

**Minutes of the Town Board Meeting  
Town of Lisbon, Town Hall  
Monday, April 9, 2018  
6:30 p.m.**

Chairman Osterman called the Town Board meeting to order at 6:30 PM.

**Roll Call:** Present: Chairman Osterman, Supervisors Gamiño, Moonen, Plotecher and Beal. Also present: Administrator Matthew Janecke, Town Administrator, Gina Gresch, Town Clerk, Joe DeStefano, Public Works Director and Mitch Leisses, Engineer.

**Comments from citizens present.** None.

**Consent Agenda.**

- A. March 12, 2018 Town Board minutes.
- B. March 26, 2018 Town Board minutes.
- C. Recommendation from Plan Commission to approve the CSM for Deborah and Francis Mahuta, Jr., applicant, for the property located at N91W24144 Crooked Bridge Court, Lisbon, WI 53089, LSBT 0156.016, to divide a 6.6 acre lot into a total of three lots.
- D. Operator's License for Katelyn Linda Marie Mirasola, Fairways of Woodside Golf Course.
- E. Operator's License for Cassandra Marie Swirth, Fairways of Woodside Golf Course.

*Motion by Supervisor Beal to approve the Consent Agenda. Seconded by Supervisor Gamiño. Motion carried, 5-0.*

**Approval of Bills.**

*Motion by Supervisor Plotecher to approve the April 5, 2018 check register as presented. Seconded by Supervisor Moonen. Motion carried, 5-0.*

**Announcements/Correspondence - Listing of upcoming meeting dates & times.**

Chairman Osterman reviewed the list of upcoming Town meetings and stated the Town's Annual Tire Round-Up is Saturday, April 21.

**Department Reports - Presentation of activity statistics and recently attended meetings.**

**Public Works Department** – Public Works Director DeStefano stated two Supervisors are needed for the tire round-up. Public Works staff went out twice last month for various winter weather events, completed truck maintenance, hung all "Temporary Weight Limits" signs, took down the snow fencing, worked with the plumber on the Maple Avenue well abandonment, ground all of the yard waste for the Compost Site and attended a chainsaw safety class. He attended various meetings about storm water, asphalt maintenance, the personnel manual and a pre-construction meeting for Good Hope Road.

**Town Administrator** – Staff will be bringing the road contracts to the next Town Board meeting. He asked the Town Board to give feedback about the annual meeting format as he was going to try something new. Supervisor Beal suggested that an all-encompassing report for each department including past and prior goals and the job duties for each department. Administrator Janecke stated he asked the department heads to give a five-minute presentation with time for questions and answers following those reports.

**Town Clerk** - Last week's election had a great turnout with 35.5%. Of those that voted, 16% voted by absentee ballot; 6,947 registered voters as of Election Day; 40 residents registered to vote on Election Day for a total of 2,482 voters. 408 Absentee Ballots were issued. Of those 408, 230 were issued in the office during the two weeks prior to the election. Town Hall is becoming a very busy place right before an election. The next two elections are August 14 (Governor Primary) and November 6 (General Election-Governor). In-Person Absentee Voting always begins two weeks prior to every election. She is also working on a new plan for recruiting election inspectors called "Adopt-A-Polling Place", where people who donate their wages to non-profits. She is thinking about starting with the Lion's Club, Fire Department Auxiliary and area churches.

### **Supervisor's Reports.**

**Supervisor Gamiño** – The Park Committee meets next week and Park Director Greiten is interviewing and hiring for two seasonal park positions.

### **New Business.**

#### **Discussion and necessary action on Storm Water improvement options near the intersection of Chestnut Hill and Cherry Hill Roads.**

Administrator Janecke stated at the end of 2017, staff gave the Town Board improvement options for this area. Engineer Leisses explained the four options to the Town Board.

