

CITY OF OCONOMOWOC
COMMON COUNCIL MEETING MINUTES
November 7, 2006

Public Hearings:

7:30 PM – 2007 Proposed City Budget

The hearing opened at 7:35 PM.

1) Kitsembel started with a power point presentation outlining the levy limit parameters, expenditure types, tax rates over the last ten years and the budget classifications. Growth in the City has increased, but there is a decrease in the equalized tax rate. It has dropped 23% since 2001.

2) Florence Whalen, 406 W. Third Street is concerned with the level of City staffing. She sees first hand how busy we are with several large upcoming projects, the hiring of new staff and the learning curve for that staff. Additionally, it is very time consuming for staff with all the meetings they are having with the DOT, property owners, contractors, etc. Further, the existing ordinances and procedures need to be updated. She supports staff increases.

No other comments were received. The hearing closed at 7:42 PM.

7:35 PM (or immediately following) – Proposed Garbage and Refuse Collection Fee. The purpose of the hearing is for the establishment of a special charge pursuant to §66.0627, Wis. Stats., for the collection and disposal of garbage and refuse for the year 2007. The proposed charge is \$160.00. The special charge so established shall be payable in full at the time of the initial payment of real estate taxes for 2006.

The hearing opened at 7:42 PM. Kitsembel reported that a \$5.00 or 3.2% increase in our annual charge for garbage collection is recommended changing the cost from \$155.00 per household to \$160.00. The City currently subsidizes approximately \$11K of this fee, which calculated out would be \$173.00 per household, but the City will only charge \$160.00. No other comments were received. The hearing closed at 7:44 PM.

Mayor Sullivan called the regular Common Council meeting to order at 7:44 p.m. and the Clerk confirmed appropriate notice was given.

Pledge of Allegiance – Richard Mercier led.

Roll Call: Aldermen Gross, Larsen, Antonneau, Cochrane, Hollatz, Jones, Snyder and Morgan

Staff present: Mayor Sullivan, Gard, Lamp, Frye, Kitsembel, Gallo, Beguhn, Bednarski, McKenna and Coenen

Others present: Atty Chapman

Minutes of October 17, 2006: Motion by Jones to approve the Common Council Minutes of the October 17, 2006 meeting as written; second by Cochrane. Motion carried 8-0.

Comments and suggestions from citizens:

- 1) Randall Laetsch, N53 W37021 E. Madison Street, Town of Oconomowoc and works at the WWTP for the City of Oconomowoc, commented on the ordinance amending Section 9.02 that would ban bow hunting in the Mudd Lake area. He feels it is a vast area with hundreds of acres to bow hunt on and that the distance limitations to residences could be met safely. Asks Council to reconsider banning bow hunting in this area as a deer problem will occur and something will need to be done.
- 2) Florence Whalen, 406 W. Third Street commented on the ordinance before Council regarding the CDA fitting into the PD process at the conceptual plan phase of downtown projects. She referred to Larsen's comments made at the October 17th Council meeting and stated that the original Rockwell project included Rockwell and

Sandy Creek. The height was not finalized, but was shown at six stories (82 ft.) and the CDA did not recommend a specific height. In fact, the CDA took no position on height, side yard, etc. Per a recommendation from Bruce Block, a motion was made that the plan presented is conceptual and in accordance with the downtown plan. It was approved unanimously. The CDA knows that the details of plans are in the authority of other bodies. She additionally clarified that the CDA had no problem with the 50 ft. height for the Parc on Lac La Belle project and stated that Larsen was wrong in that the highest height recommended by the CDA was 50 ft., not 92 ft.

Consent agenda

A. Licenses

Motion by Antonneau to approve the Consent Agenda as presented; second by Hollatz. Motion carried 8-0.

