

# VILLAGE OF OCONOMOWOC LAKE

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**OCONOMOWOC LAKE VILLAGE BOARD MEETING  
MINUTES OF MONDAY, December 19, 2011,  
Unofficial until approved by the Village Board.  
Approved as written ( ) or with corrections ( X ) on 02/20/2012.**

The regular monthly meeting of the Board of Trustees of the Village of Oconomowoc Lake was held on December 19, 2011, commencing at 7:10 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 followed by the Pledge of Allegiance with the following in attendance:

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

## ATTENDANCE

Brian Ewald (Ewald Chevrolet Buick LLC) and Ed Johnson (arrived after the public comment section)

## MINUTES

Motion (Falstad/Bickler) to approve, as printed, the minutes of the November 21, 2011 Public Hearing and Village Board meeting, and the December 5, 2011 Public Hearing and special meeting of the Board of Trustees, Carried Unanimously.

## PUBLIC COMMENT

Since no one from the public was present, the Village Board remained in session.

## PRESIDENT

**Renewal of professional, yearly appointments for 1-year terms through December 2012 as noted on Appendix A (attached); Appointments of election Chief Inspectors and election inspectors for 2-year terms through December 2013 as noted on Appendix B (attached)**

Motion (Bickler/Owens) to approve the professional, yearly appointments for 1-year terms through December 2012 as noted on Appendix A, and appointments for election Chief Inspectors and election inspectors for 2-year terms through December 2013 as noted on Appendix B, Carried Unanimously.

## PLAN COMMISSION

**Discussion/action regarding the request of Ewald Chevrolet Buick LLC, 36833 E. Wisconsin Avenue, A Wisconsin for-profit corporation, to amend their current conditional use to allow for the enlargement and reconstruction of the building, reconstruction and remodeling of the showroom, office, and additional vehicle delivery stalls, per Plan Commission recommendation for approval at their December 5, 2011 meeting**

Mr. Wiemer explained that Mr. Macy had provided an amended Conditional Use Permit (CUP) to reflect the requested changes. Trustees questioned whether the CUP should include mention of the driveway agreement between Ewald and Oconomowoc Auto Parts. Mr. Macy agreed that notation of the agreement should be included in the CUP. Mr. Birbaum requested that Mr. Macy make the addition.

Motion (Bickler/Fellows) to approve the above-stated amended CUP for Ewald Chevrolet Buick LLC, 36833 E. Wisconsin Avenue, in the business district of the Village of Oconomowoc Lake, with the addition of the driveway agreement notation, Carried Unanimously.

## **ATTORNEY**

### **Discussion/action regarding an ordinance to create Section 20.15(3.5), which amends the ordinance known as Chapter 20 entitled Lakes and Beaches in the Municipal Code for the Village of Oconomowoc Lake, first draft, per correspondence from Mr. Macy dated November 23, 2011**

Mr. Macy reviewed the proposed amendment and stated that the Village cannot restrict all commercial use of the boat launch; however, some specific restrictions can be set forth. The proposed ordinance amendment stated that the maximum weight allowed for the boat and boat launch vehicle was 10,000 pounds. Trustees questioned whether that was too restrictive. After discussion, the Trustees suggested that 12,000 pounds should be the maximum weight allowed. Mr. Macy will make that change.

Motion (Bickler/Fellows) to create Section 20.15(3.5), which amends the ordinance known as Chapter 20 entitled Lakes and Beaches in the Municipal Code for the Village of Oconomowoc Lake, with the above-noted change regarding maximum weight, Carried Unanimously.

### **Discussion/action regarding the Wisconsin Attorney General 2011 Open meeting and Public Records Seminar, per correspondence from Mr. Macy dated December 2, 2011**

Mr. Macy stated that he had attended the Wisconsin Attorney General 2011 open meeting and public records seminar on October 20, 2011. The seminar was very informative, and materials are available on the Department of Justice website if members of the Village Board would like to access them for their own information. No action was necessary.

## **TREASURER**

### **Checks**

Motion (Bickler/Falstad) to approve check numbers 38961 through 39038, for regular monthly payments, and all electronic payments, Carried Unanimously.

## **FINANCE**

### **Discussion regarding monthly operating statement for December**

Mr. Fischer reviewed the monthly operating statement.

### **Discussion/action regarding the audit proposal from Reilly, Penner & Benton LLP for the 2011 year end audit**

Motion (Fischer/Falstad) to approve the audit proposal from Reilly, Penner & Benton LLP for the 2011 year end audit, Carried Unanimously.

### **Discussion/action regarding year end fund transfers**

Mr. Fischer explained the year end fund transfers, noting that the following accounts will be zeroed out, as the funds have been depleted: the asset forfeiture account and the Village Hall building fund. The funds used from the 50<sup>th</sup> anniversary account (\$15,350) to repair the stone wall in front of the Village Hall will be transferred out of that account and applied to the payment of the wall repairs. There is \$4,886 remaining in the 50<sup>th</sup> anniversary account.

