

**Minutes of the Town Board Meeting
Town of Lisbon, Town Hall
Monday, July 23, 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 and Beal. Also present: Gina Gresch, Interim Administrator. Absent: Supervisor Plotecher.

Comments from citizens present. None.

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.

- July 9, 2018 Town Board minutes
- Operator's Licenses.

Motion by Supervisor Gamiño to approve the Consent Agenda. Seconded by Supervisor Beal. Motion carried, 4-0.

Approval of Bills.

Motion by Supervisor Beal to approve the July 19, 2018 check register as presented. Seconded by Supervisor Moonen. Motion carried, 4-0.

Announcements/Correspondence.

- Meeting Schedule
- 2017 Waukesha County Recycling Dividends
- Waukesha County Recycling & Water Update Newsletter

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

- Town Administrator – The credit card payment system went live last week. Marketing materials are being developed by Payment Service Network for us to use and should be received within the week and will be posted on the website, Facebook page and in the next newsletter. Due to the Tuesday, August 14 Partisan Primary Election, we are unable to hold the Town Board meeting the night before and suggested either moving the meeting to the week before or after the election. During last year's tax collection season, we learned from Waukesha State Bank that they can issue refunds on the spot, within certain parameters. 1) If the check is made out to one party and the Town and the refund is less than \$500, a cash refund is given. 2) If the check is made out to two parties and the Town, the refund is less than \$500 and BOTH parties are present, a cash refund is given; otherwise if one party is present they will be issued a bank check for their refund. This information will be posted on the website, Facebook page and in the Treasurer's letter in the tax bill mailing. Also, as the bank deposits the payments into our account, they will enter them into a spreadsheet which will be imported into the tax collection software daily. The data the bank will enter is the payment date, amount and property owner name. They will create a new sheet daily so we can update the system after the 4pm collection cutoff. This will help Treasurer Buchman immensely with balancing each day's collection and it will speed up the process of getting the information uploaded to Waukesha County's website. Included in the Town Hall upgrades plan was a computer for the front counter which has been installed. Treasurer Buchman will be collecting taxes from the smaller counter/window and using the computer to enter the payments. Lastly, painting and carpeting companies have been secured and we are looking at that project being completed in September.

Supervisor's Reports.

Supervisor Beal – The Sanitary District's Engineer, Sarah Nunn, is leaving Lynch and Associates at the end of August. Issues still remain with the Wooded Hills Property. The contractor sent final bills to see if the property owner's insurance will pay for it. There is another similar issue with another property. They also adopted a new sewer service code and are starting to work on the 2019 budget.

Supervisor Gamiño – Parks Committee came up with a new mission statement.

Unfinished Business.

Discussion and necessary action to hire a Commercial Broker for the advertisement and sale of Town owned lands, 65 acres at the southwest corner of Lake Five and Hickory Roads, a.k.a. Pauline Haass land.

Town Board members reviewed the proposals submitted and deliberated if enough brokers were approached and if a commercial broker was the right way to go. Supervisor Gamiño was underwhelmed by the lack of presentation by all of the brokers; maybe the Town should use a more traditional realtor. She feels that they didn't present well and one of them was late in responding. She'd like to see more traditional marketing materials too. Supervisor Moonen shares her same concerns. Supervisor Beal stated she is most impressed with the Luther Group; she explained the process of how to seek a buyer. Chairman Osterman said some put more time into the RFP response than others and one bidder was late to the meeting. He also wasn't happy that the Luther Group didn't even submit anything in writing. Supervisor Beal understands everyone's concerns. Because this is vacant land, the Town Board might feel that this land sale needs a commercial broker.

Town Board members discussed whether or not an RFP should be re-issued, and if they did, who will it reach this time versus the first time. If another RFP is to be sent out, the Town Board should have a plan on what they are looking for and how they will proceed. Chairman Osterman stated he would vote for Point Real Estate. He didn't like that Mr. Scardino came in late, but he liked what he presented. Town Board members deliberated the pros and cons of each broker, their presentation and proposed commission. Town Board members were divided in their opinions.

Motion by Supervisor Moonen to award the bid to Dan Scardino from Point Real Estate as the Commercial Broker for the advertisement and sale of Town owned lands, 65 acres at the southwest corner of Lake Five and Hickory Roads, a.k.a. Pauline Haass land. Seconded by Chairman Osterman. Motion failed, 2-2.

Supervisor Gamiño moved to re-issue the RFP to commercial and residential brokers and set a one month deadline. Seconded by Supervisor Beal. Motion failed, 0-4.

Town Board members agreed they need to have a plan for the RFP and what they want to see in a response. Interim Administrator Gresch asked the Town Board to postpone action to give her time to research emails to see what was done by the prior Administrator and who he sent the RFP's to. Town Board members also concurred they would like to see better marketing plans presented. The Town needs to focus on trying to find someone we trust to sell the land, even though the Town Board will ultimately approve the sale.

