

CITY OF OCONOMOWOC
“SPECIAL” COMMON COUNCIL MEETING MINUTES – February 14, 2008

Mayor Sullivan called the “Special” Common Council meeting to order at 6:34 PM in Conference Room 3.

Pledge of Allegiance

Roll Call: Aldermen, Nold, Larsen, Hollatz, Miller and Schmitter

Absent: Aldermen Morgan, Cochrane (arrived 6:46 pm) and Antonneau (arrived 7:24 pm)

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

Others present: Stan Sugden, Larry Kilduff and Atty. Bill White

Motion by Nold to convene into Closed Session; second by Larsen. Motion carried 5-0. The meeting convened into Closed Session at 6:36 PM.

Closed Session, per Wis. Stat. 19.85(1)(e) “Deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session.” (Pabst Farms/Developers Diversified Realty proposed Town Centre Project and Developer Agreement)

Motion by Larsen to reconvene into Open Session; second by Schmitter. Motion carried 6-0. The meeting returned to Open Session at 7:26 PM. At this time, the Common Council moved into Council Chambers.

Additional Staff Present: Lamp, Beguhn, Leidel, Wallace and Atty. Chapman

PUBLIC HEARING 7:30 PM – The purpose of the hearing is to hear public comment on the petition of Developers Diversified Realty and Pabst Farms Retail Inc, to amend Ordinance #07-O694 that created a Planned Development on approximately 184 acres, known as Planned Development PD 13-07. The lands include Parcel 5 and Parcel 6 of Certified Survey Map No. 9170 and Outlot 1 of Certified Survey Map No. 9171. The lands are generally located at the northeast corner of STH 67 (Summit Avenue) and Interstate I-94. The current zonings are SC - Suburban Commercial with a Planned Development Overlay and SI - Suburban Industrial District with a Planned Development Overlay. The applicant is requesting the City amend the approved PD ordinance to allow the substitution of Developers Diversified Realty Plans with the previously approved General Growth Properties Plan. The subject property is to be developed into a multi-building commercial development project. The Common Council is to take action on the Planned Development Ordinance amendments and the General Development Plan of “Pabst Farm Town Centre”.

The hearing opened at 7:32 PM. Sullivan stated earlier this evening; Council was called to order, convened into Closed Session and reconvened into Open Session. There will be no action by the Council this evening, but after Council adjourns, the Plan Commission will convene, hold discussion and may take action on a recommendation to Council. If a formal recommendation is made, Council will consider that recommendation at their February 19th meeting. Sullivan then gave a brief history of the project stating that several years ago a shopping center was discussed at that site. General Growth proposed a center, but then withdrew and Pabst Farms has now selected DDR as the developer. There has been a series of meetings with staff over the last month and a half, as well as a Plan Commission public hearing on February 7th where a series of comments were received, but no action taken.

Bill Niemann, Pabst Farms thanked the residents, businesses and Council for allowing them to present their development and coming out in this winter weather.

Bob Elias, development director for DDR used a power point presentation describing DDR, its various developments throughout the United States and afar and their proposed development.

The following individuals spoke against the proposed town centre. Jim Wilch, 357 Bolson, Delores Johnson, 507 Grove Street, Craig Pruscha, 329 E. Pleasant Street and Dick Pas, 662 E. Juneau. Comments included: Would like more than a mall to put Oconomowoc on the map as there is numbing uniformity of these types of centers in close proximity, it is unrealistic to compare the Texas & Florida centers because of the weather here, concern about types of the high-end retailers and the need to know who they are because Target, Kohl's and

Best Buy will not draw people five years from now, feels Council has an obligation to make sure this is a quality development because of the legacy it will leave, great concern for the 1,000 ft. wall because the vision should draw people in, as this location has a tremendous amount of exposure and suggestion that the Pabst Farms sign be removed or moved.

The following individuals read a statement of support into the record. Pat Ornberg, on behalf of Nick Argeroudis, Chamber Board of Directors and Kurt Schrang, on behalf of the Downtown Advocacy Group.

The following individuals spoke in favor of the proposed town centre. Pete Holmes, 237 Shore Circle, Jon Spheeris, 311 E. Wisconsin Avenue, Jerry Hitchler, Box 696, Debbi Miner, 1841 River Lakes Road, John Barnes, Barnes Jewelers, Kathy Kennon, 1826 Springhouse Drive, Kenneth R. Brown, Lot 53 East Lake Village, Karen Trepton, 234 N. Lake Road, Kristi Selker, on behalf of the YMCA at Pabst Farms and Jerry Erdmann, W365 N6980 McMahon Road. Other comments included: Keep the downtown in mind and look at providing a shuttle service, use a percentage of trade people from the Oconomowoc area for construction, make positive use of the water feature; i.e. skating rink, keep "green" in mind, know the City's financial contribution, encourages Council to work with the developer because this project is good for the City's tax base and TIF, researched DDR, a public company, whose lease rate is 96% and has an A- financial rating, residents want to spend their money here in town and because this plan is a reality it will be good for all businesses in Oconomowoc.

Sullivan read a letter submitted from Paul Schultz, Sunarc Studio into the record that asks Council to clarify and define the public benefits, including the connection to the downtown, expresses concern when a development has to have a 1,000 ft. wall for screening and asks that no signage be allowed on the backs of the buildings.

Lisa Conley, 516 Lac LaBelle Drive had two documents for Council, Tom Depies, 805 Thackeray Trail, Shirely Depies, 805 Thackeray Trail, Meg McCormick, W2159 Beulah Hts. Road and Florence Whalen, 405 W. Third all discussed conserving resources, the importance of going green, renewable energy, eco-friendly buildings, green roofs, solar electric, small scale wind, permeable parking lots, reuse of water and the quality of water. Also, a question was posed to Council, "How far will others travel to Oconomowoc?" to provoke the thought that we must offer something special to attract others. It was also encouraged the City use SEWRPAC information.

Bonnie Morris, Waukesha County Board Supervisor read a statement into the record. Comments included the improvement of the highway would support the increased traffic, but it is contingent upon a cooperative agreement between all parties, that the construction of a regional mall must occur between 2008 – 2010 and the contribution from the developer will be \$1.7 million. If these factors do not materialize, the funds will not be released. She also commented that if the City approves this plan, she will be forced to convince the Waukesha County Board members that this is a worthy project. She added that she loves the green idea. No other comments were received. The hearing closed at 9:35 PM.

Update / Discussion on Pabst Farms Town Centre Development - *(No formal action to be taken by Common Council):* At this time the floor was opened up to Council for questions or comments. Some questions were asked concerning who the retailers are, what are the practices followed in construction, signage on the buildings and looking for comment on the developer's contribution for the interchange. Responses were: no signed deals with retailers yet, therefore can not speculate, most codes require green, signage has not been determined yet and Pabst Farms has committed to their contribution in the signed MOU with the City. Comments included: Concerns with the wall, the project is beautiful, the plan meets the needs of all parts of the community (high-end and working class), gives opportunity for traffic to increase and downtown to be part of the whole area, would like to see hotels and "go green" should be incorporated.

Sullivan stated that the wall is a way to mitigate the view of the backs of the stores. Language has been included in the PD Ordinance and Planner's Report to create some type of screen so loading docks, etc. is not visible.

Motion by Cochrane to adjourn the Special Common Council meeting; second by Larsen. Motion carried 7-0. The meeting adjourned at 9:50 PM.

Diane Coenen, City Clerk