

TOWN OF OCONOMOWOC BOARD OF SUPERVISORS
MEETING MINUTES
October 21, 2013

Chairman Robert C. Hultquist called the meeting to order at 6:00 PM. Supervisors present included John Koepke, Jan Husak, and John Roelandts. Also in attendance were Attorney Bill Chapman, Administrator/Planner Jeff Herrmann, Public Works Superintendent Owen Salzman, Police Chief Jim Wallis, and Clerk/Treasurer Jo Ann Lesser. For additional attendees please see attached sign-in sheet.

Those present stood to recite the Pledge of Allegiance.

Approve Minutes from October 7, 2013 Town Board Meeting: Supervisor Roelandts made a motion to approve the minutes as presented. Supervisor Koepke seconded the motion. Motion carried by unanimous voice vote.

Correspondence: None

Comments from the Floor on Agenda items or any other items: None

OLD BUSINESS:

- 1. Consider and Act on Supervisor #4 Seat on the Town Board:** Chairman Hultquist explained the options as presented by Attorney Chapman and Clerk Lesser. There was discussion of the term and the split of the seats, how that would affect an election and possible vacant seats during meetings. Supervisor Koepke stated that he agrees with the motion of appointing a person to the full term but would like the democratic process to decide who sits in the seat representing the constituents. Supervisor Husak made a motion to appoint a replacement for Supervisor Seat #4 to fulfill the remaining time of the unexpired term to April of 2015. Supervisor Koepke seconded the motion. Motion carried by unanimous voice vote.

Chairman Hultquist questioned if there were any suggestions by the Board to name a person to fill the vacancy. Supervisor Husak made a motion to appoint Terry Largent to the town board to complete the unexpired term of past Supervisor Brian Wiemer who was Seat #4 effective immediately and run until the election of April of 2015. Supervisor Koepke seconded the motion. Supervisor Koepke questioned the legality of two board supervisors sitting on the plan commission. Chairman Hultquist stated that he held discussions with Genesee Chairperson Sharon Leair as well as Attorney John Macy and nothing in the statutes prohibits the town from having one or more supervisors on the plan commission. Chairman Hultquist stated that Mr. Largent would also be able to remain as the weed commissioner. Supervisor Roelandts stated that he would like to see only one board member as it currently is so that the town has another independent decision on that commission due to the various times that the plan commission makes decisions and then the town board acts on the same issue. Chairman Hultquist asked Terry Largent if he would accept being appointed as Town Supervisor #4 and remain as weed commissioner but then resign from the plan commission, and Mr. Largent stated yes, that he would accept those conditions. Supervisor Koepke stated that he agrees with Supervisor Roelandts. Supervisor Husak questioned if the clerk is to be included in this vote and Attorney Chapman stated that the clerk will also vote on this matter. Chairman Hultquist asked for a roll call vote, Supervisor Koepke; aye Chairman Hultquist; aye Clerk/Treasurer Lesser; aye Supervisor Husak; aye Supervisor Roelandts; aye Motion carried by unanimous vote.

- 2. Consider and Act on Assessor Plat for Monterey:** Administrator/Planner Herrmann explained that the town received 3 bids and Lake Country Engineering was the lowest bidder. Supervisor Roelandts made a motion to accept the bid from Lake Country Engineering to perform the assessor's plat of the Monterey area. Supervisor Husak seconded the motion.

Supervisor Koepke explained that his position is to disagree with accepting the bid because he asked for the survey of the residents and the results showed the residents were not in favor of having the plat done. Supervisor Roelandts stated that he doesn't like spending the money and then assessing it to the property owners but he feels that it will be a benefit to them and the town to have this done. Chairman Hultquist called for a vote, Hultquist, Husak and Roelandts voted in favor; Koepke voted against the motion. Motion carries 3 to 1.

NEW BUSINESS:

