

CITY OF OCONOMOWOC
COMMON COUNCIL MEETING MINUTES
February 3, 2009

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

Pledge of Allegiance

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

Staff Present: Mayor Sullivan, Gard, Kitsembel, Steinbach, Bednarski, Beguhn, Frye, Lamp, Duffy, and Coenen

Others present: Attys. Chapman and Ron Stadler

Minutes of January 20, 2009: Motion by Cochrane to approve the minutes of the January 20th meeting as written; second by Antonneau. Motion carried 8-0.

Consent agenda:

- A. Licenses
- B. Electric Utility Easement – Village Crossing Development, Inc.
- C. 2009 Village of Lac La Belle Contract for Fire Protection

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

Utility Committee:

- A. **Consider/act on Resolution for Change Orders for the Headworks and Effluent Filter Upgrade – Project 0801:** Nold reported that work is in progress and replacement equipment is operational for the influent screening, tertiary filtration, yard piping and SCADA areas of this project. A change order totaling \$72,151 was recommended unanimously by the Utility Committee. Steinbach stated the change order is a package of items that came up along the process of construction, which includes an increase in filter flange size, basin curbing, stainless steel panel mounts, increase in the allowance for input/output upgrade, and graphics panel upgrade, with some credit for piping change and elimination of groundwater system. Additionally, a savings estimated at approximately \$30K-\$40K is anticipated in the construction administration cost that was not factored in with the change order. Motion by Nold to adopt the resolution for change orders for the Headworks and Effluent Filter Upgrade Project 0801 in the amount of \$72,151; second by Larsen. Motion carried 8-0.
- B. **Consider/act on Lease Agreement with We Energies for Summit Substation:** Nold reported that this lease is the third and final agreement needing approval for the work to be completed at our new Summit substation. This agreement covers our rights to be on the property and what we will be allowed to do on the property in the future. The term of the lease is forty years, gives us access within the substation boundaries and areas on We Energies property, identifies step need around hazardous materials and supersedes the lease agreement on our old metering point. The Utility Committee has reviewed and recommends unanimously. Motion by Nold to approve the lease agreement with We Energies for Summit Substation; second by Larsen. Motion carried 8-0.

New Business:

- A. **Consider/act on Resolution Disallowing the Property Assessment Claims (3) of the Museum for Women, LLC; Park Studios, LLC and Park Studios, LLC (Baysari):** Sullivan stated that three claims of excessive and unlawful property tax were filed with the City on 11/14/08 and refiled on 1/27/09. Edmond Baysari is the owner for all three properties identified as the Expo parcel and the 48 acre and 24 acre parcels. Motion by Antonneau to adopt the resolution disallowing the three property assessment claims for the Museum for Women, LLC; Park Studios, LLC and Park Studios, LLC; second by Cochrane. Chapman read the resolution into the record. Nold inquired as to the assessment increase from the previous year on these parcels. Chapman stated he did not have that information with him. The Board of Review, who is appointed by Council, reviewed the objections on these assessments and made a determination. Some credit was given for the farmland. Kitsembel reported that

she spoke directly with our insurance company attorney and he recommends denial. Nold requested that hereafter; all information should be included with the resolution. Motion carried 8-0.

Motion by Larsen to convene into Closed Session; second by Cochrane. Motion carried 8-0. Closed Session convened at 7:51 pm. It was stated for the record that when Council returns to Open Session, that portion of the Council meeting will not be broadcast.

Closed Session:

Per Wis. Stats. 19.82(1) Union Negotiations, and per Wis. Stats. 19.85(1)(c) Considering employment, promotion, compensation or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility. (Performance/Salaries for Non-represented Employees)

Motion to return to Open Session, per Wis. Stats. 19.85(2): Motion by Antonneau to return to Open Session; second by Cochrane. Motion carried 8-0. Open Session reconvened at 9:25 pm.

Consider/act on Ratification of WPPA Dispatch Contract for 2009-2011: Motion by Cochrane to approve the ratification of the WPPA Dispatch Contract for 2009-2011; second by Antonneau. Motion carried 8-0.

Consider/act on Ratification of WPPA Police Contract for 2009-2011: Motion by Cochrane to approve the ratification of the WPPA Police Contract for 2009-2011; second by Hollatz. Motion carried 8-0.

Consider/act on Resolution for 2009 Salaries for Non-represented Employees: Motion by Cochrane to adopt the resolution for the 2009 salaries for non-represented employees; second by Antonneau. Sullivan read the resolution into the record and stated the 2009 salary adjustments were discussed in closed session. Motion by Morgan to act separately on the salary adjustments. Motion died for a lack of a second. First motion carried 8-0.

Motion by Cochrane to adjourn the Common Council meeting; second by Miller. Motion carried 8-0. The meeting adjourned at 9:30 PM.

Diane Coenen, City Clerk