

**Minutes of the Town Board Meeting  
Town of Lisbon, Town Hall  
Tuesday, May 29, 2018  
7:30 p.m.**

Chairman Osterman called the Town Board meeting to order at 7:32 PM.

**Roll Call:** Present: Chairman Osterman, Supervisors Gamiño, Moonen, Plotecher and Beal. Also present: Matthew Janecke, Town Administrator and Gina Gresch, Town Clerk.

**Comments from citizens present.**

**Sally Reimer, N75W22470 Chestnut Hill Road**, thanked the Town Board for bringing up the road/ditch situation in the subdivision, which she has emailed the Town Board members an update.

**Consent Agenda.** Items listed under the Consent Agenda are considered in one motion unless a Town Board member requests that an item be removed from the Consent Agenda.

- April 23, 2018 Town Board minutes.
- Board / Committee / Commission Appointments:
  - John Gehrke and Joseph Mentzer to the Board of Appeals for a three year term to expire June 30, 2021.
  - Marlene Kumitsch to the Park Committee for a three year term to expire June 30, 2021.
  - Ed Nelson and Chad Samanske to the Plan Commission for a three year term to expire June 30, 2021.
  - Randy Wittig to the Public Safety Committee for a three year term to expire June 30, 2021.
- Resignation of Lori Gitto from the Park Committee.
- Operator's Licenses.

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

**Approval of Bills.**

*Motion by Supervisor Plotecher to approve the May 17 and May 22, 2018 check registers 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.

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

- A. **Parks Department** – Supervisor Gamiño stated the Parks Department is working on sports field maintenance and fertilization, seasonal mowing, equipment maintenance, installing new park equipment, weed control and assisting with Adopt-A-Road debris bag pickup.

- B. **Public Works Department** – Public Works Director Joe DeStefano stated the department continued snow removal operations, equipment maintenance, attended training, fixed sod and shoulder damage from plowing, assisted with the April election, prepped for the compost site opening and completed the annual brush pickup, which took 11 working days. Supervisor Beal asked why the fall pickup was dropped and what would it cost to bring it back? She would like to see the fall pickup offered again. Director DeStefano stated he will prepare those costs and bring it back to the Town Board. He can also look at moving the spring pick up later in the month so people have time to do yard work, but on the flip side of that, the grass grows like crazy and then the sitting brush kills the grass. Every year is different, it depends on the weather. Administrator Janecke stated we try to be consistent with the spring date so everyone gets used to when it is.
- C. **Town Administrator** – Administrator Janecke stated he will be on vacation next Wednesday through Friday. Richmond School has a 175<sup>th</sup> Anniversary celebration on Thursday, May 31 from 4pm – 8pm, everyone is welcome to attend. He has been working with Supervisor Beal on the commercial broker RFP, they evaluated five and narrowed it down to three finalists. Those three were sent additional questions and he hopes to have this ready for the next Town Board meeting. He also went to two events with the Waukesha County Business Alliance; one about FoxConn and local funding sources.
- D. **Town Clerk** – Clerk Gresch reported on the late dog license mailing. 175 dogs were not licensed from 2017, 57 people renewed and paid \$10 late fee per dog, 38 people either no longer have their dog or they moved, five dogs were entered under both spouse's names, separately, so they were already licensed. The mailing's response rate is 57% and the Town has netted \$723 from the mailing.

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

**Supervisor Beal** – the Sanitary District had an issue with a child putting things down the toilet which broke the grinder pump, which will cost a little over \$20,000 to fix. The Sanitary District is discussing the age of the grinder pump and who should pay for the repairs.

**Supervisor Gamiño** – reported on the upcoming Park events. Heritage Weekend is August 11 and 12 and is the 10 Year Anniversary, Winterfest will be in January or February 2018 and the Easter Egg Hunt is March 30, 2018. Last week the Park Committee received approval from Waukesha County for the Lake Five Pathway Extension. The committee is also working on updating the park handout. Administrator Janecke added that the 2<sup>nd</sup> Annual Safety Dayz is Saturday, June 2 from 9am to 5pm in Community Park, which is a car extrication event.

