

VILLAGE OF OCONOMOWOC LAKE

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OCONOMOWOC LAKE VILLAGE BOARD MEETING
MINUTES OF MONDAY, August 21, 2023
Unofficial until approved by the Village Board.
Approved as written or with corrections () on 9/18/2023.

A meeting of the Village Board of the Village of Oconomowoc Lake was held on Monday, August 21, 2023, immediately following a Public Hearing commencing at 7:00 p.m., at the Village Hall, 35328 W. Pabst Road, Oconomowoc. Legal requirements for notification as required by law have been met. Roll call was taken with the following in attendance:

Present: President Bickler; Trustees: Taylor, Zimmermann, Sheahan, Waltersdorf and Fischer

Absent: Trustee Fellows

Also present: Administrator/Police Chief Janicsek, Zoning Administrator Wiemer, Attorney Macy and Village Clerk, Teri Sayles

ATTENDANCE

Ed Johnson (N Beach Rd); Paul, Peggy & Buck Bielik (4 Earling Ct); Terri Ann & Ken Ullman (35470 Pabst Rd); Corey Honeyager (3729 N Lalumiere Rd); J Fitch & Kristine McNeilly (36048 S Beach Rd); Mark & Kris Loehrer (3720 Lalumiere); Bergin Fischer (36108 South Beach Rd)

MINUTES

Discussion/action regarding approval of minutes from the July 17, 2023 Village Board meeting.

Motion (Taylor/Zimmermann) to approve the minutes from the July 17, 2023 Village Board meeting.
Motion carried unanimously.

PUBLIC COMMENT

Motion (Fischer/Sheahan) to Open Meeting to Public Comment on Agenda items at 7:11 p.m. *Motion carried unanimously.*

Corey Honeyager (3729 N Lalumiere Rd) asked board members to consider an easement on Village owned property on the Lalumiere channel for residents to continue to use as a walkway if the property is sold. Mr. Wiemer stated he would propose a 6-foot easement be added to the property before it is sold. Mr. Fischer stated it was never the intent to stop residents from accessing the channel from the Village owned property even if sold. President Bickler stated staff would look at the matter at its next meeting.

John Fitch (36048 S Beach Rd) requested the board give serious consideration to an ordinance for tree removal. He is concerned with significant tree removal for construction projects and for improved views of the lake. He further suggested a policy to replace any tree that is removed.

Motion (Sheahan/Waltersdorf) to Close Meeting to Public Comment on Agenda items at 7:17 p.m. *Motion carried unanimously.*

Discussion/action regarding a request for a Conditional Use Amendment for Winsome Farm located at 35470 Pabst Rd., Oconomowoc, WI 53066; Robert O. Remien 1997 Trust, Owner; Terri Anne Ullman, Agent; Tax Key OCLV0618978. This amendment is for a change in ownership.

Motion (Waltersdorf/Zimmermann) to approve a Conditional Use Amendment for Winsome Farm located at 35470 Pabst Rd., Oconomowoc, WI 53066; Robert O. Remien 1997 Trust, Owner; Terri Anne Ullman, Agent; Tax Key OCLV0618978. *Motion carried unanimously.*

Discussion/action regarding approval of a Certified Survey Map (CSM) for Grand Butterfly Productions, LLC; Paul Bielik, Agent; for the property at 36551 E Wisconsin Ave.; Tax Key OCLV0586999001.

The CSM shows 2 lots of record but the applicant seeks approval for the 6.5-acre lot shown. Wetlands were delineated as shown and the map also includes the portion to be purchased from the State. The CSM will not be signed until the purchase is completed.

Motion (Waltersdorf/Zimmermann) to approve the Certified Survey Map (CSM) for Grand Butterfly Productions, LLC; Paul Bielik, Agent; for the property at 36551 E Wisconsin Ave.; Tax Key OCLV0586999001 subject to the finalized purchase of the land from the State. *Motion carried unanimously.*

Discussion/action regarding approval of a Legal Non-conforming Conditional Use Permit for Grand Butterfly Productions, LLC; Paul Bielik, Agent; for the property at 36551 E Wisconsin Ave.; Tax Key OCLV0586999001. This conditional use permit will allow for the construction of a building.

