

# VILLAGE OF OCONOMOWOC LAKE

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**OCONOMOWOC LAKE VILLAGE BOARD MEETING MINUTES OF MONDAY,  
December 15, 2008, Unofficial until approved by the Village Board.  
Approved as written ( ) or with corrections ( ) on \_\_\_\_\_.**

The regular monthly meeting of the Board of Trustees of the Village of Oconomowoc Lake was held on December 15, 2008, immediately following a public hearing, commencing at 7:12 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, Fischer, Owens, Schinzer, and Shult/Trustees – present  
Ms. Schlieve/ Clerk-Treasurer – present  
Mr. Wiemer/Police Chief-Administrator – present  
Mr. Macy/Attorney –present

## **ATTENDANCE**

Village resident Ed Johnson, Judge Doug Stern (Lake Country Municipal Court), Dan Warren and Bill Niemann (Pabst Farms Development)

## **MINUTES**

Motion (Bickler/Shult) to approve, as printed, the minutes of the following meetings: November 17, 2008 public hearing and Village Board, December 1, 2008 public hearing and special Village Board, *Carried Unanimously.*

## **Presentation by Mike Barry, Assistant Superintendent and Business Manager of the Oconomowoc Area School District, regarding school finance and the 2008/2009 levy.**

Mr. Barry reviewed the Oconomowoc Area School District (OASD) financial report prepared as of December 15, 2008. A copy of that report is included with the minutes. Mr. Barry responded to the Trustees' questions regarding OASD expenses and tax levy.

## **Annual Report of the Lake Country Municipal Court presented by Judge Doug Stern.**

Judge Stern provided a report regarding the monthly return to participating communities. A copy of that report is included with the minutes. The Lake Country Municipal Court is in its 20<sup>th</sup> year of service.

## **Presentation by Mr. Daniel E. Warren, PE, of Pabst Farms Development Inc. regarding their development plans.**

Mr. Daniel Warren and Mr. Bill Niemann presented an update of the development plans for the Pabst Farms Development. Points of interest which they presented are noted below.

- Aurora Medical Facility is one year from completion.
- Oconomowoc Parkway has now been extended to the east from Hwy. 67. There is a 3-acre parcel that has been designated for a new fire station.
- Over 30 acres of passive park land has been designated around Aunt Polly's Kettle. The passive park designation means that no athletic lights are allowed per a deed restriction, and the area is intended to be used for pastimes such as hiking or picnicking. The area is now owned by the City of Oconomowoc, except for the mapped wetlands, which are still owned by Pabst Development Inc.
- The Village Crossing, located approximately in the center of the development, is a condominium project with 144 units planned. The street is completely finished, and there is a trail system within the project.
- The Hospitality Campus is 10 acres located southwest of the I-94 interchange, near the Harley Davidson store. Plans include two hotels, an office building, and at least one restaurant. One hotel is near completion.
- The Health and Wellness Campus, also located southwest of the I-94 interchange, has the infrastructure completed.

- Work on Sawyer Road in preparation for the I-94 interchange has begun, with approximately two million dollars spent to date. The current bridges will be razed in order to rebuild them wider and higher. There will be four roundabouts built. Utility relocation is occurring now with the anticipation that the Department of Transportation will begin construction on the interchange in the summer or fall of 2009 or in 2010.
- Plans for the Town Centre, the mall, are still under discussion. The current economy has delayed progress on the project. It has been determined that there will not be an enclosed mall built, but instead they are proposing a hybrid mall. A hybrid mall is described as pedestrian friendly, and similar to the mall built in Bayshore. Mr. Warren could not provide the names of any prospective businesses at the time of the meeting.

#### **PUBLIC COMMENT**

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

There was no public comment.

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

#### **PRESIDENT**

##### **Renewal of professional, yearly appointments for one-year term through December 2009.**

Motion (Bickler/Shult) to renew the professional appointments listed below for a one-year term through December 2009, *Carried Unanimously*.

1. Arenz, Molter, Macy & Riffle S.C., as Village Attorneys
2. Lake Country Engineers, as Village Planner/Engineer
3. Reilly, Penner & Benton, as Village Accountant
4. Kay & Kay, Attorneys-at-law, as Village Traffic Attorney
5. Thomas Marks, as Village Building Inspector
6. Donald Wiemer, as Fire Department Liaison to Okauchee and Commissioner to the Summit Fire District
7. Donald Wiemer, as Municipal Court Representative
8. David A. Farina, as Village Arborist

##### **Appointments of election chief inspectors and election inspectors for a one-year term through December 2009.**

Motion (Birbaum/Bickler) to approve as election chief inspectors Andrea Clarkson, Anne Foster, Holly Krull, and Scott Lowry; and to approve as election inspectors Carol Falstad, Carol Fischer, Eleanor Heinrich, Colleen Lowry, and Jean Neal, for a one-year term through December 2009, *Carried Unanimously*.

##### **Update on the Village 50<sup>th</sup> anniversary plans.**

Mr. Kneiser reported that the volunteer group will gather on January 8, 2009 at 7:00 p.m. at the Mike and Sue Bickler residence to continue discussions regarding the anniversary plans.

#### **PLAN COMMISSION**

##### **Discussion/action regarding the Village of Oconomowoc Lake Plan Commission's recommendation that the Village Board of Trustees enact "An Ordinance to Repeal and Recreate Section 17.61(3)(d) of the Village of Oconomowoc Lake Village Code Regarding Concurring Votes Required for Actions by the Board of Appeals and to Repeal and Recreate Section 17.61(4)(b) of the Village of Oconomowoc Lake Village Code and Create Section 17.61(5) of the Village Code Regarding Use Variances Within the Village of Oconomowoc Lake."**

Motion (Bickler/Birbaum) to adopt the proposed ordinance as noted above, with the provision that Mr. Macy and Mr. Wiemer verify the numbers noted in section 17.16(5), *Carried Unanimously*.

