

**TOWN OF OCONOMOWOC BOARD OF SUPERVISORS
MEETING MINUTES
February 6, 2012**

Chairman Robert C. Hultquist called the meeting to order at 5:30 pm. Supervisors present included John Roelandts, Janis Husak, and Brian Wiemer. Also in attendance were Attorney William Chapman, Administrator/Planner Jeffrey Herrmann, and Clerk/Treasurer Jo Ann Lesser. See attached sign-in sheet for additional attendees.

Supervisor Husak made a motion to enter 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 (Clerk's Office). Supervisor Roelandts seconded the motion. Roll call vote:

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

Motion carried unanimously.

Supervisor Koepke entered the closed session at 5:35 pm.

The Town Board reconvened to open session at 5:45 pm.

All those present stood to recite the Pledge of Allegiance.

Approve Minutes: Supervisor Roelandts made a motion to approve the January 16, 2012 Town Board meeting and January 30, 2012 Special Town Board meeting minutes. Supervisor Wiemer seconded the motion. Motion carried by unanimous voice vote.

Correspondence: None

Comments from the Floor on Agenda items or any other items: Brian Konop, W343N5121 Geitzen Road; wrote a letter to the Board and read it regarding dirt bikes racing on the pond just behind Randy's Waterline on weekends. Mr. Konop stated that these bikes are loud and disruptive. He also stated that he talked with Mitch Grenier from the WDNR to see if there were any regulations on this type of activity. Mr. Konop stated that Warden Grenier said that nothing can be done by the WDNR. Mr. Konop stated that the City of Oconomowoc has this problem only until an ordinance was passed. Chief Wallis stated that this activity seems to occur on a lake until something makes them halt the activity, they then just move to the next lake. Chairman Hultquist stated that they would look into this issue.

Laura Parra, N73W36278 S. Shore Drive; directed her comments to the rezoning of the Schowalter property and stated that she thought a variance was usually given in cases of hardship, and she isn't sure that this is a hardship. Ms. Parra also stated that she has concerns about the light pollution, run off affecting the water table, and traffic issues. This is an unknown business, what happens to the building if the operation goes out of business?

Ann Corning, W362N7519 N. Shore Drive; residents were promised that no more building was going to happen. The Corning's moved to the country for a reason, we didn't move to Milwaukee or Waukesha for that reason.

Robert Schowalter, N71W35498 Mapleton Lake Drive; Explained that "they" is Pro-Health Care and that they are spear heading this project not Angel's Grace. Mr. Schowalter stated that he wanted to clear up that misconception.

Rick Parra, N73W36278 S. Shore Drive; Thanked the Board for their decision to replace the dam. He also questioned why the Board was reconsidering the motion to approve the dam replacement.

Chairman Hultquist stated that the figures for what was already spent on the bridge design and reports on the dam removal or replacement were not figured into the motion to not exceed the million dollar expenditure. This was a mistake by the Board and that the reconsideration is to take that into consideration.

Pat Nuedeker Superintendent of Oconomowoc Area School District stated that the school likes to partner with agricultural resources for the students. The school is always looking for agricultural preservation projects for students who are involved with FFA (Future Farmers of America). The school would be willing to get involved in this project.

Tom Hock, 35750 Mapleton Lake Drive; stated that he doesn't understand the opposition this project is experiencing and he supports it 100%.

Pete Heinrick stated that he wanted to thank everyone involved with the Mill Street Bridge and dam project. His concern is for the monies for the dam, what are the actual numbers and are they higher than what was budgeted. Mr. Heinrick also stated he is concerned about the Mill Pond, it seems like a year before anything will be done according to the SEWRPC report, he doesn't feel that a burn down or cutting of the vegetation will take care of the problems they are experiencing during the warm weather.

Tim Kay, N60W35018 Lake Drive; introduced himself and stated that he is running for Lake Country Municipal Court Judge and that he will be holding an open house this week, the public is invited.

