

**OTTAWA TOWN BOARD**  
**Meeting Minutes – December 12, 2016**

Chairman Arrowood called the meeting of the Ottawa Town Board to order.

Chairman Arrowood announced that the Ottawa Town Board will convene in closed session pursuant to section 19.85(1)(e), deliberating or negotiating the purchase of public property, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session: Agreement with City of Oconomowoc for consolidated Western Lakes Fire District.

Supervisor Rupp made a motion to convene in closed session. Supervisor Casper seconded the motion and it carried unanimously.

A roll call vote was taken, and Town Supervisors Goodchild, Casper, Rupp and Jones were all in favor of the motion.

Immediately following the closed session, the Town Board reconvened in open session.

Supervisor Jones made a motion to approve the Treasurer's monthly activity report as submitted. The motion was seconded by Supervisor Rupp and carried unanimously.

Supervisor Rupp made a motion to approve the Building Inspector's monthly activity report as submitted, after review. Her motion was seconded by Supervisor Casper and carried unanimously.

A Deputy from the Waukesha County Sheriff's Department arrived. There was nothing to report.

Supervisor Rupp made a motion to approve the Town Engineer's report as presented. The motion was seconded by Supervisor Casper and carried.

Town Planner Sandy Scherer had prepared a memorandum for the Town Board members, dated December 12, 2016, regarding Nature's Retreat release and Recreation of Restrictions. It said that Nature's Retreat Subdivision was recorded in 2004, and depicted building envelopes for the 6 lots within the subdivision. A few of the building envelopes were created due to the presence of prime agricultural soils for which the zoning codes required preservation in certain zoning districts.

Earlier this year, the county adopted revised zoning codes where this preservation requirement is no longer in effect. Lot 5 is one of the lots where this requirement no longer applies. Therefore, the property owner of Lot 5 is requesting to amend the building envelope for Lot 5 on the recorded plat to include the area previously excluded because of prime ag soils.

In order to do this, a Release and Recreation of Restrictions must be approved by the parties that signed the Final Plat – the Town and the County. Planner Scherer recommended that the Town Board approve and sign the requested Release and Recreation of Restrictions.

Supervisor Jones made a motion to release restrictions in order to move the building envelope for Lot 5, Nature's Retreat Subdivision. The motion was seconded by Supervisor Rupp and carried unanimously.

Planner Scherer had prepared another memorandum for the Town Board members, dated December 12, 2016, regarding a request by Payne and Dolan (P&D) to suspend their well monitoring program. It said that in September, 2016, P&D appeared before the Plan Commission to present their Annual Report. They indicated that they would like to suspend the well monitoring program required by condition #8 of their Conditional Use approval. Planner Scherer discussed the matter with both the Town Engineer and the County Planning and Zoning Division Manager, and the consensus was that we could allow P&D to do that with Town Plan Commission, Town Board, and County Park and Planning Commission approval.

Planner Scherer said that P&D was required to be monitoring on a quarterly basis and submitting data on a semi-annual basis which they have not done; she has received two reports over a 2 ½ year time period.

P&D was required to have at least a minimum of 6 months' worth of monitoring established before they can begin to mine below the water table. So, although P&D has now almost finished their initial three years' worth of monitoring, they did not have to start monitoring on the site until they were certain they wanted to begin mining below the water table.

Planner Scherer spoke with the Town Engineer, and agreed that it seems reasonable to suspend monitoring until P&D decides they want to start mining below the ground water table. However, if monitoring were to be suspended, it is recommended the three year monitoring program recommence from the beginning, six months prior to P&D beginning to mine below the ground water table. The monitoring program would then need to be followed for three years, and in accordance with the conditions of the CU, and then be re-evaluated, also per the conditions of the CU.

Planner Scherer's memo said that if P&D plan to begin mining below the ground water table in 2017, she recommends that they continue with the monitoring program, and immediately begin satisfying all of the conditions and requirements of the CU. If P&D does not plan on doing that in 2017, they may want to move forward and request suspension of the monitoring program, and wait until six months prior to the time when they plan to begin mining below the water table.

On December 5, 2016, the Town of Ottawa Plan Commission considered the request and made the following recommendation to the Town Board:

Assuming that P&D does not intend to mine below the water table in 2017, and per their request, it is recommended the Town Board recommend to the Waukesha County Park and Planning Commission that the well monitoring program outlined in their CU be suspended until such time

as P&D wishes to mine below the ground water table. At that time, P&D must comply with Condition #8 in it's entirety and notify the Town and County at least six months prior to their intent to begin said mining.

Supervisor Rupp made a motion to allow P&D to suspend well monitoring until they start to mine below the ground water level. Her motion was seconded by Supervisor Casper and carried unanimously.

Sean K. Osborne, Director of DoLittleing was present to request permission for a running event on May 6, 2017. The event schedule calls for closing a portion of Waterville Road, beginning at 7:45 A.M. and ending at 9:15 A.M. Sean said that he would let all of the residents know what was going on via postcards.

Chairman Arrowood suggested that Ottawa residents are bringing their garbage and recyclables to the Town Hall at that time on a Saturday morning. Should this event take place, a lot of residents would be inconvenienced, and there would be lots of confusion.

Supervisor Goodchild asked Mr. Osborne about his organization. He explained that his company is for profit, and he would own this event, and he would make the money on it. Supervisor Goodchild said that he was not in favor of the proposal. There is no benefit to Town residents.

Supervisor Goodchild made a motion to deny Sean Osborne's (Silver Circle Sports Events) request for a running event in the Town of Ottawa on May 6, 2017. The motion was seconded by Supervisor Jones and carried unanimously.

Supervisor Jones made a motion to reappoint Mike Tompkins to a 3-yeara term on the Dousman Fire District Board effective January 1, 2017. The motion was seconded by Supervisor Casper and carried unanimously.

There was no correspondence to consider.

There was no public comment.

Supervisor Jones made a motion to approve the minutes from the meeting held on November 14, 2016 as presented. The motion was seconded by Supervisor Goodchild and carried unanimously.

Supervisor Rupp made a motion to approve the minutes from the meeting held on November 17, 2016. The motion was seconded by Supervisor Casper and carried unanimously.

Supervisor Rupp made a motion to approve bills for payment, as listed, in addition to payroll and withholding checks for M Klein and L Geyman, Cardmember Services and We Energies when the bills arrive. Her motion was seconded by Supervisor Jones and carried unanimously.

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Supervisor Jones made a motion to adjourn. The motion was seconded by Supervisor Goodchild and carried unanimously.

Respectfully submitted, Melissa M. Klein, WCMC, Clerk/Treasurer, Town of Ottawa