

**TOWN OF OCONOMOWOC BOARD OF SUPERVISORS  
MEETING MINUTES  
November 7, 2011**

Chairman Robert Hultquist called the meeting to order at 6:00 p.m. Supervisors present included Jan Husak, John Koepke, Brian Wiemer, and John Roelandts. Also present included Administrator/Planner Herrmann, Attorney Bill Chapman, Police Chief Wallis, Highway Superintendent Salzman, and Clerk/Treasurer Lesser. For additional attendees see attached sign-in sheet.

Those present stood to recite the Pledge of Allegiance.

**Approve Minutes: October 27, 2011, Special Town Board Minutes:** Supervisor Roelandts made a motion to approve the October 27, 2011 special Town Board meeting minutes as presented. Supervisor Koepke seconded the motion. Motion carried by unanimous voice vote.

**Correspondence:** Clerk/Treasurer Lesser read an email received from town resident Reid Steinmetz regarding the reduction of the speed limit within Bay Shore subdivision.

**Comments from the Floor on Agenda items or any other items:** Ken Simatic N53W35257 Lighthouse Lane; stated that a petition was circulated through the neighborhood and a majority of the owners signed it requesting that the speed limit which is 25 mph be reduced to 15 mph. Mr. Simatic also stated that the residents would like to see parking restricted to one side of the street but alternating sides so that it's fair for all.

**OLD BUSINESS:**

1. **Consider and Act on Banning Guns in Town Buildings/Property:** Chairman Hultquist stated that he had this item placed on the agenda because he felt that with the new conceal carry law now in effect, he doesn't want weapons in the Town Hall or on Town property. Supervisor Wiemer made a motion to approve banning concealed weapons in the Town Hall. Supervisor Husak seconded the motion. Chairman Hultquist stated that he has talked with ten different municipalities and that nine of the ten are working on banning the weapons as well. Chief Wallis stated that he would like to see weapons banned from the building and town property. Motion carried by unanimous voice vote.
2. **Consider and Act on Well Contractor for new well at Mapleton Community Center:** Administrator/Planner Herrmann presented the bids for the new well at the Mapleton Community Center. Herrmann stated that in the bid submitted by Herr, the well pump was not included. The company Bowling has the lowest bid. Supervisor Husak made a motion to approve the acceptance of Bowling Well Drilling's bid of seven thousand, five hundred-fifty (\$7,550.00) dollars to install a new well at the Mapleton Community Center. Supervisor Roelandts seconded the motion. Motion carried by unanimous voice vote.  
**The Board skipped to item #4.**
3. **Sewer Rate Study Update:** Mark Mickelson of Yaggy and Colby submitted information to the Board on the findings of his sewer utility rate and utility assessment fees. Mickelson compared the study to the actual fees collecting. It was noted that the number of users of the system is lower than the projected amount done by Ruckert & Mielke. Mark Mickelson stated that the debt of the system is over half of the annual expenses, and that there needs to be a good cash reserve in the chance that maintenance of the pumps is required. The system is getting older and there will be repairs or replacement needed at some point in the future. It was also discussed that the City of Oconomowoc increases their rates to the town 4% annually and to keep up with that the town will need to increase the fees. Mark Mickelson stated that to maintain the fees charged by the City, the town would need to continue with the fee schedule prepared by Ruckert & Mielke. The town could refinance some of the debt and that would give more flexibility to the fees being charged the users. Mark Mickelson stated that he is also suggesting that the town meet with the city to discuss the fees being charged by the city. Administrator/Planner Herrmann stated that he has talked with Tom Steinbach who is working with Diane Gard and Mayor Dailey to see if an agreement can be made. **The Board then went to #5.**
4. **Consider and Act on Ordinance to Amend the Adopted Town of Oconomowoc Comprehensive Land Use Plan – 2035; Robert Schowalter property from “Prime Agricultural” to “Institutional”. The property is located in the SW ¼ and SE ¼ of Section 14, T8N, R17E, in the Town of Oconomowoc, containing approximately 53.22 acres:** Administrator/Planner Herrmann stated that he met with Bob Schowalter, Jason Fruth about the concerns of the land use amendment removing the property from agricultural preservation. During that discussion another option was introduced, it would be to request a condition use from the Plan Commission so that if the facility would no longer operate as Zachariah's Acres the property would then be protected that no other facility could move in and operate without getting the approval of the Plan Commission. Herrmann stated that the Town Board does not get involved with conditional use approvals. Supervisor Koepke stated that he talked with someone at the state and they would be favorable of the conditional use process, as he himself is. Supervisor Husak asked what would Bob Schowalter need to do