The conditional use document has not been drafted but will be upon Village Board approval. Mr. Bielik is requesting a legal non-conforming conditional use and intends to build a building for business use and storage.

Motion (Fischer/Waltersdorf) to approve a Legal Non-conforming Conditional Use Permit for Grand Butterfly Productions, LLC; Paul Bielik, Agent; for the property at 36551 E Wisconsin Ave.; Tax Key OCLV0586999001. *Motion carried unanimously.*

VILLAGE PRESIDENT

President Bickler shared an email received from the City of Delafield regarding the fire department. The City would like to make changes to the intermunicipal agreement to fund the previously agreed to 2024 fire department budget and hiring plan. The email includes a list of the City's new demands to move forward. If the 2024 budget does not pass by September 1st, the fire department will have to revert back to the last year's budget. Mr. Wiemer stated this will freeze any new hiring and force borrowing from the 2023 reserve. There will be another meeting of member communities on Thursday, August 24th. President Bickler requested Attorney Macy attend that meeting.

No action taken.

VILLAGE TRUSTEES

Trustee Sheahan stated a resident contacted him with concern over the impact of wakeboard boats on the lake shoreland. He asked if the Board should review the same. Following brief discussion, it was decided to place the matter on the next Village Board agenda.

Discussion/action regarding a possible ordinance related to tree removal in the Village.

Chief Janicsek was asked to bring forward Chenequa's tree cutting ordinance for discussion. The ordinance was in the packet. Chenequa, Tree City USA, has 2 full time foresters on staff. Trustee Fischer stated concern over recent clear-cutting and tree removal in the Village. He shared a copy of the Village of Lac la Belle shoreland regulations to add to the packet and would like the Village to have something similar. Board members were informally polled and most had concern over property owner rights but also do not like to see trees removed. It was also suggested to get public input. Village Staff will consider Board member comments and come back with potential policy.

No action taken.

ADMINISTRATOR

Update regarding Lalumiere dredging project.

Chief Janicsek stated the "hotel lot" was prepared for placement of the silt bags. Organic Sediment Removal Services will drop off equipment the week of August 21st and dredging is set to begin August 28th. Tim Groh of Groh Land, Air, Water supplied polymers, water testing, reporting and will oversee the project at no extra charge.

No action taken.

Discussion/action on Resolution 186, A Resolution Repealing Resolution 51 and Recreating the Procedures to be used by the Village Board of the Village of Oconomowoc Lake When Disposing of Village Owned Property.

Chief Janicsek stated this resolution adds the use of a real estate broker to obtain bids/offers to purchase for property the Village wishes to sell. No other part of Resolution 51 was changed. President Bickler added the Village may still reject any or all bids.

Motion (Fischer/Waltersdorf) to approve Resolution 186, A Resolution Repealing Resolution 51 and Recreating the Procedures to be used by the Village Board of the Village of Oconomowoc Lake When Disposing of Village Owned Property. *Motion carried Unanimously.*

Update regarding Legal Services study.

Chief Janicsek stated we are at 74% of budget for legal services at half way through the year. If unbudgeted, non-day to day legal expenses (Lalumiere, Fire Department, Binkowski, US Cellular Lease & Annexation costs) are excluded, we are at 59% of budget.

Trustee Fischer stated the lease is offset by increased rent, Lalumiere will be offset by the sale of property on the channel and the annexation cost was needed to procure an asset.

President Bickler stated the Board agreed to pay the cost of legal services for the intermunicipal fire department issues and Attorney Macy has been a tremendous help with advising member communities.

POLICE CHIEF

Police Department Monthly Report for July 2023.

