried unanimously.

2. Consider and Act on Resolution for Culvert work on South Shore Drive.

Bids were received from Globe and Banazek. The Town Administrator will work with FEMA to get some sort of cost share. Before the bids were received FEMA indicated that they might pay \$7,000.00. The Administrator will submit the total bid to FEMA.

A motion was made by Supervisor Roelandts and seconded by Supervisor Husak to adopt the resolution.

Supervisor Koepke mentioned that he was on site and that this is a public safety issue. If FEMA doesn't pay some of the cost it will have to come out of the contingency fund.

The motion carried unanimously.

3. Consider and Act on request for Donation for the Oconomowoc Area Senior Center.

The representative from the Senior Center indicated that they have not received a donation for several years.

A motion was made by Supervisor Husak and seconded by Supervisor Roelandts to approve a \$100.00 donation to the Oconomowoc Area Senior Center. The motion carried unanimously.

4. Discussion on request from Residents to Pave a portion of Road E.

Administrator Herrmann mentioned that Road E is a private road and the Town typically does not pave a road unless it becomes public.

Luis Hernandez – N55W34553 Road E

There are seven people on the Road that would pay to have it paved. The road is a mess now with mud. He estimates it would cost the residents \$6,000.00 or less per person. He suggested the costs could be placed on the tax bill and paid this year. He would like each person on the Road to get a copy of a sketch of the road near their property.

Supervisor Roelandts asked if the residents are willing to pay for paving and all related costs including, legal, administrative and engineering.

Mr. Hernandez felt the paving costs only since the other charges would be part of the general operating costs of the Town.

Supervisor Roelandts indicated that the costs would be for all the before mentioned items. The Town would have expenses with the process and the Road E residents would have to pay these expenses.

Supervisor Husak asked why they don't contact the paving companies themselves. It may be more cost effective to have it done that way instead of getting the Town involved.

Mr. Hernandez doesn't want to collect money from his neighbors and thought using the Town for billing would be easier.

Attorney Chapman indicated that there were several problems with this approach:

- 1) The Town can't assess Road E as a three mil road as the assessment would be charged against the Town's levy limit.
- 2) A special charge allows the Town to charge the residents for work done and this could be considered.
- 3) The Town could send a bill and if the resident doesn't pay then it could be placed on the taxes. This is typically done for things such as oiling a road typically not something as extensive as paving.
- 4) If the related cost for legal, engineering and professional staff were paid before the project was done then it would not affect the 2% levy limit.

He suggests an engineer check the road to see what it's going to cost. This project would not have to be bid since it is not a Town road. There are some drainage problems that would have to be dealt with.

Supervisor Koepke suggested that getting the Town involved in this project would increase the costs to the residents. He also suggested contacting some companies on their own.

Superintendent Salzman indicated that there was work started on Road E several years ago and then stopped. The road was graded but never finished.

Chairman Hultquist mentioned that he felt it is the obligation of the Town to have an engineer review the road.

Mr. Hernandez phone number: 262-227-0132 (cell)

5. Consider and Act on Resolution for Village of Chenequa Proposal.

The proposal from the Village of Chenequa is that State Highway 83 be relocated to County Highway P in the Town of Oconomowoc.

Attorney Chapman mentioned that state improvements are being proposed and the Village wanted to move the road to minimize the amount of impact on the Chenequa area.

A motion was made by Supervisor Koepke and seconded by Supervisor Roelandts to adopt the resolution against the relocation of State Highway 83 to the Town of Oconomowoc. The motion carried unanimously.

6. Consider and Act on Resolution for reduction of Right of Way from 66 feet to 30 Feet on Bauer's Lane.

The Plan Commission reviewed the petition from the residents and recommended to the Board to approve the resolution changing the straight leg of Bauer's Lane From a 66 foot Right of Way to a 33 foot Right of Way.

A motion was made by Supervisor Husak and seconded by Supervisor Wiemer to adopt the resolution as presented. The motion carried unanimously.

7. Consider and Act on Resolution to participate in the State of Wisconsin Health Insurance Program for 2009.

The Town is planning to change from the current HSA program to the State of Wisconsin Health Insurance Program. The resolution needs to be in to the State by October 1, 2008. The resolution will be subject to the union negotiations.

A motion was made by Supervisor Husak and seconded by Supervisor Roelandts to adopt the resolution as presented. The motion carried unanimously.

8. Consider and Act on Holding Tank Agreement for Larry Jones – W360N5089-91 Brown St.

Administrator Herrmann needs to talk with Steve Hoelz from Waukesha County to confirm that a holding tank is the only option on this property.

