

Town of Oconomowoc

**APPROVED**

Board of Supervisors Meeting

October 20, 2008

**Call to Order:**

Chairman Hultquist called the meeting to order at 6:00 p.m. Present were Chairman Hultquist, Supervisors Janis Husak, John Roelandts and Brian Wiemer. Supervisor John Koepke was absent and excused. Also present were Town Attorney William Chapman, Police Chief James Wallis, Highway Superintendant Owen Salzman, Administrator/Planner Jeff Herrmann, and Clerk/Treasurer Terry Leaman.

There were 12 residents in attendance.

**Approve Minutes: October 6, 2008 Town Board Meeting, October 8, 2008 Special Town Board Meeting.**

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

**Correspondence:** None

**Comments from the floor on Agenda items or any other items:**

Barb Pinter – N64W34909 Road J – She is concerned with items 6&7 of the agenda concerning the paving of Road J. She is requesting the Board to hold the payment to Payne & Dolan because she is appalled with the workmanship of the finished road. She is suggesting an extended warranty period from 3-5 years. She is concerned that the Road will not remain smooth and level because of the construction methods. Ms. Pinter gave pictures to the Board taken by another resident showing the edges of the road chipping and breaking. She asked why there was no gravel where the curbs were. The edges of the curbs are breaking down from the vehicles riding over the edge. She believes that these items should be corrected before the payment is made to Payne & Dolan. She also asked why it has taken so long for the discussion to come to the Board and when is the assessment going to be made – in 2008 or 2009?

The Chairman asked Mark Mickelson to respond to Ms. Pinter. Mark indicated that they didn't do a proof roll since the trucks that were moving the stone were heavy enough to determine the stability of the road. The contractor couldn't get near the gas lines because they were concerned for a possible explosion. He feels the compaction is sufficient for the road. He doesn't feel there would be a wash board effect on the road. There will be a 1 year warranty from Payne & Dolan. There is better drainage on the road than in the past.

Attorney Chapman indicated that he doesn't think the Town will make the assessment billing in 2008. There are too many items to be completed before the assessments need to be placed on residents bills. He feels that the first payment will probably be in 2009.

Carlene Schwartz – N53W34568 Road Q – She is concerned for Road Q. The first one third of the road was done but they still have plenty of ponding in the later part. She mentioned that the Highway Department was responsive to their needs but you can now feel the sewer laterals as you drive down the road. She asked if there were warranties and guarantees on the road.

Bob Sokolowicz – N64W34899 Road J – He felt the inspector, Mike Metzinger, was not there on the job. He is also concerned for the quality of the road. He is concerned with the gas line problem. The road crew went down 12 inches over the gas line. He's concerned that the road will have a wash board effect where the gas lines are. They were no closer than three and a half feet on either side of the gas line near his house.

Mr. Sokolowicz mentioned that he called Mike Metzinger to complain about the problem and Mike indicated that he shouldn't have any concern. He's further concerned with the east end of the road near the Becker's that the trucks avoided the area because the road was soft. Orange cones were placed on the edge of the road to make sure the trucks didn't go in that spot. He is also not satisfied with the quality of the construction.

Mark Mickelson mentioned that they didn't have an inspector 8 hours a day because it wasn't needed. They wanted to be cognizant of the costs while making sure the road was properly supervised. The road meets the Town's road standards. He was not aware of any soft spots and will wait until 2009 to evaluate these problems.

Attorney Chapman asked about the proof roll.

Mark Mickelson indicated that the proof roll is defined as a truck typically loaded with water or gravel that goes over the road. The inspector watches to see if the road moves under the weight of the truck. In this situation the number of heavy trucks moving back and forth eliminated the need for the proof roll. The gravel was not put in the curb area because it wasn't necessary. The narrow roadway is causing the problem and adding gravel will just increase the cost. There should be no problem with breakdown of the road.

Luis Hernandez – N55W34553 Road E – He came back to the meeting to work on the paving of the private portion of Road E. He has a new bid from Wolf paving for \$7,900.00 and \$3,000.00 for additional fill.

Chairman Hultquist asked if the residents were satisfied with the bid from Merit Paving. Mr. Hernandez indicated they are happy with it.

**OLD BUSINESS:**

**1. Consider and Act on Paving a portion of Road E.**

A motion was made by Supervisor Wiemer and seconded by Supervisor Husak to approve the paving of a portion of Road E.

Attorney Chapman indicated that he reviewed the round a bout file and noted that Jensen, Henson, Groskopf, and Nowakowski were parties that received compensation at that time. Henson received \$6,500 - \$7,000. It appears that Henson received an additional \$2,000 from the Town. A fax from Joe St. Thomas indicated that Henson was satisfied with the arrangement. Nothing was said about the road work on Road E. If the paving of Road E in 2005 was part of the Round a bout it was never noted.

Chairman Hultquist mentioned that the Town should be responsible for picking up part of the bill.

The motion to pave a portion of Road E was withdrawn by Supervisors Wiemer and Husak.

A motion was made by Supervisor Roelandts and seconded by Supervisor Husak to approve the Town contributing \$2,500.00 toward the paving of a portion of Road E and to bill the residents on their taxes for whatever portion remains.

Supervisor Wiemer indicated that Supervisor Koepke mentioned to him that he would not want to approve more that \$2,500.00 for Road E.

Attorney Chapman indicated that he would prepare a Resolution to clarify the motion.

Jeff Hermann asked Mr. Hernandez if he was going to manage the project or if he wanted the Town to manage it. If the Town was to manage then there might be some additional costs.

Attorney Chapman suggested the Town make a simple contribution of \$2,500.00. He is willing to meet with the Road E residents at his office to discuss the project.

The motion carried unanimously.

