

**TOWN OF OCONOMOWOC BOARD OF SUPERVISORS
SPECIAL TOWN BOARD MEETING MINUTES
March 9, 2012**

Chairman Robert C. Hultquist called the meeting to order at 8:00 am. Those present included Supervisors John Koepke, Brian Wiemer, Jan Husak and John Roelandts. Also present included Attorney Bill Chapman, Administrator/Planner Jeffrey Herrmann, and Clerk/Treasurer Jo Ann Lesser. Please see attached sign-in sheet for additional attendees.

CLOSED SESSION

Supervisor Husak made a motion 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 (Police Department). Supervisor Roelandts seconded the motion.

Supervisor Koepke; aye
Supervisor Wiemer; aye
Supervisor Husak; aye
Chairman Hultquist; aye
Supervisor Roelandts; aye

Motion carried.

Reconvene to Open Session at 8:34 am.

All those present stood to recite the Pledge of Allegiance.

NEW/OLD BUSINESS:

In consideration of Dan Napgezak returning Chairman Hultquist moved to item #2 on the agenda.

1. **Consider and Act on Settlement Agreement and Release with James Forseth California Avenue and Shorewood Avenue:** Administrator/Planner Herrmann stated that each Board member received the letter of recommendation from Michael Schober. Herrmann stated that the Board has also known the concerns of the neighbors on California Avenue and that more consideration may be needed for them as well. Herrmann stated that the road width will be 12 feet, shoulders will need to be installed and that a letter could be sent requesting that the trees be removed or trimmed. Supervisor Wiemer made a motion to approve the settlement agreement and release with James Forseth on California and Shorewood Avenues. Supervisor Roelandts seconded the motion. Supervisor Koepke stated that the settlement was not good for all the people, and wondered

if the request to trim the trees could be done prior to the settlement. Supervisor Wiemer stated that he has a problem approving the settlement and decreasing the safety of the road.

At 8:45 am it was found that the tape recorder being used to record the meeting was no longer working and the Clerk could not get it to operate correctly.

It was noted that the curb will be placed on the Forseth property, and could the tree issue be subject to? It was explained that Mr. Forseth will never accept the settlement with the trees. Chairman Hultquist stated that insurance companies when offering a settlement will look at everything with a financial aspect and they could withdraw it if the case were to be prolonged. Administrator/Planner Herrmann stated that there is a June 1st deadline for the settlement to be accepted. Supervisor Husak stated that the motion should stand as it is and work with the others later on. Supervisor Roelandts stated that the road is private and that the Town should have never been involved in the first place and that maybe a resolution could be made with the lake side residents later on. Administrator/Planner Herrmann stated that if the road was public a vision easement could be put into place, but because it's private there isn't anything the town can do. A speed limit of 15 mph could be posted; most people don't realize that this is unenforceable as stated by Attorney Chapman. The curb will become the responsibility of Mr. Forseth since it will be placed on private property. Motion carried by unanimous voice vote.

2. **Consider and Act on the purchase of the Paul & Carol Fisher Property – N87 W35441 Mapleton Road:** Administrator/Planner Herrmann brought the Supervisors up to date on the 2009 issue to purchase land from Paul & Carol Fisher. Herrmann mentioned that a purchase price has been under negotiation and the request that Paul Fisher made for retaining the use of the barn for storage. Mr. Fisher has found another place to use for storage and that the price for the property is still at \$125,000.00. Administrator/Planner Herrmann stated that the Plan Commission recommended to the Town Board to purchase the property. Herrmann stated that he is looking into a stewardship fund grant to help offset the cost of the property. Supervisor Wiemer made a motion to approve the purchase of the Paul & Carol Fisher property located at N87W35441 Mapleton Road for \$125,000.00. Supervisor Roelandts seconded the motion. Supervisor Koepke questioned is the grant would be retro-active. Administrator/Planner Herrmann stated that he was instructed by the WDNR to write the letter for retro-active opportunity. Supervisor Husak stated that the closing date has yet to be determined. Supervisor Wiemer questioned if the barn building would remain, and it was the understanding that the building would remain intact because of the way the barn was built and it's a very beautiful building. Supervisor Roelandts stated that besides the beauty of the building, does it serve a purpose and is it possible to move it? It was agreed that the Supervisors would make a decision on what's best for the park. Supervisor

Wiemer suggested that a cost for moving the building be looked into. Attorney Chapman stated that it may help to receive the grant funding if in the letter it's eluded to that it may be moved. Supervisor Roelandts stated that maybe the grant should be submitted before the closing date. Motion carried by unanimous voice vote. (*The Board went back to agenda item #1*).

3. Consider and Act on Police Union Contract for 2012-2014:

Administrator/Planner Jeff Herrmann stated that all the Board members had received copies of the contract and that the only continuing issue was the accumulation of comp time that was not included per Chief Wallis. Supervisor Roelandts stated that he felt that they should postpone approval until the comp time can be resolved. That a conversation with the Chief should be held to understand what he is requesting and why. One reason stated by Herrmann was that by not allowing the comp time to re-accrue then he would have over-time eating up his budget. Supervisor Roelandts stated that there has to other options to explore. This item was asked to be placed on the March 19th board meeting.

4. Adjourn: Supervisor Roelandts made a motion to adjourn at 9:05 am and it was seconded by Supervisor Husak. Motion carried by unanimous voice vote.

Respectfully submitted,

Jo Ann Lesser, WCMC