- Option 1: Northwest and Southwest corners: Install storm sewer pipe and structures along south property line of N75W22470 Chestnut Hill Road. A driveway culvert to be extended south along east property line and connected to proposed storm sewer. Install storm sewer pipe and structures along north property line of N75W22467 Chestnut Hill Road. Storm sewer to be extended south approximately 50 feet and terminate with an end wall. Adjacent areas to be regraded to include swales to direct storm water to structures. Transition areas to be regraded to 3:1 slope. Disturbed areas to be restored with topsoil, seed and mulch, for approximately \$88,500. This option was originally based on feedback from the property owners to add storm sewer in the existing ditch lines.
- Option 2: Same as Option 1 but includes the Northeast corner for approximately \$126,000. This option was added after discussion with neighbors across the street because there are potential issues there too.
- Option 3: Same as Option 1 but removes the storm sewer extension on Wooded Hills Drive, for approximately \$75,000.
- Option 4: Same as Option 1 but only includes the Northwest corner, for approximately \$52,700. This would only do a portion in front of Sally Reamer's property, tie the storm piping and yard inlet into the Village of Sussex sewer system.

Engineer Leisses stated there's also the option to not do anything. Town Board members agreed the ditches are deep but each had different opinions as to how the problem should be fixed. Supervisor Beal stated some of the ditches are deeper than others and would like the crack in the road in front of Sally Reamer's house inspected/repaired.

Supervisor Gamiño stated there are ditches deeper than what others have, but the ditches in her neighborhood are just as deep and that's normal to her. She understands the problem and that there have been efforts made to fix problem and things have actually improved. She didn't see any abnormal standing water. If the Town fixes this problem, how many others would that open up the Town to fixing? She doesn't want to set a standard even though the ditches are functioning. Ms. Reamer stated she would like to speak with Supervisor Gamiño after the meeting.

Ms. Reamer addressed the Town Board and stated there is excessive standing water in her yard. The neighbor in Sussex put in a drainage system, built a mound that creates the water backup. There is still excessive water in her back yard too. There wasn't a problem prior to the roads being re-done. The shoulders are washing way and the edges of the road are collapsing. Ditches were dug to alleviate a flooding problem in Sussex; she didn't have a ditch on her property prior to this. Engineer Leisses stated he had a contractor try and reshape the shoulders to make them less steep. They came out three times because the material wasn't holding up at first.

Supervisor Moonen asked what kind of impact this work will have on the watershed towards Ms. Reamer's house? Engineer Leisses stated the water flow will not be changed, only trying to get the water into the piping system quicker. Supervisor Moonen asked if this will be paid for by a special assessment? Will this work improve property values? Engineer Leisses stated other municipalities would consider this an assessable charge. The Town Board members each had different option preferences. Engineer Leisses stated he feels we can make this work. He hasn't had a chance to do any surveying yet so he will send out surveyors to come up with a preliminary plan and a more accurate estimate. Chairman Osterman stated the only true solution is curb and gutter. Supervisor Moonen stated the Town could spend \$52,000 for a drain but is a curb needed to carry the water down. If so, then the Town is paying for it twice.

*Motion by Chairman Osterman to approve Storm Water Improvement near the intersection of Chestnut Hill and Cherry Hill Roads, Option 3. Seconded by Supervisor Plotecher. Motion failed, 2-3.*

*Motion by Supervisor Moonen to look at alternatives other than the options presented that would address the other problems as discussed (limestone and curb/gutter into the storm water system, completely fix this intersection and gather more information on long term problems). Seconded by Supervisor Gamiño. Engineer Leisses asked the Town Board for permission to send surveyors to obtain cross sections and generate the preliminary survey which is needed regardless. There was discussion among the Town Board that they want to see what more information Engineer Leisses can bring back to the Town Board, which would take about a month. Motion failed, 0-5.*

*Motion by Chairman Osterman to postpone the Storm Water Improvement near the intersection of Chestnut Hill and Cherry Hill Roads until Engineer Leisses presents more information to the Town Board. Seconded by Supervisor Moonen. Motion carried, 5-0.*

### **Discussion and necessary action on Storm Water Improvement options for the Sweetbriar Lane area.**

Administrator Janecke stated there was a flooding situation in February where DPW rented a pump and trucked out water from this subdivision. He has received quite a bit of feedback from the residents to look at this situation and asked Engineer Leisses to review this and propose options to the Town Board. Engineer Leisses stated the flooding occurred due to the heavy rains not having to go anywhere due to the frost still in the ground. This area is low to begin with and the water doesn't have anywhere to go.

