

# VILLAGE OF OCONOMOWOC LAKE

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**OCONOMOWOC LAKE VILLAGE BOARD MEETING MINUTES OF  
MONDAY, April 19, 2010, Unofficial until approved by the Village Board.  
Approved as written ( ) or with corrections ( X ) on 05/17/2010.**

The regular monthly meeting of the Board of Trustees of the Village of Oconomowoc Lake was held immediately following a public hearing on April 19, 2010, commencing at 7:05 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 following the Pledge of Allegiance with the following in attendance:

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

## **ATTENDANCE**

Craig Ewald, Bob Williams, Wally Garlock, Kevin Raasch, Vic Raasch, Tom Schuetz, and Ed Johnson

## **MINUTES**

Motion (Bickler/Shult) to approve, as printed, the minutes of the March 15, 2010 Village Board meeting, and the March 22, 2010 Special Village Board meeting, Carried Unanimously.

## **PUBLIC COMMENT**

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

Mr. Wiemer noted that Mr. Tom Schuetz was present and may wish to comment later in the meeting regarding the proposal of Ewald Kia. Mr. Kneiser advised that Mr. Schuetz would be able to comment on that matter later in the meeting.

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

## **PRESIDENT**

**Discussion/action regarding appointments to the Board of Review, Plan Commission, Architectural Control Board, Board of Zoning Appeals, Finance Committee, and Police Bargaining Committee (as noted on Exhibit A attached).**

Motion (Shult/Owens) to approve appointments to the Board of Review, Plan Commission, Architectural Control Board, Board of Zoning Appeals, Finance Committee, and Police Bargaining Committee, as noted on Exhibit A, attached, Carried Unanimously.

## **PLAN COMMISSION**

**Discussion/action regarding the recommendation of the Plan Commission to approve the request of Mr. Victor Raasch to amend his conditional use permit to allow one new business to lease the upper floor on the west side of his building located at 36115 and 36105 E. Wisconsin Avenue in the Village of Oconomowoc Lake business district. The proposed business is a tae kwon do studio.**

Motion (Birbaum/Owens) to approve, per Plan Commission recommendation, the request of Mr. Victor Raasch to amend his conditional use permit to allow a lease for a tae kwon studio on the upper floor on the west side of his building located at 36115 and 36105 E. Wisconsin Avenue in the Village of Oconomowoc Lake business district, Carried Unanimously.

**Discussion/action regarding the recommendation of the Plan Commission to approve the request of Mr. Walter Garlock to amend his conditional use permit to revise his business operating hours and to include Sundays for the purpose of servicing vehicles at the Silver Lake Auto Center located at 36355 E. Wisconsin Avenue in the Village of Oconomowoc Lake business district.**

Motion (Bickler/Birbaum) to approve, per Plan Commission recommendation, the request of Mr. Walter Garlock to amend his conditional use permit to revise his business operating hours (new hours 6 a.m. to 10 p.m. Monday through Saturday) and to include Sundays, from 8 a.m. to 6 p.m., for the purpose of servicing vehicles at the Silver Lake Auto Center located at 36355 E. Wisconsin Avenue in the Village of Oconomowoc Lake business district, Carried Unanimously.

**Discussion/action regarding the recommendation of the Plan Commission to approve the request of Ewald Kia D/B/A Ewald Real Estate 36883 LLC to raze the existing building at 36883 E. Wisconsin Avenue in the Village of Oconomowoc Lake business district, and build a new building to be used for sales and service of Kia vehicles.**

Mr. Wiemer explained the request of Ewald Kia to raze the existing building at 36883 E. Wisconsin Avenue (the former Pepino's Restaurant), and building a new building to be used for sales and service of Kia vehicles. The proposed plans were available for the trustees to view. Mr. Wiemer noted that the matter is scheduled for the Architectural Control Board on April 26, 2010.

Mr. Schuetz (owner of Oconomowoc Auto Parts) expressed his concerns regarding the parking of vehicles by Ewald Kia in an area that obstructs the view to Oconomowoc Auto Parts. Mr. Ewald addressed Mr. Schuetz' concerns by stating that the proposed new building will be farther back on the lot; therefore, Oconomowoc Auto Parts will then be more visible. Mr. Ewald also advised that there will not be any large vehicles parked so as to block the view of Oconomowoc Auto Parts from the road. There will be curb stops placed in the Ewald Kia parking lot to prevent any vehicles from being parked on Oconomowoc Auto Parts property.