Chief Janicsek reviewed his report stating there were 69 citations, 338 total calls handled. No major repairs or expenses.

Chief Janicsek received the water quality report from the hydrologist and it was added to the packet. The lake is stable and in good shape with only a few anomalies shown.

FIRE DEPARTMENT

Update following Fire Board meeting.

This agenda item was addressed by Village President comments above.

ZONING ADMINISTRATOR

No agenda items

HISTORY BOARD

No agenda items.

ATTORNEY

Discussion/action to retain an independent hearing examiner for Board of Review Hearings.

Trustees Taylor and Waltersdorf recused themselves from discussion/action but remained at the Board table.

Attorney Macy stated two Board members and one resident appealed their property assessments. Three out of four Board of Review members recused themselves, leaving only 1 member. Most communities waive these appeals to Circuit Court. As an alternative, the Village could appoint alternate Board of Review members that would have to then be trained and be in a difficult position to decide on a hearing as new members. He does not recommend that in this case. Another option, which Attorney Macy recommends, is to hire an independent hearing examiner to hear the objections and make a recommendation to Board of Review members who would then ratify the recommendation. The Board of Review Hearing is scheduled for August 28th at 2:00 p.m. Attorney Macy spoke with an experienced hearing examiner who is available on that date if the Village Board opts to hire him.

Motion (Fisher/Sheahan) to retain an independent hearing examiner for Board of Review Hearings on August 28th at 2:00 p.m. *Motion carried 4-0-2 (Taylor/Waltersdorf)*

Trustees Taylor and Waltersdorf returned to discussion/action.

TREASURER

Discussion/action regarding approval of checks 49401 through 49466 and all electronic payments.

Motion (Fischer/Zimmermann) to approve checks 49401 through 49466 and all electronic payments. *Motion carried Unanimously.*

FINANCE COMMITTEE

Discussion regarding the monthly operating statement for August 2023.

Trustee Fischer stated revenue is higher than anticipated for interest income and rent income. Excess legal service expenses will be transferred to other respective accounts as stated following the legal services audit (above). Additionally, the Village Board miscellaneous expense is up due to property taxes on the lot purchased and this expense is offset by the closing cost receipt from the Town of Oconomowoc.

Long Term Cash Analysis, Paul Fischer

Trustee Fischer reviewed the Village current financial position in consideration of financing the Lalumiere channel dredging. The Village is in very good shape financially and Trustee Fischer would not advise taking on financing the dredging project. A copy of the document showing his findings was added to the packet.

BOARD OF ZONING APPEALS

No agenda items

ARCHITECTURAL CONTROL BOARD (ACB)

Minutes of the July 24, 2023 meeting are in the packet.

CLERK

No agenda items

COMMUNICATIONS

City of Delafield Public Hearing regarding text amendments to their floodplain zoning ordinance.
The notice was part of the Village Board Packet.

President Bickler announced the closed session:

After the appropriate announcement by the Meeting Chairman, the Board will enter, by roll call vote, into Closed Session pursuant to Wis. Stats. 19.85(1)(c) "Considering employment, promotion, compensation or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility." Specifically, the following:

1. Police Bargaining
2. Potential boundary change

Motion (Taylor/Sheahan) to enter into Closed Session at 8:33 p.m. On a roll call vote, all members present (6) voted Aye. Motion carried unanimously.

The Board will reconvene, by roll call vote, into Open Session for discussion and possible action on items discussed in Closed Session.

Motion (Zimmermann/Sheahan) to reconvene into Open Session at 9:15 p.m. for discussion and possible action on items discussed in Closed Session. On a roll call vote, all members present (6) voted Aye. Carried unanimously.

ADJOURNMENT


With no further discussion being heard, a motion (Zimmermann/Sheahan) to adjourn was made at 9:15 p.m. Motion carried unanimously.

Respectfully submitted by:



Theresa J. Sayles, Clerk

Approved and ordered posted by:



Michael J. Bickler Sr, President