

CITY OF OCONOMOWOC
COMMON COUNCIL MEETING MINUTES
April 20, 2010

Mayor Sullivan called the Ceremonial Common Council Meeting to order at 7:30 PM.

Pledge of Allegiance

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

Staff Present: Mayor Sullivan, Kitsembel, Beguhn, Gallo, Kelliher, Duffy, Frye, Steinbach, Roush, Lamp and Coenen

Others present: Atty. Chapman, Mayor-Elect Daley and Aids.-Elect Hall and Slattery

Comments and suggestions from citizens

- 1) Floss Whalen, 406 W. Third St. thanked Antonneau and Schmitter for their service and thanked Mayor Sullivan for his leadership. His work is appreciated.
- 2) Robert Lex, 1863 River Lakes Road S thanked Antonneau and Schmitter for their efforts and told Mayor Sullivan he led the City well, with class and ethics.
- 3) Tony Pipito, 475 Bolson Dr. congratulated Mayor Daley and expressed his dislike for Mayor Sullivan.
- 4) Marlene Schumacher, 1837 LaBelle Ave. stated that Mayor Sullivan is a consummate negotiator and represented the City with dignity and grace.

Staff Reports: Kitsembel spoke on behalf of Gard, who is detained in Belgium due to a volcano eruption, thanking Antonneau and Schmitter and Mayor Sullivan for their contributions and leadership.

Reports and comments from the Aldermen: Schmitter and Antonneau thanked the citizens for their views, contact and support. They also gave their compliments to staff. Morgan, Larsen, Miller, Nold, Kohlenberg thanked Schmitter, Antonneau and Sullivan for their time, expertise and concern for the City.

Reports and comments from the Mayor: Sullivan presented Schmitter and Antonneau with Certificates of Appreciation and spoke very highly of their service to the citizens of Oconomowoc. Next he extended his appreciation to the citizens for giving him the opportunity to serve. He stated he was appreciative of Council, past and present and he enjoyed working with staff. He tried to do what was best for the whole City and thanked staff for their assistance. He congratulated Mayor Daley on his victory and extended his very best to him and Council.

Coenen presented Mayor Sullivan with a Certificate of Appreciation and thanked him for his devotion and commitment. Best wishes were extended.

Adjourn sine die – Motion by Antonneau to adjourn **sine die**; second by Miller. Motion carried 7-0. The Ceremonial Meeting adjourned at 7:50 pm.

Public Swearing in of newly elected Officials & Presentation of Certificates of Election: Mayor Daley, Aldermen's Hall, Slattery and Morgan. Congratulations were given.

Mayor Daley called the regular Common Council meeting to order at 7:53 PM.

Roll Call: Aldermen Larsen, Hall, Kohlenberg, Miller, Slattery, Morgan and Nold
Excused: Alderman Cochrane

Staff present: Mayor Daley, Kitsembel, Beguhn, Gallo, Kelliher, Duffy, Frye, Steinbach, Roush, Lamp and Coenen

Others present: Atty. Chapman

Minutes of April 6, 2010: Motion by Nold to approve the minutes of the April 6th meeting as presented; second by Miller. Motion carried 7-0.

Comments and suggestions from citizens

- 1) Ean, Evan, Rebecca Kohlenberg, 604 LaBelle Ave. thanked Mayor Daley for allowing them to announce summer concerts.
- 2) Bob Thelen, 535 E. Wisconsin Ave. asked Council to address the size of business signage allowed in the City. Suggested that business owners be appointed to Committees.

Consent agenda:

- A. Licenses
- B. Utility Easement Agreement at 115 Woodland Lane between Ryan and Hollis Myhre and City of Oconomowoc
- C. Treasurer's Report

Kohlenberg requested that Item C. Treasurer's Report be removed from the Consent Agenda. Motion by Nold to approve Items A. & B. only on the Consent Agenda; second by Larsen. Motion carried 7-0. Motion by Larsen to approve Item C. Treasurer's Report; second by Nold. Motion carried 6-1. Kohlenberg voted no.

Committee Reports:

Finance – Larsen, chr; Hall, Cochrane, secy

1. **Consider/act on Resolution Approving Furnishing Purchases for Fire Station #2:** Larsen reported that the City requested bids for interior furnishings for Oconomowoc Fire Station #2. Finance Committee reviewed and recommends approval. Beguhn stated that nine vendors submitted bids and that staff reviewed each and every item. Additionally, Zero Zone, Inc. in Madison has donated a refrigerator valued at \$4,500. Motion by Larsen to adopt the resolution approving furnishing purchases for Fire Station #2; second by Miller. Motion carried 7-0.