##### **Discussion/action regarding the Village of Oconomowoc Lake Plan Commission's recommendation that the Village Board of Trustees enact "An Ordinance to Repeal and Recreate Section 17.39(1) and Section 17.39(2) of the Village of Oconomowoc Lake Zoning Code, Regarding Uses Within the B-1 Business District."**

Motion (Birbaum/Shult) to adopt the proposed ordinance as noted above, *Carried Unanimously*.

#### **ATTORNEY**

No report.

## **TREASURER**

### **Checks**

Motion (Bickler/Shult) to approve check nos. 35773 through 35846, for regular monthly payments, building fund checks 1007 through 1010, and all electronic tax payments, *Carried Unanimously*.

## **FINANCE**

### **Discussion regarding monthly operating statement for December.**

The monthly operating statement was discussed. Mr. Fischer explained that in 2009, the adjusting journal entries that were previously created for the Village by Reilly, Penner, and Benton (Village Accountant) will be handled by Village staff. Reilly, Penner, and Benton will only be handling the auditing of the books.

### **Discussion/action regarding year-end transfers.**

Mr. Fischer explained the proposed year-end transfers. Motion (Fischer/Birbaum) to approve the proposed year-end transfers as indicated on the attached document, *Carried Unanimously*.

### **Discussion/action regarding amending the 2008 Village budget.**

Mr. Fischer explained the proposed amendment. Motion (Fischer/Bickler) to approve the proposed amendment to the 2008 Village budget as indicated on the attached document, *Carried Unanimously*.

## **ADMINISTRATOR**

### **Discussion/action regarding approval of the 2009 Joint Powers Agreement for the County 9-1-1 Emergency System.**

Motion (Shult/Birbaum) to approve the 2009 Joint Powers Agreement for the County 9-1-1 Emergency System, *Carried Unanimously*.

### **Discussion/action regarding approval of the Fire Protection Agreement with the Okauchee Volunteer Fire Department for 2009.**

Motion (Shult/Schinzer) to approve the Fire Protection Agreement with the Okauchee Fire Department for 2009, *Carried Unanimously*.

### **Discussion/action regarding approval of the 2009 Agreement with the Oconomowoc Fire Department for ambulance service.**

Motion (Bickler/Shult) to approve the 2009 Agreement with the Oconomowoc Fire Department for ambulance service, *Carried Unanimously*.

### **Discussion/action regarding adoption of a resolution establishing a joint public hearing date for the cooperative boundary plan with the Town of Summit.**

Mr. Wiemer explained that this resolution is only to establish a public hearing date regarding the cooperative boundary plan with the Town of Summit. There are several points in the Village's proposed boundary agreement that still need to be revised, and work is on-going with legal counsel. The Village will still have the right of refusal for the proposed agreement after the public hearing has been held. Motion (Bickler/Birbaum) to adopt the resolution to establish a joint public hearing date for the cooperative boundary plan with the Town of Summit, *Carried Unanimously*.

### **Update on Fibersin Industries exterior improvements.**

Mr. Wiemer reported the progress on the following proposed improvements based on a meeting held on December 10, 2008, with the Village President and Ken Johnson and Roger Schwenke of Fibersin Industries.

- The creation of a front for the steel rack to hide the rack from the north has been completed.
- The placement of the power lines underground is still to be done. The work must be coordinated with the City of Oconomowoc and WE Energies, and the roadwork from the past summer has delayed any progress in this planned project until later in 2009.
- The replacement of the Fibersin sign has been placed on hold.
- Fibersin is continuing in their project to change out the plastic window panes to glass on the north side of the building. The anticipated completion date is May 15, 2009.
- Business has slowed considerably for Fibersin; therefore, some of the projects will only be done as they can afford to do them.
- Mr. Wiemer will review progress with them again in mid-2009.

**Update on the Lake Beulah case, per correspondence from Mr. Macy dated November 24, 2008.**

Mr. Wiemer noted that this case is regarding deep well siting which could possibly impact lake levels. Mr. Macy's memo cites the current status and other on-going cases regarding this matter. The memo will be attached to the minutes.

**POLICE CHIEF**

There was no report.

**FIRE COMMISSIONER**

Mr. Wiemer advised that the Zimmerman Group, who is designing the new Summit/Oconomowoc Fire Station, has come in with plans that are \$1 million over budget. Mr. Wiemer is working with other firms to see if the station can be built on budget. He will present the numbers to the City of Oconomowoc at the next meeting regarding the fire station.

**BOARD OF ZONING APPEALS**

The board did not meet.

**ARCHITECTURAL CONTROL BOARD (ACB)**

The ACB met in November to discuss the following requests:

- Mr. & Mrs. Bryan Waltersdorf of 4508 Hewitts Point Road, update and style change to boathouse
- Ms. Joan Halquist of 36645 Armour Road, build a pergola over the rear deck which is attached to the residence
- John & Beverly Gutschenritter of 3729 LaLumiere Road, build a detached garage

All requests presented were approved by the Architectural Control Board.

**CLERK**

**Discussion/action regarding approval of the December quarterly newsletter.**

Motion (Fischer/Shult) to approve the December quarterly newsletter, Carried Unanimously.

**COMMUNICATIONS**

There were no communications.

With no further discussion being heard, motion (Birbaum/Shult) to adjourn was made at approximately 9:33 p.m., and Carried Unanimously.

Respectfully submitted by:

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Cindy J. Schlieve, Clerk-Treasurer

Approved and Ordered Posted by:

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Richard J. Kneiser, President