

**CITY OF OCONOMOWOC**  
**COMMON COUNCIL MEETING MINUTES**  
**August 5, 2008**

**Mayor Sullivan** called the regular Common Council meeting to order at 7:30 PM.

**Pledge of Allegiance**

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

**Staff Present:** Mayor Sullivan, Gard, Duffy, Maurer, Frye, Bednarski, Beguhn, Leidel, Gallo, Lamp and Coenen

**Others present:** Atty. Chapman

**Minutes – July 15, 2008:** Motion by Cochrane to approve the minutes from July 15, 2008 as presented; second by Antonneau. Motion carried 7-0.

**Consent agenda:**

- A. Licenses
- B. Utility Easement Agreement on STH 67 – Target Corporation
- C. Accept Deed from Target Corporation – Turn Lane on Oconomowoc Parkway
- D. Easement from Pabst Farms for Drainage to Storm Water Facility North of Fire Station Site

Motion by Hollatz to approve the Consent Agenda; second by Antonneau. Motion carried 7-0.

**Committee Reports:**

- A. Public Services – Nold, chr; Schmitter; Larsen, secy
  1. **Consider/act on Resolution approving Purchase of Piers for Fowler Park and City Beach** – Larsen reported that the Parks, Recreation and Forestry Department received 3 bids for floating piers to be located at Fowler Park and City Beach. The pier at Fowler Park will be ADA accessible and the City has received a Community Development Block Grant in the amount of \$21,278 which will be used for this purchase as well as engineering of an ADA accessible path to the pier. Staff is recommending the low bid of Mod-U-Dock in the amount of \$46,700.00. Antonneau suggested putting a small plaque on the new Fowler Park pier dedicating it in honor of Erwin Pockelwald's 40 years of service to the pier. Staff will look into this. Motion by Larsen to adopt the resolution approving the purchase of piers for Fowler Park and City Beach from Mod-U-Dock in the amount of \$46,700.00; second by Nold. Motion carried 7-0.
  2. **Consider/act on Resolution approving Change Order One for Oconomowoc Parkway Project** – Larsen reported Council approved this project on June 17, 2008 and thereafter changes were necessary for conduit to be bored under STH 67 drive lanes, an additional 4" of road base and site dewatering. The total increase is \$116,143.00. Motion by Larsen to approve Change Order One for Oconomowoc Parkway Project in the amount of \$116,143.00; second by Nold. Motion carried 7-0.

**Old Business:**

- A. **Consider/act on Ordinance for the Text Amendment to Sections 17.105(3)(h)2.c.; 17.206(4)(b)3.; and 17.203(4) to allow the following use in the UI; Urban Industrial District upon issuance of a Conditional Use Permit: Personal or Professional Services (Limited to medical clinics)** – Motion by Antonneau to give the ordinance its second reading in title only; second by Miller. Chapman read the title into the record. Motion carried 7-0. Motion by Antonneau for the ordinance to become law; second by Cochrane. Motion carried 7-0.

**New Business**

Sullivan introduced the next two applications and briefed on the history of these two developments. He restated the position the City is in regarding liquor licensing and that the City has lobbied for legislation to assist us with the future mall development.

- A. **Consider/act on Resolution to Deny the Application for a 2008-2009 "Class B" Alcohol Beverage License for BtheBall, LLC (Blue Ribbon)** – Coenen reported that BtheBall, LLC is seeking a Class B license for their proposed new restaurant, Blue Ribbon. Previously they held a Class B license which expired on June 30, 2008 due to nonpayment of delinquent claims to the City. In anticipation of paying those claims by July 31<sup>st</sup>, they applied for a new license. The claims have not been paid, therefore, it is recommended that the license be denied because the applicant is not in complete compliance with the requirements of Chapter 12.04. There was general discussion and questions/concerns raised by Council as to the need of a license to move forward with their project and if there would be a change in ownership. Patrick Szalanski, agent for BtheBall stated that they have an approved project with the City and anticipate paying all delinquent claims by September 1<sup>st</sup>. At this time they are working on securing financing and having a license is a necessary part of the project to move forward. He stated that there is no change in ownership planned. Additionally, for the last two years they have been dealing with DOT issues and an arrangement has now been worked out. Motion by Nold to postpone action on the resolution until September 2, 2008 conditioned that the delinquent taxes and claims are paid and ownership does not change; second by Antonneau. Motion carried 7-0.
- B. **Consider/act on the Resolution to Deny the Application for a 2008-2009 "Class B" Alcohol Beverage License for William C. Niemann (Town Centre Restaurant IV)** – Coenen reported that William Niemann has applied for a new Class B license to be used for a future restaurant to be located within the Town Center. The applicant is not in complete compliance with the requirements of Chapter 12.04, therefore, it is recommended that the license be denied. Gard stated that we petitioned last year unsuccessfully to get legislation to help us with our shortage of liquor licenses. We will continue with those efforts along with other communities and Pabst Farms. Motion by Nold to postpone action on the resolution until September 2, 2008; second by Cochrane. Motion carried 6-1. Larsen voted no.

**Staff Reports:**

- A. **Update on Assessment Revaluation** – Gard reported that the revaluation will bring all real property within 10% of the full value. The last reval was done in 2003; five years ago. For residential property, this is a market update, meaning no interior inspections. For commercial properties, this is a full evaluation. The purpose is to equalize all property value and bring us into compliance with State codes. Our assessor looks at the last three years of sales information to help determine value.
- B. **Update on Downtown Reconstruction** – Frye reported that the railroad has come through earlier than expected to do their work, therefore the realignment of Silver Lake Street should be complete this week. We hope to have the roundabout open by Friday, August 15<sup>th</sup>. A video on roundabouts is being run on the public access channel, brochures are available at City Hall and information is available on the City website. Street lighting installation has started on Main Street. He then gave a brief update on the construction projects on Concord, Wentworth and Worthington and said we should meet our goals.

**Reports and Comments from the Aldermen** – Morgan commented that the City should have a time limit on how long a licensee can retain a liquor license without an established business. Larsen feels that it is a good idea to honor Pockelwald and it should be discussed. Antonneau gave an "atta-boy" to Wismarq on their building on Armour Road.

Motion by Cochrane to adjourn the Common Council meeting; second by Miller. Motion carried 7-0. The meeting adjourned at 8:20 PM.

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Diane Coenen, City Clerk