to get the conditional use process started. Administrator/Planner Herrmann stated that he would need to apply for a conditional use. Chairman Hultquist made a motion to refer this item to the next Town Board meeting. Supervisor Wiemer seconded the motion. Motion carried by unanimous voice vote.

- 5. Presentation from Okauchee Fire Department on 2012 Fire Contract:** Chairman Hultquist stated that he talked with Fire Chief Tracy Steele and that there is no change in the contract for 2012 from 2011, and he didn't see any reason to have them here to do a presentation from the fire department.

#### **NEW BUSINESS:**

- 1. Consider and Act on W. Lake Drive Mill Race Issues:** Mark Mickelson of Yaggy Colby stated that the old mill race in Okauchee across from Foolery's Liquid Therapy collapsed and created a sink hole. The upper part of the arch is in the right-of-way and this should be a concern for the town. There are three options, the first being that they can fill the culvert with concrete for a cost of \$90,000.00. Second option would be to localize the fill to the area which will not take care of the whole problem, it takes care of the hole and then when the road gets re-done the issue can be dealt with then, and the cost to the town would be \$45,000. The last option would be to fill the area with large boulders and then fill in with smaller stone and then asphalt over it as a temporary fix. To keep the cost low the highway department could perform the work. Mark Mickelson stated that the DNR approved the option of placing boulders in the mill race. Highway Superintendent Salzman stated that they have the materials and complete the work at anytime.
- 2. Consider and Act on Appointment of Mark Canistra as the Chairman of the Blackhawk Sanitary District filling the vacancy made by Richard Schumann:** Supervisor Wiemer made a motion to appoint Mark Canistra to the Blackhawk Sanitary District Board of Commissioners to fill the vacancy created by Richard Schumann for the remainder of the term. Supervisor Husak seconded the motion. Motion carried by Unanimous voice vote.
- 3. Consider and Act on Resolution to amend the 2011 Town of Oconomowoc Budget – Mapleton Community Center Pavilion:** Administrator/Planner Herrmann explained to the Board the reason for the amendment. The money has already been budgeted; it's just a matter of moving it from the allocated accounts to the general fund to pay the invoices. Supervisor Husak made a motion to approve the resolution amending the 2011 budget for the Mapleton Community Center Pavilion. Supervisor Roelandts seconded the motion. Roll call vote: Supervisor Koepke; Aye  
Supervisor Wiemer; Aye  
Chairman Hultquist; Aye  
Supervisor Husak; Aye  
Supervisor Roelandts; Aye Motion carried.
- 4. Consider and Act on Releasing \$10,000 cash bond for Ron Marshall – Road I:** Supervisor Husak made a motion to approve the release the cash bond being held by the Town to ensure that a house was razed. Supervisor Wiemer seconded the motion. Motion carried by unanimous voice vote.
- 5. Consider and Act on Resolution Disallowing the Berghauer Claim:** Supervisor Wiemer made a motion to approve the resolution disallowing the Berghauer Claim. Supervisor Roelandts seconded the motion. Motion carried by unanimous voice vote.
- 6. Consider and Act on Stone Bank Fire Department 2012 Contract:** Administrator/Planner Herrmann stated that the contract does not change for 2012 from 2011. Supervisor Roelandts made a motion to approve the 2012 fire contract with Stone Bank Fire Department. Supervisor Husak seconded the motion. Motion carried by unanimous voice vote.
- 7. Consider and Act on City of Oconomowoc Ambulance Contract 2012:** Supervisor Husak made a motion to approve the 2012 City of Oconomowoc Ambulance contract. Supervisor Wiemer seconded the motion. Motion carried by unanimous voice vote.
- 8. Discussion on reducing speed limit from 25 mph to 15 mph in Bay Pointe Condominium's:** It was noted that there is not a thorough fare. Chief Wallis stated that the vehicles traveling on these roads in excess of 25 mph is pushing it. Supervisor Roelandts stated that in the Village of Lac La Belle they had to get special permission from the state to reduce the speed limit below 25 mph. Attorney Chapman stated that he would do some research and report back to the Board at a future meeting. There was concern that the town could lose funding from the state if the speed limit was too low.
- 9. Discussion on Restricting Parking to One Side of the Street in Bay Pointe Condominium's:** Chairman Hultquist asked Highway Superintendent Salzman if there are any problems with snowplowing. Highway Superintendent Salzman responded that he has no problems with plowing those streets. Ken Simatic stated that Bielinski Homes will be looking into build additional parking due to the safety concerns. Chief Wallis stated that he is not opposed to parking on one side of the road. Ken Simatic stated that maybe parking on alternate sides of the street to keep it fair for all residents. Roger Tim of N53W35244 Lighthouse Lane wanted the Board to consider alternating the days for no parking on a basis of Monday, Wednesday, Friday, and Sunday, then Tuesday, Thursday, and Saturday. No decision was made at this time.
- 10. Consider and Act on Request to Reduce the right-of-way on Mary Lane Court to 50' to match the previously reduced right-of-way of Mary Lane:** Supervisor Roelandts made a motion to approve the request to reduce the right-of-way on Mary Lane Court to 50' matching the previously reduced right-of-way. Supervisor Wiemer seconded the motion. Motion carried by unanimous voice vote.

