

VILLAGE OF OCONOMOWOC LAKE

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**OCONOMOWOC LAKE VILLAGE BOARD MEETING
MINUTES OF MONDAY, August 19, 2013,
Unofficial until approved by the Village Board.
Approved as written () or with corrections (X) on 09/16/2013.**

The regular monthly meeting of the Board of Trustees of the Village of Oconomowoc Lake was held on August 19, 2013, commencing at 7:00 PM, 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, Fischer, Shult, Waltersdorf/Trustees – present
Messrs. Fellows, Owens/Trustees – absent
Ms. Schlieve/ Clerk-Treasurer – present
Mr. Wiemer/Police Chief-Administrator – present
Mr. Macy/Attorney –present

ATTENDANCE

Ed Johnson, Jon Spheeris, Amy Zea, Karen Swanson, Dwight (Jack) Swanson

MINUTES

Motion (Shult/Bickler) to approve, as printed, the minutes of the July 15, 2013 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

Mr. Birbaum expressed thanks for the help that Mr. Wiemer, Ms. Cannariato, and Ms. Schlieve gave for the recent employee gathering.

PLAN COMMISSION

Discussion/action regarding approval of a proposed Certified Survey Map (CSM) to divide a 17-acre parcel owned by Dwight (Jack) and Karen Swanson, located on Pabst Road, tax key OCLV 0618-979, per recommendation of the Plan Commission at its meeting held on August 5, 2013

Mr. Wiemer explained the request. The Plan Commission recommended approval with the contingency that the CSM include a notation that if the 12-acre parcel on the CSM was divided in the future, the existing private drive would then need to be converted to a private road which would mean increasing the paved width from 12 feet to 16 feet. Additionally, funds were previously set aside to be used to pave the private road, but the estimates were too low and more funds are needed. Those additional funds have been provided by Mr. & Mrs. Swanson. Mr. Spheeris also stated that the attorney for Mr. & Mrs. Swanson has agreed to have the notice regarding the private drive and private road added to the CSM that was previously approved for the Swanson properties.

Motion (Bickler/Shult) to approve the CSM to divide the 17-acre parcel owned by Dwight (Jack) and Karen Swanson, located on Pabst Road, tax key OCLV 0618-979, per recommendation of the Plan Commission at its August 5, 2013 meeting, including the request for a notation regarding the private drive and private road, Carried Unanimously.

Discussion/action regarding the request to narrow the pavement width from 16 feet for a portion of the private road for properties owned by Richard Layo and Dwight (Jack) Swanson, per procedure set forth in Ordinance #270, and per recommendation of the Plan Commission at its August 5, 2013 meeting

Mr. Wiemer explained the request by Mr. & Mrs. Swanson and Mr. Layo to narrow the pavement of the private road from 16 feet to 12 feet in a small section of the northern most portion of the private road due to the wetlands present in that area.

Motion (Shult/Bickler) to approve the request to narrow the pavement width from 16 feet for a portion of the private road for properties owned by Richard Lay and Dwight Swanson, per procedure set forth in Ordinance #270, and per recommendation of the Plan Commission at its August 5, 2013 meeting, Carried Unanimously.

Discussion/action regarding the request to detach land from property owned by Dr. and Mrs. Robert Panther, 35203 South Beach Road, tax key OCLV 0588-988, and attach to property owned by Mr. and Mrs. John Zea, 36310 South Beach Road, tax key OCLV 0588-992-001, per procedure set forth in Ordinance #267, and recommendation of the Plan Commission at its August 5, 2013 meeting

Mr. Wiemer explained the request, noting that the lot owned by John and Amy Zea will remain a legal non-conforming lot because it does not have 200 feet of frontage at the lake. The lot owned by Robert and Jane Panther will remain a legal lot as its size is still greater than the 2-acre minimum required in the Village Zoning Code. The Trustees reviewed the request submitted by Mr. and Mrs. Zea, including the responses to the criteria listed in Ordinance #267(4)(a) – 267(4)(o).

Motion (Shult/Bickler) to grant the request to detach land from property owned by Dr. and Mrs. Robert Panther, 35203 South Beach Road, tax key OCLV 0588-988, and attach to property owned by Mr. and Mrs. John Zea, 36310 South Beach Road tax key OCLV 0588-992-001, per procedure set forth in Ordinance #267, and recommendation of the Plan Commission at its August 5, 2013 meeting, subject to approval of a new certified survey map for the two properties, Carried Unanimously.

Mr. Macy noted that the Village Board will need to adopt a Resolution regarding this approval.

ATTORNEY

Discussion/action regarding repealing Ordinance #256 entitled Establishing Sex Offender Residency and Loitering Restrictions and recreating as An Ordinance Dealing with Sex Offenders Residency, Prohibited Activities, and Loitering Restrictions within the Village of Oconomowoc Lake, per correspondence from Mr. Macy dated July 5, 2013 and July 17, 2013

Mr. Macy reviewed the history of this ordinance and the need to update the ordinance. The updated ordinance keeps all previous policy decisions regarding sex offender residency, and clarifies the ordinance as it was intended to be read. Mr. Macy noted several points of the ordinance. If a convicted sex offender lived in the Village previous to his/her conviction, the offender could move back to the previously occupied home if he/she still owns it. If that same offender no longer owned that home, he/she could still move back into the Village but would have to live outside of the reserved area. If a convicted sex offender has never lived in the Village, that offender would not be allowed to move into the Village. Discussion followed regarding the areas that convicted sex offenders would be allowed to live. The previously drawn and approved map is still the reference to be followed: convicted sex offenders cannot live on any property located on the water front, nor on property surrounding the Oconomowoc Lake Club.

