

**TOWN OF OCONOMOWOC BOARD OF SUPERVISORS
MEETING MINUTES
June 6, 2011**

Chairman Robert C. Hultquist called the meeting to order at 5:30 p.m. Supervisors present included John Koepke, Brian Wiemer, Jan Husak, and John Roelandts. Also present was Attorney Chapman, Administrator/Planner Herrmann, Police Chief Wallis, and Clerk/Treasurer Lesser. For audience attendance please see attached sign-in sheet.

All those present stood to recite the Pledge of Allegiance.

Approve Minutes: Supervisor Roelandts made a motion to approve the May 16, 2011 as printed. Supervisor Husak seconded the motion. Motion carried unanimously.

Correspondence: Clerk/Treasurer Lesser stated that a lengthy letter was received from a Town resident and the letter was placed in the Supervisor's mailboxes.

Comments from the Floor on Agenda items or any other items: A letter from Mary Nohl was read by Laura Parra in regards to the Ashippun Lake levels and the Monterey Dam replacement.

Supervisor Roelandts suggested to the Board that if the Town Board meeting starts to run late, that possibly could the Plan Commission meeting begin downstairs. Supervisor Roelandts feels that town business should not be rushed through or stopped so that the plan commission meeting can be started. Supervisor Roelandts also suggested that the Town Board should look into holding plan commission meetings on separate nights.

Supervisor Husak suggested to the Town Board that speakers during the special order of business on the Monterey Dam be allowed to speak if they have new information to share.

Chairman Hultquist stated that the Town Board will not start with Police Chief Wallis' agenda item. Police Wallis explained to the Town Board that Officer Rob Kassens was hire in March as a part-time patrol officer, and with the recent vacancies within the department and the work ethic of Officer Kassens, Chief Wallis would like to request the Board's approval of hiring Officer Kassens to fill one of the full-time vacancies. Supervisor Roelandts made a motion to approve hiring Officer Robert Kassens as a full-time patrol officer. Supervisor Husak seconded the motion. Motion carried unanimously.

OLD BUSINESS:

- 1. Consider and Act on Ordinance to Implement Point System for Alcohol Licensing Renewal Applicants:** Chief Wallis explained that the copy of the ordinance the Town Board was given in their meeting packet is the ordinance that he is seeking for approval. This copy does have items lined through showing what will be removed. Chief Wallis is asking that each Board member read over the ordinance and submit questions or concerns to him. Chairman Hultquist stated that the ordinance will be placed on the June 20th meeting agenda for consider and act.
- 2. Consider and Act on Cleaning Services for the Town Hall:** Clerk/Treasurer Lesser stated that besides the two commercial cleaners bids previously submitted, two more were submitted. One from Evie Longdo and one from Tracy Nollge and Lynn Grosch. Ms. Longdo's bid will be removed once she is informed of the cost of bonding and insurance, Ms. Longdo had already told Clerk Lesser that if the boding insurance was too costly she would not clean the Town Hall. It was noted that the cost of insurance will cost over \$1,000 annually. The bid from Tracy Nollge and Lynn Grosch was accepted with Lynn increasing her work week from 32 hours to 34 and Tracy will be paid separate from payroll. Supervisor Wiemer made a motion to approve the bid for cleaning the town hall building from Tracy Nollge and Lynn Grosch. Supervisor Husak seconded the motion. Motion carried unanimously.
- 3. Consider and Act on Stephen and Heather Ziegler Development Agreement:** Administrator/Planner Herrmann stated that the CSM has been approved by the Plan Commission and the Town Board, as a condition of the approval a developer's agreement was required along with a \$10,000 deposit. The Clerk's office has received the deposit money, and is recommending approval. Supervisor Husak made a motion to approve the developer's agreement with Stephen and Heather Ziegler. Supervisor Roelandts seconded the motion. Motion carried unanimously.
- 4. Consider and Act on Michael & Patricia Kelley Protest of Sewer Connection Fee:** Administrator/Planner Herrmann stated that he talked with Patricia Kelley and was informed that they moved to North Carolina and is not able to make a Town Board meeting to discuss the refund with the Board. Administrator/Planner Herrmann stated that when the project was assessed they were contacted by certified letter indicating the amount of the assessment and they also received a copy of the schedule of fees which indicates the increase in the connection fee each year the deferment is unpaid. Herrmann is recommending denial of the refund. Supervisor Wiemer made a motion to approve denial of the requested refund for the deferred sanitary sewer assessment for the Kelley's. Supervisor Husak seconded the motion. Supervisor Koepke questioned why the letter sent out by the auditor indicates the original amount of the assessment. No answer was given and the auditor is not present to explain. It was indicated that in 2012 when the auditor does send out the verification letter the amount of the assessment will be updated to reflect the current charge. Motion carried unanimously.