Committee Reports

A. Finance

1. **Consider/act on Extension of Financial Auditing Services Contract** – Larsen reported that in 2001, the City awarded a 5-year contract to Schenck & Associates that included an option of a three-year extension. The contract expired with the 2005 year-end audit. The terms of the extension are a price increase of 3% per year for auditing services and no increase for the tax incremental district audits. Staff is recommending extending the contract. Motion by Larsen to approve the three-year extension of the Financial Auditing Services Contract with Schenck & Associates; second by Antonneau. Motion carried 8-0.

B. Personnel – No Report

C. Protection and Welfare:

1. **Consider/act on Ordinance Amending Section 9.02 Relating to Use of Firearms and Weapons** – Hollatz reported that the boundary agreement between the Town of Summit and the City is being finalized based upon the MOU between the Town of Summit, City, Pabst Farms Development Corp. & Aurora. The City will be annexing lands east of Golden Lake Road and south of Valley Road. The parties who are to be annexed are requesting the right to be allowed to continue to hunt on their property. Because the City will be annexing large undeveloped parcels, it was recommended that hunting with restrictions be permitted on those large undeveloped parcels. This ordinance change comes with the recommendations of the City Attorney and Chief Beguhn. Motion by Hollatz to give the ordinance amending Section 9.02 relating to use of firearms and weapons its first reading; second by Gross. Gross and Snyder asked for clarification that bow hunting is not allowed in the Mudd Lake area currently. Beguhn stated that is correct per our current ordinance and that it was included in this amendment because of the nature trails and subdivisions on three sides of the area. Chapman read the ordinance into the record and pointed out that Sub-Section 1 is in our current ordinance. Motion carried 8-0.

D. Public Services – No Report

E. Utility – No Report

Plan Commission

- A. **Conceptual presentation of Kent Johnson, for the rezoning to a Planned Development Overlay for Franklin Street Lofts, located at the northwest corner of Jefferson Street and Franklin Street** – Gallo reported this is the same as step two of the PD rezoning process which was presented to the Plan Commission on 9/13/06. The property is currently zoned UR-10, Urban Residential, which permits a maximum density of 10 units per acre. The proposal is to construct three four-family buildings on the site, resulting in a density of approximately 16.4 units per acre. Johnson displayed drawings of the proposed project and stated that a lease agreement has been drawn up between the owner, Bob Rummel and the school, to allow for the school to continue business until the end of the school year. He noted that both west and south of the property were multi-family. He is requesting the PD process because he is proposing to put 12 two-story units with two units on the lower and two units on the upper levels for each building. The green space proposed is more abundant than the properties to the west and south and landscaping would

be used as a buffer. The garages would be in the rear with 28 total parking spaces, 12 of which are inside the garages.

Sullivan stated that the Plan Commission gave this project a positive reception. This project will come back to Council at Stage 3 and the PIP process. Jones feels the project cleans up the area and asked if the electrical lines would be buried – yes. Snyder likes the project and feels it is an improvement. Antonneau stated that on paper, he was not impressed, but after seeing the presentation, he is supportive. He is also concerned about green space. Morgan had concerns about parking. Larsen feels it is a great project. Cochrane asked if the units were two bedroom – yes.

Old Business

- A. **Consider/act on Ordinance Creating Section §21.18 of the Municipal Code of the City of Oconomowoc Prohibiting Ice Fishing on Ice Skating Rinks – 2nd Reading.** Motion by Morgan 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 Gross for the ordinance to become law; second by Jones. Motion carried 8-0.
- B. **Consider/act on the Ordinance for the Creation of, and Amendment to, Sections of the City Zoning Code relating to Floor Area Ratio (F.A.R.) (§17.105) – 2nd Reading.** Motion by Antonneau 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 Gross for the ordinance to become law; second by Cochrane. Motion carried 8-0.
- C. **Consider/act on the Planned Development Ordinance and General Development Plan for Parcel 8 of CSM #9170 located between Valley Road and Pabst Farms Circle in the City of Oconomowoc (Village Square.) – 2nd Reading.** Motion by Antonneau to give the ordinance its second reading in title only; second by Cochrane. Chapman read the title into the record. Motion carried 7-1. Larsen voted no. Motion by Antonneau for the ordinance to become law; second by Cochrane. Motion carried 7-1. Larsen voted no.
- D. **Consider/act on the Text Amendment Ordinance regarding Sections 17.914(5) and 17.914(6) of the City Zoning Code, relating to review of all Planned Development proposals in the conceptual stage for the downtown revitalization area only by the CDA – 2nd Reading.** Motion by Antonneau to give the ordinance its second reading in title only; second by Cochrane. Chapman read the title into the record. Motion carried 6-2. Larsen and Morgan voted no. Motion by Antonneau for the ordinance to become law; second by Cochrane. Motion carried 6-2. Larsen and Morgan voted no.

