

CITY OF OCONOMOWOC
COMMON COUNCIL MEETING MINUTES
June 2, 2009

Mayor Sullivan called the regular Common Council meeting to order at 7:35 PM.

Pledge of Allegiance

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

Staff present: Mayor Sullivan, Gard, Beguhn, Lamp, Kitsemel, Duffy, Frye, Bednarski, Steinbach, LaVenture, May and Coenen

Others present: Atty. Chapman and Stan Sugden

Minutes of May 19, 2009: Motion by Cochrane to approve the minutes of the May 19th meeting as written; second by Antonneau. Motion carried 8-0.

Consent Agenda:

A. Licenses - Motion by Morgan to approve the Consent Agenda; second by Cochrane. Motion carried 8-0.

Committee Reports:

Personnel – Cochrane, chairman, Morgan, Miller, secy.

1. **Consider/act on Ratification of 2009 – 2011 IBEW Contract:** Miller reported the City has come to an agreement with the IBEW Union for the 2009-2011 contract period. Personnel Committee reviewed and recommend unanimously. Motion by Miller to approve ratification of the 2009-2011 IBEW Contract; second by Antonneau. Motion carried 8-0.

Joint Protection & Welfare (Schmitter-chr/Kohlenberg/Miller-secy) & Public Services (Nold-chr/Schmitter/Larsen-secy)

1. **Consider/act on Proposals for Architectural & Construction Management Services for Fire Station #2:** Larsen reported the City received eleven proposals for the architectural and construction management services of the new Fire Station #2. Both Committees reviewed and recommend unanimously the Plunkett Raysich-Miron Construction team. Motion by Larsen to approve the proposals of Plunkett Raysich Architects and Miron Construction Company for the architectural and construction management services for Fire Station #2, subject to legal review of the contract; second by Nold. Beguhn stated in April 2009 Council directed staff to bid out this service. Out of the eleven proposals received, staff interviewed four firms. Staff recommends the team of Plunkett Raysich-Miron Construction due to their experience and commitment to provide the fire station at the \$2.5M budget. Kohlenberg asked if the City has deposited our \$500K portion of the project cost and if we consulted with the developer before a firm was retained, as stated in the covenants in the Developer's Agreement. Gard responded the money is not in escrow yet because we have not agreed to the terms of the escrow. There was additional discussion regarding infrastructure costs, land acquisition and communicating with the developer per the agreement. In response to that discussion, the road is completed and was paid out of TID #3 funds, the \$500K City contribution for the construction of the fire station comes from impact fees and the City has three acres of land dedicated by Pabst Farms, which the City now owns. Motion carried 8-0.

Protection and Welfare – Schmitter, chairman, Kohlenberg, Miller, secy

1. **Consider/act on Resolution to Commit to Construct Improvements for Enhanced Railroad Crossing Safety and Establish a Railroad Quiet Zone:** Miller reported that the City has moved forward with the design and bidding for improvements to our railroad crossings and due to installing these safety measures, we will be asking the Federal Railway Administration to approve our request for a quiet zone. Protection & Welfare reviewed and recommends unanimously. Motion by Miller to adopt the resolution to commit to construct improvements for enhanced railroad crossing safety and establish a railroad quiet zone; second by Antonneau. Frye reported the railroad developed the guidelines for a quiet zone. Channelization improvements will be done to five crossings, which deter people from driving around the gates. The cost will be \$35K. A four quadrant gate will be installed at the Main Street crossing due to the number of intersections that meet there and the short distance from the tracks. Our risk index is expected to go from 29,268 to 18,045 with the installation of these improvements. The result would be reducing the risks even with establishing a quiet zone and enhancing the way of living without the whistle. There was general discussion on the pros and cons of the whistle. Some constituents hate it and others feel stopping it would be a safety hazard. Motion carried 7-1. Morgan voted no.

Public Services – Nold, chairman, Schmitter, Larsen, secy.

1. **Consider/act on Resolution Authorizing Community Development Authority to Initiate Requests for Proposals for the Redevelopment of Assembled Property in the SW Quadrant of the Roundabout:** Larsen reported that due to E. Wisconsin Avenue improvements and the installation of the roundabout, the City acquired property in the SW quadrant of the roundabout. The size and location of the parcel makes it attractive for redevelopment of the east entryway to the downtown and it would be appropriate for the CDA to initiate the process for redevelopment. Public Services reviewed and recommend unanimously. Motion by Larsen to adopt the resolution authorizing the CDA to initiate requests for proposals for the redevelopment of assembled property in the SW quadrant of the roundabout; second by Nold. Council members noted that this area may be ideal for a railroad station and the CDA should consider that as an option. Motion carried 8-0.

Utility – Antonneau, chairman, Larsen, Nold, secy.

1. **Consider/act on 2008 Compliance Maintenance Annual Report for Wastewater Utility:** Nold reported that this is the annual report for our wastewater treatment plant required by the Department of Natural Resources. The Wastewater Utility received a score of 3.81 which was primarily due to two bypasses caused by flooding in the Town of Oconomowoc and at the treatment facility in June, 2008. Utility Committee reviewed and recommend unanimously. Motion by Nold to adopt the resolution for the Wastewater Utility 2008 Compliance Maintenance Annual Report; second by Larsen. Motion carried 8-0.
2. **Consider/act on Resolution for Replacement of Truck No. 87 for Wastewater Utility:** Nold reported proposals were received for a 2009 ¾ ton pickup truck with a plow to replace a 1988 truck which has been used for snowplowing the WWTF roads, parking lot, 16 pump stations around the City and 3 in the Town of Oconomowoc. The Utility Committee unanimously recommends the quote from Ewald Automotive Group in the amount of \$40,843.00. Motion by Nold to adopt the resolution for the purchase of a 2009 ¾ ton pickup truck in the amount of \$40,843.00; second by Larsen. Motion carried 8-0.

Unfinished Business:

- A. **Consider/act on Ordinance Amending §21.14(4)(c)1.a. Relating to the Definition of High Water on Lac LaBelle – 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. Motion carried 8-0. Motion by Antonneau for the ordinance to become law; second by Cochrane. Motion carried 8-0.
- B. **Consider/act on Ordinance Annexing Certain Lands of the Town of Oconomowoc (W372 N5406 Lapham St. - Gene Schaal Property) to the City of Oconomowoc – 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. Motion carried 8-0. Motion by Antonneau for the ordinance to become law; second by Cochrane. Motion carried 8-0.

New Business:

Sullivan stated that two licenses are before Council this evening because their applications were submitted before April 15th. State Statutes require that applications submitted before the April 15th must be acted on by June 15th. The premises and licensees are in full compliance with our municipal codes and State Statutes and therefore the recommendation is to grant the licenses.

- A. **Consider/act on Resolution Granting 2009-2010 Alcohol Beverage License for TRH Restaurants, Inc. (Rocky Rococo):** Motion by Antonneau to adopt the resolution granting 2009 – 2010 Alcohol License for TRH Restaurants, Inc.; second by Cochrane. Motion carried 8-0.
- B. **Consider/act on Resolution Granting 2009-2010 Alcohol Beverage License for Breakshots on Main, LLC:** Motion by Cochrane to adopt the resolution granting 2009 – 2010 Alcohol Beverage License for Breakshots on Main, LLC; second by Miller. Motion carried 8-0.

Staff Reports: Gard updated Council that the office supply request report will be brought forth shortly.

Reports and comments from the Aldermen: Antonneau stated he is impressed with the details of the design of the Fire Station as a green building. This is exactly what the City is looking for.

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

Diane Coenen, City Clerk