

CITY OF OCONOMOWOC
COMMON COUNCIL MEETING MINUTES
October 21, 2008

Public Hearings:

7:30 PM – The purpose of the hearing is to hear public comments on a recommendation of the City Plan Commission to repeal and recreate Chapter 20 Floodplain Zoning of the City of Oconomowoc Municipal Code.

Gallo reported that in 2004 the DNR created a “Model Floodplain Ordinance” and requested all Cities and Villages adopt their ordinance. If communities choose not to adopt the model floodplain ordinance, they would be suspended from the National Flood Insurance Program (NFIP). In 2006, the City amended Chapter 20 to bring the City Code into conformance with the DNR’s Model Ordinance. The Ordinance was approved by the Plan Commission and Common Council in December 2006. Since that time, there have been additional changes to the Model Ordinance, as well as updated FIRM maps that are required to be incorporated into the City Ordinance by reference by November 19, 2008. The changes are a new flood storage district, language changes and maps. The Plan Commission discussed this matter at the September 10, 2008 meeting and directed staff to begin the publication process. No other comments were received. The hearing closed at 7:34 PM.

7:34 PM – The purpose of the hearing is to hear public comments on the rezoning application filed by Brian Depies with Bielinski Homes to rezone 64.15 acres identified by Tax Key Number OCOC-0540-999-005 and part of Tax Key Number OCOC-0540-999-021, located south of Lake Drive, west of Brown Street (CTH P) and north of Lisbon Road in the City of Oconomowoc from the existing SR-3; Suburban Residential District to MR-6; Mixed Residential District with a PD; Planned Development Overlay District. The proposed rezoning is Step 3 in the City’s Planned Development process.

Depies reported that the proposed GDP shows 352 residential dwelling units to be known as the Meadows at Rosenow Creek. He also briefly described some of the amenities. Council originally approved this development in 2003, but Bielinski Homes failed to complete the development within the required five year time period and it has now expired. No other comments were received. The hearing closed at 7:37 PM.

7:37 PM – The purpose of the hearing is to hear public comments regarding the proposed issuance of City of Oconomowoc, Wisconsin, Industrial Development Revenue Bonds, Series 2008 (Oconomowoc Mfg. Corp. Project), in an aggregate amount not to exceed \$1,461,000, pursuant to Section 66.1103 of the Wisconsin Statutes, to finance a project to be owned by Oconomowoc Mfg. Corp., a Delaware corporation (the “Borrower”).

Duffy reported that Oconomowoc Mfg. has purchased several buildings and the industrial revenue bonds will assist with the purchases and equipment. Basically, the City will only be lending its name and will be under no obligation. No other comments were received. The hearing closed at 7:39 PM.

Mayor Sullivan called the regular Common Council meeting to order at 7:39 PM.

Pledge of Allegiance

Roll Call: Aldermen Antonneau, Cochrane, Hollatz, Miller, Schmitter, Morgan, Nold and Larsen

Staff Present: Mayor Sullivan, Gard, Frye, Gallo, Kitsembel, Schmidt, Duffy, Maurer and Coenen

Others present: Atty. Chapman

Minutes of October 7, 2008: Motion by Cochrane to approve the minutes of the October 7th meetings as presented; second by Miller. Motion carried 8-0.

Consent agenda:

- A. Licenses
- B. Budget Amendment for Grants Received – July 1st to September 30th, 2008
- C. Sanitary Sewer Easement Agreement – Valley Road Commons
- D. Final Release of Letter of Credit for Lakewood Estates North Subdivision

- E. Final Release of Subdivision Bond for Wood Creek V Subdivision
- F. Final Release of Subdivision Bond for Wood Creek VI Subdivision
- G. Treasurer's Report

Motion by Hollatz to approve the Consent Agenda; second by Antonneau. Motion carried 8-0.

Committee Reports:

Finance Committee – Larsen, chr; Cochrane; Antonneau, secy

1. **Consider/act on Resolution for the Economic Analysis and Feasibility Study for the Recreation Facilities** – Antonneau reported the Finance Committee has reviewed and recommends approval. Maurer reported that as part of the growth initiatives, Council directed staff to complete a study to determine the future location of the community center and administrative offices of the Parks, Recreation and Forestry Department. Proposals were received and after evaluation and presentations by the top four consultants, staff recommends the proposal from Bray Architects in the amount of \$39,000.00. The consultant will evaluate various sites for the potential Park & Recreation Center, list the pros and cons, costs and gather public input. Bray will not give a recommendation, but the study will be reviewed by the Park and Recreation Board and a recommendation will be made. Motion by Antonneau to adopt the resolution for the economic analysis and feasibility study by Bray Architects in the amount of \$39,000.00; second by Cochrane. Motion carried 8-0.

