

# VILLAGE OF OCONOMOWOC LAKE

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**OCONOMOWOC LAKE VILLAGE BOARD MEETING MINUTES OF  
MONDAY, June 21, 2010, Unofficial until approved by the Village Board.  
Approved as written ( X ) or with corrections ( ) on 07/19/2010.**

The regular monthly meeting of the Board of Trustees of the Village of Oconomowoc Lake was held on June 21, 2010, commencing at 7:03 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 following the Pledge of Allegiance with the following in attendance:

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

## **ATTENDANCE**

Ed Johnson and John Sproule

## **MINUTES**

Motion (Falstad/Owens) to approve, as printed, the minutes of the May 17, 2010 Village Board public hearing; and to approve the minutes of the May 17, 2010 Village Board meeting, with the addition noted below, Carried Unanimously.

Addition to the sentence corrected at the May 17, 2010 meeting for the April 19, 2010 minutes: add the word Administrator to the end of the following sentence: *The matter of the water retention and run-off plan must be approved by the Village.*

## **PUBLIC COMMENT**

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

There were no public comments.

Motion (Bickler/Birbaum) to close the meeting to public comment on agenda items, Carried Unanimously.

## **PRESIDENT**

### **Discussion/action regarding flag poles as they pertain to structures.**

There was discussion regarding the inclusion of flag poles in the definition of minor structures. The trustees requested this matter be referred to the Plan Commission for their review.

## **PLAN COMMISSION**

There was nothing to report. There will be a plan commission meeting July 12, 2010.

## **ATTORNEY**

**Discussion/action regarding wind turbine siting rules, per correspondence from Mr. Macy dated June 15, 2010 and the wind energy systems draft rule.**

Mr. Macy reviewed the history of the wind turbines and the proposed siting rules. Mr. Kneiser questioned whether the Village should file written comments to the Public Service Commission explaining the concerns the Village has regarding the proposed wind turbine siting rules. Discussion followed. Mr. Kneiser and Mr. Fischer will draft the written comments, and Mr. Fischer will attend one of the three hearings that will be held in the near future, at which time he will present the written comments. Staff will make contact with Curt Witynski, an attorney with the League of Wisconsin Municipalities who is our contact for matters concerning the wind turbine siting rules. The purpose for contacting Mr. Witynski is to ascertain the League's stand on this matter and what plans they have to assist municipalities that have concerns regarding the rules.

**Discussion/action regarding Smart Growth, 2009 Wisconsin Act 372 modifications, per correspondence from Mr. Macy dated June 11, 2010.**

Mr. Macy explained that the modifications apply most specifically to communities that have not yet completed their Smart Growth plan. There should be nothing that will affect the Village since its Smart Growth plan has been completed and accepted.

**TREASURER**

**Checks**

Motion (Bickler/Falstad) to approve check numbers 37619 through 37660, which are checks that were on the voucher list in May, but not included in the check numbers stated for approval; check numbers 37661 through 37734 for regular monthly payments, and all electronic transfers, *Carried Unanimously*.

**FINANCE**

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

Mr. Fischer reviewed the monthly operating statement.

**Discussion/action regarding variance application fees.**

Mr. Fischer explained that the Finance Committee had reviewed the current fees for variances, and looked at the expenses incurred for the current on-going variance request. The expenses exceed the fees paid by a considerable amount. Those expenses cannot be recovered; however, the Finance Committee proposed a fee schedule for future variance requests. A motion was made (Bickler/Birbaum) to revise the variance fee structure as follows:

- a. A variance to occupy an existing home while building a new home on the same property would cost \$250.
- b. A variance to modify an existing structure if the value of the modification is under \$100,000 would cost \$500.
- c. A variance to construct a new home or to modify an existing structure if the value of the modification is over \$100,000, or a variance for lot area, would cost \$5,000.

The motion *Carried Unanimously*.

