

VILLAGE OF OCONOMOWOC LAKE

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OCONOMOWOC LAKE VILLAGE BOARD INFORMATIONAL SESSION MINUTES of Monday, April 17, 2023. Unofficial until approved by the Village Board.

An Informational Session was held preceding the regular meeting of the Village Board of Trustees **at 7:00 p.m., Monday, April 17, 2023**, at the **at the Oconomowoc Lake Club, 4668 N Lake Club Circle**, Oconomowoc, Wisconsin. Legal requirements for notification of the public have been met. The following matters were heard before the Village Board of Trustees:

At this session, Village representatives were available to informally receive questions, comments and suggestions regarding the Lalumiere Dredging Project.

ATTENDANCE

Ross & Mary Read (4051 Petit Rd) Andy & Mary McKenna (4648 Lake Club Cir); Ed Johnson (N Beach Rd); Matthew Weil (3810 N Lalumiere Rd); Nick & Brooke Bickler (36200 Lalumiere Rd); Odie Remien (35900 Pabst Rd); Kristine McNeilly & Jef Fitch (36048 S Beach Rd); Mark & Kris Loehrer (3720 Lalumiere); Lynne Brock (River Rd); John & Betty Underwood (4819 Fairview Rd); Tom Halquist (34745 Fairview Rd); Jodee Sattler (4634 Lake Club Cir); Patricia & Mike O'Leary (36088 N Beach Rd); Kenneth Heffner (3748 N Crescent Dr); Kristen Lane (1419 Summit Ave); Jake Meyer (36013 Sylvan Ln); Ali Zimmermann (35831 Hewitts Pt); Roy Johnson (4651 Gifford Rd); Kurt Kellogg (4850 Hewitts Pt Rd); Emily Garbutt (35933 N Beach Rd); James Stuart (4648 Deer Park Rd); Panny Bongardt & Mary Dowdle (36028 Orchard Ln); Karen Appel (36052 N Beach Rd); Patti Swift (36058 N Beach Rd); Ed Dayle Fortino (4504 Hewitts Pt); Michael Scheible (35083 Fairview Rd); Allan Kountz (36016 Sylvan Ln); Patrick Sheahan (34737 Fairview); Tim Reynolds & Mary Fox (34803 Fairview); Joe Faretta & Margie (3821 Lalumiere); Cathy Bertrandt (4502 Deer Park Rd); Horacio Sanchez (36211 Lalumiere); Cadd (34927 Fairview); D White (4623 Hewitts Pt); John Poast (36140 Lalumiere)

President Bickler recused himself from the presentation and appointed Trustee Fellows to facilitate the information session.

Trustee Fischer outlined the details of a proposal developed with assistance of the Lalumiere Task Force.

Background:

- Residents opposed historic 50% cost sharing
- In response to residents, additional bids received for \$207,135 from Organic Sediment Removal Systems.
- We have references and have viewed projects
- In response to residents, cost will be shared based on value increase in properties including 3 lots owned by Village
- In response to residents, Village will consider sale of its 3 lots
- A maintenance agreement will be required for clearing overhanging trees.

Village Share of Cost:

- Basic formula based on front feet of salable, usable parcels
- First 430 feet of common channel frontage split 50/50 with lot owner's easement
- Village to pay 3/21 of charge to easement

- All salable/usable lots will appreciate substantially with this project
- Payment of project would be 32.68% Village and 67.32% existing private owners
- It is up to existing residents to determine how to allocate their 67.32% to private owners
- Village to require maintenance agreement and agreement to pay
- Village will act as financial intermediary.

The Village portion will be paid out of Restricted Fund as an investment. Proceeds from the sale of Village owned property will go back into the Restricted Fund. There would be no cost to taxpayers for dredging the channel.

Public questions were as follows: (Trustee Fischer answered in most cases.)

Dayle Fortino (4504 Hewitts Point Rd) asked what the high and low bids were.

