



**MINUTES OF THE REGULAR TOWN BOARD MEETING
FEBRUARY 13, 2014**

- I. Call Meeting to Order and Pledge of Allegiance** – The meeting was called to order at 6:00 PM by Chairman Heidtke. The Pledge of Allegiance was recited.
- A. Official Meeting Notification** - The official meeting notice was read into the record by Clerk Oliver.
- B. Roll Call** - Chairman Ray Heidtke, Supervisors Paul Huettl (arrived at 6:30 PM), Dan Kufahl, Robert Hartwig and Everett Russell were present. Also present was Attorney Ben Brantmeier, Attorney Dan Sargeant, Town Engineer Matthew Clementi, Stantec engineering associate Rick Schmidt, Joint Village/Town Planning Group member Arlyn Johnson (arrived at 6:40 PM), Joint Parks and Recreation Supervisor Kelly Valentino (arrived following the closed session), and Town Clerk Julia Oliver. Town Treasurer Paul Eilbes was excused.
- C. Approval of the Agenda** – Motion by Kufahl, seconded by Hartwig to approve the agenda. Motion carried without a negative vote.
- D. Approval of the Minutes** – Motion by Russell, seconded by Hartwig to approve the minutes of the January 9, 2014, January 29, 2014 and February 6, 2014 meetings. Motion carried without a negative vote.
- II. Closed Session – Adjourn to Closed Session Pursuant to Wisconsin Statutes 19.85(1)(g) to Discuss Pending Litigation, LB Holdings, LLC v. Town of Jackson, Washington County Circuit Court Case No. 13 CV 218 with Attorney Brantmeier, AND, Closed Session Pursuant to Wisconsin Statutes 19.85(1)(e) to Deliberate or Negotiate the Purchase of Public Property, Investment of Public Funds, or Conducting Other Specified Public Business When Competitive or Bargaining Reasons Require a Closed Session, specifically Pending Negotiations and Agreements with the Village of Jackson and West Shore Pipe Line regarding Providing a Long Term Water Solution for Residents affected by the July 17, 2012 Fuel Release.** Motion by Russell, seconded by Hartwig to move into Closed Session. Roll call vote: Kufahl-aye, Heidtke-aye, Hartwig-aye, Russell-aye; motion carried.
- III. Reconvene into Open Session for the Purpose of Acting on Matters Discussed in Closed Session** – Motion by Kufahl, seconded by Hartwig to move into Open Session. Roll call vote: Huettl-aye, Kufahl-aye, Heidtke-aye, Hartwig-aye, Russell-aye; motion carried. Attorney Sargeant provided a brief summary of the agreements and the steps that lead up to the closed session discussions this evening. Attorney Sargeant stated he recommended to the Town Board that they adopt both agreements contingent upon the Village/WSPL agreement. Comments on the Closed Session items were made by C. Swieichowski, J. Smith and R. Bishop. Rick Schmidt commented that the Arcadis design plans are almost at 100%; they will be ready very soon for local review and DNR review for approval to begin the work. Also, WSPL wants to complete the project in six months or less. **Action #1:** Motion by Kufahl, seconded by Huettl to adopt the “Intergovernmental Agreement Regarding the Provision of Limited Water Service” between the Town of Jackson and the Village of Jackson as presented to the Town by the Village contingent upon the Village of Jackson entering into a development agreement with West Shore Pipe Line Company. Motion carried without a negative vote. **Action #2:** Motion by Kufahl, seconded by Russell to adopt the “Development and Reimbursement Agreement” between the Town of Jackson and West Shore Pipe Line Company as presented to the Town contingent upon the Village of Jackson entering into a development agreement with West Shore Pipe Line Company. Motion carried without a negative vote. Both agreements will be signed tonight by the Town Board members except the Town Chairman. Once the Village provides the executed development agreement as specified then Chairman Heidtke will sign the documents.

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Action #3: Motion by Russell, seconded by Huettl to approve the Stipulation and Order between L-B Holdings Company, LLC and the Town of Jackson, Case 13 CV 218, with amendments as approved by Attorney Brantmeier. Motion carried without a negative vote.

IV. Reports

- A. Joint Parks and Recreation – Kelly Valentino, Director** – Valentino provided the members with the February 2014 Director’s Report and “Stat Pack”. Valentino noted that Monte Carlo night raised \$10,796.11 and she thanked all those who contributed to the success. Several of the upcoming events and projects were highlighted.
- B. Treasurer’s Report – Treasurer Eilbes** - Clerk Oliver reported the January 31, 2014 account balances as follows: General Fund \$122,462.55; General Fund Money Market \$787,739.53; Encumbered Funds-Highway Money Market \$149,569.35; Encumbered Funds-Building Money Market \$114,573.69; Property Tax \$1,898,659.21; Property Tax Money Market \$0; Park and Planning \$968.32; Park Fund Savings \$5,386.15; Cemetery Fund \$16,683.47. Motion by Huettl, seconded by Hartwig to approve the Treasurer’s report as presented. Motion carried without a negative vote.