OLD BUSINESS:

- 1. Consider and Act on Employee Handbook:** Administrator/Planner Herrmann stated that there are still some concerns with vacation time, when is it given in regards to the anniversary date of an employee. He would like clarification from the Board, in his interpretation the vacation time is granted January 1st of a year to be used after July 1st if the anniversary date falls within the first 6 months of the calendar year and if the anniversary falls within the last 6 months of the calendar year then the vacation time is allowed to be used the following calendar year. Supervisor Roelandts made a motion to approve the vacation schedule as described by Town Administrator/Planner Herrmann. Supervisor Wiemer seconded the motion. Motion carried by unanimous voice vote.
- 2. Consider and Act Consider and Act on Lac La Belle Dam Repair Cost Share Request from the City of Oconomowoc:** Supervisor Husak made a motion to approve cost sharing with the City of Oconomowoc and the Village of Lac La Belle with each paying 1/3 of the cost of the project. Supervisor Wiemer seconded the motion. Supervisor Koepke questioned if this approval could be used as a bargaining tool to garner more REC's for the Town. Motion carried by unanimous voice vote.
- 3. Consider and Act on Resolution Repealing 2011-29, Which Resolution Recommended Rezoning of the Robert Schowalter Revocable Trust, W359 N7430 Brown Street, Oconomowoc, Wisconsin - A-P Agricultural Land Preservation District to the P-I Public and Institutional District, with the lands zoned C-1 Conservancy District to remain unchanged:** Supervisor Roelandts made a motion to approve repealing Resolution 2011-29. Supervisor Koepke seconded the motion. Motion carried by unanimous voice vote.
- 4. Consider and Act on Resolution Recommending for Zoning Amendment Request by Robert Schowalter Revocable Trust, W359 N7430 Brown Street, Oconomowoc, Wisconsin to amend the Town of Oconomowoc District Zoning Map of the Waukesha County Shoreland and Floodland Protection Ordinance from the A-P Agricultural Land Preservation District to the P-I Public and Institutional District, with the lands zoned C-1 Conservancy District to remain unchanged – property is located in the SE ¼ and SW ¼ of Section 14 and Contains approximately 53 acres on the east side of Brown Street:** Supervisor Roelandts made a motion to approve the resolution recommending the zoning amendment request by Robert Schowalter Revocable Trust to amend the Town's District Zoning Map from A-p Agricultural Land Preservation to P-I Public and Institutional and lands in the C-1 Conservancy District to remain unchanged. Supervisor Husak seconded the motion. Supervisor Koepke stated that he feels that he thought to start with 10% of impervious surface and if more is needed they can always request more, he was suggesting that we grow together. Chairman Hultquist stated that the respite is asking for 18.42% the town could grant 20% and if they need more than they can come back and prove that more is needed. Supervisor Husak stated that at the last meeting when this was decided on, she felt that had Mr. Schowalter been allowed to speak, she would have withdrawn her motion. Supervisor Husak stated that if they are asking for 18.42% with a total of 28% why not just give them that. Chairman Hultquist stated that he feels that they should be allowed what they need now and come back to the Board to request more when it's needed. Chairman

Hultquist asked Terry Bartelweitz if 20% would be enough to satisfy for the next 5 years. Mr. Bartelweitz stated yes.

Robert Schowalter was allowed to speak. Mr. Schowalter stated that he was appreciative of being allowed to revisit this issue and would like to see 30% impervious surface but doesn't think the Board is there yet. He asked the audience to embrace this project, don't put obstacles in the path and to stop using the word fail. He begged the Board to think outside the box, it can't be compared to a used dealership.

Supervisor Roelandts made a motion to amend the resolution to include 30% impervious surface. Supervisor Husak seconded the motion. Supervisor Roelandts stated that he wants to set them up for success not failure. Setting a limit does not exempt them from having to get approval for whatever work gets completed. The State allows up to 60%. Supervisor Koepke stated that this allows them to do anything and his approval would have been at 20%. Roll call vote: Supervisor Koepke; nay
Supervisor Wiemer; nay
Chairman Hultquist; aye
Supervisor Husak; aye
Supervisor Roelandts; aye

Motion carried 3-2.

5. **Consider and Act on Request for Application to Rezone 4.8 Acre Parcel on Highway P in Front of Angel's Grace Hospice, Robert Schowalter Property - W359N7430 Brown Street:** Supervisor Roelandts made a motion to approve rezoning 4.8 acres. Supervisor Husak seconded the motion. Motion carried by unanimous voice vote.
6. **Reconsideration of Motion for Approval of the Monterey Dam Replacement:** Chairman Hultquist explained that the motion for reconsideration is to remove the cap on the project. Supervisor Husak made a motion to reconsider and remove the million dollar cap. Supervisor Roelandts seconded the motion. Motion carried by unanimous voice vote.
7. **Consider and Act on Monterey Dam replacement:** Supervisor Roelandts made a motion to replace the Monterey Dam with no cap and that anything that gets spent gets approved by the Board. Supervisor Husak seconded the motion. Motion carried unanimously.
8. **Discussion Mill Street Bridge/Monterey Dam Project Status:** Administrator/Planner Herrmann stated that he will be holding a meeting this week on Wednesday to draft a new MOU (memorandum of understanding) for the re-design of the bridge. He also stated that he and Clerk/Treasurer Lesser will be meeting with Phil Cosson of Ehlers and Associates next week to discuss borrowing for the Monterey Dam project; the figures will be discussed at a meeting in March. Herrmann also stated that Kunkel Engineering submitted project cost estimates that he will be going over.
9. **Consider and Act on Sewer Study by Yaggy Colby:** Chairman Hultquist stated that since Mark Mickelson is not here to go over the information this item will be placed on the next agenda.