A motion was made by Supervisor Roelandts and seconded by Supervisor Husak to approve the holding tank agreement subject to the Administrator's contact with Steve Hoelz. The motion carried unanimously.

9. Consider and Act on Bond Reduction Request for Bielinski Homes – Bay Pointe Condos.

Administrator Herrmann reviewed an e-mail from Mark Mickelson of Yaggy Colby recommending approval of the bond reduction for Bielinski Homes.

A motion was made by Supervisor Husak and seconded by Supervisor Wiemer to approve the bond reduction for Bielinski Homes. The motion carried unanimously.

10. Discussion on Curtis and Lila Weide acquiring Driveway Easement from the Town of Oconomowoc.

Administrator Herrmann indicated that the Caviani Development bought the Wiede farm. Their driveway is on Town property. A 20 foot easement was given to the Weides at the time of the farm sale. The Weides are now requesting the Town to deed the easement to them.

Attorney Chapman indicated that a decision such as this should be made at a Special Town Meeting. It can be done at the meeting to approve the 2009 budget.

11. Discussion on Jake Brake Ordinance.

Several Supervisors were not familiar with the term Jake break. Its when a truck down shifts in order save their brakes and it slows down the vehicle. It typically makes a great deal of noise when it happens. Resident Karen Rudolph indicated that on Highway K near N. Lake Road is where she hears it happening.

The Police Chief has not heard any complaints.

The Ordinance can be constructed to include specific roads. The Ordinance can also be amended to add other roads. Attorney Chapman will draft a proposed ordinance.

12. Consider and Act on Zoning Amendment Resolution for State Owned Properties.

Administrator Herrmann indicated that the Town wants to change the zoning on these properties from public and institutional to agriculture preservation and conservancy. The State of Wisconsin is going to appraise the properties. The State will keep a small portion of the land for Road Right of Way. Tall Pines Conservancy and the Village of Lac La Belle will purchase the land.

A motion was made by Supervisor Roelandts and seconded by Supervisor Koepke to adopt the resolution as presented. The motion carried unanimously.

13. Chairman Hultquist: He received a letter from Brian Melter from Breezy Point Road thanking the Town for the paving work.

14. Supervisor Reports

a. John Koepke: Nothing

b. Brian Wiemer: He attended the meeting of the Okauchee Lake Management District and had a resident who was upset about the water runoff from highway 16 near Jaeckles Drive and Lindy Lane.

Administrator Herrmann indicated that the water runoff is coming from the highway and drainage from the Town of Summit. Residents have the impression that the runoff is caused by the Town of Oconomowoc but it is not.

c. Janis Husak:

Jan received a call regarding the Thomas Stone property and a pile of debris in the rear yard. It was suggested a letter be sent to Waukesha County because it is a zoning violation.

d. John Roelandts: Nothing

15. Attorney Chapman: Nothing

16. Highway Superintendent Salzman: Nothing

17. Police Chief Wallis: Nothing

18. Administrator/Planner Herrmann

a. Consider and Act on attendance of Robert Peregrine and John Koepke at the Land Use Study Tour.

A motion was made by Supervisor Husak and Seconded by Supervisor Wiemer to approve the attendance of Robert Peregrine and John Koepke at the Land Use Study Tour. The motion carried unanimously.

19. Clerk/Treasurer

a. Approve Operator's licenses per list.

A motion was made by Supervisor Husak and seconded by Supervisor Wiemer to approve the Operator's licenses pending the approval of The Chief of Police. The motion carried unanimously.

20. Approve Vouchers and Checks

A motion was made by Supervisor Wiemer and seconded by Supervisor Koepke to approve the vouchers and checks subject to the review of the Town Administrator. The motion carried unanimously.

Closed Session

A motion was made by Supervisor Husak and seconded by Supervisor Roelandts to enter, by roll call vote, into Closed Session, pursuant to State Statute 19.85(1)(c) considering employment, promotion, compensation or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility and pursuant to State Statute 19.82 to engage in Union negotiations.

Roll call vote:

Supervisor Koepke: Aye	Supervisor Wiemer: Aye
Chairman Hultquist: Aye	Supervisor Husak: Aye
Supervisor Roelandts: Aye	

The Board adjourned from closed session and reconvened at 7:38 p.m.

21. Adjourn:

A motion was made by Supervisor Husak and seconded by Supervisor Roelandts to adjourn the meeting. The motion carried unanimously. The meeting adjourned at 7:40 p.m.

Respectfully Submitted,

Terry A. Leaman
Clerk/Treasurer