- 1. Consider and Act on Amendment to the Class B Retail Alcohol License for La-Plaza-Authentic Mexican Cuisine, LLC; N50W34959 Wisconsin Ave., to Include Serving Alcohol on the Sidewalk Seating Area:** Clerk/Treasurer Lesser stated that Rose Mary Alvarado is requesting to include a small sidewalk sitting area to her covered areas on her license. Supervisor Husak made a motion to approve the sidewalk sitting area on the alcohol license subject to Chief Wallis' review. Supervisor Roelandts seconded the motion. Supervisor Roelandts requested that a diagram of the area to be used be submitted and kept on file. Motion carried by unanimous voice vote.
- 2. Consider and Act on Driveway Easement for Donald & Sandra Smith; N87 W35499 Mapleton Road:** Administrator/Planner Herrmann explained that the Smith's don't have a way to access the garage that sits behind the house due to the town sealing off the old entrance to the Mapleton Community Center and they are requesting an easement to access the garage. Attorney Chapman stated that he has been approached by the Smith's attorney and the new request is to purchase the land from the town. It was noted that selling the land would not be conducive for the town. Supervisor Husak made a motion to approve granting an easement to Donald and Sandra Smith to access their garage. Supervisor Roelandts seconded the motion. Motion carried by unanimous voice vote.
- 3. Consider and Act on Engineering Rates for 2014 from Yaggy Colby Associates:** Supervisor Roelandts made a motion to accept the 2014 engineering rates from Yaggy Colby Associates. Supervisor Koepke seconded the motion. Motion carried by unanimous voice vote.
- 4. Consider and Act on Joining Waukesha County Economic Development Corporation:** Administrator/Planner Herrmann explained that Waukesha County is the only municipal customer and didn't feel that this would benefit the town at this time. Supervisor Husak made a motion to join the Waukesha County Economic Development Corporation. Supervisor Koepke seconded the motion. Chairman Hultquist called for those in favor of the motion; no votes were cast in favor, a unanimous vote against the motion. Motion Fails.
- 5. Consider and Act on Setting Policy for Writing Off Past Due Charges on Accounts Receivables:** Clerk/Treasurer Lesser explained that the request to write-off accounts in the clerk's office is for the accounts that have late fees assessed due to payments crossing in the mail and requested that the board approve a limit and anything over would come before the board for approval. Supervisor Husak made a motion to approve the clerk's office to write-off balances of \$5.00 or less on past due accounts. Supervisor Koepke seconded the motion. Motion carried by unanimous voice vote.
- 6. Discussion on Sewer Utility Billing Process:** Clerk/Treasurer Lesser explained that the utility is experiencing issues with sales of properties and move in/out account updates. Processes have been created to correct this problem, and this past billing cycle has found numerous accounts with update issues. Clerk/Treasurer Lesser is requesting of the board to consider monthly billing. It was requested that a cost analysis be completed of the current billing versus monthly billing and bring this back at the next meeting.
- 7. Chairman Hultquist:** Nothing
- 8. Supervisor Reports**
 - a. **John Koepke:** Nothing
 - b. **Janis Husak:** Nothing
 - c. **John Roelandts:** Nothing
- 9. Attorney Chapman:** Nothing

10. Public Works Superintendent Salzman: Nothing

11. Chief Wallis: Informed the board that the boat that the WDNR is selling has been delivered and is in the garage.

12. Administrator/Planner Herrmann

- a. **Town Zoning Code Update:** Administrator/Planner Herrmann gave an update on the Town of Eagle and the shoreland issue; Waukesha County approved a shoreland variance and the Town of Eagle denied it. The requester had initiated litigation against the Town of Eagle with a court decision rendered that the Town did not have jurisdiction which will be appealed. Herrmann stated he will continue to update the board on the progress. Herrmann also stated that the Town of Genesee has decided to remove shoreland from their zoning and is requesting the Town of Oconomowoc consider it.
- b. **Wisconsin Town's Association Meeting October 23, 2013:** Administrator/Planner Herrmann reminded the board of the WTA meeting and that Attorney Macy will be giving a presentation on the zoning code.
- c. **Discussion on Changes to West Lake Drive Project:** The project has been moved to 2015. It has been reclassified as a reconditioning or reconstruction project which has requirements to comply with Trans25. Those requirements include sidewalks on both sides of the road or a multi-purpose path on one side. The options outlined in the handout indicate the payment split or non-payment of the WISDOT.

13. Clerk/Treasurer Lesser

- a. **Consider and Act on New Operator License Application for Cheyann Griepentrog and Stacy Billings:** Clerk/Treasurer Lesser indicated that the two licenses were recommended for approval by Chief Wallis or Lt. Wraalstad. Supervisor Husak made a motion to approve the applications as recommended. Supervisor Roelandts seconded the motion. Motion carried by unanimous voice vote.

14. Approve Vouchers and Checks: Supervisor Koepke made a motion to approve vouchers and checks subject to Administrator/Planner Herrmann's approval. Supervisor Roelandts seconded the motion. Motion carried by unanimous voice vote.

15. Adjourn: Supervisor Roelandts made a motion to adjourn at 6:55 pm. Seconded by Supervisor Husak. Motion carried by unanimous voice vote.

Respectfully submitted,

Jo Ann Lesser, WCMC
Clerk/Treasurer