

**TOWN OF OCONOMOWOC BOARD OF SUPERVISORS
SPECIAL TOWN BOARD MEETING MINUTES
January 30, 2012**

Chairman Robert C. Hultquist called the meeting to order at 5:30 pm. Supervisor's present included John Roelandts, Jan Husak, Brian Wiemer, and John Koepke. Also in attendance were Administrator/Planner Jeff Herrmann, Attorney Bill Chapman, and Clerk/Treasurer Jo Ann Lesser.

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 (Union Negotiations) and Pursuant to State Statute 19.85 (1)(c) Deliberating or Negotiating the Purchasing of Public Properties the Investing of Public Funds or Conducting other Specified Public Business, Whenever Competitive or Bargaining Reasons Require a Closed Session.

Supervisor Koepke; aye

Supervisor Wiemer; aye

Chairman Hultquist; aye

Supervisor Husak; aye

Supervisor Roelandts; aye Motion carried by unanimous roll call vote.

Reconvene to Open Session at 6:00 p.m. See attached sign-in sheet for additional attendees of the meeting.

Those present stood to recite the Pledge of Allegiance.

Approve Minutes: January 16, 2012 Town Board Meeting, this item was postponed to the February 6, 2012 meeting.

Correspondence: Chairman Hultquist stated that there were many letters/emails received at the Town Hall this week and all of them were in regards to the Monterey Dam issue and some were quite lengthy and felt that for time constraints they would not be read, but would be available in the Clerk's office and made part of the record for the meeting. Chairman Hultquist also stated that each board member received a copy every letter that was received.

Comments from the Floor on Agenda items or any other items: Chairman Hultquist stated that the public comments were to be limited to the Sewrpc report.

Rick Parra N73W36278 S. Shore Drive. Mr. Parra explained to the attendees that the town had requested that Sewrpc go over the possible options for the Monterey Dam and Ashippun Lake issues and explained that option number one is to remove the dam and do nothing else. Option number two was to install a controlling device at the Kellogg's property and remove the dam. Option number three included removing the dam and then installing ripples up stream of the mill pond which would be a series of rocks alternating acting as a dam. The final option, number four would be to remove the dam and construct a new dam. Mr. Parra felt that the Sewrpc report was not a full blown study, but gives a professional opinion. Mr. Parra believed that options one and two were off the table, and he had concerns with option three, as with where would the ripples be placed on the river and he knew that Sewrpc had some locations picked out, but Mr. Parra's had concerns with the lack of tests completed to support those locations. The idea of the ripples is to raise the river level to maintain the wetlands and therefore the lake and the groundwater. Mr. Parra questioned the ownership and the maintenance of the ripples, are easements required to be obtained, he also stated that permits would need to be obtained, and would there be road blocks by the WDNR? Mr. Parra stated that option number four has an MOU (memorandum of understanding) with the town and the lake management district that expires. Mr. Parra stated that the town can delay buying a new plow truck, a cop car or doing road repairs and the use that money for the dam and it wouldn't lose like it would if the lake were to go away. Mr. Parra stated that he is very much in favor of option number 4.

Kurt Ludwig W380N8512 Main Street. Stated that the ripple option is an unknown, what effects would there be? He felt that option four was more stable.

OLD BUSINESS:

- 1. Consider and Act on Removal and Possible Replacement of Mill Street Bridge/Monterey Dam – The property is located at the intersection of Mill Street and the Ashippun River:** Supervisor Husak made a motion for the sake of discussion to approve option number three. Supervisor Roelandts seconded the motion for the sake of discussion. Supervisor Husak questioned the cost of option three, and stated that if the town were to choose option three, there is a window of five years to replace the dam once it is removed. Supervisor Husak stated that the mill pond people have suffered, she would like to see everyone made whole. Supervisor Husak stated that she would like to hear from Sewrpc and the WDNR as to the cost of option number three. Jeff Thornton of Sewrpc said that by placing the ripples in the river its placing wiggles back into the stream and it works with nature not against it. It causes a run area, also known as rapids or ripple area and ponds on a river,