**Discussion/action regarding offering LaLumiere lots for sale; setting value for three (3) Village-owned lots; locating the channel lot corners on the LaLumiere lots and the clean up of the channel lots.**

Mr. Fischer noted that there are three Village-owned properties that could be considered for sale, excluding the former hotel property. One possibility would be to put all three up for sale; once one of the properties sold, the other two would be removed from the market. It was noted that a building envelope variance will be needed for each of the three properties. It was also noted that the lots need to be cleared of brush and vegetation that make it difficult for prospective buyers to clearly see the possibilities for the lots. Mr. Bickler noted that recent sales don't support a sale price of \$200,000, as was suggested at the Finance Committee meeting. Mr. Birbaum suggested that a planned unit development (P.U.D.)

could be considered for the Village-owned properties in the LaLumiere subdivision. If any of the Village-owned lots are sold, any thoughts of a P.U.D. would not be possible due to the lack of available property. After further discussion, it was decided that the trustees would think about possible plans for developing the LaLumiere properties in a condominium format and bring those ideas to the July Village Board meeting.

**Discussion/action regarding a charge for using dumpsters set up at the wood lot during the spring and fall seasons.**

Mr. Fischer stated that charging for the use of the dumpsters was one possibility brought up at the Finance Committee meeting to help defray costs. Possible ideas were a progressive charge for use of the dumpsters and wood lot, and a permit for wood lot use. After further discussion, trustees decided that this matter needs further consideration. It is to be discussed at a future meeting.

**ADMINISTRATOR**

**Discussion/action regarding real estate "for sale" signs.**

Mr. Wiemer explained that current zoning permits one "for sale" sign per property. Currently, homeowners whose houses are for sale have been putting one sign on the lake side of the property and one sign on the street side of the property. Trustees agreed that this matter should be referred to the Plan Commission for its review, and possible change to the zoning code to allow two "for sale" signs for direct lake front properties.

**Update regarding stop signs at the intersections of Sawyer Road and Pabst Road, and Valley Road and Pabst Road.**

Mr. Wiemer stated that there has been no new communication with Waukesha County regarding this matter. Mr. Falstad reported that he had checked with the Public Works Department, and while the matter may be approved, there may not be funding available to complete the project. He will continue to monitor the situation and advise the trustees of any new information.

**Update from DNR regarding dam inspections.**

Mr. Wiemer explained that the Village had received a letter from the DNR in which the new dam inspection program requirements are detailed. The new procedure for dam inspections shifts the responsibility for the inspections to the local municipality and also requires more frequent inspections, both at the municipality's expense.

**POLICE CHIEF**

There was no report.

**FIRE COMMISSIONER**

Mr. Wiemer reported that the City of Oconomowoc wants to hire a consultant to put together financials for the possible merger.

**BOARD OF ZONING APPEALS**

**Update regarding the Board of Zoning Appeals (BZA) meetings held on June 16 and 17, 2010.**

A Board of Zoning Appeals hearing was June 16 and 17, 2010, in regard to the request of Patrick and Jana Eilers. The hearing was completed, but a date must still be scheduled for the BZA members to deliberate and render a decision on the matter.

**ARCHITECTURAL CONTROL BOARD (ACB)**

A meeting was held on May 24, 2010. The request of Mr. & Mrs. John Zea of 36310 South Beach Road, for a window and roof change to their residence, was approved.

**CLERK**

**Discussion/action regarding the approval of the June 2010 quarterly newsletter.**

An addition was requested in regard to the memorabilia for sale at the Village Hall; the spelling of a name was corrected; Mr. Fischer requested that the newsletter include an article asking residents to use caution and consider using a siphon device when filling their boats with gasoline in order to prevent spillage into the lake. Mr. Fischer will draft an article and will look into some siphon kits that residents could purchase at the Village Hall, or provide residents with a location where they could purchase the kits.

Motion (Falstad/Bickler) to approve the June 2010 quarterly newsletter with the above-noted additions and corrections, *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 A).**

Motion (Birbaum/Owens) to approve the licenses for Class A and B Beer and Liquor; Operator/Bartender; Soda Water; and Cigarette; as noted on Exhibit A attached, *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: 0586-994 or 0586-995-001, or their successor tax key numbers (See Exhibit A).**

Motion (Bickler/Birbaum) to renew 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 0586-994 or 0586-995-001, or their successor tax key numbers, as noted on Exhibit A attached, *Carried Unanimously.*

**COMMUNICATIONS**

Ms. Schlieve noted that a notification of Town Hall meetings to discuss the County's 2011 budget, and the County Executive's newsletter was included in their packets.

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

Respectfully submitted by:

Approved and ordered posted by:

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Cindy J. Schlieve, Clerk-Treasurer

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Richard J. Kneiser, President