**2. Consider and Act on Audit proposals for 2008.**

Mr. Herrmann indicated that Donna Schlender has not responded to his request on her opinion for the audit proposals. It was suggested that this item be tabled until the next meeting where the individual companies would be asked to present their case before the Board.

**3. Consider and Act on Plat of Survey Proposal from Yaggy-Colby – Monterey Mill Dam.**

This topic was tabled to a future meeting in order that the parties involved can review the contents of the proposal.

**NEW BUSINESS:**

**1. Consider and Act on Resolution to Accept the roads in Woodside Farms.**

A motion was made by Supervisor Husak and seconded by Supervisor Roelandts to adopt the Resolution to accept the roads in Woodside Farms Subdivision. The motion carried unanimously.

**2. Consider and Act on Final Letter of Credit Reduction for River Hills at Monterey.**

Administrator Herrmann indicated after the current \$4,000.00 reduction that there will be \$70,166.40 left in the Letter of Credit for a one year period for the final lift.

A motion was made by Supervisor Husak and seconded by Supervisor Roelandts to adopt the resolution for the final letter of credit reduction for River Hills at Monterey. The motion carried unanimously.

**3. Consider and Act on Resolution to Accept the roads in River Hills at Monterey.**

A motion was made by Supervisor Roelandts and seconded by Supervisor Husak to adopt the Resolution accepting the roads in River Hills at Monterey. The motion carried unanimously.

**4. Consider and Act on water drainage problem on Gietzen Dr. – Frank Reck.**

Mark Mickelson indicated the following:

- The road was repaved following the sewer installation.
- A new residence was built across the street from the Reck's.
- There was no evaluation of grades prior to paving.
- The Reck's get water drainage from the road.

Mark indicated that a curb might make the situation better but it's hard to tell since the water flows downhill into the Rack's garage.

Mr. Reck indicated that prior to the road being rebuilt that there was no water problem. The road is now too high and the water goes into his garage. He asked why not have the road pitch to the other side?

Supervisor Roelandts suggested that Mark Mickelson meet with the Reck's and come back to a future meeting with possible options for the Town Board. He asked that this situation be evaluated by an engineer.

Mark asked if he could get the original field work from the road installation. He will bring the information to the next meeting.

**5. Consider and Act on request from Donald Dysland regarding Utility special assessment.**

Administrator Herrmann indicated that there is a lawsuit pending regarding Mr. Dysland's guest house. He currently is assessed for two sewer lines. He would suggest that the Board hold off on making a decision until the lawsuit is settled.

A motion was made by Supervisor Husak and seconded by Supervisor Wiemer to deny the request of Mr. Dysland until the lawsuit regarding the guest house is settled. The motion carried unanimously.

**6. Consider and Act on pay request from Payne & Dolan – Road J Reconstruction.**

Supervisor Husak suggested the Board table the decision to the next meeting so that the Board members can go out and look at the road.

**7. Consider and Act on setting a date for Public Hearing for Road J Reconstruction.**

Attorney Chapman listed a number of items that need to be accomplished before the assessment and the Public Hearing can be set. It was suggested by Supervisor Roelandts to not rush through the process and try to get the assessment on the taxes in 2008. The Board felt that having the assessment on the 2009 tax bills would be sufficient.

The Town Attorney will get together with the Clerk to take care of the details of the process.

**8. Consider and Act of Jake Brake Ordinance.**

A motion was made by Supervisor Wiemer and seconded by Supervisor Roelandts to adopt the Jake Brake Ordinance as presented. The motion carried unanimously.

**9. Consider and Act on request from Building Inspector to place property owned by Norm Greeb, N51W34306 Park Bay Rd. on the “new deferred” sewer list.**

A motion was made by Supervisor Roelandts and seconded by Supervisor Husak to approve the addition of the property located at N51W34306 Park Bay Rd. on the deferred list. The motion carried unanimously.

Attorney Chapman suggested the deferment of sewer charges and fees are outlined in the Ordinance and we should refer to that.

**10. Chairman Hultquist: Nothing**

**11. Supervisor Reports:**

- a. **John Koepke:** Absent and excused
- b. **Brian Wiemer:** Nothing
- c. **Janis Husak:** Nothing
- d. **John Roelandts:** Nothing

**12. Attorney Chapman:** Nothing

**13. Highway Superintendent Salzman:** Nothing

**14. Police Chief Wallis:** The Chief is concerned with the wild turkey in the Okauchee area. Apparently residents have been feeding the turkey and that could be a problem. He's concerned that the turkey will not leave the area and might be a cause for concern with children and pets. "Wildlife in Need" will not relocate the turkey since it has been somewhat domesticated.

**15. Administrator/Planner Herrmann:** Nothing

**16. Clerk/Treasurer**

**a. Approve Operator's licenses per list.**

A motion was made by Supervisor Husak and seconded by Supervisor Roelandts to approve the Operator's Licenses as presented. The motion carried unanimously.

**b. Consider and Act on CLASS "B" BEER and "CLASS B" Liquor License approval for John P. Hallanger, Agent, 233 North St., Plymouth, WI 53073 d/b/a Boathouse Pizza, LLC, N50W34959 Wisconsin Ave., Okauchee, WI 53069.**

A motion was made by Supervisor Husak and seconded by Supervisor Wiemer to approve the CLASS "B" BEER and "CLASS B" liquor license for John P. Hallanger, Agent for Boathouse Pizza, LLC. The motion carried unanimously.

**17. Approve Vouchers and Checks**

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

**18. Adjourn:**

A motion was made by Supervisor Roelandts and seconded by Supervisor Husak to adjourn the meeting. The motion carried unanimously. The meeting adjourned at 7:29 p.m.

Respectfully Submitted,

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Terry A. Leaman  
Clerk/Treasurer