New Business

- A. **Consider/act on 2007 Proposed City Budget, per Public Hearing** - The Committee-of-the-Whole unanimously recommends the 2007 budget for all funds except for the utilities, which are adopted separately. Motion by Cochrane to approve the 2007 City Budget as proposed; second by Hollatz. Motion carried 8-0.
- B. **Set Tax Levy for 2007** – The recommended tax levy for 2007 is \$7,481,807 resulting in an equalized tax rate of \$4.47, a 9.3% decrease from last year's rate of \$4.93. The assessed tax rate is expected to remain the same as last year, which was \$5.68. Motion by Jones to set the Tax Levy for 2007 at \$7,481,807; second by Cochrane. Motion carried 8-0.
- C. **Consider/act on Resolution Increasing Special Charge for Garbage & Refuse Collection Fee, per Public Hearing** - The Finance Committee recommends a \$5.00 increase (3.2%) in our annual charge for garbage collection, which increases it from \$155.00 to \$160.00. Motion by Cochrane to approve the Resolution increasing Special Charges for Garbage & Refuse Collection Fee as proposed; second by Antonneau. Chapman read the resolution into the record. Motion carried 8-0.
- D. **Consider/act on Ordinance to Create Section 13.08 Establishing a Method for Capital Cost Recovery Charges** - This ordinance will create a new section in the City's code. It allows for the City to recover capital costs of public infrastructure improvements from benefited properties outside of the City as the properties connect to the system. Motion by Gross to give the ordinance its first reading; second by Cochrane. Chapman reported that sewer work was done in the area and Belinski owns a lot of the land. We could not special assess portions of this property, so the ordinance establishes a method to make up the difference. He then read the ordinance into the record. Antonneau asked if a charge is levied once they hook up or services are connected – hook up. Jones clarified that hook up only applies to water and sanitary – yes. Motion carried 8-0.

Mayoral Appointments – No appointments at this time.

Staff Reports – Report on Lineman's Rodeo: Dennis Bednarski

Bednarski stated that this rodeo started with an idea he brought to Frye, who is on the MEUW Board. He then gave an overview to Council of the 1st Annual Lineman's Rodeo, using picture slides to show actual event competition. There were five different events carried out by the linemen and each event was timed (to be used as a tiebreaker.) A dummy was used in the Hurt Man Rescue and bucket rides were given to spectators with their photo taken. Oconomowoc placed 3rd overall with a total of 759 points. The winning team had 769 points out of a total of 810 possible points. We received plaques for the events we scored 100 points in (a perfect score), t-shirts and a 3rd place trophy. Antonneau complimented that this event zeroed in on safety and proper procedures and proves that our training is well done. Larsen commented on the weather not being the best, but that over 200 people still observed. Gross thanked Frye and Bednarski for their efforts in bringing the first ever Lineman's Rodeo to the State.

Announcements and Communications – None

Reports and Comments from the Aldermen – None

Reports and Comments from the Mayor – None

Motion by Antonneau to adjourn into Closed Session; second by Cochrane. Motion carried 8-0. Council convened into Closed Session at 8:45 p.m.

Closed Session – per Wis. Stats. 19.85(1)(e) "Deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session." (Purchase of Public Property)

Motion by Antonneau to adjourn the Common Council meeting; second by Jones. Motion carried 8-0. Meeting adjourned at 8:45 p.m.

Diane Coenen, City Clerk