Concern was expressed regarding green space and signage. Mr. Ewald advised that there is a limited amount of green space; however, the matter of water retention and run-off will be addressed. The matter of the water retention and run-off plan must be approved. In regard to the signage for all of the Ewald dealerships, Mr. Ewald advised that they are currently in the process of reorganizing all the signage, and expect to have new signage completed and available for review by December 1, 2010.

Motion (Birbaum/Bickler) to approve, per Plan Commission recommendation, the request of Ewald Kia to raze the existing building at 36883 E. Wisconsin Avenue in the Village of Oconomowoc Lake business district, and build a new building to be used for sales and service of Kia vehicles, with the additional requirement that a vision triangle be created to include stalls 1 through 9 in which parked vehicles could not exceed six feet in height (as noted on the attached parking plan), Carried Unanimously. (Note that a super majority was required due to the foregoing additional requirement that differs from the Plan Commission recommendation.)

**ATTORNEY**

Mr. Macy noted that the Wisconsin State Legislation is currently considering a number of legislative matters that will affect local municipalities. He will keep the trustees up-to-date on those matters.

## **TREASURER**

### **Checks**

Motion (Bickler/Birbaum) to approve check nos. 37511 through 37576 for regular monthly payments, and all electronic transfers, *Carried Unanimously*.

## **FINANCE**

### **Discussion regarding monthly operating statement for April.**

Mr. Fischer reviewed the monthly operating statement. Mr. Fischer stated that he would like to schedule a meeting of the Finance Committee in late May to begin budget planning for 2011. Staff will schedule that meeting.

## **ADMINISTRATOR**

### **Discussion/action regarding the proposal from Farina Tree Care, Inc. for the identification and tagging of all oaks in the Village of Oconomowoc Lake infected with Oak Wilt Disease in 2010.**

Motion (Birbaum/Bickler) to approve the proposed contract from Farina Tree Care, Inc. for the identification and tagging of all oaks in the Village of Oconomowoc Lake infected with Oak Wilt Disease in 2010, *Carried Unanimously*.

### **Update on "The Incorporation of the Town of Summit, as the Village of Summit, Waukesha County Circuit Court Case No. 08-CV-3145", per correspondence from the Wisconsin Department of Administration dated March 26, 2010.**

Mr. Wiemer reported that the Town of Summit has scheduled a special referendum election to be held in June for the residents to vote on the incorporation. The State of Wisconsin has approved the incorporation, and the referendum is the next step in the incorporation process.

### **Update on Sawyer Road/Pabst Road/Valley Road stop signs.**

Mr. Wiemer stated that there has been no new communication with Waukesha County regarding this matter.

### **Update on Sawyer Road tree removal, grading and adjacent farm fields.**

Mr. Kneiser noted that extensive tree removal and clean up work has been done by Waukesha County along Sawyer Road and Nashotah Road. Also, many trees were removed along the fence line in the farm field at the Sawyer Road/Nashotah Road intersection. Mr. Wiemer has discussed this with the Town of Summit planner who indicated that he had not received any notice of a planned development in the adjacent area covered by the Village's border agreement.

### **Update on PSC windmill regulation.**

The Trustees received an update from the PSC website regarding proposed windmill regulation rulemaking, and staff was directed to continue to follow up on this procedure so that the Village's concerns are put forth.

### **Update on North Beach Road utility pole removal plans.**

Mr. Wiemer reported that the removal of the utility poles should be completed soon.

## **POLICE CHIEF**

### **Update on fine amount owed to Village.**

Mr. Wiemer provided a report of fines owed, but not collected, to the participating municipalities since 1988 when the Lake Country Municipal Court was created. The percentage of fines not collected is 5.64. The total amount of the fines since 1988 not collected and owed to the Village is \$18,496.86.

## **FIRE COMMISSIONER**

There will be a meeting of the Summit Fire District Commission on April 21, 2010.

**BOARD OF ZONING APPEALS**

There is the possibility of two matters coming to the Board of Zoning Appeals relating to the property owned by Patrick Eilers. Those matters include an interpretation of the Zoning Administrator's ruling and a request for several variances.

**ARCHITECTURAL CONTROL BOARD (ACB)**

There will be a meeting on April 26, 2010.

**CLERK**

There was no report.

**COMMUNICATIONS**

**"Focus on County Government" – monthly update from the desk of Waukesha County Executive Daniel P. Vrakas.**

Ms. Schlieve noted that the Trustees had received a copy of the current "Focus on County Government".

With no further discussion being heard, a motion (Bickler/Shult) to adjourn was made at approximately 8:04 p.m., and Carried Unanimously.

Respectfully submitted by:

Approved and ordered posted by:

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Cindy J. Schlieve, Clerk-Treasurer

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Richard J. Kneiser, President