

**Minutes of the Town Board Meeting  
Town of Lisbon, Town Hall  
October 28, 2019  
6:30 p.m.**

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

**Roll Call:** Present: Chairman Osterman, Supervisors Gamiño, Plotecher, Moonen and Beal. Also present: Dan Green, Town Clerk, Amy Buchman, Town Treasurer and Gina Gresch, Town Administrator, Planner Dan Lindstrom.

**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.

- i. October 14 & 21, 2019 Town Board minutes.
- ii. Barnwood Conservancy Letter of Credit Reduction Request #5.
- iii. Accept resignation of Ryan Kitzinger from the Park Committee.
- iv. Adopt Resolution 12-19, A Resolution Amending the Town of Lisbon Land Use Map for the property known as "Brown Property", for the property located at N55W25299 Richmond Road, LSBT 0273.998.
- v. Ordinance 21-19, "Ordinance Repealing and Recreating Section 2.06(a) of the Town of Lisbon Code Regarding Polling Places".

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

**Approval of Bills.**

Gina Gresch read the top five expenditures.

*Motion by Supervisor Beal to approve the October 28, 2019 check register as presented. Seconded by Supervisor Plotecher. Motion carried, 5-0.*

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

Chairman Osterman reviewed the list of upcoming Town meetings.  
2020 Appliance Flyer.

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

**Town Administrator –  
Bed & Breakfasts**

Planner Dan Lindstrom explained that the parameters on short term rentals outlined by the State have recently changed. We have a resident who has submitted a request for a bed and breakfast on their property. In reviewing this application we found 8 properties that were running short term rentals out of their home. Before we sent them all letters requiring a conditional use permit as outlined by our zoning code we wanted to bring this to the Town Board for review. We found most of the 8 properties were just for overnight stays and not bed and breakfasts.

Mr. Lindstrom explained he did not anticipate this trend going away. He explained that we do have a bed and breakfast ordinance in our zoning but these need to be licensed by Waukesha County and receive all necessary licenses and permits. He explained the conditional use permit standards are outlined clearing in our code with 2 primary points: 1. Primary use of the property 2. Exceeding the number of days.

The State says you cannot be overly restrictive from 7 to 28 day period. Our code allows for 1 to 14 days, but there is a grey area from 15 to 28 days as the State outlines. Mr. Lindstrom asked the Town Board to think about how they would like to regulate these short term rentals moving forward given the limits the State gives municipalities on regulating these. Supervisor Gamiño asked if changing our code would affect revenues. Planner Lindstrom explained that a room tax could be imposed, but it would be a minimal amount and would have to be used for tourism efforts.

**Town Clerk –  
Joint Public Hearings – Plan Commission**

To ensure that we have quorums for our Joint Plan Commission meetings, I would ask that Board Members try to keep the 2<sup>nd</sup> Thursday of each month open on their calendars (6:30 p.m. until 7:30 p.m.). With the number of applications that have been coming in requiring joint public hearings along with zoning amendments that we will be doing in the future, I would expect that almost every Plan Commission meeting moving forward will require some type of joint public hearing. I will make sure that as soon as an application is turned in that requires a public hearing that I notify the board members immediately. If Town Board members want to work out a rotation for attending these meetings I would be happy to assist as well.

**Poll Workers Needed**

We are still recruiting for poll workers for next year's big election year. I am anticipating next year to have some of the highest turnouts we have ever seen. Our new polling location, Redeemer United Church of Christ, will be inserting a Canva flyer in their Sunday bulletins. We also have advertisements on Facebook, our website and have asked Starbucks to post our flyer on their community bulletin board.

**Town Treasurer –**

Treasurer Amy Buchman reviewed the tax preparations. Baker Tilly will be at Town Hall on November 5<sup>th</sup> and 6<sup>th</sup> for the preliminary audit. She also reviewed different rates for CDs from Town Bank, First Federal and Waukesha State bank. Treasurer Buchman also reviewed the revenues collected through 2019 and what expenditures have been paid to date. She explained that the 102% of revenues collected does not include the sale of the Pauline Haass land.