- 11. Consider and Act on Class B Retail Beer and Liquor License Application for Edward & Parry, LLC; N58W39800 Industrial Road, Suite D, Oconomowoc WI., Mark Duchow-Agent:** Clerk/Treasurer Lesser stated that this is a new business on Industrial Road, and the Plan Commission has already approved the site plan/plan of operation. Supervisor Husak made a motion to approve the Class B Retail Beer and Liquor License for Edward & Parry LLC, Mark Duchow-Agent. Supervisor Roelandts seconded the motion. Motion carried by unanimous voice vote.
- 12. Consider and Act on Resolution Approving Municipal Court 2012 Budget:** Supervisor Wiemer made a motion to approve the resolution accepting the 2012 municipal court budget. Supervisor Husak seconded the motion. Motion carried by unanimous voice vote.
- 13. Chairman Hultquist:** Nothing
- 14. Supervisor Reports**
  - a. John Koepke:** Thought that maybe the town should look into fees for the yard waste recycling center.
  - b. Brian Wiemer:** Nothing
  - c. Janis Husak:** Nothing
  - d. John Roelandts:** Nothing
- 15. Attorney Chapman:** Nothing
- 16. Highway Superintendent Salzman:** Nothing
- 17. Chief Wallis:** Chief Wallis stated that Patrol Officer Randy Nell has submitted a letter of resignation and that on November 3, 2011 was his last day of employment with the Town.
- 18. Administrator/Planner Herrmann:** Nothing
- 19. Clerk/Treasurer Lesser**
  - a. Consider and Act on New Operator License Applications for Nichole Upesleja, Jolee Graff, Adam Hopp, Rebecca Frank-Williams, Amanda Niere, and Adam Keltou:** Supervisor Husak made a motion to approve the new operator license applications as submitted and recommendation for approval from Chief Wallis. Supervisor Wiemer seconded the motion. Motion carried by unanimous voice vote.
  - b. Consider and Act on Renewal Operator License Application for Rebecca Sweet:** Supervisor Husak made a motion to approve the renewal operator license applications as submitted and recommendation for approval from Chief Wallis. Supervisor Roelandts seconded the motion. Motion carried by unanimous voice vote.
- 20. Approve Vouchers and Checks:** Supervisor Wiemer made a motion to approve vouchers and checks subject to Administrator/Planner Herrmann's approval. Supervisor Koepke seconded the motion. Motion carried by unanimous voice vote.
- 21. Adjourn:** Supervisor Roelandts made a motion at 7:07 pm to adjourn. Supervisor Husak seconded the motion. Motion carried by unanimous voice vote.

Respectfully submitted,

Jo Ann Lesser, WCMC  
Clerk/Treasurer