Answer: High was 1.16 million; low was 207 thousand plus trucking.

Lynne Brock (4667 River Rd) Is the intermediary rate 3-4% and are we making money? Does the maintenance agreement include River Road?

Answer: Unsure of rate at this time, and we are not making money as intermediary but will charge a fee. Maintenance agreement is only for Lalumiere property owners.

Mary Mckenna (4648 Lake Club Cir) What happens if dredging is not done properly and needs to be done again, what will the Village do: Michels said there would be damage to road, what about that?

Answer: The maintenance agreement is for property owners on the channel the future maintenance of the channel. The contractor uses different equipment and road damage is not expected.

Betty Underwood (4819 Hewitts Point Rd) asked for clarification of the hotel property as buildable but non-salable, is it swampland?

Answer: The swampland is to the west; the hotel lot is high land both salable and buildable. (Village property on the channel was reviewed on a map on screen.)

Michael Shelby (35083 Fairview) What property values do you expect to realize in the 3 Village owned lots? If all 3 lots are sold, is there no ongoing village responsibility in maintenance?

Answer: The hotel lot worth beyond 1.5 million and unknown what the 2 50-foot lots would be worth. The Village will share in maintenance of dredged channel property we own.

(Village property on the channel was reviewed on a map on screen.)

Cathy Bertrand (4502 Deer Park Rd) Asked how people were notified of this. What does village owned mean and how do funds come from a reserved fund to pay for dredging? What does this mean to me as a resident? Is the dredging cost a solid price?

Answer: The clerk put it in the newsletter which is sent by email or mail, there was information on the website and it has been on Village Board agendas over the past year. We use the reserve fund for investments for future use strategically used to purchase property. It does not cost you anything and you benefit as a beautiful asset to canoe or kayak. There is a 10% contingency built in to the cost.

Andy Mckenna (4648 Lake Club Cir) Some may not want to have more houses there, the Village puts itself in a bad position when they want to become a developer and sell; it may not be what some residents want.

Answer: This is not looked at on a personal or individual basis, it is looked at from the best interest of the entire village.

Public comments were as follows:

Odie Remien (35900 Pabst Rd) Stated there are no negatives from a finite position and looking at it that way, most people would want it. Trustee Fischer did an impeccable job with the numbers. If you look at the infinite way, it is not the right thing to do. More property owners will want to dredge and where does it stop? We need to decide long-term if dredging is the right thing to do. He doesn't believe it is.

Paul Fischer stated the Village had no control over dredging on Fairview. The interest here is because the Village is a Lalumiere property owner.

Joe Faretta (3821 N Lalumiere) Agree with Lynn Brock as to maintenance. Lalumiere residents took upon themselves to manage the channel for years. Property owners are cleaning up their properties to prepare for dredging. He checked into Organic Sediment Removal and feels they will do a great job. As far as the long-term perspective, he has lived on the channel for 30+ years and looks forward to his grandchildren using the channel and lake for years to come. Dredging needs to move forward so that can happen.

Lynne Brock (4667 River Rd) agrees with Joe, this was agreed upon 26 years ago, it's not new; stated it is not about the money, it's about principal. The village had a plan when they bought the property on Lalumiere and its time to move forward. The village should pay for all of it.

Ross Read (4063 Petit Rd) Agrees with Odie with the long-term view. Election candidates focused on cost and who pays. Not enough focus on environmental impact to the lake.

Trustee Fischer stated the DNR looked at the environmental side and approved it. He has seen the sediment in the channel and how it also enters the lake when boats come through. Dredging the channel will alleviate that from coming into the lake.

Karen Appel (36052 North Beach Rd) agrees with Ross and lives across from the channel. The minutes of January 2022 show high arsenic and that another core sample was taken but what will be done about it? Only the cost and permit were discussed and not the impact on residents. Cheaper contractors will stir up the arsenic, what are the long-term consequences of arsenic, has anyone looked into that? Why wasn't the DNR given that core sample?

