

VILLAGE OF OCONOMOWOC LAKE

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**OCONOMOWOC LAKE VILLAGE BOARD MEETING
MINUTES OF MONDAY, June 18, 2012,
Unofficial until approved by the Village Board.
Approved as written (X) or with corrections () on 07/16/2012.**

The regular monthly meeting of the Board of Trustees of the Village of Oconomowoc Lake was held on June 18, 2012, commencing at 7:00 PM, 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., Falstad, Fellows, Fischer, Owens/Trustees – present
Messrs., Bickler, Shult/Trustees – absent
Ms. Schlieve/ Clerk-Treasurer – present
Mr. Wiemer/Police Chief-Administrator – present
Mr. Macy/Attorney –present

ATTENDANCE

Mark and Kim Loehrer, Joseph Faretta, Ed Johnson

MINUTES

Two corrections were noted for the May 21, 2012 minutes: on page one under attendance, add Jeff Rummel; and, on page two, the motion to approve the request from Dave Barquist, remove the word “purchase” from the motion.

Motion (Falstad/Fellows) to approve the minutes of the May 21, 2012 Village Board meeting, as corrected above, Carried Unanimously.

PUBLIC COMMENT

Motion (Fellows/Falstad) to open the meeting to public comment on agenda items, Carried Unanimously.

Joseph Faretta, 3821 LaLumiere Road, commented that the white truck that sells beef drove through the Sylvan Lane pass through that afternoon. He also requested that if the pass through is not closed to driving traffic, then the Village should put a chain across the pass through so that only residents of the subdivision can use it and send a letter to the residents explaining that the purpose of the pass through is for them to use to go to their boats, but not for day-to-day matters.

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

PRESIDENT

Discussion/action regarding the Sylvan Lane pass through in the LaLumiere Subdivision

Mr. Birbaum suggested that a home owner’s association be formed to handle matters in the future. Since the Village owns property in the LaLumiere subdivision, it would be included in any home owner’s association that was formed. Mr. Birbaum further suggested that a lane of traffic be delineated for the Sylvan Lane pass through. Mr. Fischer suggested that the original agreement that stated a gate would be installed if problems arose once the road was closed should be followed. Discussion followed.

Motion (Fellows/Fischer) to direct the Village Administrator to prepare a plan for gating one side of the pass through, using rocks to delineate the pass through, subject to a review by the Village Board of Trustees of the proposed plan and gate design at the July 16, 2012 monthly meeting, Carried Unanimously.

Discussion/action regarding high water events; report from Engineer; report from Lac LaBelle Lake Management District

Mr. Wiemer reported that a representative from the Lac LaBelle Lake Management Association was not available to attend the meeting, but can be available for the July 16, 2012 meeting along with the Village Engineer. Mr. Wiemer also noted that the Department of Natural Resources (DNR) is considering creating a model to regulate flow of water. The DNR is using the engineering study that was done by the Village Engineer. Any model creation will not occur until at least the end of 2012. Mr. Wiemer suggested deferring any meetings with the Lac LaBelle Lake Management Association until the DNR completes its review.

Motion (Owens/Falstad) to table the matter until further information is available, and direct the Village Administrator to keep the Trustees updated as needed, Carried Unanimously.

PLAN COMMISSION

There was no meeting held in June.

ATTORNEY

Mr. Macy had no report. Mr. Birbaum reported that a meeting of the assessment study group had been held just prior to the Village Board meeting to review assessment procedures.

TREASURER

Checks

Motion (Falstad/Owens) to approve check numbers 39424 through 39503, for regular monthly payments, and all electronic payments, Carried Unanimously.

FINANCE

Discussion regarding monthly operating statement for June

Mr. Fischer reviewed the monthly operating statement.

ADMINISTRATOR

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 (Fellows/Falstad) 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.

Discussion/action regarding approval of the Tax Billing Contract for 2012 and 2013

Motion (Shult/Owens) to approve the proposed Tax Billing Contract with Waukesha County for 2012 and 2013, Carried Unanimously.

Discussion/action regarding update of the Okauchee Fire Department contract

Mr. Wiemer explained that the contract with the Okauchee Fire Department for fire service to cover the entire Village, beginning in 2013, had been reviewed and a final version is ready for approval. Mr. Wiemer noted that payments of 50% of the contract would be made to the Okauchee Fire Department in February and July of each year. The contract is a year-to-year contract, but future year plans have been tied into the contract, with the CPI controlling any increase of fees. Notification must be made by either party of the contract by April 1 of any year if termination of the contract is being considered.

Motion (Falstad/Owens) to approve the final draft of the contract with the Okauchee Fire Department for fire service for the entire Village beginning January 1, 2013, Carried Unanimously.

Discussion/action regarding bid for road paving for West Beach Road

Mr. Wiemer explained that he had received a quote of \$13,000 to repair and repave portions of West Beach Road. Per state law, another quote must be obtained and a notice must be put in the newspaper before the road repair can proceed. Mr. Wiemer would like the Trustees to give him the authority to decide which quote to choose and then proceed with the project once the proper quotes and publication have been completed. Mr. Wiemer noted that the Village currently has \$54,000 set aside for road repair projects.

