

VILLAGE OF OCONOMOWOC LAKE

35328 West Pabst Road, Oconomowoc, WI 53066

Phone: (262) 567-5301 Web: www.oconlake.com
Fax: (262) 567-7447 e-mail: villagehall@oconlake.com

**OCONOMOWOC LAKE VILLAGE BOARD MEETING MINUTES OF
MONDAY, July 20, 2009, Unofficial until approved by the Village Board.
Approved as written (X) or with corrections () on 08/17/2009.**

The regular monthly meeting of the Board of Trustees of the Village of Oconomowoc Lake was held on July 20, 2009, 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 following the Pledge of Allegiance with the following in attendance:

Mr. Kneiser/President – present
Messrs., Bickler, Birbaum, Falstad, Fischer (arrived 7:10 p.m.), and
Owens (arrived 7:05 p.m.)/Trustees – present
Mr. Shult/Trustee – absent
Ms. Schlieve/ Clerk-Treasurer – present
Mr. Wiemer/Police Chief-Administrator – present
Mr. John Macy/Attorney –present

ATTENDANCE

Residents Ed Johnson, Wendy Schmit, Tom Hattori and Dr. Lynne Brock-Hattori

MINUTES

Motion (Birbaum/Falstad) to approve, as printed, the minutes of the June 15, 2009 Village Board meeting and Public Hearing, Carried Unanimously.

PUBLIC COMMENT

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

Resident Wendy Schmit commented that railings have not yet been installed at the two large culverts on LaLumiere Road, which she believed is hazardous. She suggested that perhaps the railings from the bridge on Valentine/Beach Road could be recycled and used.

Motion (Bickler/Falstad) to close the meeting to public comment, Carried Unanimously.

PRESIDENT

Discussion/action regarding Resolution of Recognition for George Markham to be presented at the Village of Oconomowoc Lake's 50th Anniversary Celebration.

Motion (Falstad/Birbaum) to approve the proposed resolution of recognition for George Markham (copy attached) to be presented at the Village of Oconomowoc Lake's 50th Anniversary Celebration, Carried Unanimously.

Discussion/action regarding purchase of a pet micro-chip reader.

Mr. Kneiser explained that the micro-chip reader is used to read micro-chips that have been implanted into pets to identify the pet's name and owner's information. The purpose is to make it easier for the police officers to find out where an animal lives and get it returned home, without having to take the animal to the Humane Society first. Mr. Kneiser advised that the cost of a micro-chip reader is approximately \$300. Motion (Birbaum/Falstad) to authorize purchase of a pet micro-chip reader, Carried Unanimously.

PLAN COMMISSION

Discussion/action regarding the approval of the "Official Village Map" to include the new G-1 Government Zoning District.

Mr. Wiemer advised that per Attorney Macy, this matter requires a public hearing. Motion (Bickler/Owens) to table the matter until August 17, 2009, *Carried Unanimously*.

ATTORNEY

Discussion/action regarding Federal Trade Commission (FTC) "Red Flag Rules" Compliance, per correspondence from Mr. Macy dated June 19, 2009.

Mr. Macy explained his letter regarding the FTC "Red Flag Rules" compliance. Wis. Stat. § 19.65 was referenced in Mr. Macy's letter. The Trustees requested that staff check on current policy and ordinances relating to this matter and report back at the August 17, 2009 meeting. No action taken.

Discussion/action regarding Open Carry of Firearms, per correspondence from Mr. Macy dated June 26, 2009.

Mr. Macy explained that he provided an update regarding this matter due to a recent incident involving another municipality in which a person was arrested for carrying a firearm, and where that arrest has been challenged in court. Mr. Macy advised that the police officers must use caution when responding to matters where carrying a firearm is at issue. Staff will forward Mr. Macy's information on to the police officers. No action taken.

Discussion/action regarding resubmission of Floodplain Ordinance, per correspondence from Mr. Macy dated July 16, 2009.

Mr. Macy advised that he is working with an attorney at the Department of Natural Resources (DNR) regarding the Village's proposed modifications to the model Floodplain Ordinance, and in particular how it relates to nonconforming uses and nonconforming structures located in the floodplain. Mr. Macy will continue to work on this matter with the DNR, and keep the Village Board updated.

TREASURER

Checks

Motion (Bickler/Falstad) to approve check nos. 36321 through 36394, for regular monthly payments, and all electronic transfers, *Carried Unanimously*.

FINANCE

Discussion regarding monthly operating statement for July.

Mr. Fischer reviewed the monthly operating statement.

Update on budget workshop.

Mr. Fischer explained that the Finance Committee had considered several possibilities that could reduce the annual budget, as well as making better use of Village-owned facilities. Ideas discussed include the following.

- Review DNR agreement regarding the village boat launch and the possibility of additional boat launches being created in the village.
- Review wood lot use, specifically abuse of the lot by users who dump unacceptable materials. Additionally, consider charging a fee to contractors for residents when brush is hauled by them to the wood lot, but no fees charged for the residents when they haul their own brush.
- Review shooting range usage for possible compensation from departments using the range.
- Consider eliminating Village funding for the annual fireworks display from the budget and funding it completely by donations.
- Consider making the next police officer's union contract a one or two year contract instead of a three year contract.

- Hire an appraiser to value properties owned by the Village, and consider the sale of one or more of the properties.

Discussion/action regarding fireworks for 2010.

Mr. Wiemer noted that the contract for fireworks is signed in January of the year. A decision on funding should be made as soon as possible in order to allow for fundraising if the item is removed from the budget. No action was taken.

Discussion/action regarding Village-owned lands and hiring an appraiser.

Mr. Macy noted that any sale of Village-owned property must be done following the guidelines in Village Resolution No. 51. Motion (Bickler/Birbaum) to hire an appraiser to appraise the three Village-owned lots in the LaLumiere subdivision, *Carried Unanimously*.

