

VILLAGE OF OCONOMOWOC LAKE

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OCONOMOWOC LAKE VILLAGE BOARD MEETING MINUTES OF MONDAY, December 20, 2010, Unofficial until approved by the Village Board. Approved as written (X) or with corrections () on 01/17/2011.

The regular monthly meeting of the Board of Trustees of the Village of Oconomowoc Lake was held on December 20, 2010, commencing at 7:06 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. Kneiser/President – present
Messrs., Bickler, Birbaum, Falstad, Fischer, Owens, Shult/Trustees – present
Ms. Schlieve/ Clerk-Treasurer – present
Mr. Wiemer/Police Chief-Administrator – present
Mr. Macy/Attorney –present

ATTENDANCE

There was no one in attendance other than those noted above.

MINUTES

Motion (Bickler/Shult) to approve, as printed, the minutes of the November 15, 2010 Village Board meeting, the December 6, 2010 public hearing, and the December 6, 2010 Special Village Board meeting, *Carried Unanimously*.

PUBLIC COMMENT

There was no public comment.

PRESIDENT

Renewal of professional, yearly appointments for 1-year term through December 2011 as noted on Appendix A

Mr. Kneiser reviewed the proposed professional, yearly appointments, as noted on Appendix A. Motion (Bickler/Birbaum) to approve the renewal of the professional, yearly appointments, as noted on Appendix A attached, *Carried Unanimously*.

PLAN COMMISSION

Discussion/action regarding an ordinance to repeal and re-create Section 17.19(3)(d) entitled "Signs in Residence Districts of the Village of Oconomowoc Lake", per recommendation of the Plan Commission at its December 6, 2010 meeting.

Motion (Birbaum/Shult) to adopt an ordinance to repeal and re-create Section 17.19(3)(d) entitled "Signs in Residence Districts of the Village of Oconomowoc Lake", *Carried Unanimously*.

Discussion/action regarding an ordinance to repeal and re-create Section 17.81 entitled "Penalties of the Village of Oconomowoc Lake Zoning Code", per recommendation of the Plan Commission at its December 6, 2010 meeting.

Motion (Falstad/Shult) to adopt an ordinance to repeal and re-create Section 17.81 entitled "Penalties of the Village of Oconomowoc Lake Zoning Code", *Carried Unanimously*.

ATTORNEY

Discussion/action regarding violation enforcement procedure, second draft, per correspondence from Mr. Macy dated December 10, 2010.

Mr. Macy explained that a violation enforcement procedure had been adopted by the Village Board in November, but differences were found in the newly adopted procedure and the violation enforcement procedure in the Village's property maintenance code. The second draft resolves those differences.

Motion (Birbaum/Owens) to adopt the revised violation enforcement procedure, *Carried Unanimously*.

Discussion/action regarding an ordinance to repeal and re-create Section 17.16(4) of the Village of Oconomowoc Lake Zoning Code related to the expiration of building permits in the Village of Oconomowoc Lake, first draft, per correspondence from Mr. Macy dated December 10, 2010.

Mr. Kneiser explained that this ordinance had been drafted to address concerns that building permits were being extended in the Village without any provisions in the zoning code for those extensions. The proposed ordinance allows fees to be assessed for permit extensions. The trustees noted that in section (4)(A)3 of the proposed ordinance, it states that an extension must be requested if the building is not completed within 24 months from the date of issuance of such permit. The trustees stated that any extension should be stated as "from the start of construction under such permit." Sections (4)(B) and (4)(C) state the percentage of the original permit fee that is to be imposed for the requested extension. Trustees set those percentages as follows: in Section (4)(B), the extension fee is 25 percent of the original permit fee; in Section (4)(C), the extension fee is 50 percent of the original permit fee.

Motion (Shult/Birbaum) to adopt the ordinance to repeal and re-create Section 17.16(4) of the Village of Oconomowoc Lake Zoning Code related to the expiration of building permits in the Village of Oconomowoc Lake, with the above noted revisions, *Carried Unanimously*.

Discussion/action regarding "An Ordinance Establishing Sex Offender Residency and Loitering Restrictions within the Village of Oconomowoc Lake", first draft, per communication from Mr. Macy dated December 1, 2010.

Mr. Macy presented the first draft of the above-noted ordinance. Trustees noted several areas of concern with the proposed ordinance, to include: Mr. Macy will verify that the definition, per state law, of a child as being a person under the age of 18; refining the definition of Club; refining the definition of Lake to include "and its tributaries"; and requested Mr. Macy verify the existing state law regarding the registration of sex offenders. With those areas of concern noted, Mr. Macy will revise the proposed ordinance.

Motion (Owens/Shult) to adopt the proposed ordinance establishing sex offender residency and loitering restrictions within the Village of Oconomowoc Lake, with revisions and further verifications as noted above, and with the provision that Mr. Wiemer will create a map indicating the "Safe Child Areas" of the Village, *Carried Unanimously*.

TREASURER

Checks

Motion (Birbaum/Bickler) to approve check numbers 38090 through 38167, 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 2010 year end audit.

Motion (Birbaum/Shult) to accept the audit proposal from Reilly, Penner & Benton LLP for the 2010 year end audit, Carried Unanimously.

Discussion/action regarding end-of-year fund transfers

Mr. Fischer explained that the end-of-year fund transfers are printed on the second page of the monthly operating statement (attached). He reviewed the proposed transfers.

Motion (Fischer/Shult) to accept the end-of-year fund transfers as proposed in the attached operating statement, Carried Unanimously.

