

# VILLAGE OF OCONOMOWOC LAKE

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**OCONOMOWOC LAKE VILLAGE BOARD MEETING  
MINUTES OF MONDAY, February 20, 2012,  
Unofficial until approved by the Village Board.  
Approved as written ( X ) or with corrections ( ) on 03/19/2012.**

The regular monthly meeting of the Board of Trustees of the Village of Oconomowoc Lake was held on February 20, 2012, commencing at 7:00 p.m., at the Village Hall, 35328 W. Pabst Road, Oconomowoc, Wisconsin. Legal requirements for notification as required by law have been met. Roll was taken followed by the Pledge of Allegiance with the following in attendance:

Mr. Birbaum/President – present  
Messrs., Bickler, Falstad, Fellows, Fischer, Owens/Trustees – present  
Mr. Shult/Trustee – absent  
Ms. Schlieve/ Clerk-Treasurer – present  
Mr. Wiemer/Police Chief-Administrator – present  
Mr. Macy/Attorney –present

## **ATTENDANCE**

Gary Pestka, Will Pestka, Tim Kay, Ed Johnson

## **PRESIDENT ANNOUNCES CLOSED SESSION**

President Birbaum announced that the Village Board of Trustees will: “convene into executive closed session by roll call vote, pursuant to Section 19.85(1)(g), Wisconsin State Statutes, ‘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’, regarding the excessive assessment claim of Mart A. Olson in regard to his real estate property located in the Village of Oconomowoc Lake with tax key number OCLV 0585-974-001. Participating in the executive closed session will be the Village Board, Village Attorney, Village Administrator, and Village Clerk-Treasurer.”

## **MINUTES**

Motion (Owens/Bickler) to approve the minutes of the January 16, 2012 Village Board meeting, and to revise the December 19, 2011 minutes as noted below, Carried Unanimously.

### Revised Motion under Finance Committee for the December 19, 2011 meeting minutes:

*Motion (Fischer/Bickler) to transfer \$159,651 from the undesignated fund to the designated land acquisition fund, with property owners in the South Beach Road Sewer Project who pay their portion of the loan on an annual basis continuing to pay the interest at the current rate, to zero out the asset forfeiture account (\$426) and the Village Hall building fund (\$3,593), to reduce the 50th anniversary fund by \$15,350, to transfer \$12,000 from the designated revaluation fund to the general fund, and not to transfer \$3,000 originally budgeted for the 2012 designated revaluation fund since the Village’s assessment procedures have changed, as shown on the Monthly Operating Statement on page 2 under Transfers To/From Encumbered Funds Less Budget Appropriations, Carried Unanimously.*

## **PUBLIC COMMENT**

Motion (Bickler/Owens) to open the meeting to public comment on agenda items, Carried Unanimously.

There was no public comment.

Motion (Bickler/Owens) to close the meeting to public comment, Carried Unanimously.

**PRESENTATION BY MR. TIMOTHY KAY REGARDING HIS CANDIDACY FOR THE LAKE COUNTRY MUNICIPAL COURT JUDGE**

Mr. Kay provided a brochure to the Trustees that explained his experience as a lawyer, his endorsements from area police chiefs, his experience as a municipal prosecutor for both the Town of Oconomowoc and Village of Oconomowoc Lake, and his desire to offer his services to the community as judge for the Lake Country Municipal Court.

**PRESIDENT**

Mr. Birbaum stated that he would like to present two items for the Trustees to consider and think about, and then discuss at the March 19, 2012 Village Board meeting.

The first matter was regarding a property in the Town of Oconomowoc owned by Hans Weissgerber that is currently for sale. He asked the Trustees to think about whether this would be a property the Village should consider purchasing. The matter will be placed on the March 19, 2012 agenda, possibly with a closed session discussion.

The second matter was regarding the pass through on Sylvan Lane in the LaLumiere subdivision. The Board had previously approved a plan to deal with the matter; however, since that time several residents in the LaLumiere subdivision have expressed their dissatisfaction with the solution the Board approved. Mr. Birbaum would like to revisit the matter and try to come up with a solution that is fair to both the Village and the property owners in the subdivision. The matter will be placed on the March 19, 2012 agenda.

**PLAN COMMISSION**

There was no Plan Commission meeting on which to report.

**ATTORNEY**

Mr. Macy had nothing to report.

**TREASURER**

**Checks**

Motion (Bickler/Falstad) to approve check numbers 39112 through 39201, for regular monthly payments, and all electronic payments, Carried Unanimously.

**FINANCE**

**Discussion regarding monthly operating statement for February**

Mr. Fischer reviewed the monthly operating statement. Mr. Fischer also reviewed the revised motion to the December 19, 2011 that was approved earlier in the meeting. He explained that he had found an error by the Village's accounting firm that had occurred on a long term basis relating to the South Beach Road Sewer loan. Mr. Fischer stated that he has consulted with the accountants and come up with a solution to errors made. An adjusting entry will be made to the annual audit report for 2011 that will reflect the correct interest and principal paid by the property owners. Mr. Fischer stated that he anticipates having the MD&A letter completed for the auditors soon. The Trustees may be able to review the annual audit report at the March meeting.