Mr. Wiemer stated the sample high in arsenic was at the dockominium and wasn't high enough to trigger action. A sample from the other side of the channel was very low in arsenic. The arsenic will get pumped out with dredging. It appears the arsenic was put there by man and not a characteristic of the lake. Arsenic is a characteristic in certain areas of our county.

Following are the January 2022 minutes referred to by Ms. Appel above:

Discussion/action regarding next steps following the Lalumiere Channel core results and WI-DNR permit application.

Mr. Janicsek reviewed the results of the core samples taken in the channel. It was recommended that a second core sample be taken in the area where the arsenic level was elevated. Doing so would cost approximately \$1,000 but a lower reading could save the Village \$5,000-\$8,000.

Motion (Birbaum/Shult) to approve conducting a second core sample at a cost of not more than \$1,000 and to proceed with the WI-DNR permit application. *Carried Unanimously.*

Horatio Sanchez (36211 Lalumiere) agrees with Mr. Remien as to infinite and finite. Maybe the dam should never have been built. Maybe native Americans would have felt that. Actions from the past and north of here continue to impact our lake. The channel is an amazing area for village residents. Channels are considered navigable by the DNR and are full of wildlife and residents should maintain them for the long term.

Andy Mckenna (4648 Lake Club Cir) stated arsenic is a major concern and the Village could have explored it and should have researched.

Kristine Mcneilly (36048 South Beach Rd) thanked the board for the time they put into this and stated lots of people wanted to comment. In the future, hopes board discussions are more accessible for public comments. In August when there was a contract considered, it would be helpful for people to be able to see the contract before it is signed.

Mary Fox (34803 Fairview Rd) agrees with Kristine stated she had no idea what was going on and people need better information and transparency. Is not for or against dredging.

Betty Underwood (4819 Hewitts Point Rd) Agrees with previous speakers, can read which way this is going to go and does not have an opinion on dredging. If property is sold by the Village in the future, it could be contentious. Posting information on the website is a copout because most people in the village don't make it their business to check the website. Things other than the mundane, the board should make it a point to alert people to avoid animosity.

Trustee Fischer agrees the newsletter should have more or better information in it, but the question is how should we get that out to residents? Email or snail mail?

Betty Underwood (4819 Hewitts Point Rd) thinks that people read their emails but doesn't feel that there is a comprehensive enough list. How do you get the list of emails? From the voter database?

The Village website is the primary place for residents to obtain information, as is the practice for most local municipalities. It was explained that residents have the option of sharing their email (through the welcome packet when they move in) for Village use to distribute *The Village News* and there is also an email list of residents that want to be notified of zoning changes. The voter database is not used to obtain resident emails. The Village website is the primary place for residents to obtain information, as is the practice for most local municipalities. Village staff and board members will discuss how to improve communication with residents.

Mary Mckenna (4648 Lake Club Cir) asked if tonight's meeting was formally an agenda because it was not posted. Is this a legal meeting?

The Village Clerk stated she had a signed affidavit from the police department that the information session and board meeting agendas were both posted on all three posting boards as required by law. Chief Janicsek confirmed he himself posted both agendas on all three posting boards on Thursday last week.

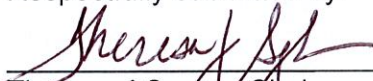
Karen Appel asked if the board was okay with filing the application with the DNR and its conclusive that you're dredging and the only issue is the cost.

The answer was no. Ms. Appel then asked if there was going to be a vote to actually dredge. Attorney Macy stated the proposed motion is in the board packet and the issue is on the agenda for the board meeting tonight. Whether the board votes or not is a policy decision of the board.

ADJOURNMENT


There being no further questions or comments, Trustee Fellows closed the Public Information Session at 8:11 p.m.

Respectfully submitted by:



Theresa J Sayles, Clerk

Approved and ordered posted by:



Michael J Bickler Sr, President