

CITY OF OCONOMOWOC
COMMON COUNCIL MEETING MINUTES
September 2, 2008

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

Pledge of Allegiance – Led by Mac Dorn

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

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

Others present: Atty. Chapman

Comments and suggestions from citizens

- 1) Pete Holmes, 237 Shore Circle asked the Aldermen to speak into the microphones when talking, thanked Chief Beguhn and Ron Buerger for reacting immediately to the traffic concerns at the new middle school and donated a Magnum Spike pursuit device on behalf of the neighborhood.
- 2) Pat Ornberg, Chamber of Commerce read a statement from the Chamber Board of Directors supporting the setback ordinance change.
- 3) Michelle Gugin, 505 W. South Street would like the Council to consider a quiet zone for the railroad. Feels the City could benefit.
- 4) Bob Snyder, 216 N. Lake Road agreed that a quiet zone is a good idea. He loves the roundabout. He supports the proposed shoreland setback of 45 ft. and water quality standards.

Consent agenda:

- A. Licenses (Revised Resolution at Council stations)
- B. Resolution Exempting the City from the Waukesha County Library Levy for 2009

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

Committee Reports:

- A. Finance Committee – Larsen, chr; Cochrane; Antonneau, secy
 1. **Consider/act on Resolution Approving the Feasibility Study and Master Planning for the Fowler Lake Promenade and Parking Structure** – Antonneau reported that as part of the City's discussions on growth priorities, staff was directed to implement two strategic initiatives. Proposals were received to create a Fowler Lake Promenade and a parking structure. The Finance Committee has reviewed and recommends retaining the Hitchcock Design team to create a master plan for this area. Motion by Antonneau to adopt the resolution approving the proposal from Hitchcock Design/Ken Saiki Design/MSA Professional Services/Business Districts, Inc./Walker Parking Consultants in the amount of \$154,200; second by Cochrane. Council asked for an explanation as to why the recommendation was not for the lowest bidder. Duffy stated that these firms will use more community involvement and give staff tools to work with. Additionally, TIF dollars will pay for this project. Motion carried 7-1. Morgan voted no.
- B. Public Services – Nold, chr; Schmitter; Larsen, secy
 1. **Consider/act on Resolution Approving Construction of Wood Creek Park Walking Trail and Multi-purpose Hard Surface Court** – Larsen reported that the Parks, Recreation and Forestry Department received bids for the construction of a walking path and multi-purpose hard surface court per the approved Park Master

Plan. Public Services reviewed and recommends the low bid of Western Contractors, Inc. in the amount of \$61,582.00. Motion by Larsen to adopt the resolution for the construction of the Wood Creek Park walking trail and multi-purpose hard surface court by Western Contractors, Inc. in the amount of \$61,582.00; second by Nold. Motion carried 8-0.

2. **Consider/act on Resolution in Support of Participation in a County-Coordinated Request for Proposals for Trash/Recycling Collection and Disposal Services** – Larsen reported that Waukesha County is willing to coordinate the hiring of a consultant to develop an RFP for a multi-municipality trash and recycling collection contract. Public Services reviewed and recommends supporting this effort. Motion by Larsen to adopt the resolution supporting participation in a county-coordinated request for proposals for trash collection services; second by Antonneau. Motion carried 8-0.
- C. Utility - Antonneau, chr; Larsen; Nold, secy
1. **Consider/act on Resolution Approving Purchase of 2009 Half Ton Pickup Truck** – Nold reported that two proposals were received for a 2009 half ton pickup truck to replace an older truck which will be sold. The Utility Committee unanimously recommends the quote from Ewald Automotive Group in the amount of \$26,886.00. Bednarski stated that the Ewald vehicle offered more features, i.e. tailgate assist and heated mirrors which are important for a CDL driver. Motion by Nold to adopt the resolution for the purchase of a 2009 half ton pickup truck from Ewald Automotive Group in the amount of \$26,886.00; second by Cochrane. Motion carried 8-0.
 2. **Consider/act on Pole Attachment Lease with Cellnet Technology Midwest Inc.** – Nold reported that Utilities has been working with Cellnet, a contractor who installs and maintains all WE Energies gas meter information systems. The Utility Committee unanimously recommends approval. Bednarski stated that Cellnet wants to install 2½' by 1½' repeaters on 33 of our utility poles. This equipment is very unobtrusive and if not allowed, they do have the right to set up poles next to ours for this equipment. This lease, which has been reviewed by the City Attorney, ensures the Utility is protected from any issues related to the attachment of these repeaters to our poles and allows us to approve any future sites they may request. This equipment is for the AMI project (automated reader information) which helps the customers get more information and provides a better reading of the meters. Motion by Nold to approve the Pole Attachment Lease with Cellnet Technology Midwest Inc.; second by Larsen. Motion carried 8-0.

