

# VILLAGE OF OCONOMOWOC LAKE

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**OCONOMOWOC LAKE VILLAGE BOARD MEETING MINUTES OF  
MONDAY, July 19, 2010, Unofficial until approved by the Village Board.  
Approved as written ( X ) or with corrections ( ) on August 16, 2010.**

The regular monthly meeting of the Board of Trustees of the Village of Oconomowoc Lake was held on July 21, 2010, commencing at 7:03 p.m., immediately following a public hearing, 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, Falstad, Owens/Trustees – present  
Messrs. Birbaum, Fischer, Shult/Trustees – absent  
Ms. Schlieve/ Clerk-Treasurer – present  
Mr. Wiemer/Police Chief-Administrator – present  
Mr. Macy/Attorney –present

## **ATTENDANCE**

Ed Johnson, Kevin Raasch and Victor Raasch (Vic's Flooring)

## **MINUTES**

Motion (Falstad/Owens) to approve, as printed, the minutes of the June 21, 2010 Village Board meeting, Carried Unanimously.

## **PUBLIC COMMENT**

There were no public comments.

## **PRESIDENT**

### **Discussion/action regarding Ordinance No. 207 "An Ordinance to Require Proper Care of Trees to Prevent the Spread of Disease and to Empower the Village Forester to Enforce these Requirements.**

Mr. Kneiser stated that this ordinance was adopted to prevent diseased trees from infesting others, but has only found one species, the red oak, and the Village requires any such be removed if they are found to have oak wilt. He expressed concern that the cost to the Village to continue this practice is approximately \$2,500 per year. Further, there is no ordinance to preclude the cutting and removal of all trees on any resident's property. He therefore requested that further discussion regarding this matter be postponed to the August Village Board meeting when more trustees would be able to participate.

### **Update regarding the proposed Wisconsin wind energy systems siting rules.**

Mr. Kneiser reported that he and Paul Fischer had prepared comments detailing the Village's concerns regarding the proposed wind energy systems siting rules. Mr. Kneiser thanked Mr. Fischer for attending one of the public comment sessions held by the Public Service Commission, where the Village's comments were presented. Mr. Fischer will report on the meeting he attended at the August Village Board meeting.

**Discussion regarding appeals court decision on East Troy high capacity well DNR permit.**

Mr. Kneiser stated that some months ago the Village was given some information regarding possible future high capacity wells in Waukesha County, including some nearby. The article that was included in the Trustees' packets details the latest court action that affects the DNR's granting of high capacity well permits. Mr. Macy explained some additional history regarding the court case. Mr. Macy will monitor this matter and keep the Trustees updated.

**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 (CUP) for his property located at 36115 and 36105 E. Wisconsin Avenue, in the Village of Oconomowoc Lake business district. The amendment request is to move an existing tenant, Tae Kwon Do, from the west side of the building to the east side, and to revise the operating hours for the Tae Kwon Do studio.**

Motion (Bickler/Owens) to approve the request of Mr. Victor Raasch to amend his CUP for his property located at 36115 and 36105 E. Wisconsin Avenue, in the Village of Oconomowoc Lake business district, to allow for the Tae Kwon Do studio, an existing tenant, to move from the west side of the building to the east side, and to revise the operating hours for the Tae Kwon Do studio, *Carried Unanimously*. The new hours for the Tae Kwon Do studio are 7 a.m. to 8 p.m. Monday through Friday and 8 a.m. to 8 p.m. on Saturdays, closed Sundays.

**ATTORNEY**

**Discussion/action regarding 2009 Wisconsin Act 402 Municipal Court Overhaul, per correspondence from Mr. Macy dated June 23, 2010.**

Mr. Macy explained that 2009 Wisconsin Act 402 is of concern to smaller municipal courts. It may have little or no affect on the Lake Country Municipal Court, which handles police citations for the Village.

**Discussion/action regarding Municipal Fireworks Regulation and Current Status of the Law, per correspondence from Mr. Macy dated June 24, 2010.**

Mr. Macy explained that the Village currently has a very strict ordinance regarding the use of fireworks; therefore, we are well within the state law governing the use of fireworks, and in most cases the Village ordinance is more stringent.

**Discussion/action regarding Assessment of Unbuilt Condominium Units, Saddle Ridge v. Town of Pacific, per correspondence from Mr. Macy dated July 7, 2010.**

Mr. Macy explained that while the Village does not currently have condominium units, he wanted to provide the information for future consideration.

**Discussion/action regarding 2009 Wisconsin Acts 376 and 399 Regarding Land Division, per correspondence from Mr. Macy dated July 9, 2010.**

Mr. Macy noted that this law may not affect many communities; however, it may prevent phased development. He recommended that the Village update its subdivision ordinance. Mr. Wiemer and Mr. Macy will review the current zoning code regarding subdivisions, and will report their findings at a future meeting of the Plan Commission.

**TREASURER**

**Checks**

Motion (Bickler/Falstad) to approve check numbers 37735 through 37799, for regular monthly payments, and all electronic transfers, *Carried Unanimously*.

**FINANCE**

**Discussion regarding monthly operating statement for July.**

Mr. Wiemer reviewed the monthly operating statement.

**Discussion/action regarding Village-owned LaLumiere properties.**

Mr. Kneiser requested that this matter be deferred to the August Village Board meeting.

**ADMINISTRATOR**

**Update regarding stop signs at the intersections of Sawyer Road and Pabst Road, and Valley Road and Pabst Road.**

Mr. Wiemer stated that there has been no new communication with Waukesha County regarding this matter. Mr. Falstad reported that he had checked again with the Public Works Department, and was not encouraged by their response. He will continue to monitor the situation and advise the Trustees of any new information.

**POLICE CHIEF**

Mr. Wiemer reported that if the Village has a fireworks display next year, the display should be done from a barge on the lake. This year, due to some stray fireworks, a fire was started in the brush area behind Vic's Flooring and Silver Lake Auto Center. The fire department had to be called to extinguish the fire and its location made the job difficult. There was no property damage caused by the fire.

**FIRE COMMISSIONER**

Mr. Wiemer reported that there is not yet a lease between the City of Oconomowoc and the Summit Fire District for the new fire station. The matter is still being resolved. Also, the financial study has been started in regard to the possible merger of the two fire departments.

**BOARD OF ZONING APPEALS**

Mr. Wiemer reported that the Board of Zoning Appeals was scheduled to meet on July 21, 2010 to deliberate on the Eilers' variance request.

**ARCHITECTURAL CONTROL BOARD (ACB)**

There was no meeting in June. There will be a meeting in July for two matters.

**CLERK**

**Discussion/action regarding approval of Operator/Bartender licenses (See Exhibit A).**

Motion (Falstad/Owens) to approve the licenses for Operator/Bartender; as noted on Exhibit A attached, Carried Unanimously.

**COMMUNICATIONS**

There were no communications.

With no further discussion being heard, a motion (Owens/Bickler) to adjourn was made at approximately 7:45 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