Protection and Welfare - Slattery, chr; Kohlenberg; Miller, secy

1. **Consider/act on Ordinance to Amend §9.20(1)(a)1., 4. & 5. of the Municipal Code Relating to Use of Intoxicants Restricted – 1st Reading:** Miller reported that Protection & Welfare Committee postponed this item for two weeks for further review. Council took no action.
2. **Consider/act on Ordinance to Amend §21.08(1) and Repeal §21.08(2) of the Municipal Code Relating to Intoxicants and Fermented Malt Beverages in City Parks:** Miller reported that this ordinance extends the time limit for consumption of alcoholic beverages in any City park from 8:00 pm to 10:00 pm. Protection & Welfare reviewed and recommends approval. Motion by Miller to give the ordinance its first reading; second by Nold. Chapman read the ordinance into the record. Motion carried 7-0.

Unfinished Business:

- A. **Consider/act on Ordinance to amend the General Development Plan and Planned Development Ordinance #03-O573 approved in Step 3 of the Planned Development process for Lake Shore Place (LHO), 1306 W. Wisconsin Avenue – 2nd Reading:** Motion by Nold to give the ordinance its second reading in title only; second by Miller. Chapman read the title into the record. Motion carried 7-0. Motion by Nold for the ordinance to become law; second by Miller. Motion carried 7-0.

Plan Commission:

- A. **Consider/act on a Conditional Use Permit for an "Indoor Institutional" Land Use to Allow a Senior Daycare Facility (Attentive Home Care) at 303 Pleasant Street:** Gallo reported that a public hearing was held at Plan Commission and no comments were received regarding a CUP to operate a senior daycare facility at 303 Pleasant Street. The Plan Commissioners made a few changes to the CUP regarding paving the driveway and providing an accessible ramp to the doorway to the home. These terms were agreed to by the applicant. Plan Commission unanimously recommends. Council had a lengthy discussion on the effect this use would have on the Rockwell project. Gallo stated that although Rockwell owned the property, it was not part of their proposed development site. Motion by Kohlenberg to postpone action for two Common Council meetings and send it to the CDA. Ralph Diehl, owner of the daycare stated he has an offer to purchase and if he has to wait 30 days, he will shop elsewhere. Kohlenberg changed his motion to postpone for two weeks (the next Council meeting); second by Nold. Motion

failed 2-5. Larsen, Hall, Miller, Slattery and Morgan voted no. Motion by Hall to approve the Conditional Use Permit for Attentive Home Care, 303 Pleasant Street; second by Larsen. Motion carried 7-0.

- B. **Consider/act on Order Amending the Precise Implementation Plan for Building #4 of the Planned Development known as Brennan's Marketplace, 1674 Old School House Road:** Gallo reported that a revised site plan has been submitted amending the previously approved Precise Implementation Plan for the Planned Development known as Brennan's Marketplace. This order amends the PIP to allow for the construction of a 9,500 sq. ft. multi-tenant building also known as Building #4. Plan Commission reviewed and recommend unanimously. Motion by Kohlenberg to approve the Order Amending the PIP for Building #4 of Brennan's Marketplace; second by Nold. Motion carried 6-1. Morgan voted no.

Staff Reports:

- A. Sarah Kitsemel – 2008 Certificate of Achievement for Excellence in Financial Reporting

Reports and Comments from the Mayor: Daley thanked people for attending this Council meeting and stated that Antonneau's and Schmitter's input will be a loss. Daley stated that no one should underestimate the work and dedication of Sullivan and he respects his six years of service. Daley briefly spoke about the election, keeping communication open, his goal to lead through consensus and how the City handles processes.

- A. Proclamation – Arbor Day was read into the record.

Reports and Comments from the Aldermen: All the Aldermen congratulated Daley, Cochrane, Morgan, Hall and Slattery. Hall thanked District #1 for electing him and stated he will be resigning from the Board of Review. Slattery thanked the citizens for their support. Kohlenberg stated that there is a hazard for citizens on the sidewalk without lighting in the W. Wisconsin Avenue area. Miller asked staff to look at the property across from Wingers. Morgan thanked the citizens for reelecting him.

Motion by Nold to adjourn the Common Council meeting; second by Slattery. Motion carried 7-0. The meeting adjourned at 9:15 PM.

Diane Coenen, City Clerk