Ashippun has this effect. The ripples would be installed on a bend where there is a high quality resource area and the ripples will enhance it. It is natural for a river to step down with ripples, rapids or a pond. Taking out the dam will alter the water level, especially during dry conditions. Jeff Thornton stated that he has extensive experience with working with the WDOT putting in the ripples, the same technique was used in Washington County northwest of West Bend about 20 years ago and it continues to flourish today. Jeff Thornton stated that he has never used the ripple effect on a lake. Chairman Hultquist asked if there would be any effect on water quality, and Mr. Thornton's response was that no there would be no significant impact on water quality with the ripple option or quantity except in a dry climate. Supervisor Husak questioned who would install the ripples. Mr. Thornton stated that an independent contractor would do the work. If the WDOT provides funding then they would hire the contractors. Michelle Schneider of the WDNR stated that easements would not be needed, as the property owners are co-applicants with the town on the application for the permits. Jeff Thornton stated that a rough cost of the ripple option would be about \$200,000 plus or minus, he does have cost estimates from other DOT projects, but it does depend on local resources of the materials. Michelle Schneider stated that there is a stream restoration grant available from the DNR for choosing option three but nothing for option four.

Supervisor Koepke questioned the odds of getting the funding for option three. Jeff Thornton stated that the odds were very good if her were to write the grant. May 1st would be the deadline for grant submission with a November 1st award date.

Supervisor Roelandts stated that the ripples look to be too far away to actually help. Jeff Thornton stated that there isn't much of an elevation change from the point of the ripples to the lake. Dry weather will lower the lake, the ripples are not damming the river or the lake but creating habitat.

Supervisor Koepke stated that in a letter from Kunkel Engineering to State Senator Fitzgerald and Representative Kleefisch he noted that option number four mentioned cost sharing. The dam and bridge replacement cost is at \$915,426.37, when Supervisor Koepke spoke with Kunkel Engineering about the ripple option Kunkel stated that the cost of the project would be roughly \$200,000 to \$300,000, if the MOU ends the town becomes responsible for removal of the dam, bridge and silt. Supervisor Koepke stated that with option four gets the town help with money to replace the dam from State Senator Fitzgerald and Representative Kleefisch.

Chairman Hultquist stated that he had information from several sources that to dredge the pond of the silt could cost anywhere from \$383,000 to \$1,000,000 depending on if the silt has to be moved to a special hazardous DNR facility.

Supervisor Koepke supplied the Board with information pertaining to the debt costs, and he stated that the interest rate for borrowing the money shouldn't exceed 3%. Supervisor Koepke stated that it was never mentioned that dredging the pond was a must procedure. Supervisor Koepke asked Sam Pakalowicz who lived on the pond for the past 45 years if feels that the pond needs to be dredged and Mr. Pakalowicz responded no. Supervisor Koepke asked Doris Moore how long has she lived on the pond and she stated 65 years and felt that the pond was an eyesore. Supervisor Koepke stated that the people living on the pond will have equity back and that the lake management should pay for option three as they will be the only ones to benefit from that project.

Jeff Thornton stated that the dam will create the mill pond, it will still have silt and aquatic plant growth, and there would be no need to dredge the pond if the dam is replaced.

Chairman Hultquist asked Supervisor Koepke why his figures show only borrowing \$700,000. Supervisor Koepke stated that the town has already borrowed \$200,000 for the dam and he objects to option number three.

Supervisor Husak rescinded her motion as did Supervisor Roelandts rescinded his second.

Rick Parra stated that the Ashippun Lake Management has \$50,000 to put towards the dam removal/replacement project.

Chairman Hultquist asked if anyone living on the pond would like to say anything.

Michael Hutts N83W37814 Division Street. Mr. Hutts stated that he would like to see the dredging of the pond, he use to have three feet of water and vegetation, less water will create a smelly mess.

Pete Heinrich N83W37888 Division Street. Mr. Heinrich stated that he has concerns about the silt in the pond and that he doubts the dam will eventually remove the silt. He feels that there is a lot of what ifs and no concrete evidence that any of this will work, and he has a smelly mess by his home and horseflies which he never had before.

Supervisor Husak made a motion to choose option number 4 to remove and replace the Monterey Dam not to exceed \$1,000,000 and this is to include vegetation control on the mill pond. Supervisor Koepke seconded the motion. Chairman Hultquist called for a roll call vote:

Supervisor Roelandts; aye

Supervisor Husak; aye

Chairman Hultquist; aye

Supervisor Wiemer; aye

Supervisor Koepke; aye Motion carried by unanimous roll call vote.

Supervisor Koepke asked if a fund could be set up where people who wish to donate to this project could do so and have the donation be tax deductible. Attorney Chapman stated that he would have to look into this.

- 2. Adjourn:** Supervisor Roelandts made a motion to adjourn at 7:14 pm and Chairman Hultquist seconded the motion. Motion carried by unanimous voice vote.

Respectfully submitted,

Jo Ann Lesser, WCMC
Clerk/Treasurer