NEW BUSINESS:

- 1. Consider and Act on Tank Removal Proposal from Greb Excavating & Septic Specialists for the Mapleton Community Center:** Administrator/Planner Herrmann stated that there is an underground fuel tank on the property

that needs to be removed. Highway Superintendent reported to Jeff Herrmann that he is comfortable with Greeb Excavating removing the tank. Supervisor Husak made a motion to approve Greeb Excavating removing the underground fuel tank. Supervisor Wiemer seconded the motion. Motion carried unanimously.

2. **Consider and Act on Class B Liquor License Application for Okauchee Lions Club, Inc.; N49W34400 Wisconsin Ave., Rick Russart-Agent:** Supervisor Husak made a motion to approve the liquor license application for Okauchee Lions Club with the limitation to sell on the dates of June 16, 17, 18, and 19th 2011 to coincide with Okauchee Lions Days. Supervisor Wiemer seconded the motion. It was noted that the reason for this license was to capture more sales. Motion carried 4-1, Supervisor Roelandts voted nay.
3. **Consider and Act on Combination Class B Retail License Application for Pasdera #5 LLC.; N49W34630 Wisconsin Ave., Tyler Pasdera-Agent:** Supervisor Roelandts asked the Board to table this issue due to some information he was given pertaining to an investigation at this property. No discussion by the Board at this time.

6:00 p.m. Special Order of Business: Consider and Act on Monterey Dam Removal/Bridge Removal & Replacement.

At this time the Town Board discontinued the board meeting and started the special order of business in regards to the Monterey Dam/bridge removal or replacement.

Administrator/Planner Herrmann stated that he does have concerns about the level of the lake. Herrmann also noted that the Wisconsin Department of Transportation (WDOT) is willing to fund the project if the Town decided not to do it in 2011. The Wisconsin Department of Natural Resources (WDNR) grant is questionable. Michelle from the WDNR is present and maybe she could explain a little better.

Michelle stated that the grant was offered through the last bi-enium budget and has been extended until the end of 2011. It could possibly be offered in the next budget.

Walt Hallen stated that the lake was there before the dam and it will be there if the dam is removed. Million dollar dam is not needed to save the lake.

John Spheeris requested that the town pursue additional information as to why the levels are dropping and requested that the Board delay their decision until more information or tests could be completed.

Ann Corning stated that she is more concerned about the wetlands around the lake rather than the lake itself.

William Balthazor has been monitoring the lake levels and it continues to drop. He stated that he went to the boat launch and wrecked his propeller on the rocks which has never happened before. He is concerned about the fall when he has to take the boat out of the water, and the level lowers more. Balthazor stated that the lake has dropped another ¼" from the last meeting or a 1 ½" since April 29, 2011.

Tim Kelly stated that the water level is lower, and his yard no longer has water sitting in it, he can cut his grass, no erosion problems from boats.

Jerry Noskowiak stated that he has lived on the lake for the past 14 years and had to put his pier out another 14 ft., his estimating the lake has dropped about 10".

Bill Peebles stated that it's important to protect the wetlands and the marsh has dried up, he feels a study of the wetlands and lake should be completed.

Rick Parra canoed in the wetlands over Memorial Weekend and found a couple of mu areas with dead lily pads.

Lucine Spheeris asked the Board to delay their decision on removing the dam, requested that they not be hasty and take the time and look at the entire situation.

Gordon Fleury stated that he was born and raised on the river, it's changed, he use to be able to row up to Mapleton, and swim in the river. He wanted the Board to know that he supports them in any decision they make, and felt that the Board was doing a fine job.

John Corning asked the Board to delay their decision; the funds don't seem to be an issue.

Supervisor Wiemer questioned the safety of the bridge.

Administrator/Planner Herrmann stated that it's not in good shape and recommends that the Board close the bridge. Herrmann stated that the Town did receive an order from the WDNR to replace or remove the dam.

Mark Mickelson of Yaggy Colby stated that his company was out shooting elevations of the river and channel. Mickelson reported that the culvert on the Kellogg property is the primary control of the lake; he also reported that it's a 30" culvert. Mickelson stated that controlling the water at the culvert may be a better option than at the dam.

Michelle of the WDNR stated that the bridge and dam are a public health and safety issue, and that it's only a matter of time before the dam fails. The Town has until December 31, 2011 to do something.