Discussion/action regarding user fees for the wood lot.

The Trustees agreed that this matter would be placed on the August 17, 2009 agenda in order to have time to consider the possibilities.

Discussion/action regarding fees for use of the police shooting range.

The Trustees agreed that this matter would be placed on the August 17, 2009 agenda in order to have time to consider the possibilities

ADMINISTRATOR

Update regarding high speed rail and its impact on the Village quiet zone, per correspondence received from the Office of the Commissioner of Railroads dated June 17, 2009.

Mr. Wiemer reported that a final decision regarding the Gifford Road crossing had been received. The orders from the Office of the Commissioner of Railroads allow the Gifford Road crossing to be maintained and our quiet zone to remain in force.

Update on the Valentine/Beach Road Bridge repair project.

Mr. Wiemer reported that the work began on the bridge and it has a scheduled completion date of August 20, 2009. The railings from the bridge have been salvaged and may be installed at the culverts on LaLumiere Road.

Update regarding Oconomowoc Utilities plan for underground work on Beach, Gifford, Armour, Valentine, and Deer Park Roads.

Mr. Wiemer reported that the work is on schedule.

Discussion/action regarding the acceptance of donations received from Village residents designated for use toward the Village's 50th Anniversary Celebration.

Motion (Birbaum/Bickler) to accept the donations received since the June 15th meeting designated for use toward the Village's 50th Anniversary Celebration, totaling \$15,300.00 in cash donations, and additionally to accept donations of a time capsule, centerpieces, food and water, *Carried Unanimously*. Staff was directed to notify the donors that the Village Board has acknowledged and accepted their gift.

Discussion/action regarding sale of Power King riding tractor and mower.

Mr. Wiemer explained that the Power King riding tractor and mower, which was donated to the Village 15 years ago, is no longer operational and has not been used for more than eight years. The owner of Big Jim's estimated that the tractor's value is approximately \$200. Mr. Wiemer requested the Board of Trustees authorize sale of the tractor with a minimum bid of \$200. Motion (Bickler/Birbaum) to authorize the sale of the Power King riding tractor and mower, with the minimum bid of \$200, *Carried Unanimously*.

Discussion/action regarding 4-way stop at Pabst and Sawyer Roads.

Mr. Wiemer advised the Trustees that there had been another accident at the intersection of Pabst and Sawyer Roads. There are approximately three to four accidents at that intersection each year. Mr. Wiemer advised that he would like to investigate the possibility of making the intersection a 4-way stop. The Town of Summit highway department is in favor of the 4-way stop. Mr. Wiemer will check with the Waukesha County Department of Public Works (DPW) to get their opinion and also to insure that if stop signs are placed on Pabst Road, the County does not then remove the signs that are currently on Sawyer Road. There was also discussion noting that the intersection of Valley and Pabst Roads, in the Town of Summit and also under the control of the Waukesha County DPW, is similar in nature and should be treated the same. Mr. Wiemer will investigate the matter, and report his findings to the Board.

Discussion/action regarding paving River Road.

Mr. Wiemer explained that Tom Hattori and Dr. Lynne Brock-Hattori, whose property is next to the dam on River Road, have asked if the Village would pay a portion of the cost to pave River Road. The road is a private road; however, it is used by the Village Police Department to access the dam in order to check and regulate the lake level. That makes the road unique from other private roads in the Village. There are three properties located along the road. If the Village would agree to share the cost of paving the road, the cost could be divided four ways. Dr. Brock-Hattori provided a proposal she had received to complete the project. The bid for the project is \$7,800, or \$1,950 per participating party. Mr. Wiemer advised that the Village does have some funds that were set aside for the Valentine/Beach Road Bridge project, and are not needed for that project due to the Federal Stimulus Package.

Motion (Bickler/Birbaum) to participate in the paving project by paying 25 percent of costs, not to exceed \$1,950, Carried Unanimously.

POLICE CHIEF

Chief Wiemer reported that someone had cut the padlock off the gate at the wood lot again. The gate has been reconfigured so that it will be very difficult for anyone to cut the lock again. A new lock has been ordered and should be in place within the week.

FIRE COMMISSIONER

Mr. Wiemer updated trustees on the status of the proposed new fire station. Mr. Peter Bell has now refused to sign the previously agreed to documents. The City of Oconomowoc will continue to try to resolve the matter.

BOARD OF ZONING APPEALS: The board did not meet. Mr. Wiemer noted that Mr. Macy will lead a primer for the Board of Zoning Appeals members on August 10, 2009. There will be a Board of Zoning Appeals meeting on August 31, 2009.

ARCHITECTURAL CONTROL BOARD (ACB)

There was a meeting held on June 22, 2009. The matters heard were as follows.

- The request of Dr. and Mrs. Tim Schultz, 4217 Buchanan Road, for railing, siding and window changes to boathouse, was approved as submitted.
- The request of Peter and Suzanne Hirt, 36064 North Beach Road, to construct a replacement garage, was approved subject to three copies of the site plan being provided and the proposed 8 foot door on the north side to be replaced with a 9 foot door.

There will be a meeting in July.

CLERK

Discussion/action regarding approval of Operator's Licenses.

Ms. Schlieve provided a list of five (5) applicants for operator's licenses (attached). Motion (Birbaum/Bickler) to approve all licenses as listed, Carried Unanimously.

COMMUNICATIONS: There were no communications to report.

With no further discussion being heard, motion (Bickler/Owens) to adjourn was made at approximately 8:07 p.m., and Carried Unanimously.

Respectfully submitted by:

Approved and ordered posted by:

Cindy J. Schlieve, Clerk-Treasurer

Richard J. Kneiser, President