Motion (Owens/Falstad) to authorize the Village Administrator to proceed with the road repair project on West Beach Road at a cost not to exceed \$15,000, Carried Unanimously.

Discussion/action regarding the contract with Graef for mandated bridge inspections

Mr. Wiemer explained the proposed contract for bridge inspections. The bridge inspections are mandated by state law.

Motion (Fellows/Falstad) to approve the proposed contract with Graef for mandated bridge inspections, Carried Unanimously.

Discussion/action regarding interpretation of the zoning code which states the main building width cannot exceed sixty percent (60%) of lot when measured at the water front

Mr. Wiemer requested assistance from the Trustees in making an interpretation on the Village's zoning code that states that the main building cannot exceed sixty percent (60%) of lot width when measured at the lake. Mr. Wiemer noted that the current zoning code restricts the main building, the residence; it cannot exceed 60% of the lot width when measured at the lake. As an example, if the width at the lake is 120 feet, the maximum house width on the lot cannot exceed 72 feet. That would allow 48 feet of green space on both sides of the residence in the offset area. When viewed from the water, there would be 24 feet of open space on each side of the residence. Mr. Wiemer's example then tilts the same 72-foot-in-width house on the lot to the point that the corners of the house are 20 feet away from the side yard property line. If a straight line is then drawn from each of the two corners of the residence to the lake, the residence width when viewed from the lake has been increased. The zoning code does not state either way that once a residence is at the maximum of the house width, that the residence can then be tilted to place the residence on the lot and create a view from the water that now exceeds the 60% structure restrictions. Mr. Wiemer explained that his interpretation of the zoning code is that the intent of the zoning restriction was to not fill up the lot with structure, and also to create green space between the homes on lake lots.

Discussion followed. After the illustration by the Village Administrator, the Trustees concurred with the Village Administrator's opinion of the intent of the zoning code when it was adopted.

Motion (Fellows/Owens) to support the Village Administrator in his interpretation of the zoning code relating to the main structure being no more than 60% of the lot width when measured at the lake, Carried Unanimously.

POLICE CHIEF

There was nothing to report.

FIRE COMMISSIONER

Discussion/action regarding update on appraisal of fire equipment

Mr. Wiemer provided an appraisal of apparatus for the Summit Fire District. He explained that the real value of the equipment will be determined by the sale prices. The values listed on the appraisal will be

considered a minimum value if there is competition to purchase the equipment. The Summit Fire Commission will review and validate the appraisal in the near future. Henry Elling, Village Administrator for the Village of Summit, would then like to set a meeting of the Village of Summit and the Village of Oconomowoc Lake to discuss the approval of the values by the two municipalities. Then the Village of Summit will proceed with selling or disposing of the equipment.

Motion (Falstad/Fellows) to authorize Mr. Wiemer to proceed with the appraisal of apparatus for the Summit Fire District as presented, Carried Unanimously.

BOARD OF ZONING APPEALS

There was no meeting.

ARCHITECTURAL CONTROL BOARD (ACB)

There was no meeting.

CLERK

Discussion/action regarding the approval of the June 2012 quarterly newsletter

Ms. Schlieve noted that Mr. William Schuett had passed away and an "In Memory Of" would be added to the newsletter. Mr. Fischer provided some additional information to be added in regard to the annual fireworks display and donations for the display.

Motion (Fischer/Fellows) to approve the June 2012 quarterly newsletter with the above-noted additions, Carried Unanimously.

Discussion/action regarding approval of licenses for the following: Class A and B Beer and Liquor; Operator/Bartender; Soda Water; and Cigarette (See Exhibit B)

Motion (Owens/Falstad) to approve the licenses for Class A and B Beer and Liquor; Operator/Bartender; Soda Water; and Cigarette, as noted on Exhibit B, excluding Patrick McAdams, Carried Unanimously.

Discussion/action regarding the renewal of the Class B Liquor and Class B Intoxicating Liquor and Fermented Malt Beverage License for Patrick McAdams for a building to be constructed on tax key numbers OCLV 0586-994 or OCLV 0586-995-001, or their successor tax key numbers (See Exhibit B)

Motion (Falstad/Owens) to approve the renewal of the Class B Liquor and Intoxicating Liquor and Fermented Malt Beverage License for Patrick McAdams for a building to be constructed on tax key numbers OCLV 0586-994 or OCLV 0586-995-001, or their successor tax key numbers, as noted on Exhibit B, Carried Unanimously.

COMMUNICATIONS

Communications included the following:

- 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 (Fellows/Fischer) to adjourn was made at approximately 8:00 p.m., and Carried Unanimously.

Respectfully submitted by:

Approved and ordered posted by:

Cindy J. Schlieve, Clerk-Treasurer

Joseph L. Birbaum, President