### **New Business.**

#### **Discussion and necessary action on Ordinance 03-18, Ordinance Creating Section 5.13 of the Town of Lisbon Code Relating to the Regulation of Length of Lawn and Grasses.**

Administrator Janecke asked the Town Board to postpone this until the next meeting. The Town Attorney did review it, however, there is a little more work to be done at the staff level about the intention of the ordinance. There are certain grass lengths that could be allowed, like natural areas which make up a large portion of the Town and this ordinance doesn't address that. Supervisor Beal requested adding verbiage about not putting grass clippings in the street. Director DeStefano stated it is already in our nuisance ordinance. Administrator Janecke stated those complaints should be directed to the Waukesha County Sheriff's Department.

*Motion by Chairman Osterman to postpone Ordinance 03-18, Ordinance Creating Section 5.13 of the Town of Lisbon Code Relating to the Regulation of Length of Lawn and Grasses. Seconded by Supervisor Gamiño. Motion carried, 5-0.*

**Discussion and necessary action on Ordinance 04-18, Ordinance Repealing and Recreating Section 5.05 of the Town of Lisbon Code Relating to Noxious Weeds.**

Administrator Janecke stated this proposed draft cleaned up the current ordinance's language and has been reviewed by the Town Attorney.

*Motion by Supervisor Gamiño to adopt Ordinance 04-18, Ordinance Repealing and Recreating Section 5.05 of the Town of Lisbon Code Relating to Noxious Weeds. Seconded by Supervisor Plotecher. Motion carried, 5-0.*

**Discussion and necessary action on Resolution 03-18, Resolution Updating the Fee Schedule for the Town of Lisbon.**

*Motion by Chairman Osterman to postpone Resolution 03-18, Resolution Updating the Fee Schedule for the Town of Lisbon. Seconded by Supervisor Beal. Motion carried, 5-0.*

**Discussion and necessary action to choose a credit card processing company.**

Clerk Gresch stated she has been researching credit card companies, narrowed it down to GovPayNet (GPN) and Payment Network Services (PNS) and is recommending PNS to the Town Board. Both company's fee structures are about the same and the fee would be paid by the user. Charges between \$0.00 – 100.00 = 2.75% + \$0.50 and charges \$100.01 and greater = 2.75%. She also posted a question on the Town's Facebook page asking the citizens how much of a fee they are willing to pay and most answered with \$1 or \$2, which are in line with both company's fee structure.

Various services can be easily paid for online while other services require documentation and assistance by Staff. Future electronic advancements provide a goal for achieving paperless transactions. There are some transactions which cannot be done online like the Compost Pass until we figure out a way to not have Merton or Sussex residents purchase passes online. PSN is also much more customizable than GPN. Instead of using the same four information fields that GPN offers for what we want to take payments online for, it can be customized so that a user could use that payment page as a form (i.e., dog license application). Another reason she recommends it is because it is fully integratable with an accounting software which herself, Treasurer Buchman and Administrator Janecke have been researching, which will be brought up during budget discussions. There are two other differences between the companies in that PSN charges a one-time \$149 set up fee and a yearly \$89 security fee, whereas GPN doesn't charge for either. PSN's \$89 security fee is to help pay for increased levels of security compliance, which is PCI Level 1.

*Motion by Supervisor Gamiño to approve Payment Services Network as the town's credit card processing company. Seconded by Supervisor Beal. Motion carried, 5-0.*

**Discussion and necessary action the recommendation from the Plan Commission to adopt Ordinance 07-18, An Ordinance Establishing a Planned Unit Development Overlay Zoning Classification of Property Located at the Northeast Corner of Lake Five Road and Silver Spring Drive (CTH VV), LSBT 0217.998.**

Administrator Janecke stated this is a step in the Barnwood Conservancy Subdivision process which identifies the plat, lot sizes, public areas and yard setback requirements in the underlying R-1 Single Family Residential zoning district. Those items will be brought back to the Plan Commission during the Specific Development Plan process.