**ADMINISTRATOR**

**Discussion/action regarding acceptance of donations received from Village residents, as noted on Appendix A (attached), designated for use toward the fireworks display in July of 2012**

Motion (Falstad/Owens) to accept the donations received from Village residents, as noted on Appendix A, designated for use toward the fireworks display in July of 2012, Carried Unanimously.

**Discussion/action regarding Resolution for inclusion under Group Life to allow employees to enroll in supplemental life insurance paid for by the employee**

Mr. Wiemer explained that the resolution would allow those employees who qualify to enroll in supplemental life insurance for themselves or their families. The supplemental insurance would be paid for by the employees.

Motion (Bickler/Owens) to adopt the Resolution for Inclusion under Group Life Insurance to allow employees to enroll in supplemental life insurance paid for by the employees, *Carried Unanimously*.

**Discussion/action regarding codification of Chapter 20 Lakes and Beaches**

Mr. Wiemer explained that codification of Chapter 20 Lakes and Beaches combines all previously approved ordinances relating to lakes and beaches and pulls them together and incorporates them into a new document: Chapter 20.

Motion (Bickler/Fellows) to approve the ordinance to repeal and create Chapter 20 entitled Lakes and Beaches in the municipal code for the Village of Oconomowoc Lake, *Carried Unanimously*.

**Discussion/action regarding contract progress for 2013 with the Okauchee Fire Department**

Mr. Wiemer advised that there is a meeting scheduled for February 21, 2012 with the Okauchee Fire Department (OKFD) to review the current draft of the contract. Discussion followed regarding the annual payment to be made to the fire department and the formula used to create the amount due. Trustees agreed that the contract should state a flat dollar amount owed annually, and when the contract is renewed in the future, the increase should not exceed the Consumer Price Index (CPI) as published in September by the Department of Labor. The proposed contract includes a section that details the previous funding formula and how to determine the percentages of equalized value comparing both the Town of Oconomowoc and the Village of Oconomowoc Lake. This formula would be used to determine the Village's share of the Capital Equipment Fund and the large equipment if OKFD ever dissolved.

**POLICE CHIEF**

Chief Wiemer reported that the old squad car had been sold for \$3,507. The minimum bid approved by the Trustees in January was \$3,500.

**FIRE COMMISSIONER**

Mr. Wiemer reported that the Summit Fire District is still gathering appraisals on fire equipment. The Dousman Fire Department is reviewing the equipment to determine which pieces they would like to obtain. The Okauchee Fire Department may also have the opportunity to purchase equipment.

**BOARD OF ZONING APPEALS**

There was no meeting.

**ARCHITECTURAL CONTROL BOARD (ACB)**

There was no meeting.

**CLERK**

**Discussion/action regarding appointment of Anne Foster and Ray Foster as election inspectors for a term to end December 31, 2013; and to appoint Anne Foster as Chief Inspector for a term to end December 31, 2013**

Motion (Bickler/Owens) to appoint Anne Foster and Ray Foster as election inspectors for a term to end December 31, 2013; and to appoint Anne Foster as Chief Inspector for a term to end December 31, 2013, *Carried Unanimously*.

**COMMUNICATIONS**

Communications included the following:

- Focus on County Government Monthly Update from the Desk of Waukesha County Executive Daniel P. Vrakas

Mr. Birbaum offered Will Pestka, a young man in attendance, the opportunity to explain his reason for attending. Will stated that he is a Village resident and is currently in the Boy Scouts working toward one of his badges. One of the criteria to earn the badge is that he must attend a Village or Town meeting.

### **CLOSED SESSION**

Mr. Birbaum announced that the Board would convene into executive closed session by roll call vote, pursuant to Section 19.85(1)(g), Wisconsin State Statutes, "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", regarding the excessive assessment claim of Mart A. Olson in regard to his real estate property located in the Village of Oconomowoc Lake with tax key number OCLV 0585-974-002. Participating in the executive closed session will be the Village Board, Village Attorney, Village Administrator, and Village Clerk-Treasurer.

Motion (Fischer/Fellows) to adjourn the meeting to closed session, *Carried Unanimously*. The roll call vote was as follows: Messrs. Owens, Fellows, Bickler, Falstad, Birbaum, and Fischer voted yes. There were no nay votes.

### **RECONVENE INTO OPEN SESSION TO ACT UPON ANY MOTION(S) REQUIRED FROM THE CLOSED SESSION DISCUSSION**

Motion (Bickler/Fellows) to reconvene into open session, *Carried Unanimously*. The roll call vote was as follows: Messrs. Owens, Fellows, Bickler, Falstad, Birbaum, and Fischer voted yes. There were no nay votes.

There were no motions required from the closed session discussion.

### **ADJOURNMENT**

With no further discussion being heard, a motion (Bickler/Owens) to adjourn was made at approximately 8:20 p.m., and *Carried Unanimously*.

Respectfully submitted by:

Approved and ordered posted by:

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Cindy J. Schlieve, Clerk-Treasurer

\_\_\_\_\_  
Joseph L. Birbaum, President