

VILLAGE OF OCONOMOWOC LAKE

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**OCONOMOWOC LAKE VILLAGE BOARD MEETING
MINUTES OF MONDAY, August 15, 2022;
Unofficial until approved by the Village Board.
Approved as written ☒ or with corrections () on 9/26/22.**

A meeting of the Village Board of the Village of Oconomowoc Lake was held on Monday, August 15, 2022 7:03 p.m., at the Village Hall, 35328 W. Pabst Road, Oconomowoc. Legal requirements for notification as required by law have been met. Roll call was taken with the following attendance:

Present: President Bickler and Trustees: Shult, Waltersdorf, Zimmermann, Fellows, Fischer and Taylor

Also present: Administrator/Police Chief Janicsek, Zoning Administrator Wiemer, Attorney Macy and Village Clerk, Teri Sayles

ATTENDANCE

Ed Johnson (N Beach Rd); Aimee Braatz & Agnes McMeeken (4651 River Rd); Nick Bickler (36200 Lalumiere); Jim & Kelly Opgenorth (W345N5764 Road G)

PLEDGE of ALLEGIENCE

MINUTES

Discussion/action regarding approval of minutes from the July 18, 2022 Village Board Meeting.

Motion (Zimmermann/Shult) to approve the minutes from the July 18, 2022 Village Board Meeting. Carried Unanimously.

PUBLIC COMMENT

Motion (Shult/Fellows) to Open Meeting to Public Comment on Agenda items at 7:04 p.m. Carried Unanimously.

No public comment.

Motion (Waltersdorf/Shult) to Close Meeting to Public Comment on Agenda items at 7:04 p.m. Carried Unanimously.

PLAN COMMISSION

Discussion/action regarding an extra-territorial plat review of a Certified Survey Map (CSM) for James & Kelly Opgenorth Revocable Trust, W345N5764 Road G, Oconomowoc, WI 53066; Lots 7 and 8, Map of First Subdivision of Lots 1 and 2 Petersons Plat, S ½ of Section 25, T8N, R17E, Town of Oconomowoc. Tax Key OCOT0531031.

Mr. Wiemer stated the CSM combines 2 lots into 1 and the Plan Commission approved and recommended this CSM to the board for approval. Both the Town of Oconomowoc and Waukesha County have approved the CSM.

Motion (Shult/Waltersdorf) to accept the recommendation of the Plan Commission to approve the extra-territorial plat review of a Certified Survey Map (CSM) for James & Kelly Opgenorth Revocable Trust, W345N5764 Road G, Oconomowoc, WI 53066; Lots 7 and 8, Map of First Subdivision of Lots 1 and 2 Petersons Plat, S ½ of Section 25, T8N, R17E, Town of Oconomowoc. Tax Key OCOT0531031. Carried Unanimously.

VILLAGE PRESIDENT

President Bickler announced he would recuse himself from all discussion and action related to the Lalumiere dredging project because his son lives on Lalumiere. Derek Taylor also lives on Lalumiere and will recuse himself as well. Someone will need to be a temporary Chairman to lead meetings in his absence.

Mr. Shult asked if either President Bickler or Mr. Taylor were involved in any potential sale or development of Village property on the channel. Both the president and Mr. Taylor replied they were not. President Bickler further stated he no interest in buying a lot back there. His concern is there be no appearance of a conflict of interest because of his son living there.

TRUSTEES

Mr. Waltersdorf stated a North Lake water survey was positive for high ammonia. The source is believed to be a farmer using waste from a septic company for fertilizer. The DNR stated they cannot do much about it. It is known that residents nearby have contaminated wells and have also been ill. The problem could potentially come to Oconomowoc Lake as well. Mr. Waltersdorf will gather more information and give it to Chief Janicsek who will review it with staff and look at our recent water studies. President Bickler stated staff will review water testing and information from Mr. Waltersdorf. Attorney Macy requested Chief Janicsek bring the most recent water study to the board for review as well as Village policy and contract for water study. Staff will prepare a full report for the board for a future meeting.