*Motion by Chairman Osterman to adopt Ordinance 07-18, An Ordinance Establishing a Planned Unit Development Overlay Zoning Classification of Property Located at the Northeast Corner of Lake Five Road and Silver Spring Drive (CTH VV), LSBT 0217.998. Seconded by Supervisor Plotecher. Motion carried, 4-1 with one nay by Supervisor Beal.*

#### **Discussion and necessary action on the Process for Determining a Problem.**

Administrator Janecke received a request from Supervisor Gamiño, in light of the storm water situations, to be able to identify if a problem is a town or resident problem. Supervisor Gamiño would like the Town Board to adopt a policy or process as to how the Town Board decides if an issue a resident brings to the Town Board, if it is the Town's concern or the resident's, especially if it involves finding a solution and financing it. She suggested questions that could be asked to help determine the situation, for example, does the resident's concern constitute a problem? Does the concern function within normal parameters? If it functions properly, then it wouldn't necessarily be a Town problem. If the homeowner is willing to be financially responsible for the work, then the Town Board can go forward with solutions.

Town Board members discussed the proposal and commented that not each request is the same and the Town Board should go through the discussion process as they have been. Having a policy/procedure could limit their power as a Town Board and future boards could hide behind it. Supervisors Gamiño and Beal would like to see something in place and Supervisors Plotecher, Moonen and Chairman Osterman are not in favor of a policy at this time.

#### **Unfinished Business.**

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

Sweetbriar Lane Storm Water Improvements: During the Monday, April 9, 2018 Town Board Meeting, Kunkel Engineering was sought to investigate the storm water and flooding concerns that have been brought to the Town's attention near Sweetbriar Lane. Kunkel Engineering was asked to complete soil borings and storm water calculations on infiltration rates of the existing soils. To date, no soil borings have been completed due to the wet weather. With the soils being super saturated from the frequent rains, the risk of substantial damage to private residences resulting from the boring equipment is too great. Once the soils and surrounding properties become drier, Kunkel Engineering will schedule the borings and complete the storm water calculations.

Chestnut Hill and Cherry Hill Storm Water Improvements: At the April 9, Town Board Meeting, Kunkel was asked to review possible remedies for both the eroding aggregate shoulders and the steep slope of the existing storm water ditches within the Chestnut Hill and Cherry Hill Intersection. Several cost estimates have been provided to the Town Board, providing options for filling in the existing ditches and installing storm sewer. After surveying the existing site conditions, the options that were provided are viable and would function to provide the safest slope from the roadway and facilitate transportation of the storm water. Kunkel Engineering investigated an option to install curb and gutter within this corridor, however this option merely increases the overall cost as the proposed storm sewer system improvements are still required and the option also requires additional storm sewer structures. A cost estimate to install said curb and gutter was included in the packet. Regarding the erosion of the aggregate shoulders, Kunkel Engineering researched several options to address this issue. The only option found to help stabilize the existing shoulder was to add an asphalt emulsion to secure the aggregate in place while allowing water to flow over without eroding. The asphalt emulsion is like a fog seal that is done on aging asphalt roadways. Please note, aggregate material is not specified or defined as to which type has the best binding characteristic but rather gradations or size of the specified material. Varying the type of aggregate does not appear to provide a solution for the erosion issue. A cost estimate to add the asphalt emulsion to the shoulders at the Chestnut Hill and Cherry Hill Intersection was included in the packet.

Town Board members discussed the quotes, asked questions about the differences between them and can some work be done now, wait to see if it works then finish it later. Engineer Leisses suggested doing a test patch on another road for future uses and move ahead with bidding out one of the options presented.

*Motion by Chairman Osterman to approve Kunkel Engineering's Option 3 at a cost not to exceed \$73,758, to be taken from the Storm Water Utility Fund. Seconded by Supervisor Plotecher. Motion carried, 3-2 with two nays by Supervisor Gamiño and Beal.*

**Adjournment.**

*Motion by Chairman Osterman to adjourn the Tuesday, May 29, 2018 Town Board of Supervisors meeting at 9:20 PM. Seconded by Supervisor Gamiño. Motion carried, 5-0.*

Respectfully submitted,

Gina C. Gresch, MMC/WCPC  
Town Clerk