

CITY OF OCONOMOWOC
COMMON COUNCIL MEETING MINUTES
January 5, 2010

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

Pledge of Allegiance

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

Staff Present: Mayor Sullivan, Gard, Gallo, Beguhn, Lamp, Duffy, Maurer, Steinbach, Frye and Coenen

Others present: Atty. Chapman

Minutes of December 15, 2009: Motion by Cochrane to approve the minutes of the December 15th meeting as written; second by Antonneau. Motion carried 8-0.

Comments and Suggestions from Citizens:

- 1) Pete Holmes, 237 Shore Circle stated that Ald. Antonneau will be missed and he was a champion to the people. He then commented on Item 9A. to rescind an amendment to the 2030 Comprehensive Plan and stated that he supports suburban zoning and is not in favor of anything greater than duplex developments for the property on the corners of Hwy's B and BB.
- 2) Maureen Stapleton, 112 N. Main asked Council to rescind the amendment to her property on the corner of Hwy's B & BB. She reminded Council that they unanimously endorsed the Riverwest Plan which designates her property as medium density, allowing up to 6 units per acre and that affordable housing needs to be addressed in this area with all the new business development.

Consent agenda:

- A. Licenses
- B. Cooperative Agreement between City of Oconomowoc and Waukesha County Department of Senior Services
Motion by Cochrane to approve the Consent Agenda; second by Antonneau. Motion carried 8-0.

Committee Reports:

Utility - Antonneau, chr; Larsen; Nold, secy

1. **Consider/act on Resolution for West Wisconsin Avenue Utilities Project #1001 – Construction Management Engineering Services:** Nold reported that Utilities requested bids for project management and on-site inspection services for the W. Wisconsin Ave. utilities construction project that is scheduled to begin in February 2010. The Sigma Group submitted the low quote in the amount of \$70,870. Utility Committee reviewed and recommend unanimously. Motion by Nold to adopt the resolution contracting for engineering services with The Sigma Group for the W. Wisconsin Avenue Utilities Project #1001 in the amount of \$70,870; second by Larsen. Motion carried 8-0.
2. **Consider/act on Resolution Recommending the Execution of the Inter-municipal Agreement with the Towns of Oconomowoc and Summit (Jaekles Drive Area):** Nold reported that the Town of Oconomowoc and the Town of Summit entered into a Border Agreement which provided for the transfer of 28 parcels between Hwy 16 and Jaekles Dr. from Summit to the Town. This resolution authorizes the execution of the agreement of use of wastewater treatment capacity. Utility Committee reviewed on 10/27/09 and recommend unanimously. Motion by Nold to adopt the resolution for the execution of the Inter-municipal Agreement with the Towns of Oconomowoc and Summit for the Jaekles Drive area; second by Larsen. Council questioned coordinates on the map and staff will verify and correct if wrong. Motion carried 8-0.
3. **Consider/act on Amendment to the City/Town of Oconomowoc Agreement for the Treatment of Wastewater for the Jaekles Drive Area:** Nold reported that this amendment to the agreement grants authorization of use of wastewater treatment capacity from the City to the Town of Summit and thereafter to the Town of Oconomowoc & Town of Oconomowoc Utility District #1. This is for residential wastewater only and both Towns have approved the agreement by resolution. Utility Committee reviewed on 10/27/09 and

recommend unanimously. Motion by Nold to approve the amendment to the City/Town of Oconomowoc Agreement for treatment of residential wastewater for the Jaeckles Drive area for 28 RECS; second by Larsen. Motion carried 8-0.

Plan Commission:

- A. **Conceptual Presentation of the Planned Development (Step 2) for the Oconomowoc School Lofts, 623 E. Summit Avenue:** Sullivan introduced this item and went over the process for planned developments. This project is in the concept stage and the developer is looking for a degree of receptivity for this project. Ted Matkom, Gorman and Co. and Mike Jeffers, architect for the project gave a brief Power Point presentation. The development would have 61 units targeting incomes in the \$25K - \$40K range. At this time, they are still in the process of negotiating with the school district to purchase the property and estimate this development would bring \$32K onto the tax roll. The project has a total budget of \$13M and they are in the process of applying for tax credits through WEDA, which has a 15 year compliance requirement. They would be an on-site landlord. Council agreed they are receptive to this development.