Motion by Chairman Osterman to postpone hiring a Commercial Broker for the advertisement and sale of Town owned lands, 65 acres at the southwest corner of Lake Five and Hickory Roads, a.k.a. Pauline Haass land. Seconded by Supervisor Moonen. Motion carried, 4-0.

Discussion and necessary action on Ordinance 03-18, An Ordinance Repealing and Recreating Section 5.05 of the Town of Lisbon Code Relating to Noxious Weeds & Tall Grass.

Interim Administrator Gresch stated the ordinance has been put back to its original version, but cleaned up verbiage slightly to reduce redundancy with the help of Attorney Kevin Clark. Fees were also added to the Fee Schedule to re-coup time spent on cutting.

Motion by Chairman Osterman to adopt Ordinance 03-18, An Ordinance Repealing and Recreating Section 5.05 of the Town of Lisbon Code Relating to Noxious Weeds & Tall Grass. Seconded by Supervisor Gamiño. Motion carried, 4-0.

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

Motion by Chairman Osterman to adopt Resolution 03-18, Resolution Updating the Fee Schedule for the Town of Lisbon. Seconded by Supervisor Gamiño. Motion carried, 4-0.

New Business.

Discussion and necessary action for the 2018-2019 Workers Compensation Insurance Renewal with Rural Mutual Insurance.

Interim Administrator Gresch stated each year the Town renews its Workers Compensation Insurance policy which is set to renew in September. In the past, our Workers Compensation insurance has been quite high to due to a higher experience modification factor and this year it decreased from 1.45 to 1.09 effective this September. In 2017, the Town switched carriers from Travelers to Horton/Bitco. The Town also switched property/liability insurance companies earlier this year from R&R Insurance to Rural Mutual Insurance. Rural Mutual also submitted a quote, which is the same as Horton/Bitco since WCI rates are the same no matter where you go. She recommends switching to Rural Mutual Insurance Company so the Town can keep as many of our insurance policies under one roof as possible.

Linda Schopen with Rural Mutual Insurance added that RMI can also offer a dividend, up to 10% of the premium providing the loss ratio is under five percent and another two and a half percent if the loss ratio is less than 10 percent. The Town doesn't have a dividend plan with their current carrier. RMI also offers a service for a nurse hotline for workers compensation issues. An employee should call if their injury requires more than a band aid but less than a trip to the hospital. She has seen her client's modification factors decrease by using this service. Interim Administrator Gresch stated the Town budgeted about \$60,000 for 2018; 2019 will decrease to about \$47,000 with a possible dividend. She also clarified the Town isn't being charged workers compensation rates for a Police Department.

Motion by Supervisor Gamiño to approve the 2018-2019 Workers Compensation Insurance Renewal with Rural Mutual Insurance, not to exceed \$47,437. Seconded by Supervisor Beal. Motion carried, 4-0.

Discussion and necessary action on the Town's accounting software upgrade proposal.

Interim Administrator Gresch stated Supervisor Plotecher asked that this item be postponed to the next meeting so she can participate in the discussion. Also, if anyone has questions between now and the next Town Board meeting, please call or email herself or Treasurer Buchman.

Motion by Chairman Osterman to postpone the accounting software upgrade proposal to the next Town Board meeting. Seconded by Supervisor Beal. Motion carried, 4-0.

Discussion and necessary action on Ordinance 09-18, An Ordinance Creating Section 2.09 of the Town of Lisbon Code Relating to Alternative Claims Payment Procedures.

Town Board members agreed this is a great idea, saving time and checks and not paying late fees is good. Supervisor Gamiño wants to be sure there is security in the ordinance. Chairman Osterman suggested the Town Board can approve a list of what bills are going to be paid via ACH/Autopay and amend it as needed. An attachment can be drafted and attached to the ordinance when it's adopted.

Motion by Chairman Osterman to postpone Ordinance 09-18, An Ordinance Creating Section 2.09 of the Town of Lisbon Code Relating to Alternative Claims Payment Procedures. Seconded by Supervisor Beal. Motion carried, 4-0.

Discussion and necessary action to approve payments via ACH pursuant to Wisconsin State Statute 66.0607(3m).

Motion by Supervisor Moonen to postpone approving payments via ACH pursuant to Wisconsin State Statute 66.0607(3m). Seconded by Chairman Osterman. Motion carried, 4-0.

Discussion and necessary action to authorize additional work hours for Treasurer Buchman.

Like the prior two agenda items, this one will also be postponed until Supervisor Plotecher is present.

Motion by Chairman Osterman to postpone authorizing 40 additional work hours for Treasurer Buchman. Seconded by Supervisor Moonen. Motion carried, 4-0.

Discussion and necessary action on the request from Chris Miller to amend the Barnwood Conservancy Developer's Agreement to allow construction of a model home prior to the first lift installment and barn being dismantled.