Supervisor Koepke made a motion to ask the WDOT and WDNR to wait until July 18, 2011 for a decision from the Town Board so that an official determination from the Ashippun Lake Management District can submit a recommendation to the Town Board on how to proceed. Supervisor Husak seconded the motion. Roll call vote: Supervisor Koepke; Aye, Supervisor Wiemer; Aye, Chairman Hultquist; Aye, Supervisor Husak; Aye, Supervisor Roelandts; Abstained; Motion carried.

Supervisor Koepke was excused at 6:45 M.

4. **Consider and Act on Sanitary Sewer Phase 2 Special Assessment Refund for Amcore Bank OCOT 0576-045-002; W343N5214 GIETZEN RD:** It was noted by Clerk/Treasurer Lesser that when the title search was completed that the amount of the assessment was incorrectly reported, the sewer credit was not applied. Supervisor Husak made a motion to approve the refund of \$5,048.14. Supervisor Roelandts seconded the motion. Motion carried unanimously.
5. **Consider and Act on Special Event Application for Magnus Anderson Legion Post #399 1st Annual Car Show to be held on July 23, 2011 8:00 a.m. to 4:00 p.m. at Okauchee Lions Park:** Supervisor Wiemer made a motion to approve the special event application for Magnus Anderson Legion Post. Supervisor Husak seconded the motion. Motion carried unanimously.
6. **Consider and Act on Application for Fireworks from Five Star Fireworks Corp. for June 25, 2011-Misty Meadows Commons Area:** Supervisor Husak made a motion to approve the fireworks permit for Misty Meadows Commons area to be held on June 25th. Supervisor Roelandts seconded the motion. Motion carried unanimously.
7. **Consider and Act on Application for Fireworks from Five Star Fireworks Corp. for July 3, 2011-Okauchee Lake Island:** Supervisor Roelandts made a motion to approve the fireworks permit for Okauchee Lake Island to be held on July 3rd. Supervisor Husak seconded the motion. Motion carried unanimously.
8. **Chairman Hultquist:** Nothing
9. **Supervisor Reports**
 - a. **John Koepke:** Nothing
 - b. **Brian Wiemer:** Nothing
 - c. **Janis Husak:** Nothing
 - d. **John Roelandts:** Nothing
10. **Attorney Chapman:** Nothing
11. **Highway Superintendent Salzman:** Excused
12. **Police Chief Wallis**
 - a. **Consider and Act on Promoting Officer Robert Kassens from Part-time to Full-time:** Moved to beginning of the meeting.
 - b. Chief Wallis requested that the Board discuss item #3 under new business. Chief Wallis requested that the Board tentatively approve the retail license pending further investigation by the Police Department. Supervisor Husak made a motion to approve the retail license for Pasdera #5, LLC subject to Chief Wallis' investigation. Supervisor Wiemer seconded the motion. Motion carried unanimously.
13. **Administrator/Planner Herrmann**
 - a. **Update on Mapleton Community Center – Pavilion:** Administrator/Planner Herrmann stated that the plans are about finalized and will be bid in about 2 weeks.
 - b. **Update on Monterey Soccer Park:** Administrator/Planner Herrmann indicated that the ground breaking ceremony was held for the new pavilion at Monterey Soccer Park. The Ewald Family generously donated to the pavilion.
 - c. **Update on Grant for Lac La Belle:** Administrator/Planner Herrmann updated the Board that he is working with the City of Oconomowoc and the Village of Lac La Belle on the grant and will be looking at the grant.
14. **Clerk/Treasurer Lesser**
 - a. **Consider and Act on New Bartender's License Application for Richard Thompson and Kathryn Schultz:** Supervisor Wiemer made a motion to approve Richard Thompson operator license per Chief Wallis and deny Kathryn Schultz's operator license per Chief Wallis. Supervisor Roelandts seconded the motion. Motion carried unanimously.
 - b. **Consider and Act on Deputy Clerk/Treasurer Binney's Attendance at the Municipal Clerk/Treasurer's Institute July 10-15, 2011 to Include Lodging:** Supervisor Husak made a motion to approve the attendance of Deputy Clerk/Treasurer Binney at the Municipal Clerk and Treasurer's Institute. Supervisor Roelandts seconded the motion. Motion carried unanimously.
15. **Approve Vouchers and Checks:** Supervisor Wiemer made a motion to approve vouchers and check subject to Administrator/Planner Herrmann's approval. Supervisor Husak seconded the motion. Motion carried unanimously
16. **Adjourn:** Supervisor Roelandts made a motion to approve adjournment at 6:58 p.m. Supervisor Husak seconded the motion. Motion carried unanimously.

Respectfully submitted,

Jo Ann Lesser, WCMC
Clerk/Treasurer