Engineer Leisses explained the four options to the Town Board.

- Option 1: Restore the existing kettle. Excavate existing 30 foot square storm water drainage kettle located at W278N9252 Sweetbriar Lane. Dispose of excavated materials and place 3/4-inch coarse aggregate. Depth assumed to be 20 feet. Restoration of disturbed areas for approximately \$25,700.
- Option 2: Install new kettle. Excavate 30 foot by 20 foot storm water drainage kettle to be located at W278N9322 Sweetbriar Lane. Dispose of excavated materials and place 3/4-inch coarse aggregate. Depth assumed to be 20 feet. Restoration of disturbed areas for approximately \$19,500.
- Option 3: Regional Infiltration Basin. Construct a regional infiltration basin north of Hickory Road and east of Lake Five Road. Site grading to direct storm water to storm sewer system and infiltration basin. Restoration of disturbed areas for approximately \$330,000. Note: Preliminary cost estimate does not include costs for land acquisition or required permitting.
- Option 4: Regional Storm Water Pond. Construct a regional storm water pond south of Hickory Road and opposite Sweetbriar Lane. Installation of storm sewer system to facilitate emergency pumping to pond. Restoration of disturbed areas. Note: Preliminary cost estimate does not include costs for land acquisition or required permitting for approximately \$292,400.

Engineer Leisses stated Option 1 is what already exists in the subdivision and was installed about 13 years ago. Over time silt can settle into the voids in-between the clear stone which slows down the process of taking in the water. The kettle can also freeze over. Option 1 cleans out the existing kettle and Option 2 cleans out the existing and adds another kettle. Since the existing kettle can't keep up a detention basin (dry pond) would work better. A wet pond could be installed which could service future development. There would be piping which comes from the other side of the road where DPW could hook up a pump and carry the water to the wet pond. Maybe the fix doesn't need to be as drastic as a pond or basin, maybe clean out the existing kettle and create another one.

Administrator Janecke wants the Town Board's guidance if they would like Engineer Leisses to put more time into this. There is money in the storm water utility fund to help fund this type of project. Engineer Leisses stated models can be done but the soil records are very old and new borings would have to be completed.

Supervisor Gamiño feels that this is a public issue and likes Option 1. to clean the existing kettle and create a new one. When the vacant land is developed, a basin should be put in at that time. Public Works Director DeStefano agrees that Option 1 would be the best decision. Supervisor Moonen wants the Town to research grant relief through FEMA or fire protection services. Engineer Leisses stated he has a funding specialist at the office and will have them start looking. As he stated earlier, soil borings need to be completed to be 100% accurate about how to proceed. Borings could cost about \$2,500 and would wait until the ground dries up before running heavy equipment on it. Supervisor Beal also agrees Option 1 is the best resolution.

*Motion by Chairman Osterman to authorize Engineer Leisses to obtain soil borings, do storm water calculations and gather more information at a cost not to exceed \$5,000, and present the Town Board with the best options for storm water improvements for the Sweetbriar Lane area. Seconded by Supervisor Beal. Motion carried, 5-0.*

**Discussion and necessary action on Resolution 02-18, Resolution Updating the Fee Schedule.**

Clerk Gresch stated there have been some fee changes since the last time the Town Board updated the fee schedule, as well as some new fees added. Those changes include new noxious weed cutting fees, however that ordinance was removed from the agenda as it wasn't quite ready so those fees can be removed. The other fees are the Impact Fees increase per Chapter 12 Subdivision Ordinance per the Consumer Price Index and the Fire Department Ambulance Fees. The Town Board approved bundling the fees, but not the specific amounts.

