

VILLAGE OF OCONOMOWOC LAKE

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**OCONOMOWOC LAKE VILLAGE BOARD MEETING
MINUTES OF MONDAY, January 16, 2012,
Unofficial until approved by the Village Board.
Approved as written (X) or with corrections () on 02/20/2012.**

The regular monthly meeting of the Board of Trustees of the Village of Oconomowoc Lake was held on January 16, 2012, commencing at 7:00 p.m., 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, Owens, Shult/Trustees – present
Mr. Fischer/Trustee – absent
Ms. Schlieve/ Clerk-Treasurer – present
Mr. Wiemer/Police Chief-Administrator – present
Mr. Macy/Attorney –present

ATTENDANCE

Ed Johnson

PRESIDENT ANNOUNCES CLOSED SESSION

President Birbaum announced that the Village Board of Trustees will: “convene into executive closed session by roll call vote, pursuant to Section 19.85(1)(g), Wisconsin State Statutes, ‘conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved’, regarding the excessive assessment claim of Mart A. Olson in regard to his real estate property located in the Village of Oconomowoc Lake with tax key number OCLV 0585-974-001. Participating in the executive closed session will be the Village Board, Village Attorney, Village Administrator, and Village Clerk-Treasurer.”

MINUTES

Ms. Schlieve advised the Trustees that there was a correction to the Village Board meeting minutes for December 19, 2011 on page two, the first paragraph. The motion should state “. . . in the business district of the Village of Oconomowoc Lake . . .”

Motion (Owens/Bickler) to approve the minutes of the December 19, 2011 Public Hearing and Village Board meeting, with the above-noted correction, Carried Unanimously.

PUBLIC COMMENT

There was no public comment.

PRESIDENT

The President had nothing to report.

PLAN COMMISSION

There was no Plan Commission meeting on which to report.

ATTORNEY

Discussion/action regarding an ordinance to repeal and re-create Section 9(e) entitled Closing Hours of Section 12.03 of the Municipal Code of the Village of Oconomowoc Lake Entitled Intoxicating Liquor and Fermented Beverages, two possible drafts, per correspondence from Mr. Macy dated December 27, 2011

Mr. Macy explained the law change that allows for the sale of beer and liquor at 6:00 a.m., with the closing of sales for beer at midnight and liquor at 9:00 p.m. The first draft Mr. Macy provided only changes the time from 8:00 a.m. to 6:00 a.m. for all carryout sales. The second draft would, in addition to allowing beer and liquor sales to start at 6:00 a.m., also allow the sale of beer to continue until midnight, which adopts state law in regards to closing hours. Mr. Wiemer advised that Roundy's, d/b/a Pick N Save, has made the request to sell beer and liquor beginning at 6:00 a.m., and ending at 9:00 p.m.

Motion (Shult/Bickler) to adopt Draft 1 which repeals and re-creates Section 9(e) entitled closing hours of Section 12.03 of the municipal code of the Village of Oconomowoc Lake entitled intoxicating liquor and fermented beverages, *Carried Unanimously*.

TREASURER

Checks

Motion (Bickler/Falstad) to approve check numbers 39039 through 39111, for regular monthly payments, and all electronic payments, *Carried Unanimously*.

FINANCE

Discussion regarding monthly operating statement for January

In Mr. Fischer's absence, Mr. Wiemer reviewed the monthly operating statement.

ADMINISTRATOR

Discussion/action regarding approval of the legal description of the Village of Oconomowoc Lake corporate limits as of December 1, 2011

Mr. Wiemer explained that the legal description of the Village must be updated with the Waukesha Register of Deeds and the State of Wisconsin. In order to do so, the Board of Trustees must approve the legal description. The change in the legal description of the Village of Oconomowoc corporate limits as of December 1, 2011 is the addition of the entire roadway known as E. Wisconsin Avenue along the north side of the business district.

Motion (Fellows/Shult) to approve the legal description of the Village of Oconomowoc corporate limits as of December 1, 2011, *Carried Unanimously*.

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

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

POLICE CHIEF

Discussion/action regarding setting the sales price of the police vehicle that is to be disposed

Motion (Falstad/Shult) to set the sale price for the retired police vehicle at a minimum of \$3,500, *Carried Unanimously*.

FIRE COMMISSIONER

Mr. Wiemer reported that the next Summit Fire Commission meeting is Thursday, January 19, 2012. They are getting the equipment set up for appraisals.

Mr. Wiemer also advised that the transition to the Lake Country Fire's ambulance service took place effective January 1, 2012, and to date, everything has gone smoothly.

In regard to the possible merger with the Okauchee Fire Department, Mr. Wiemer stated that a draft contract had been prepared by Mr. Macy and has been reviewed by the Okauchee Fire Department, who made a number of revisions. Discussion is on-going.

BOARD OF ZONING APPEALS

There was no meeting.

ARCHITECTURAL CONTROL BOARD (ACB)

Update regarding January 10, 2012 meeting

A meeting was held on January 10, 2012 with the following matter receiving approval.

- Mr. & Mrs. Brennan Smith regarding 35947 North Beach Road, for changes to the previously approved single family residence and detached garage to replace the former structures. Changes were proposed to the porches and pergola, window changes, footprint change, and stone veneer change.
- Mr. Paul Fischer appeared before the ACB to discuss the possibility of building a storage shed/garage on a property he is considering purchasing. The property is located at 3950 West Beach Road. There was no action taken on this matter since it was not on the agenda. Mr. Fischer had requested to appear before the ACB for a preliminary review and consensus.

CLERK

There was nothing to report.

COMMUNICATIONS

Communications included the following:

- Focus on County Government Monthly Update from the Desk of Waukesha County Executive Daniel P. Vrakas

CLOSED SESSION

Mr. Birbaum announced that the Board would convene into executive closed session by roll call vote, pursuant to Section 19.85(1)(g), Wisconsin State Statutes, "conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved", regarding the excessive assessment claim of Mart A. Olson in regard to his real estate property located in the Village of Oconomowoc Lake with tax key number OCLV 0585-974-002. Participating in the executive closed session will be the Village Board, Village Attorney, Village Administrator, and Village Clerk-Treasurer.

Motion (Bickler/Falstad) to adjourn the meeting to closed session, *Carried Unanimously*. The roll call vote was as follows: Messrs. Owens, Shult, Fellows, Bickler, Falstad, and Birbaum voted yes. There were no nay votes.

RECONVENE INTO OPEN SESSION TO ACT UPON ANY MOTION(S) REQUIRED FROM THE CLOSED SESSION DISCUSSION

Motion (Bickler/Shult) to reconvene into open session, *Carried Unanimously*. The roll call vote was as follows: Messrs. Owens, Shult, Fellows, Bickler, Falstad, and Birbaum voted yes. There were no nay votes.

Motion (Bickler/Owens) to authorize the Village President to deal with the excessive assessment claim of Mart A. Olson in regard to his real estate property located in the Village of Oconomowoc Lake with tax key number OCLV 0585-974-002, in accordance with the discussion held during the closed session, *Carried Unanimously*.

ADJOURNMENT

With no further discussion being heard, a motion (Shult/Bickler) to adjourn was made at approximately 7:36 p.m., and Carried Unanimously.

Respectfully submitted by:

Approved and ordered posted by:

Cindy J. Schlieve, Clerk-Treasurer

Joseph L. Birbaum, President