Plan Commission:

- A. **Consider/act on the Ordinance to repeal and recreate Chapter 20 Floodplain Zoning of the Municipal Code and to incorporate the Flood Insurance Rate Maps – 1st Reading (Per Public Hearing)** – Antonneau reported that the City is proposing to repeal and recreate Chapter 20, Floodplain Zoning. The changes will incorporate the updated Flood Insurance Rate Maps (FIRM) prepared by the Federal Emergency Management Agency (FEMA). The text amendments will also bring the City into compliance with the DNR Model Floodplain Ordinance. Motion by Antonneau to suspend the rules and dispense with the reading of Chapter 20; second by Nold. Motion carried 8-0. Motion by Antonneau to give the ordinance its first reading in title only; second by Nold. Chapman read the title into the record. Motion carried 8-0.
- B. **Consider/act on the Ordinance to rezone 64.15 acres identified by Tax Key Number OCOC-0540-999-005 and part of Tax Key Number OCOC-0540-999-021, located south of Lake Drive, west of Brown Street (CTH P) and north of Lisbon Road from SR-3 to MR-6 – 1st Reading (Per Public Hearing)** – Antonneau reported that on October 8, 2008 the Plan Commission recommended approval of the zoning for the Planned Development PD-19-08 of the Meadows at Rosenow Creek with underlying zoning of MR-6 Mixed Residential. Motion by Antonneau to give the ordinance its first reading; second by Cochrane. Chapman read the ordinance into the record. Motion carried 8-0.
- C. **Consider/act on Ordinance to Create a Planned Development for property located south of Lake Drive, west of Brown Street (CTH P) and north of Lisbon Road to be Designated PD-19-08 and the General Development Plan for the Meadows at Rosenow Creek – 1st Reading** – Antonneau reported that the applicant has submitted a request for a planned development located south of Lake Drive, west of Brown Street (CTH P) and north of Lisbon Road. The developer proposes to construct 352 residential dwelling units to be known as "Meadows at Rosenow Creek." Plan Commission unanimously recommends approval. Motion by Antonneau to suspend the rules and dispense with the reading of the ordinance to create a planned development and the General Development Plan; second by Nold. Motion carried 8-0. Motion by Antonneau to give the ordinance its first reading in title only and adopt the General Development Plan; second by Cochrane. Chapman read the title into the record. Motion carried 8-0.
- D. **Consider/act on the Ordinance to rezone 7.17 acres identified as part of Tax Key Number OCOC-0540-999-021 located in the NW corner of Lisbon Road and Brown Street (CTH P) from SR-3 to SO – 1st Reading** – Antonneau reported that Bielinski Homes is requesting to rezone 7.17 acres of land located at the northwest corner of Lisbon Road and Brown Street from SR-3 (Suburban Residential) to SO (Suburban Office). The proposed rezoning will allow the land to be developed as future office use. Plan Commission unanimously recommends approval. Motion by Antonneau to give the ordinance its first reading; second by Cochrane. Chapman read the ordinance into the record. Motion carried 8-0.
- E. **Consider/act on Order Amending the Precise Implementation Plan for Valley Road Commons** – Antonneau reported that a revised site plan that amends the approved PIP for Valley Road Commons, specifically buildings #2, #3 and #4 has been submitted. The changes are to the parking, dumpsters, landscaping, building sizes, roundabout removed, access locations, bike racks, benches and snow storage areas. Plan Commission unanimously recommends approval. Motion by Antonneau to approve the order amending the Precise Implementation Plan for Valley Road Commons; second by Cochrane. Motion carried 8-0.

New Business:

- A. **Consider/act on Resolution Disallowing Claim of Thomas Finger** – Sullivan reported that this claim alleges that damages were done to Finger's classic automobile when the church explosion on April 2, 2008 caused a wooden brick to fall from a shelf in his garage, on Wilson Street, onto his vehicle. Our insurance carrier has reviewed the claim and recommends that the City deny this claim because there was no negligence on behalf of the City. A private contractor was working in the area and caused the explosion. Motion by Cochrane to adopt the resolution disallowing the claim of Thomas Finger; second by Antonneau. Motion carried 8-0.
- B. **Consider/act on Resolution for the Dietzenbach and Oconomowoc Sister-City Partnership** – Sullivan reported that this Sister-City Partnership resolution reaffirms the connection and desire to develop a more formal relationship between the City of Oconomowoc and Dietzenbach, Germany. He will be taking the resolution to Germany on December 8th and it will be signed at that time. Other individuals going to Germany are: County Executive D. Vrakas, P. Neudecker, J. Moroni, M. Stapleton, J. Noll, K. Kempf and R. Duffy. The Mayor will be paying his own costs and Duffy's travel will be paid through the tourism dollars from hotels. Motion by Antonneau to adopt the resolution for the Dietzenbach and Oconomowoc Sister-City Partnership; second by Cochrane. Motion carried 8-0.
- C. **Consider/act on Final Resolution regarding Industrial Development Revenue Bond Financing for Oconomowoc Mfg. Corp.** – Sullivan reported that the initial IRB resolution was adopted by the Common Council on August 21, 2007 and amended on September 18, 2007. This final resolution is for the issuance of Industrial Development Revenue Bonds, Series 2008 for Oconomowoc Mfg. Corp. in an aggregate amount not to exceed \$1,461,000. The project consists of financing the acquisition and rehabilitation of an existing approximately 42,000 sq. ft. manufacturing facility located at 856 E. Armour. He further stated that we will be loaning our bond rating to Oconomowoc Mfg. and there will be no obligation to the City. Motion by Antonneau to adopt the final resolution regarding Industrial Development Revenue Bond Financing for Oconomowoc Mfg. Corp.; second by Cochrane. Motion carried 8-0.

Announcements and Communications: Coenen reminded Council that Tuesday, November 4th is the General Election and the MEUW Dinner is on Wednesday, October 29, 2008 at 6:30 pm.

Reports and comments from the Mayor: Sullivan stated that this is the first meeting of the Fowler Lake Waterfront and Parking Solutions Advisory Committee to review and discuss some of the priorities identified at the growth meetings by Council.

Motion by Cochrane to adjourn the Common Council meeting; second by Miller. Motion carried 8-0. The meeting adjourned at 8:08 PM.

Diane Coenen, City Clerk