

# VILLAGE OF OCONOMOWOC LAKE

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OCONOMOWOC LAKE VILLAGE BOARD MEETING MINUTES OF MONDAY,  
April 21, 2008, Unofficial until approved by the Village Board. Approved as  
written (✓) or with corrections ( ) on 05/19/08.

The regular monthly meeting of the Board of Trustees of the Village of Oconomowoc Lake was held commencing at 7:05 p.m., on April 21, 2008, 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., Fischer, Owens, Schinzer, and Shult/Trustees – present  
Messrs., Bickler, Birbaum/Trustees – absent  
Ms. Schlieve/ Clerk-Treasurer – present  
Mr. Wiemer/Police Chief-Administrator – present  
Mr. Macy/Attorney –present

## ATTENDANCE

Ed Johnson and John Sproule

## MINUTES

Motion (Shult/Schinzer) to approve the minutes of the March 17, 2008 Public Information Meeting, Public Hearing, Village Board Meeting, and Utility District Meeting as printed, Carried Unanimously.

## PUBLIC COMMENT

Motion (Owens/Schinzer) to open meeting to public comment on agenda items, Carried Unanimously.

Mr. Ed Johnson noted that his deed reflects part ownership of the Whittimore Avenue property also.

Motion (Shult/Owens) to close meeting to public comment, Carried Unanimously.

## PRESIDENT

### Recognition of John Sproule for his years of service on the Architectural Control Board for the Village.

Mr. Kneiser read the Certificate of Appreciation for Mr. Sproule's many years of service to the Village of Oconomowoc Lake. The Certificate of Appreciation was Approved Unanimously.

### Discussion/action regarding Village committees per Charter Ordinance 2.

Mr. Kneiser advised that Charter Ordinance 2 defines the standing committees that the Village has. Included in those committees are public health and safety. The public health and safety committee has not met for more than 5 years, and the duties of that committee are fulfilled by the Village Board of Trustees, the plan commission, and the Village Administrator. Therefore, Mr. Kneiser suggested that the ordinance be amended to remove the public health and safety committee as well as the public works committee, which also has not been an active committee for many years. Mr. Macy noted that since Ordinance 2 is a charter ordinance, there are special rules about amending it. Motion (Schinzer/Shult) to table the matter to the next meeting was Carried Unanimously. After a brief consultation, Mr. Macy and Mr. Wiemer advised the trustees of the requirements for amending a charter ordinance. All members present agreed that the ordinance should not be amended due to the lengthy requirements for amending a charter ordinance. Motion (Schinzer/Shult) to rescind the motion to table the matter was Carried Unanimously. The trustees agreed that there would be no appointments to those two committees at the present time. If issues arise in the future that require decisions in the areas that concern those committees, appointments could possibly be made at that time.

### Discussion/action regarding appointments to the following committees.

Board of Review appointments for 1-year terms:

- 1) Richard J. Kneiser, 2008-2009
- 2) Michael Bickler, 2008-2009
- 3) Cindy J. Schlieve, 2008-2009
- 4) Jeanine Griswold, Alternate, 2008-2009
- 5) Paul Fischer, Alternate, 2008-2009
- 6) Joseph Owens, Alternate, 2008-2009

Plan Commission appointments:

- 1) Joseph Owens, 1-year term, 2008-2009
- 2) Michael Bickler, 3-year term, 2008-2011
- 3) Tom Lyons, 1-year term, 2008-2009
- 4) Gery Langenbach, 1-year term, 2008-2009
- 5) Paul Clarkson, 1-year term, 2008-2009

Architectural Control Board appointments for 3-year terms:

- 1) Rick Andritsch, 2008-2011
- 2) Paul Clarkson, 2008-2011
- 3) Michael Bickler, 2008-2011

Board of Zoning Appeals appointments for 3-year terms:

- 1) Red Reynolds, 2008-2011
- 2) David Falstad, 2008-2011

Finance Committee appointments for 1-year terms:

- 1) Paul Fischer, 2008-2009
- 2) Joe Birbaum, 2008-2009
- 3) Richard J. Kneiser, 2008-2009
- 4) Michael Schinzer, 2008-2009
- 5) Chris Shult, 2008-2009

Motion (Schinzer/Shult) to approve the appointments for each of the committees noted above, Carried, with a roll call vote of Messrs. Owens, Shult, Schinzer, Kneiser, and Fischer: aye; there were no opposing votes or abstentions.

**PLAN COMMISSION**

Mr. Wiemer advised that he and Mr. Kneiser had met with Mr. Robert Hultquist (Town of Oconomowoc Chairman) and Mr. Jeff Hermann (Town of Oconomowoc Planner) to discuss the possibility of a border agreement with the Town of Oconomowoc regarding the northern border of the Village of Oconomowoc Lake. There will be further research and discussions in the future.

Mr. Kneiser noted that he and Mr. Wiemer will be meeting with special counsel, Mr. John St. Peter, on April 24, 2008 to review matters relating to the Town of Summit boundary agreement.

**ATTORNEY**

**Discussion regarding the 2007 Wisconsin Act 43, per letter from Mr. Macy dated March 18, 2008.**

Mr. Macy advised that Act 43 includes some changes regarding the options available to municipalities to enter into boundary agreements.