ADMINISTRATOR

Discussion/action regarding purchase of lot on E. Wisconsin Avenue

Chief Janicsek stated there is a purchase agreement signed by President Bickler and Mr. Weissgerber for the lot at the corner of E. Wisconsin Ave and Gifford Road for \$260,000. Mr. Weissgerber provided an appraisal as requested by the board. The appraisal, done by The Nicholson Group, LLC, is for \$300,000. The next step is for Mr. Weissgerber to decide on a title company.

Motion (Shult/Fischer) to accept the valuation provided by the seller of \$300,000. Carried Unanimously.

Motion (Shult/Fischer) to authorize Village officials and staff to purchase the property per the signed purchase agreement for \$260,000 and to authorize Village officials to sign the same. Carried Unanimously.

Motion (Fischer/Zimmermann) amend the budget to transfer funds from the designated balance to cover the purchase of the property on E. Wisconsin Avenue. By a roll call vote the motion was Carried Unanimously.

*At 7:23 p.m. President Bickler and Trustee Taylor left the meeting.

Motion (Zimmermann/Waltersdorf) to appoint Mr. Zimmermann as Chairman of the meeting for the discussion of items 8b and 8c. Carried Unanimously.

Update on Lalumiere dredging project.

Acknowledgement of receipt of DNR dredging permit – exhibit #1

Mr. Fischer stated dredging must be done when water temperature is above 60 degrees. Time is of the essence. If everything is complete by September 15, we would still be able to dredge this year. A public information meeting is scheduled for Thursday, August 18. Additionally, the permit can be appealed up to 30 days following August 5 permit date. If someone appeals the permit, we will not dredge this year. No action is to be taken tonight on items 8b 1-6. A special meeting will be held Monday, August 22, 2022 for discussion and possible action necessary to move forward.

Discussion regarding Lalumiere Channel dredging map – exhibit #2

Chief Janicsek outlined the area dredging will take place on exhibit #2. Mr. Shult asked for confirmation that dredging the additional area is NOT to make room for additional boats to have access to the lake. Mr. Fischer stated there are 21 boats in there now, the maximum allowed (if the 2 Village lots were sold) would be 29. Dredging will not increase the number of boats allowed for channel properties.

Discussion regarding a contract with ECO Waterway Services for cost not to exceed \$400,000

Chief Janicsek passed out copies of ECO Waterway estimate, dredging project proposal and dredging agreement. These documents were added to the packet.

Mr. Fischer stated the contract distributed by Chief Janicsek was for \$308,000. Chief replied it does not include the trucking. The trucking estimate would make the total cost \$392,500. Mr. Shult would like to ensure there will be no fuel surcharge added to the cost given the volatility of fuel prices. Mr. Waltersdorf asked if we could sell the soil. Chief responded the soil is considered contaminated. We can take it to our wood lot. Mr. Waltersdorf asked if we could let someone have the soil for fill if they truck it out. Chief stated the DNR asked for the specific location where the soil would be taken. Attorney Macy asked if we need to amend the permit to change where the soil goes. Mr. Fischer said the permit stated the Village is responsible for use of dredge material at the approved disposal site. Mr. Wiemer said the wood lot is the disposal site. Chief Janicsek will check on trucking cost and confirm disposal site as well as review the contract.

Discussion regarding loan from Bank Five Nine not to exceed \$400,000 – exhibit #3

Mr. Fischer stated the village obtained an agreement with Bank Five Nine for a loan of \$400,000 for 15 years at 3%. No prepayment penalty. Annual payment by the village for funds collected from residents for their half of the loan. An administrative fee will be added to their cost. The village half will also be annual payments. Mr. Shult asked what the tax effect would be on other residents? Mr. Fischer stated it is the villages intent to sell a lot (or 2) to cover the Village portion so it would not cost anything for other residents. If residents object to selling a lot and fear development, they would be able to bid on the property and buy it.

Discussion regarding a Fee Allocation Schedule – exhibit #4

Mr. Fischer stated people on the dockominium (1 boat) will pay \$6,250, people with 50-foot out lots (2 boats) will pay \$12,500 and people on the channel (3 boats) will pay \$18,750. All fees will be payable in 15 years with 3% interest plus an administrative fee; or upon transfer.

Discussion regarding a form of contract with residents on Lalumiere

Board members discussed reminding residents on the channel they are not allowed to rent dock access to others. As part of a lawsuit settlement and on their deeds, Lalumiere residents have exclusive rights to a pier at the end of the channel on the main lake.

