

CITY OF OCONOMOWOC
COMMON COUNCIL MEETING MINUTES
July 20, 2010

Public Hearing:

7:30 PM – The purpose of the hearing was to hear public comments on the consideration of vacating a portion of Silver Lake Street basically described as 35 ft. of property on the west side of Wisconsin Avenue, adjacent to Speedway.

The hearing opened at 7:35 PM. Chapman reported that on June 1st a resolution vacating a portion of Silver Lake Street was introduced to Council. The reason is that Speedway objected to the compensation received for the property taken to accomplish the construction of the roundabout, and with the land taken, it was difficult to use the north bank of pumps. The damages assessed by two different appraisers (City and Speedway) each determined it to be in the \$400K+ range. As part of the settlement proposal, a portion of the City's right-of-way will be vacated on Silver Lake St. The area is basically described as 35 ft. on the north side of Wisconsin Ave. adjacent to Speedway. The DOT has notified the City that there will be no adverse affect for public travel caused by this vacation. Additionally, the City will receive \$35K from the WIDOT for vacating that portion of land. No other comments were received. The hearing closed at 7:40 PM.

Mayor Daley called the regular Common Council meeting to order at 7:40 PM.

Pledge of Allegiance

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

Staff Present: Mayor Daley, Gard, Frye, Beguhn, Gallo, Lamp, Kelliher, Duffy, Bednarski, Roush, Steinbach and Coenen

Others present: Atty. Chapman

Treasurer's Report: Motion by Cochrane to approve the Treasurer's Report as presented; second by Nold. Motion carried 7 -1. Kohlenberg voted no.

Minutes of July 6, 2010: Motion by Cochrane to approve the minutes of the July 6th meeting as presented; second by Miller. Motion carried 8-0.

Consent agenda:

A. Licenses

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

Plan Commission:

A: **Consider/act on Certified Survey Map for Create A Pack Foods located at 1730 Executive Drive:** Gallo reported that the Certified Survey Map (CSM) is to combine two lots located at 1730 Executive Drive. The CSM is required because the proposed addition to the existing building crosses the lot line. The CSM meets the one acre lot size requirement and the minimum 150' width requirement for the Suburban Industrial Zoning District. Plan Commission reviewed and unanimously recommends. Motion by Nold to approve the CSM for Create A Pack Foods; second by Cochrane. Motion carried 8-0.

Unfinished Business:

1. **Consider/act on Ordinance Creating 10.03(12) of the Municipal Code Relating to Smoking – 2nd Reading:** Motion by Nold to give the ordinance its second reading in title only; second by Cochrane. Chapman read the title into the record. Motion carried 8-0. Motion by Nold for the ordinance to become law; second by Cochrane. Motion carried 8-0.

2. **Consider/act on Ordinance to Repeal §7.016(3) and §7.05 of the Municipal Code Relating to Parking – 2nd Reading:** Motion by Nold to give the ordinance its second reading in title only; second by Cochrane. Chapman read the title into the record. Motion carried 8-0. Motion by Nold for the ordinance to become law; second by Cochrane. Motion carried 8-0.

New Business:

- A. **Consider/act on Resolution Vacating a Portion of Silver Lake Street:** Motion by Cochrane to adopt the resolution vacating a portion of Silver Lake Street; second by Nold. Chapman read the resolution into the record. Motion carried 8-0.

Staff Reports: Bednarski reported that a firm from Waukesha was calling our water utility customers about coming into their homes to test their water. Based on the information received from our customers, it appears this company is misleading our customers by indicating they are affiliated with the City Water Department. Staff is investigating.

Reports and Comments from the Mayor: Daley stated that due to two Aldermen being excused from the Aug. 3rd Council meeting, he will hold off bringing some items forward until the Aug. 17th Council meeting.

Reports and Comments from the Aldermen: Larsen wished Nold well.

Motion by Miller to adjourn the Common Council meeting; second by Nold. Motion carried 8-0. The meeting adjourned at 7:56 PM.

Diane Coenen, City Clerk