Unfinished Business:

- A. **Consider/act to Rescind the Amendment to the 2030 Comprehensive Plan to Change the Medium Density Residential Designation for the Stapleton Property on the NE corner of Valley Road and Golden Lake to Suburban Residential Density:** Sullivan stated that at the Council meeting on 12/17/09, Council gave the ordinance its first reading and took action to change the density designation from medium to low (brown to yellow) for the Stapleton property on the NE corner of Valley Rd. and Golden Lake (Hwy's B and BB). The Riverwest Plan discussions began in May 2008 and through a series of meetings, public input and differences of opinions, a compromise for medium density was made for this property. The MR-6 designation allows for single family and duplexes with a way the property owner can advocate for higher density, which would require Council approval. He then spoke to the process of the Comprehensive Plan and that the property owners had good reason to think the plan would be acted on in a favorable way because there was no opposition in the process. Chapman stated the medium density goes back to the Southwest Plan and suggested, as he did at the last meeting, that Council not consider zoning on the land but decide on density, which would mean that a development would need to meet the definition of the density designation. Motion by Antonneau to put this item on the table; second by Cochrane. Council discussed density, MR-6 zoning and clarified the change on 12/17/09 that a no vote means the density would stay low and a yes vote means the density would be changed back to medium. Antonneau clarified that his motion was meant to rescind the amendment as written. Motion failed 3-5. Antonneau, Cochrane and Miller voted yes.
- B. **Consider/act on Ordinance for the City of Oconomowoc 2030 Comprehensive Plan – 2nd Reading:** Motion by Nold to give the ordinance its second reading in title only; second by Kohlenberg. Chapman read the title into the record and stated that 2030 should be added into the title. Motion carried 8-0. Motion by Nold for the ordinance to become law; second by Cochrane. Motion carried 8-0.
- C. **Discussion on City Park Boat Launch Alternatives:** Coenen passed out to Council a one page Boat Launch Comparison of Concept Plan Alternatives sheet. Maurer addressed the question Kohlenberg had asked at the 12/17/09 Council meeting - the Community Center boardwalk area has 11 mooring sites, the Community Center island has 10 mooring sites with 1 jet ski site and the Chestnut site has 6 mooring sites. Steve Brunner, Ruekert-Mielke gave a Power Point presentation outlining the four alternatives; A, B, C and D. As each alternative was presented, Council asked questions and gave feedback. Sullivan stated that the comments would be considered and the alternatives brought back to the Public Services Committee for recommendation.

New Business:

- A. **Consider/act on Local Primary Election for February 16, 2010:** Coenen referred to a memo placed at Council stations updating them as to the number of individuals who have filed candidacy paperwork by 5:00 pm today (1/5/10) for Mayor and each of the four Aldermanic Districts. Based on the number of candidates, the only district that qualifies for a primary is District #1. There are three individuals who have filed candidacy paperwork and therefore Council must act on whether or not to hold a local primary election on February 16th. In the past, Council has not held a primary when there are three candidates in any one office, but rather let the voters decide at the Spring Election in April. Motion by Antonneau to not hold a local primary election on February 16, 2010; second by Cochrane. The Aldermen commented that there has never been a problem in the past when there

have been three candidates on the Spring ballot. Kohlenberg asked for the cost of a local election in order to make an informed decision. Motion carried 7-1. Kohlenberg voted no.

Reports and Comments from the Aldermen: Kohlenberg asked if the City's accounts are managed or directed through Stifel Nicolaus? Gard responded no.

Motion by Antonneau to convene into Closed Session; second by Miller. Motion carried 8-0. Closed Session convened at 9:17 PM.

Closed Session:

Per Wis. Stats. 19.85(1)(g) "Conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved." (Notice of Circumstance – City Administrator)

Motion by Antonneau to adjourn the Common Council meeting; second by Miller. Motion carried 8-0. The meeting adjourned at 9:17 PM.

Diane Coenen, City Clerk