Interim Administrator Gresch stated Barnwood Conservancy's developer Chris Miller has two requests to amend the Developer's Agreement, which she and Attorney Gutenkunst recommend approval of. The Developer's Agreement stated "It is expressly understood and agreed that no building or occupancy permits shall be issued for any homes, including model homes, until the TOWN Engineer has determined that: 1. The installation of the first lift of asphalt, of the public street(s), providing access to and fronting a specific lot for which a building permit is requested has been completed and accepted by the TOWN Board." Mr. Miller would like to begin construction on the model home in the first couple weeks of August, which is before the first lift will be installed. The first lift will be complete in April 2019. He is requesting the model home building permit be issued before the first lift of asphalt is installed. The Developer's Agreement also stated "Landscaping and removal of unwanted items, including buildings, will be completed and certified as complete by the TOWN Engineer prior to the issuance of any building permit". Per Mr. Miller, the barn dismantling is going to take up to two months and would like to begin construction on the model home prior to this. He is requesting the model home building permit be issued before the barn is dismantled

Mr. Miller stated he wants to start moving dirt early to mid-August; however the first lift won't be installed until mid-October. He would like to start the foundation for the model home before the first lift goes on and the model home could be open in spring 2019. Also, the barn will be taken apart piece by piece and sold off which will take longer than a regular demolition. There won't really be a road because while the model home is being constructed, there will only be graded paths for trucks to use. The model home will be across from the pavilion, it will be a two-story American four square home on a three-quarter acre lot and already has a buyer for it.

Motion by Chairman Osterman to approve the requests from Chris Miller to amend the Barnwood Conservancy Developer's Agreement to allow construction of a model home prior to the first lift installment and the barn being dismantled. Seconded by Supervisor Moonen. Motion carried, 4-0.

The Town Board recessed until the Town Attorney arrived, which was 7:48 PM and the Town Board reconvened for discussion.

Discussion and update regarding TIF project.

Attorney Hammes stated he has been working with Engineer Craig Kunkel and Finance Specialist John Cameron on the Lied's property. Forward Development submitted a proposal with improvements which would cost more than \$8,000,000, which would need a high density multi-family development which wasn't received well. A tax base is required to pay for infrastructure. They went back to the drawing board and refigured development costs around \$3,500,000, which the Lannon Interceptor could be paid for with TIF revenues. These are only project costs. The biggest change is to have a cul-de-sac off of Townline Road, but reserve the end for future right-of-way for if/when the road is ever relocated. A commercial real estate broker will be required to develop a marketing plan. The TIF District boundary is proposed to include not only the Lied's property, but Hamilton High School, the proposed Casey's General Store and the vacant parcel next to it. The Town should work with John Cameron from Ehlers on a project plan, which he could have done in a week or two. The Town also needs to meet with Waukesha County Finance Department staff and explain why the project needs to occur before holding public hearings and creating the district. The Village of Lannon is also in the process of creating two TIF Districts in the same area, where there is high bedrock so there is a need to extend the sewer and water in order for the property to develop. Once the Waukesha County meeting is held, there should be a project plan estimate and this will hopefully stay on track and be created by the end of October. He will focus on lowering costs, cul-de-sacs, reserving road for future development, however the Town cannot pay for the road relocation as a part of the TIF. He will set up a meeting with Waukesha County as soon as possible. There will be sufficient revenues generated by the TIF to pay off project costs.

Motion to convene into Closed Session for the following items:

Pursuant to Wisconsin Statute 19.85(1)(e) Deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session, more specifically to discuss the terms and conditions of any contracts for the sale of the Lied's property.

Pursuant to Wisconsin Statute 19.85(1)(c), Considering employment, promotion, compensation or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility, more specifically to review the Interim Administrator's performance.

Motion by Supervisor Moonen to convene into Closed Session pursuant to Pursuant to Wisconsin Statute 19.85(1)(e) Deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session, more specifically to discuss the terms and conditions of any contracts for the sale of the Lied's property. Also, pursuant to Wisconsin Statute 19.85(1)(c), Considering employment, promotion, compensation or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility, more specifically to review the Interim Administrator's performance. Seconded by Supervisor Gamiño, motion carried by roll call vote.

ROLL CALL VOTE:

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

Motion carried by roll call vote, 4-0. Town Board convened into Closed Session at 8:00 PM.

Motion to re-convene into Open Session to take possible action, if necessary, on items discussed in Closed Session deliberations.

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

ROLL CALL VOTE:

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

Motion carried by roll call vote, 4-0. The Town Board reconvened into Open Session at 9:27 PM.

Adjournment.

Motion by Supervisor Moonen to adjourn the Monday, July 23, 2018 Town Board of Supervisors meeting at 9:27 PM. Seconded by Supervisor Moonen. Motion carried, 4-0.

Respectfully submitted,

Gina C. Gresch, MMC/WCPC
Interim Administrator & Town Clerk