

**CITY OF OCONOMOWOC
COMMON COUNCIL MEETING
September 7, 2004**

Mayor Sullivan called the regular Common Council meeting to order at approximately 8:30 p.m., immediately following the adjournment of the Fowler Lake Annual Meeting/Budget Hearing, and the clerk confirmed that appropriate meeting notice had been given.

The Mayor reported that there will be a closed session following this meeting regarding union negotiations; police dispatchers and assessments.

Mr. Dick Pas led in the **Pledge of Allegiance**.

Roll Call: Aldermen present – Jones, Snyder, Morgan, Gross, Larsen, Antonneau, Cochrane and Hollatz (all present)

Staff in Attendance: Lamp, Sugden, Tonn, Caughran, Kitsembel, Duffy, Martin, Buerger, Schmidt, Frye, Steinbach, McKenna, Senfleben, Gard and Attorney Chapman

Minutes of previous meeting: Regular Common Council meeting of August 17, 2004 – Moved by Ald. Jones, seconded by Ald. Cochrane to approve the minutes as written. Voice vote carried with no dissenting votes.

Comments and suggestions from citizens – Mr. Ray Higgins, 343 S. Elm St., had comments/suggestions regarding the City's sidewalk replacement program and street improvement program. He questioned whether or not the City coordinates with other departments, such as utilities, when doing street repair/replacement; and when replacing sidewalk are property owners notified and given options for payment. He stated that the curb and gutters were replaced on his street last year and have already cracked causing him to question if proper inspections are being done. He did say that he appreciates that the City is frugal with our tax dollars, but at some point we need to address the problems and he wants to make sure he is getting the most for his tax dollar.

Mayor Sullivan briefly responded that the City has been trying to make do with limited funds, and having to handle the infrastructure has taken a lot of money. We do have a complete listing of all City streets, and their condition which is how the streets are selected for repair, with a dollar amount given.. He stated there will be a more specific response from staff.

Consent Agenda – A. Licenses (including a "Class A" Liquor license for Roundy's @ 1408 Summit Ave. (Change of ownership) – The Clerk pointed out that the license resolution that was sent out on Friday was in error. It reflected that Roundy's was applying for the "Class B" license. It is applying for a "Class A" liquor license. Moved by Ald. Hollatz, seconded by Ald. Morgan to approve the consent agenda. Voice vote carried with no dissenting votes.

Committee Reports:

- A. Finance – no report
- B. Personnel – no report
- C. Protection & Welfare – no report
- D. Public Services – no report
- E. Utility
 - 1. Resolution re: Saratoga Pump Station – Moved by Ald. Gross, seconded by Ald. Snyder to adopt the resolution. Carried unanimously.

Adoption of this resolution authorizes Advance Mechanical of Racine to construct the Saratoga lift station for a base cost of \$453,280.

- 2. Resolution re: Purchase of Substation Relays/Controls – Moved by Ald. Gross, seconded by Ald. Antonneau to adopt the resolution. Carried unanimously.

Adoption of this resolution authorizes the appropriate replacements from Astar for 3 SEL 351R controls for a total of \$10,863.

Plan Commission recommendations – none

Unfinished business

- A. An Ordinance Amending § 9.24(3)(f) of the Municipal Code of the City of Oconomowoc Relating to Smoking on School Property – 2nd reading. Moved by Ald. Gross, seconded by Ald. Cochrane that the ordinance be given its second reading by title only. Carried unanimously.

Moved by Ald. Snyder, seconded by Ald. Cochrane that the ordinance become law. Roll call vote carried unanimously.

New Business

- A. Consider/act on approval of Certified Survey Map for Concord road pump station lot – The City is purchasing a lot from the Woodland Trust, located east of Concord Rd. and south of the Oconomowoc River for construction of a pump station to serve the southwest service area. The Town of Summit has approved this, as it is an extraterritorial parcel, and Attorney Chapman recommends that the Council approve tonight, conditioned upon the Plan Commission recommending it tomorrow evening. The purchase price is \$9,999.