*Motion by Chairman Osterman to approve Resolution 02-18, Resolution Updating the Fee Schedule and that the noxious weeds cutting fees be brought back with the noxious weeds ordinance. Seconded by Supervisor Moonen. Motion carried, 5-0.*

**Discussion and necessary action on Ordinance 02-18, Ordinance Repealing and Recreating Section 2.16(b) of the Lisbon Town Code regarding Town Administrator Appointment and Term of Office.**

Administrator Janecke stated he drafted this ordinance based on the Town Board's closed session discussion, that changing the appointment term from one to three years would give more flexibility to the Town Board. The labor attorney feels that allowing a term longer than three years is handcuffing future boards. Supervisor Gamiño stated some of the language drafted was from misreading the statute by the labor attorney. The Town Board doesn't want to approve a contract for more than three years, but wants the option to approve for one, two or three years. The labor attorney did admit he interpreted the statute incorrectly. He suggested removing the phrase "term of up to three years such" and removing the last sentence in that section "for a term not to exceed three years". There was discussion among the Town Board about the vote requiring a simple or super majority. Chairman Osterman stated he feels the majority vote verbiage applies to the whole paragraph and is comfortable adopting this ordinance subject to the labor attorney's approval.

Supervisor Moonen doesn't want to go against the labor attorney's recommendation and wants him to review these changes before they vote on it. Chairman Osterman understands his concerns but if they wait to adopt the ordinance, that will delay the closed session item. He agrees with how the ordinance is written but doesn't have any issues changing it either. They continued to discuss Supervisor Moonen's concern. Supervisors Beal, Plotecher and Chairman Osterman want to vote on Supervisor Gamiño's suggested changes and send it back to the labor attorney.

*Motion by Chairman Osterman to adopt Ordinance 02-18, Ordinance Repealing and Recreating Section 2.16(b) of the Lisbon Town Code regarding Town Administrator Appointment and Term of Office, subject to Attorney review and approval of Supervisor Gamiño's suggested changes: remove the phrase "term of up to three years such" and remove the last sentence in that section "for a term not to exceed three years". Seconded by Supervisor Gamiño. Motion carried, 5-0.*

**Recess into Closed Session pursuant to Wisconsin Statutes 19.85(1)(c) for the following reasons: Considering employment, promotion, compensation or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility, more specifically the Town Administrator Performance Review and contract.**

*Motion by Supervisor Gamiño to convene into Closed Session pursuant to Wisconsin Statutes 19.85(1)(c) for the following reasons: Considering employment, promotion, compensation or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility, more specifically the Town Administrator Performance Review and contract. Seconded by Supervisor Beal, motion carried by roll call vote.*

*ROLL CALL VOTE:*

*Chairman Osterman: Yes*  
*Supervisor Gamiño: Yes*  
*Supervisor Moonen: Yes*  
*Supervisor Plotecher: Yes*  
*Supervisor Beal: Yes*

*Motion carried, 5-0, by roll call vote. Town Board convened into Closed Session at 8:25 PM.*

**Reconvene into Open Session for possible action on Closed Session deliberations.**

*Motion by Supervisor Gamiño to reconvene into Open Session for possible action on Closed Session deliberations. Seconded by Supervisor Moonen.*

*ROLL CALL VOTE:*

*Chairman Osterman: Yes*  
*Supervisor Gamiño: Yes*  
*Supervisor Moonen: Yes*  
*Supervisor Plotecher: Yes*  
*Supervisor Beal: Yes*

*Motion carried, 5-0. The Town Board reconvened at 8:45 PM.*

**Closed Session Deliberations**

*Motion by Chairman Osterman to approve an Employee Agreement for the Town Administrator, Matthew Janecke, with a salary of \$90,197 in 2018, to expire on December 31, 2018. Seconded by Supervisor Moonen, motion carried, 5-0.*

**Adjournment.**

*Motion by Supervisor Beal to adjourn the Monday, April 9, 2018 Town Board of Supervisors meeting at 8:49 PM. Seconded by Supervisor Plotecher. Motion carried, 5-0.*

Respectfully submitted,

Gina C. Gresch, MMC/WCPC  
Town Clerk