V. Business

- A. Any Town Citizen Comment on an Agenda Item** – C. Swicichowski commented on the Treasurer’s Report.
- B. Discussion and Possible Action – Alcohol Licensing – Hidden Glen Golf Course – New Agent** – The new agent, Lawrence Musolf did not attend the meeting; no action.
- C. Update, Discussion and Possible Action – Town Hall and Park Use by Non-Profit and Community Groups – Contributions, In-Kind Donations or Fees** – No action. Valentino provided the Town Board with a memo that summarized the survey responses provided to the Joint Parks and Recreation Committee related to community group parks and field usage in the Village and Town. The Committee asked for the Town Board to respond to three questions in order to better understand the task and direction the Town Board has assigned. Heidtke asked the Town Board Supervisors to review the findings and be prepared to discuss and respond to the Joint Park and Recreation Committee’s questions at the next meeting.
- D. Discussion and Possible Action – Resident Water Use Questionnaire for Calculation of Water Pressure – Matthew Clementi, Town Engineer** – The Town Board was presented a draft of the letter of explanation and questionnaire. Heidtke explained the purpose of the questionnaire to the residents in attendance. Motion by Huettl, seconded by Russell directing Town Engineer Clementi and Stantec associate Schmidt to mail the prepared letter and questionnaire to the list of eligible residents per the Village list of properties to be served with municipal water, in order to gather water pressure information. Motion carried without a negative vote.
- E. Update, Discussion and Possible Action – Town Hall Remodeling Project – Continuum Architects + Planners** – After review of the proposal, motion by Kufahl, seconded by Hartwig to accept the Continuum Architects + Planners proposal for design services as submitted in the amount of \$25,242.00. Motion carried without a negative vote. Kufahl requested that PDF files of the drawings be included.
- F. Discussion and Possible Action – Village/Town Joint Planning Group – Cooperative Boundary and Revenue Sharing Agreement** – No action. Attorney Sargeant asked for time to review the document prior to the Town Board taking action.

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- G. Discussion and Possible Action – Immanuel Cemetery Drive – Winter Access** – Motion by Russell, seconded by Hartwig to plow access to the Immanuel Cemetery Drive only as needed and only after all other plowing has been completed and the roads are being plowed for clean up. Motion carried without a negative vote.
- H. Discussion and Possible Action – Reduction in Rental Fee for April Fundraising Event** – Motion by Hartwig, seconded by Huettl that the regular rental fee of \$300 be reduced by \$100 for the West Bend Dance and Tumbling fund raising event. Motion carried without a negative vote.
- I. Discussion and Possible Action – Town Hall Park and Facility – Master Plan, Ordinance and Usage Agreement – Updates/Revisions** – No action. Clerk Oliver provided the Town Board with a copy of the current ordinance and usage agreement, and a draft ordinance with the proposed revisions and updates highlighted. Clerk Oliver provided the information in order to open the discussion for updating the Town Hall Park and Facility ordinance and usage agreement. Heidtke asked the Town Board to review the information and be prepared to discuss this agenda item at the next meeting.
- J. Discussion and Possible Action – Appointments to Town Board and Constable Salary Review Ad Hoc Committee** – Motion by Huettl, seconded by Russell confirming Chairman Heidtke’s appointment of Dennis Bell, Mel Heckendorf and Jeff Smith to the Town Board and Constable Salary Review Ad Hoc Committee. Motion carried without a negative vote. Heidtke commented the committee will bring their findings to the Annual Town meeting in April.
- K. Discussion and Possible Action – Update and Printing of New Edition – Title X, Zoning Ordinance** – Motion by Huettl, seconded by Russell directing Zoning Administrator Hoffmann to update and reprint Title X of the Town ordinances. Motion carried without a negative vote.
- L. Discussion and Possible Action – Purchase of Snow Blower for the Town Hall Facility** – Motion by Hartwig, seconded by Russell authorizing the purchase of an Ariens snow blower, model 921028 for the Town Hall, for an amount not to exceed \$1300. Motion carried without a negative vote.
- M. Discussion and Possible Action – Port-A-John’s at the Town Hall Park** – No action. The Town Board received information on two providers; additional bid information from “Cans to Go” was requested.

VI. Supervisors and Clerk Reports

- A. Buildings – Supervisor Kufahl** – Nothing additional to report.
- B. Joint Parks and Recreation Budget Oversight Ad-hoc Committee – Supervisor Russell** – Nothing additional to report.
- C. Highway Department – Chairman Heidtke** – Heidtke summarized the Highway department report. Heidtke noted the Town has received all of the 2013-2014 contract salt.
- D. Weed Commissioner – Supervisor Huettl** – Nothing additional to report.
- E. Grounds - Supervisor Hartwig** – Nothing additional to report.
- F. Transfer Station – Supervisor Russell** – Nothing additional to report.

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G. Chairman's Report and Correspondence – Chairman Heidtke – Heidtke provided an update on the State Highway 60 resurfacing project and the upcoming County Highway P and County Highway NN road projects.

H. Clerk's Report and Correspondence – Clerk Oliver – Nothing additional to report.

VII. Future Agenda Items – Nothing additional noted.

VIII. Announcements – Heidtke announced the upcoming meetings.

IX. Approval of Vouchers – Motion by Russell, seconded by Huettl to approve the vouchers as presented. Motion carried without a negative vote.

X. Adjournment – Motion by Russell, seconded by Huettl to adjourn. Motion carried without a negative vote.

Respectfully submitted,

Julia Oliver
Town Clerk

Minutes approved: _____

Next Resolution Number: J-14-002 Next Ordinance Number: J-14-004