Unfinished Business:

- A. **Consider/act on Ordinance to repeal Section 17.505 Lakeshore Overlay Zoning District; repeal Section 17.506 Drainage Way Overlay District (and the references to Drainage Way and Lakeshore permanently protected green space areas in Table 204); to create within Section 17.034 a definition of "Shoreyard Setback"; to amend Tables 17.403 and 17.404 by referencing shoreyard setback to conform to the zoning district requirements, to amend district regulations to include shore yard setback, to amend Section 17.106 to remove reference to Drainage Way Overlay and Lakeshore Overlay Districts; and create Section 17.115 which establishes a Downtown Redevelopment (DR) Overlay Zoning District – 2nd Reading** – Motion by Nold to give the ordinance its 2nd reading in title only; second by Cochrane. Chapman read the title into the record and stated there was a verbiage change of the word "shoreland" which was replaced with "lakeshore." Larsen commented on the letters Council received in May from the DNR and Sewer Pac recommending retaining a 75 ft. setback and feels the City should pay attention to these agencies. Antonneau gave staff a pat-on-the-back for the water quality standards ordinance. Motion carried 6-2. Morgan and Larsen voted no. Motion by Nold for the ordinance to become law; second by Cochrane. Motion carried 6-2. Morgan and Larsen voted no.

- B. **Consider/act on Ordinance for Shoreland Water Quality Protection – 2nd Reading** – Motion by Antonneau to give the ordinance its 2nd reading in title only; second by Cochrane. Chapman read the title into the record and summarized Chapter 19A which is attached to the ordinance. Motion carried 8-0. Motion by Antonneau for the ordinance to become law; second by Cochrane. Motion carried 8-0.

New Business

- A. **Consider/act on Lease Extension Agreement with Lutheran High School Association of Greater Milwaukee** – Sullivan stated that the Lutheran High School Association of Greater Milwaukee has requested a second extension on the lease for the property located at 1101 Silver Lake Street. The final date would be April 1, 2009 and the rent for the extended term commencing on August 15, 2008 would be \$10,729.51 per month, a 3% increase. Motion by Cochrane to approve the lease extension agreement with Lutheran High School Association of Greater Milwaukee until April 1, 2009; second by Hollatz. Motion carried 8-0.
- B. **Consider/act on Developer's Agreement for Valley Road Commons** – Gard reported that two weeks ago the Finance Committee reviewed and agreed with the outline of "pay-as-you-go" reimbursement from TIF funding. The developer is guaranteeing \$21M in improvements and the City will commit up to \$364K if completed by 2013. Payments will be made to the developer after the taxes are paid, therefore there is no risk to the City or taxpayers. Motion by Nold to approve the Developer's Agreement for Valley Road Commons; second by Cochrane. Chapman stated this is otherwise a typical developer's agreement. Motion carried 8-0.

Mayoral appointments to Boards and Commissions, with Council confirmation – Sullivan has appointed Gregory Hyland to the Board of Review to replace the resignation of Gene Coffield. Hyland's term will expire on April 30, 2013. Motion by Antonneau to confirm the appointment of Gregory Hyland to the Board of Review until April 30, 2013; second by Cochrane. Motion carried 8-0.

Staff Reports – Two memos were put at Council stations regarding the Lyman Street stormwater concerns and traffic concerns on Oconomowoc Parkway with the opening of the south Middle School.

Reports and Comments from the Aldermen – Cochrane thanked the Chief, Chamber and staff for the support of the 105th Harley celebration. Antonneau gave kudos to the newly paved area on Summit Avenue, has received some positive comments on the roundabout and acknowledged the comment about Aldermen speaking into the microphones. Morgan inquired about the speed bump on Main Street and Frye stated that it is a traffic calming device called a table top crossing for pedestrians.

Motion by Miller to adjourn the Common Council meeting; second by Larsen. Motion carried 8-0. The meeting adjourned at 8:10 PM.

Diane Coenen, City Clerk