Attorney Macy asked the board if they want a title report on each property, mortgage company signatures, and if they want to require trust documents showing who is allowed to sign a contract. Board members felt that a personal guarantee from the residents to pay their portion would be enough. There was concern over costs and length of time in acquiring title and trust documents on all properties. Board members further stated annual payments would be due on or before September 1. If not paid, the loan payment amount would be added to their tax bill.

Correspondence from village residents regarding Lalumiere Channel dredging

Chief Janicsek submitted emails received from residents. The same were included in the packet for board member review. Mr. Fischer stated some false information had been circulated regarding dredging. There will be a public information meeting on August 18, 2022 and information was put on the website.

No action was taken regarding Lalumiere dredging.

*At 8:07 p.m. President Bickler and Trustee Taylor returned to the meeting.

Discussion/action on sharing cost of IGA review with other communities represented by Municipal Law & Litigation Group.

MOTION (Shult/Zimmermann) to TABLE to the next Village Board meeting action on sharing cost of IGA review with other communities represented by Municipal Law & Litigation Group. *Carried Unanimously.*

POLICE CHIEF

Police Department Monthly Report for July 2022.

Chief Janicsek reviewed the monthly report included in the packet. Additional items of note: The department investigated a hit and run causing injury and is currently investigating the theft of equipment from a home under construction.

Discussion/action regarding additional police officer.

Chief Janicsek stated the board discussed adding a 7th full time officer based on availability of a good candidate. He now has 3 potential good candidates. Trustee Fischer put a spreadsheet together showing total cost of a Step 3 and Step 4 officer. Chief Janicsek seeks board approval to pursue hiring a 7th full time officer.

MOTION (Waltersdorf/Shult) to authorize the hiring of a 7th full-time officer and to include the same in the 2023 budget. *Carried Unanimously.*

ZONING ADMINISTRATOR

Mr. Wiemer stated he received tentative plans for the vacant lot adjacent to Pick n Save. A car wash and strip mall may be proposed for the property, which is currently permissible by the village zoning code.

HISTORY BOARD

No report.

ATTORNEY

No agenda items

TREASURER

Discussion/action regarding approval of checks 48576 through 48646 and all electronic payments.

Motion (Shult/Fellows) to approve checks 48576 through 48646 and all electronic payments.
Carried Unanimously.

FINANCE COMMITTEE

Monthly operating statement for August 2022.

Mr. Fischer pointed out squad expense and garage utilities are up due to fuel prices.

FIRE DEPARTMENT

The June report is in the packet. President Bickler stated he has a meeting with the Fire Chief later this week.

BOARD OF ZONING APPEALS

No agenda items

ARCHITECTURAL CONTROL BOARD (ACB)

A meeting is scheduled for Monday, August 22 with three agenda items.

CLERK

Clerk Sayles reported the village received HAVA Election Security Sub-grant funds in the amount of \$589.23. The funds covered the cost to create a .gov domain and email as well as 8 years of maintenance cost.

COMMUNICATIONS

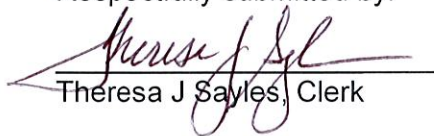
- a. Village of Summit Resolution # 22-437; An Amendment to the Future Land Use Map
- b. Village of Summit Ordinance 108-2022, An Ordinance to Amend the Future Land Use Map
- c. Notice of Pending Application for Proposed Dredging – Joe Beatty, 35085 W Fairview Road

The above information was included in the packet.

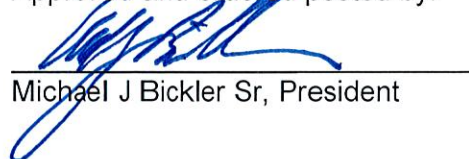
ADJOURNMENT

With no further discussion being heard, a motion (Shult/Fellows) to adjourn was made at 8:41 p.m. Carried Unanimously.

Respectfully submitted by:


Theresa J Sayles, Clerk

Approved and ordered posted by:


Michael J Bickler Sr, President