ADMINISTRATOR

Discussion/action regarding the approval of the proposed Lake Country Municipal Court 2011 Budget

Mr. Wiemer explained the proposed Lake Country Municipal Court 2011 budget. Motion (Bickler/Birbaum) to adopt the resolution to approve the Lake Country Municipal Court budget for 2011, Carried Unanimously.

Discussion/action regarding the City of Oconomowoc Fire Department Ambulance Service Contract for 2011 for the Village of Oconomowoc Lake

Mr. Wiemer explained the contract, noting an increase of fees. Motion (Bickler/Falstad) to approve the City of Oconomowoc Fire Department Ambulance Service Contract for 2011, Carried Unanimously.

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

Mr. Wiemer reported that, to date, the Village had received \$4,075 in donations toward the 2011 fireworks display.

Motion (Fischer/Falstad) to accept the donations received designated for the 2011 fireworks display, as noted on Appendix B attached, Carried Unanimously. Staff will send letters of acknowledgement to the donors.

Discussion/action regarding acceptance of donation received from Paul and Peggy Bielik for use toward the police motorcycle expenses in 2011

Mr. Wiemer requested acceptance of the donation from Paul and Peggy Bielik of \$250.00, designated for use toward the police motorcycle expenses in 2011.

Motion (Fischer/Falstad) to accept the donation received from Paul and Peggy Bielik designated for use toward the police motorcycle expenses in 2011, Carried Unanimously.

Discussion/action regarding assessor for 2011

Mr. Wiemer explained that he had received no fee proposal for 2011 from the Schultz Appraisal Agency, the Village's current assessor. Trustees expressed concerns regarding the revaluation process that occurred in 2010, specifically the manner in which people and assessment matters were handled by the Schultz Appraisal Agency. Trustees suggested that Schultz Appraisal be retained on a month-to-month basis for 2011, while pursuing other options.

Motion (Bickler/Birbaum) to retain the Schultz Appraisal Agency as the Village Assessor on a month-to-month basis for 2011, Carried Unanimously.

Discussion/action regarding a resolution to adopt the Waukesha County All Hazards Mitigation Plan

Mr. Wiemer explained that the adoption of the plan will not cost the Village anything; however, if the Village does not adopt the plan, it may not be eligible to apply for, nor receive mitigation project funding in the future. With the adoption, the Village may be eligible to recoup future costs.

Motion (Falstad/Bickler) to adopt the proposed Waukesha County All Hazards Mitigation Plan, Carried Unanimously.

Discussion/action regarding three notices of zoning violations presented at the previous Village Board meeting on November 15, 2010

Mr. Wiemer explained that notices had been sent to Mr. Robert O. Remien regarding 35900 Pabst Road, Marie Kasten regarding 4654 Lake Club Circle, and James and Debi Schneider regarding 34947 Fairview Road.

In regard to Mr. Remien's property, Mr. Wiemer advised that he had identified numerous structures in the Village used to house garbage cans. If Mr. Remien moves his structure off of the existing accessory structure, Mr. Wiemer can then accept it as a minor structure. Additionally, work on the Remien's garage is found to be maintenance, not new construction or remodeling. Mr. Wiemer also advised that he had received a certified survey map from Mr. Remien for his property.

In regard to Ms. Kasten's property, Mr. Wiemer advised that the archways have been removed, and that the removal of the deck will be addressed in the spring when the ground has thawed.

In regard to Mr. and Mrs. Schneider's property, Mr. Wiemer advised that he had sent the variance request paperwork to the Schneiders, but has not heard back from them.

Mr. Kneiser requested that the Trustees receive a monthly update on the progress of these three items until everything is in compliance.

Update on wake enhancement ordinance draft

Mr. Wiemer advised that the draft ordinance had been sent to the Department of Natural Resources and he was waiting for a response from them. He will update the board next month.

POLICE CHIEF

There was no report.

FIRE COMMISSIONER

Mr. Wiemer reported that discussion has been ongoing regarding the proposed merger of the Oconomowoc Fire Department and the Summit Fire District. The City has reviewed a consultant's financial analysis that proposes several different possible scenarios for consolidation of the fire departments, and is favoring Table 8 of the proposed options. Table 8 would cost both the Village of Oconomowoc Lake and the Village of Summit considerably more than it would cost the City, and still does not take into consideration the equipment that the Summit Fire District would be bringing to the consolidation. The Trustees suggested that a meeting be arranged between the Villages of Summit and Oconomowoc Lake and the Summit Fire District Commission, in order to discuss the options presented and strategize the best plans for all parties involved. Trustees noted that their preference of the options presented was closer to that of Table 10. Mr. Wiemer will arrange a meeting as suggested by the Trustees.

BOARD OF ZONING APPEALS

There was no meeting.

ARCHITECTURAL CONTROL BOARD (ACB)

There was no meeting.

CLERK

Discussion/action regarding approval of the December quarterly newsletter

Trustees suggested several additions or deletions for the newsletter.

Motion (Bickler/Falstad) to approve the December quarterly newsletter including the additions or deletions discussed, Carried Unanimously.

COMMUNICATIONS

Ms. Schlieve advised the Trustees that they had received copies of the following matters in their packets.

- Letter to the Board of Trustees from Scott V. Lowry
- The "Focus on County Government" monthly update from the desk of Waukesha County Executive Daniel P. Vrakas

ADJOURNMENT

With no further discussion being heard, a motion (Shult/Bickler) to adjourn was made at approximately 8:50 p.m., and Carried Unanimously.

Respectfully submitted by:

Approved and ordered posted by:

Cindy J. Schlieve, Clerk-Treasurer

Richard J. Kneiser, President