NEW BUSINESS:

1. **Consider and Act on Certified Survey Map for Ken Witzig; W352N6460 Road J and Michael McGarry; W352N6464 Road J:** Administrator/Planner Herrmann stated that the Plan Commission approved recommending to the Board for approval of the CSM. Supervisor Husak made a motion to approve the submitted CSM for Ken Witzig and Michael McGarry. Supervisor Roelandts seconded the motion. Motion carried by unanimous voice vote.
2. **Consider and Act on 2012 Contract with C3D Consulting LLC for Computer, Network Hardware/software Operation and Maintenance for Town of Oconomowoc:** Supervisor Roelandts made a motion to approve the 2012 contract with C3D Consulting. Supervisor Koepke seconded the motion. Motion carried by unanimous voice vote.
3. **Consider and Act on Okauchee Lake Dam Inspection Proposal from Ayres Associates:** This item was placed on a future agenda once more bids were obtained.
4. **Consider and Act on 2012 Underwater Bridge Inspection Proposal from Ayres Associates:** This item was placed on a future agenda once more bids were obtained.
5. **Consider and Act on 2012 Routine Bridge Inspection Proposal from Ayres Associates:** This item was placed on a future agenda once more bids were obtained.
6. **Consider and Act on Special Event Application for Okauchee Fire Department Annual Street Dance to be held on August 18, 2012 from 3:00 PM to 11:59PM:** Supervisor Husak made a motion

to approve the special event license permit for Okauchee Fire Department. Supervisor Wiemer seconded the motion. Motion carried unanimously.

7. **Chairman Hultquist:** Nothing
8. **Supervisor Reports**
 - a. **John Koepke:** Nothing
 - b. **Brian Wiemer:** Nothing
 - c. **Janis Husak:** Nothing
 - d. **John Roelandts:** Attended the Wisconsin Towns Association District meeting.
9. **Attorney Chapman:** Nothing
10. **Highway Superintendent Salzman:** Nothing
11. **Chief Wallis:** Nothing
12. **Administrator/Planner Herrmann**
 - a. **Consider and Act on Attendance at Spring APA-WI 2012 Annual Conference to be Held on March 1, 2012 in Oshkosh:** Supervisor Roelandts made a motion to approve the Administrator/Planner's attendance at the APA-WI 2012 Annual Conference. Supervisor Husak seconded the motion. Motion carried by unanimous voice vote.
 - b. **Discussion on Town-Wide Garbage Collection/Veolia Contract:** There has been a request by a resident which a copy of the letter was included with the packets. The letter states that a municipality can contract for garbage collection for less money than an individual. Herrmann stated that he will look into it and work with Attorney Chapman on this and have it for the next meeting.
13. **Clerk/Treasurer Lesser**
 - a. **Consider and Act on New Operator License Applications for Barbara Jones, Alicia Voell, Heidi Peters, Ashley Kossow, Kristin Jacobson, and Hannah Schwefel:** Supervisor Husak made a motion to approve the submitted operator license applications with the recommendation for approval from Chief Wallis. Supervisor Wiemer seconded the motion. Motion carried by unanimous voice vote.
14. **Approve Vouchers and Checks:** Supervisor Wiemer made a motion to approve vouchers and check subject to the Town Administrator's approval. Supervisor Koepke seconded the motion. Supervisor Koepke requested that more detail be submitted on the disbursement report. Motion carried by unanimous voice vote.
15. **Adjourn:** Supervisor Roelandts made a motion to adjourn at 7:29 pm. Supervisor Husak seconded the motion. Motion carried by unanimous voice vote.

Respectfully submitted,

Jo Ann Lesser, WCMC
Clerk/Treasurer