

VILLAGE OF OCONOMOWOC LAKE

35328 West Pabst Road, Oconomowoc, WI 53066

Phone: (262) 567-5301 Web: www.oconlake.com
Fax: (262) 567-7447 e-mail: villagehall@oconlake.com

**OCONOMOWOC LAKE VILLAGE BOARD MEETING
MINUTES OF MONDAY, May 16, 2011,
Unofficial until approved by the Village Board.
Approved as written (X) or with corrections () on June 20, 2011.**

The regular monthly meeting of the Board of Trustees of the Village of Oconomowoc Lake was held on May 16, 2011, 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, Shult/Trustees – present
Ms. Schlieve/ Clerk-Treasurer – present
Mr. Wiemer/Police Chief-Administrator – present
Mr. Macy/Attorney –present

ATTENDANCE

Mike Hahn (SEWRPC), Rob Davy (Lake Country Engineering), Ed Johnson

MINUTES

Motion (Fischer/Shult) to approve, as printed, the minutes of the April 18, 2011 Village Board meeting, Carried Unanimously.

PUBLIC COMMENT

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

There was no public comment.

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

PRESIDENT

Discussion/action regarding appointment of Jeff Fellows to fill the remainder of the Trustee position vacated by Mr. Birbaum upon his election as Village President (Trustee term ends the third Monday of April 2013)

Motion (Shult/Bickler) to appoint Jeff Fellows to fill the remainder of the Trustee position, with the term ending on the third Monday of April 2013, vacated by Mr. Birbaum upon his election as Village President, Carried Unanimously.

Discussion/action regarding appointment to the Architectural Control Board of Jeff Fellows as alternate (term ends the third Monday of April 2013)

Motion (Bickler/Shult) to appoint Jeff Fellows as alternate to the Architectural Control Board with the term ending the third Monday of April 2013, Carried Unanimously.

Discussion/action regarding appointment to the Board of Zoning Appeals of Richard J. Kneiser as 2nd alternate (term ends the third Monday of April 2013)

Motion (Shult/Bickler) to appoint Richard J. Kneiser as 2nd alternate to the Board of Zoning Appeals with the term ending the third Monday of April 2013, Carried Unanimously.

Presentation by Mike Hahn, of the Southeastern Wisconsin Regional Planning Commission (SEWRPC), regarding the Regional Water Supply Plan for Southeastern Wisconsin, Report No. 52

Mr. Hahn summarized the 830-page Regional Water Supply Plan for Southeastern Wisconsin, Report No. 52. He noted that the City of Waukesha wells are experiencing draw down; therefore, the City has submitted a request to obtain water from Lake Michigan. Mr. Hahn stated that the Village of Oconomowoc Lake has a good supply of water for its wells from the shallow aquifer and recommends continuing the use of private wells. Mr. Hahn provided a newsletter to the Trustees that summarized the regional water supply plan; and he addressed concerns expressed by Trustees regarding the possibility of large municipal wells causing a draw down on Oconomowoc Lake.

Report from Robb Davy, Lake Country Engineering, regarding the water flow on the Oconomowoc River

Mr. Davy reviewed dams in the City of Oconomowoc, Town of Oconomowoc and the Village of Oconomowoc Lake, and provided reports to explain his results. The intent of the review was to discover exactly how much water could be released through the Village's dam gates as well as the City of Oconomowoc and Town of Oconomowoc dam gates.

Mr. Fischer noted that the rules that guide the Town, City and Village in the opening and closing of the dam gates to either release or retain water, are based on data obtained from an old dam (the Kutschenreiter Dam for Okauchee Lake). That dam no longer exists, but Mr. Fischer noted that he thought the old dam was narrower and therefore allowed for less water to flow than the current dam. Mr. Fischer and Mr. Wiemer will see what information they can find on the old dam in order to make a comparison to current dams. Mr. Wiemer will also find out what procedure can be used to deal with the Department of Natural Resources regarding dam control. Mr. Davy will also do some additional calculations and provide the Trustees with additional information.

PLAN COMMISSION

There was no report, as the Commission did not meet in May.

ATTORNEY

Discussion/action regarding Zoning Board of Appeals; Regulations Regarding Use Variances; per correspondence from Mr. Macy dated April 27, 2011

Mr. Macy's letter stated that he had researched the status of the James C. Rule v. Iowa County Board of Adjustment decision, per the request of the Trustees at the April meeting. Mr. Macy noted that no appeal to the Supreme Court has been filed, and the time to do so has expired; therefore, the original decision stands as law. This matter has been referred to the Plan Commission for their review regarding the Village's use variance regulations.

Discussion/action regarding Adult Oriented Establishment Ordinance Issues, per correspondence from Mr. Macy dated May 2, 2011

Mr. Macy's letter stated that several issues regarding adult oriented establishment ordinances have arisen that may warrant a review of the Village's existing ordinance. He recommended that the Village review its existing ordinance regulating adult oriented establishments and look at several specific areas;

- 1) What does our ordinance regulate, and why?
- 2) Can we validate our ordinance's regulations?
- 3) Is our ordinance up to date?

No action was taken.

TREASURER

Checks

Motion (Bickler/Shult) to approve check numbers 38453 through 38514, for regular monthly payments, and all electronic payments, *Carried Unanimously*.

FINANCE

Discussion regarding monthly operating statement for May

Mr. Fischer reviewed the monthly operating statement.

Discussion/action regarding approval of the 2010 year-end financial audit

Mr. Fischer reviewed the Management Discussion and Analysis (MD&A) that he had prepared for the 2010 year-end financial audit. The Trustees thanked Mr. Fischer for his work in preparing the MD&A.