**Supervisor's Reports.**

**Supervisor Beal** – Explained the Sanitary District had a meeting and set a budget public hearing date, November 20, 2019.

**Unfinished Business.**

**New Business.**

**Discussion and necessary action to write-off uncollectable debt.**

*Motion by Supervisor Beal to approve writing off uncollectable debt for a total of \$20,719.62. Seconded by Supervisor Plotecher. Motion carried, 5-0.*

**Discussion and necessary action to direct Kunkel Engineering Group to apply on behalf of the Town, to apply for Multimodal Local Supplement (MLS) Funding from the Wisconsin Department of Transportation at a cost not to exceed \$1,500, for the Lake Five Trail Paving Project.**

Administrator Gresch explained that the Park Director asked her to place this on the agenda to try and obtain funding from other sources for the Lake Five trail. The cost for applying for this grant is \$1,500 and event if the Town only gets a 70/30 split, it would save the Town money. The trail is completely in the Town of Lisbon and they would be redoing all the gravel portions. Supervisor Gamiño questioned if they have tried submitting for

funding from other sources if we would still qualify. Administrator Gresch explained it was only the case if we pursued funding from funding sources specifically from the DOT. Planner Lindstrom added that this may require some sort of resolution with signatures from all Town Board members.

*Motion by Supervisor Beal to direct Kunkel Engineering Group to apply on behalf of the Town, to apply for Multimodal Local Supplement (MLS) Funding from the Wisconsin Department of Transportation at a cost not to exceed \$1,500, for the Lake Five Trail Paving Project. Seconded by Supervisor Gamiño. Motion carried, 5-0.*

**Discussion regarding a citizen's request to restrict drones flying onto private properties.**

Captain Lisa Panas explained that the State already has rules in place regarding the operation of drones, where and when they can fly. The Town could create an ordinance, however the State's laws will trump any local ordinance. Captain Panas explained that any complaints should be sent to the police department for them to investigate.

Kelly Hennings, W245N7790 Stonefield Court, explained that she did call the police after several incidents. She explained that the drone hovers near their windows at night and she feels is invading their personal space. Ms. Hennings explained she does not know what to do as she also has kid's and is concerned if they are filming inside of their home. Captain Panas explained that when this happens call the police and they can try to find out exactly who is operating the drone. They need to follow State Statutes and report their drone to the FAA. If the police can find out who is operating, they can report them to the District Attorney's office. She also explained that drone laws are very difficult to enforce but they will do their best. Chairman Osterman explained that there would be no point to creating a Town Ordinance as the laws are already in place. He also expressed concern that a drone is flying at night which is also illegal.

**Discussion and necessary action to convene into Closed Session, pursuant to Wis. Stats. 19.85(1)(g)** when conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved with respect to the existing Boundary Stipulation and Wis. Stats. 66.02162 and Cooperative boundary agreements(s) under Wis. Stats. 66.0307. **Continuing Closed Session 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 terms of an agreement and negotiations with the Briohn Corporation involving the possible sale of a portion of Town lands (formerly the Lied's property), and also discussing creating TID #2 on the property known as the "Brown Farm".

*Motion by Supervisor Moonen to convene into Closed Session pursuant to Wisconsin Statutes 19.85(1)(g) and 19.85(1)(e). Seconded by Supervisor Gamiño, 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. Town Board convened into Closed Session at 7:12 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 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 into Open Session at 8:51 PM.*

**Adjournment.**

*Motion by Supervisor Gamiño to adjourn the Monday, October 28, 2019 Town Board of Supervisors meeting at 8:52 PM. Seconded by Supervisor Moonen. Motion carried, 5-0.*

Respectfully submitted,

Dan Green, CMC/WCMC  
Town Clerk