The map that delineates the areas that a convicted sex offender can and cannot live is attached to the ordinance.

Motion (Shult/Bickler) to adopt a revised ordinance titled An Ordinance Dealing with Sex Offenders Residency, Prohibited Activities, and Loitering Restrictions within the Village of Oconomowoc Lake, Carried Unanimously.

Discussion/action regarding wireless telecommunications siting laws and new state limitations, per correspondence from Mr. Macy dated August 7, 2013

Mr. Macy noted significant changes in State laws regarding local regulation of telecommunications facilities due to the State Budget Bill, 2013 Act 20. The new State laws follow up on other limitations that have been adopted on a federal level that took effect in February 2012. Mr. Macy advised that applications for wireless telecommunication equipment will have to be analyzed on a case-by-case basis. Applicants, in some instances, only need a building permit in order to install the equipment. No action was taken at this time.

Discussion/action regarding an ordinance to define and prohibit the use of sky lanterns within the Village of Oconomowoc Lake, per correspondence from Mr. Macy dated August 12, 2013

Mr. Macy reviewed the first draft of the ordinance to define and prohibit the use of sky lanterns within the Village of Oconomowoc Lake. Discussion followed regarding whether the ordinance was helpful or not and how enforceable it would be.

Motion (Shult/Bickler) to adopt An Ordinance to Define and Prohibit the Use of Sky Lanterns within the Village of Oconomowoc Lake, Carried Unanimously,

TREASURER

Checks

Motion (Shult/Bickler) to approve check numbers 40440 through 40508, for regular monthly payments, and all electronic payments, Carried Unanimously.

FINANCE

Discussion regarding monthly operating statement for August

Mr. Fischer reviewed the monthly operating statement.

ADMINISTRATOR

Discussion/action regarding acceptance of donations received from Village residents, as noted on Exhibit A, designated for use toward the fireworks display in July of 2014

Mr. Wiemer advised that the Village had received a \$500 donation designated for use toward the fireworks display in July of 2014.

Motion (Shult/Bickler) to accept the donation received designated for use toward the 2014 fireworks display, Carried Unanimously.

Staff will acknowledge by letter the donation received for use toward the fireworks display.

Discussion/action regarding a Countywide Mutual Aid Agreement, per letter dated August 6, 2013 from William F. Stolte, Coordinator, Waukesha County Emergency Management

Mr. Wiemer explained that the purpose of the agreement is to provide a crucial link between communities to ensure a rapid and effective response to disaster situations.

Motion (Shult/Bickler) to approve the Countywide Mutual Aid Agreement (a copy is included in the Minutes binder), Carried Unanimously.

POLICE CHIEF

Chief Wiemer reported that part time police officer Darren von Bereghy has been hired for a full-time position by the Germantown Police Department. His final day was August 18, 2013.

Chief Wiemer also reported that training for the assault weapons purchased for the police department was held on Friday, August 16, 2013. The assault weapons are now in the Village squads.

BOARD OF ZONING APPEALS

There will be a meeting on September 9, 2013.

ARCHITECTURAL CONTROL BOARD (ACB)

Update regarding ACB meeting held on July 22, 2013 and August 5, 2013

Mr. Wiemer reported that the following four requests were presented to the ACB members, with all matters approved.

- Mr. & Mrs. Chris Shult, 4734 N. Hewitts Point Road, for remodel of their boat house
- Mr. & Mrs. Richard Heinrich, 4255 West Beach Road, for a sitting wall for the patio
- Mr. & Mrs. William Sturm, 4600 N. Hewitts Point Road, for window change, landscape and retaining walls
- Mr. & Mrs. Jake Heckendorf, 3950 West Beach Road, for changes to the previously approved detached garage

CLERK

There was no report.

COMMUNICATIONS

Communications included the following:

- Focus on County Government Monthly Update from the Desk of Waukesha County Executive Daniel P. Vrakas for July 2013
- Press Release from the Waukesha County Department of Parks and Land Use regarding a mattress and box spring recycling collection event to be held on Saturday, September 14, 2013 from 8 a.m. to 12 noon
- Press Release from Waukesha County Department of Parks and Land Use regarding the annual fall plant sale on Saturday, August 24 from 9 a.m. until noon, at the Retzer Nature Center, located at S14 W28167 Madison Street, Waukesha

ADJOURNMENT

With no further discussion being heard, a motion (Shult/Bickler) to adjourn was made at approximately 8:00 p.m., and Carried Unanimously.

Respectfully submitted by:

Approved and ordered posted by:

Cindy J. Schlieve, Clerk-Treasurer

Joseph L. Birbaum, President