### **Original Motion as Passed on 12/19/2011**

Motion (Fischer/Bickler) to transfer \$159,651 from the undesignated fund to the designated land acquisition fund, with property owners in the South Beach Road Sewer Project who pay their portion of the loan on an annual basis continuing to pay the interest at the current rate, and to transfer all other funds as noted on the Monthly Operating Statement, page 2, Carried Unanimously.

Revised Motion as Passed on 02/20/2012

Motion (Fischer/Bickler) to transfer \$159,651 from the undesignated fund to the designated land acquisition fund, with property owners in the South Beach Road Sewer Project who pay their portion of the loan on an annual basis continuing to pay the interest at the current rate, to zero out the asset forfeiture account (\$426) and the Village Hall building fund (\$3,593), to reduce the 50th anniversary fund by \$15,350, to transfer \$12,000 from the designated revaluation fund to the general fund, and not to transfer \$3,000 originally budgeted for the 2012 designated revaluation fund since the Village's assessment procedures have changed, as shown on the Monthly Operating Statement on page 2 under Transfers To/From Encumbered Funds Less Budget Appropriations, Carried Unanimously.

Mr. Wiemer noted that each year the Village purchases a skid loader, at minimal cost of approximately \$1,200 due to the significant discount that New Holland provides to municipalities. The 2012 base model skid loader operates with a joy stick, which is not very safe. For 2012, the Village will purchase an upgraded version that is safer and does not operate with a joy stick, and downgrade the high flow hydraulics feature. There will be an increase over the budgeted amount. This matter was not on the agenda, so no further discussion was held.

**ADMINISTRATOR**

**Discussion/action regarding the 2012 Fire Protection Agreement with the Okauchee Fire Department**

Mr. Wiemer reviewed the proposed fire department contract.

Motion (Bickler/Fellows) to approve the proposed 2012 fire protection agreement with the Okauchee Fire Department, Carried Unanimously.

**Discussion/action regarding acceptance of donations received from Village residents, as noted on Appendix C (attached), designated for use toward the fireworks display in July of 2012**

Motion (Fischer/Falstad) to accept the donations received from Village residents, as noted on Appendix C, designated for use toward the fireworks display in July of 2012, Carried Unanimously.

**POLICE CHIEF**

**Discussion/action regarding the purchase of new radar units**

Chief Wiemer explained that the two current radar units are not working properly, and if they cannot be fixed, will need to be replaced, at a cost of \$1,200 each. He noted that designated funds are available for the purchase.

Motion (Bickler/Fellows) to give the Village Administrator the option to purchase two new radar units at a cost of \$1,200 each, subject to attempting to repair the existing units, and using designated funds not to exceed \$3,000, Carried Unanimously.

**FIRE COMMISSIONER**

Mr. Wiemer explained that the Village of Summit is storing an old engine belonging to the Summit Fire District until it can be sold. The City of Oconomowoc is interested in the small tanker. The Village assets equal 25 percent of any sales. When the remaining equipment currently owned by the Summit Fire District is liquidated, the Village should check to see if any of that equipment is needed by the Okauchee Fire Department, and whether they would be able to purchase it.

**BOARD OF ZONING APPEALS**

There was no meeting.

**ARCHITECTURAL CONTROL BOARD (ACB)**

**Update regarding November 28, 2011 meeting**

A meeting was held on November 28, 2011 with the following matters receiving approval.

- Mr. & Mrs. Jeff Fellows for a backyard fence with gates
- Ewald Chevrolet Buick for reconstruction of the showroom and changes to the north elevation of the dealership building

There will not be a meeting in December.

### **CLERK**

#### **Discussion/action regarding approval of the December quarterly newsletter**

Motion (Bickler/Fischer) to approve the December quarterly newsletter as presented, Carried Unanimously.

### **COMMUNICATIONS**

Communications included the following:

- Focus on County Government Monthly Update from the Desk of Waukesha County Executive Daniel P. Vrakas
- League of Wisconsin Municipalities Legislative Bulletin dated December 5, 2011

### **RECOGNITION OF THE RETIREMENT OF ROBERT WUERL AS A VILLAGE POLICE OFFICER**

Mr. Wuerl had not yet arrived for the recognition, therefore the Board adjourned (noted below) and the recognition took place upon Mr. Wuerl's arrival after the meeting ended. Chief Wiemer presented Mr. Wuerl with a gold police officer's retirement badge and a plaque. Refreshments were served following the presentation.

### **ADJOURNMENT**

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

Respectfully submitted by:

Approved and ordered posted by:

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Cindy J. Schlieve, Clerk-Treasurer

\_\_\_\_\_  
Joseph L. Birbaum, President