Moved by Ald. Gross, seconded by Ald. Cochrane to approve the ETZ Certified Survey Map subject to the Plan Commission approving it. Carried unanimously.

- B. Consider/act on acceptance of transfer of road right-of-way near Summit Center Market Place (0.46 acre) – Attorney Chapman stated that this parcel is owned by the developers of Summit Center Market Place (Jerry Erdmann & Pat McNamee) and they are in favor of transferring it to the City, as is the

Department of Transportation. It is now in the City, and is needed for future access to the development as Beach Rd. will be re-located.

Moved by Ald. Gross, seconded by Ald. Cochrane to accept the transfer of the right-of-way. Carried unanimously.

- C. Consider/act on Addendum to City/Marsh Properties, LLC, Agreement for sewer, water and electric – This regards an Agreement the City had with the Marshs' when they built their clinic for temporary sewer and water service. Sewer and water are now being constructed in that area which the Marshs' will connect to, so this agreement is no longer necessary. For permanent services, the Marshs' will pay \$5,000 for one REC. Attorney Chapman recommended approval of the addendum.

Moved by Ald. Gross, seconded by Ald. Cochrane to approve the Addendum to the Marsh Agreement. Carried unanimously.

- D. Resolution re: Change Order re: Lyman Street sewer replacement - This resolution is in support of the action taken at the previous meeting to approve a change order for emergency repairs on Lyman Street. This is in the TID district and a portion of the cost is TID eligible, the balance of cost will come from the Citys' contingency fund.

Moved by Ald. Gross, seconded by Ald. Cochrane to adopt the resolution. Carried unanimously.

- E. Resolution re: Notice of Exemption from Waukesha County Library levy – Mr. Ray McKenna, Library Director, explained that this is an annual requirement for the Council to consider, which says that we will be exempt from the County Library levy. He thanked Supervisor, Ken Herro, for his assistance in this matter.

Moved by Ald. Morgan, seconded by Ald. Cochrane to adopt the resolution. Carried unanimously.

- F. Consider/act on approving Easement along the south side of DR – Attorney Chapman pointed out this would continue the sewer and water on the north side of Roundy's site to Hwy. 67. We want to do this now so when Roundy's landscapes on the north side, the City will not have to tear it up to install utilities. Mr. Peter Bell has already signed the easement.

Moved by Ald. Gross, seconded by Ald. Cochrane to approve the easement. Carried unanimously.

Mayoral appointments to Boards and Commissions, with Council confirmation –
none

Staff Reports

- A. Administrator – no report

B. Other – none

Announcements and Communications – The City Clerk announced an invitation to an Open House by Lake Country Lutheran High School on Sunday, September 12th from 1:00 to 3:00. This is in the former YMCA building on Silver Lake St.

She also reminded the aldermen of the Annual League Conference in LaCross, October 27 – 29. She stated she would like to get the registrations in early for a better rate.

Reports and Comments from the Aldermen – Ald. Antonneau reported that a neighbor of his had collapsed at home and our ambulance was called. He stated that our EMT's did just a great job on the scene with the victim and the family and he wanted to make sure they received the recognition.

Reports and Comments from the Mayor – none

There being no further business to properly come before this body, a motion was made by Ald. Gross, seconded by Ald. Cochrane to go into closed session re: Union negotiations; and per Wis. Stats. 19.85(1)(2) "Considering employment . . . of any public employee over which the governmental body has jurisdiction or exercises responsibility." (Police Dispatchers); and per Wis. Stats. 19.85(1)(e) " . . . conducting other specified public business, whenever competitive or bargaining reasons require a closed session." (Assessments) Roll call vote carried unanimously.

Motion to adjourn was made by Ald. Jones, seconded by Ald. Antonneau, and carried. (9:18 p.m.)

Ardyce Senfleben, City Clerk