Motion (Shult/Fischer) to approve the 2010 year-end financial audit, *Carried Unanimously*.

Update regarding the Finance Committee meeting held on May 12, 2011

Mr. Fischer reported that several matters were tabled until the budget repair bill for the State of Wisconsin has been settled. The committee did recommend approval to hire two full-time police officers to fill the recent vacancies. Additionally, the committee recommended approval of setting up a 125 plan for retirement and health insurance payments to be made on a pre-tax basis.

Discussion/action regarding adoption of a 125 plan for mandated employee contributions if the State of Wisconsin Budget Bill is adopted

Motion (Shult/Bickler) to investigate the options for a 125 plan and to set one up if it is needed, *Carried Unanimously*.

Discussion/action regarding hiring two full-time police officers with a June 1, 2011 start date and full-time status effective August 1, 2011

Earlier in the meeting, a motion (Fischer/Shult) to move this matter up on the agenda (immediately following the Village President matters), *Carried Unanimously*.

Mr. Wiemer stated that Officers Jason Heckendorf and Orlin Foat were being recommended to be hired as full-time police officers for the Village of Oconomowoc Lake. Mr. Wiemer noted that both officers bring unique gifts and talents to assist the Village.

Motion (Fischer/Shult) to approve the hiring of two full-time police officers (Jason Heckendorf and Orlin Foat) with a June 1, 2011 start date and full-time status effective August 1, 2011, *Carried Unanimously*.

The officers thanked the Trustees for the opportunity and were welcomed by the Trustees.

ADMINISTRATOR

Discussion/action regarding update on the progress of two remaining notices of zoning violations letters

Mr. Wiemer stated that he had sent a letter to Ms. Kasten requesting a timeline on completion of her projects to bring her property into compliance with zoning code. To date, he has received no response. Mr. Schneider was sent a citation for the zoning violation of illegally having a pergola on his coach house, which is located between the house and the lake. Mr. Schneider's attorney has advised that the pergola will be removed within the next few days; Mr. Wiemer will then dismiss the citation.

Discussion/action regarding acceptance of donations received from Village residents, as noted on Appendix A, designated for use toward the fireworks display in July of 2011

Motion (Shult/Falstad) to accept the donations received from Village residents, as noted on Appendix A, designated for use toward the fireworks display in July of 2011, *Carried Unanimously*.

Discussion/action regarding Resolution to endorse the Regional Water Supply Plan for Southeastern Wisconsin as prepared by Southeastern Wisconsin Regional Planning Commission

After some discussion, and with the aid of Mr. Macy's suggestions, it was decided that the resolution needed some revisions. Mr. Macy will prepare a revised resolution for the Trustees to review.

Motion (Fischer/Shult) to table this matter until the next meeting to allow for revisions to be made by Mr. Macy, *Carried Unanimously*.

Discussion regarding improvements to private roads in the Village

Mr. Wiemer and Mr. Fischer presented the idea of using a financing vehicle similar to that used by the property owners on South Beach Road when they created the sewer district. The Village would then be able to maintain the private roads and either bill the residents or add a special assessment to their property tax bills. The Trustees were open to the concept, noting legalities and details would have to be further discussed. Mr. Fischer stated he would talk with residents who own property on private roads and find out if they would have an interest in a plan such as this.

Discussion/action regarding the proposed use of the property located next to the Kiltie on E. Wisconsin Avenue in the Town of Oconomowoc, owned by Drew Howie

Mr. Wiemer stated that he had spoken with Jeff Herrmann, Town Planner; there has been no further action on the project at this time.

POLICE CHIEF

There was nothing to report.

FIRE COMMISSIONER

Update regarding joint meeting held on May 12, 2011 between the Villages of Oconomowoc Lake and Summit and the Summit Fire District regarding fire service

Mr. Wiemer recapped the joint meeting held on May 12, 2011. He noted that the City of Oconomowoc did not want a merger; they only wanted to contract with municipalities. Since none of the three entities present at the May 12th meeting wanted a contract situation, a small group consisting of Mr. Shult from the Village of Oconomowoc Lake, Mr. Kraig Arenz from the Village of Summit, and the Summit Fire Commission, was created to review goals desired in a fire district merger. The small group will meet on May 18, 2011. The group as a whole will meet again on June 14, 2011 to review the small group recommendations and decide the next steps to be taken.

BOARD OF ZONING APPEALS

There was no meeting.

ARCHITECTURAL CONTROL BOARD (ACB)

Update regarding meeting held on April 25, 2011

There was a meeting on April 25, 2011 at which plans were presented for an addition to the John Macy residence located at 4829 Hewitts Point Road. The plans were approved.

CLERK

Report on outcome of the election recount from the April 5, 2011 election

Ms. Schlieve reported that the recount for the Village of Oconomowoc Lake had been completed on April 12, 2011. The canvassers accepted the results and complimented the Village on the good job done by the election inspectors. Mr. Birbaum, along with the Trustees, expressed their thanks to the Village Clerk and complimented her for the good work done for the election.

COMMUNICATIONS

Communications included the following:

- Focus on County Government from the County Executive's Office
- Minutes from the Waukesha County Cooperation Council meeting held on April 25, 2011 with associated documents

ADJOURNMENT

With no further discussion being heard, a motion (Bickler/Shult) to adjourn was made at approximately 9:30 p.m., and Carried Unanimously.

Respectfully submitted by:

Approved and ordered posted by:

Cindy J. Schlieve, Clerk-Treasurer

Joseph L. Birbaum, President