**Discussion regarding Time Warner Cable's petition for determination of effective competition, per Mr. Macy's letter dated March 27, 2008.**

Mr. Macy advised that there is nothing that needs to be done immediately, but since the Village of Oconomowoc Lake was included on a petition filed by Time Warner Cable with the Federal Communications Commission, he wanted the trustees to be aware of the matter.

**Discussion regarding recent statutory changes affecting impact and land development fees, per Mr. Macy's letter dated April 10, 2008.**

Mr. Macy advised that the recent changes were to correct a previous bill passed in the State Legislature. It does not apply to the Village at the present time since we do not currently assess impact and land development fees.

**Update on pier law.**

Mr. Kneiser reported that a new law affecting piers and lakes was signed into law on April 1, 2008. Permits for piers are issued by the Department of Natural Resources. Mr. Macy noted that there is a 3-year time period to register piers that would qualify to be "grandfathered" due to their size. Trustees requested the clerk include information about the new pier law in the next newsletter, as well as in the March newsletter for the next two years. The article will include a brief overview of the new law and information directing residents to further information and instructions to have their piers "grandfathered" if necessary.

**TREASURER**

**Checks**

Motion (Shult/Owens) to approve check nos. 35169 through 35259, for regular monthly payments, and all electronic tax payments, *Carried Unanimously.*

**FINANCE**

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

The monthly operating statement was discussed.

**Discussion/action regarding 2007 audit report.**

Mr. Fischer explained the audit report and the management letter. Mr. Fischer also noted that a number of issues had to be resolved with the accounting firm again this year, and he would like to arrange a meeting with the firm to review those concerns and establish procedures for the future. Motion (Owens/Shult) to approve the audit report and management letter, acknowledging the exceptional contribution made by Mr. Fischer in writing the management's discussion section, and with the addition of a notation that building permit and boat launch fees do not reflect the total impact of the Village's costs for those services, *Carried Unanimously.*

**ADMINISTRATOR**

**Update on road bidding.**

Mr. Wiemer advised that the bidding documents are being finalized and should be mailed this week. The anticipated bid opening date is May 14, 2008, with the bid awarded at the May 19, 2008 Village Board meeting. Mr. Wiemer noted that on Pabst Road, the project will begin at the west side of Southwood Drive. The jurisdiction of the portion of Pabst Road from Southwood Drive to Highway 67 is divided between the Town of Summit and the City of Oconomowoc. Attempts will be made to have those municipalities included in the road paving project, but to date they have not been receptive.

**Discussion/action regarding the potential for weekly renting of homes.**

Mr. Wiemer reported that there is the potential that a Village home will be rented out on a weekly basis, or less than seasonally. Mr. Kneiser noted that, per the Village's Master Plan, properties in the Village are to be only single family, owner occupied. It was also noted that the rental of a home on a weekly basis, or less than seasonally, would be considered a business, and that the definition of business could be revised to reflect that homes could not be rented on a basis that is less than seasonal. Mr. Macy was instructed to research the legalities and draft a document for consideration at the next Plan Commission meeting, with a possible recommendation for approval at a future Village Board meeting.

**Update on Whittimore Avenue.**

Trustees were updated on the status of Whittimore Avenue, which includes a portion that may be owned privately by a Village resident.

**Update on the sewer agreement with the City of Oconomowoc for the business district.**

Mr. Macy advised that he had received a final draft, and that there is an ambiguity in Section E; however, he advised to accept the document as it is currently written. It was noted that the trustees had approved the document at the March 17, 2008 meeting. Staff will make arrangements to obtain copies of the final document, have it signed, and returned to the City for their approval and signatures.

**Update on the Smart Growth Plan.**

Mr. Wiemer advised that he had received a letter from the State of Wisconsin, Department of Administration, advising that the Village's Smart Growth Plan did not include reference to mining. Mr. Wiemer contacted planner Kathy Moore who found that the mining issue is covered in the Smart Growth Plan for Waukesha County. The Village does not need to revise its plan. Ms. Moore will provide the Village with a letter documenting that information, which will be added to the Smart Growth file for future reference.

**POLICE CHIEF**

Mr. Wiemer reported that a new part-time police officer has been hired since two part-time officers have either resigned or have limited availability. The new police officer is Orlin Foat.

**FIRE COMMISSIONER**

No report.

**BOARD OF ZONING APPEALS**

The board did not meet.

**ARCHITECTURAL CONTROL BOARD (ACB)**

The ACB did not meet in March, but will be meeting in April.

**CLERK**

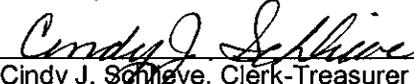
Ms. Schlieve advised the Trustees that information regarding recycling had been included in their packets.

**COMMUNICATIONS**

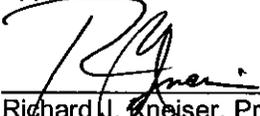
There were no communications.

With no further discussion being heard, motion (Shult/Owens) to adjourn was made at approximately 8:35 p.m., and Carried Unanimously.

Respectfully submitted by:

  
Cindy J. Schlieve, Clerk-Treasurer

Approved and Ordered Posted by:

  
Richard J. Kneiser, President