

CITY OF OCONOMOWOC
COMMON COUNCIL MEETING MINUTES
June 20, 2006

Public Hearing: Issuance of Industrial Development Revenue Bonds – Prestwick Group, Inc.

The Public Hearing was opened at 7:33 p.m. Chapman stated this hearing is to consider the issuance by the City of Industrial Development Revenue Bonds in the maximum aggregate principal amount of \$4,250,000. The proceeds of the bond issue will be loaned to The Prestwick Group, Inc., a Wisconsin Corporation and Prestwick Development LLC to finance the acquisition of land located at 1000 Blue Ribbon Circle North in the City, the construction of an approx. 47,000 sq. ft. manufacturing facility, the acquisition and installation of equipment and certain bond issuance costs. The Facility will be operated as a manufacturing facility for premium grade recycled plastic products and related activities, all of which would contribute to the well-being of the City. The bonds, if issued, will not constitute an indebtedness of the City within the meaning of any Wisconsin constitutional provision or statutory limitation and will not constitute or give rise to a pecuniary liability of the City or a charge against its general credit or taxing powers. The resolution will constitute approval of the bonds and authors the Mayor and Clerk to execute.

No comments were received. The hearing closed at 7:36 p.m.

Mayor Sullivan called the regular Common Council meeting to order at 7:37 p.m. and the Clerk confirmed appropriate notice was given.

Lieutenant Jeff Schmidt led in the **Pledge of Allegiance**.

Roll Call: Aldermen present – Jones, Snyder, Morgan, Larsen, Antonneau, Cochrane and Gross
Excused: Alderman Hollatz

Staff present: Lamp, Langohr, Murray, Kitsembel, Schmidt, Maurer, Gallo, Duffy, Bednarski, Frye, Gard, Molitor, Leidel, Coenen and Attorney Chapman

Others: Stan Sugden, Ruckert & Mielke Engineering

Minutes of June 6, 2006: Motion by Cochrane to approve the Common Council Minutes of the June 6, 2006 meeting as written; second by Antonneau. Motion carried 7-0.

Comments and suggestions from citizens: None

Consent agenda

- A. Licenses and B. Treasurer's Report: Motion by Gross to approve the Consent Agenda; second by Cochrane. Motion carried 7-0.

Committee Reports

- A. Finance:
 - 1. Consider/act on proposal to retain Richard A. Lehmann, special counsel, for zoning matters – Motion by Larsen to approve the proposal to retain Richard Lehmann as special counsel for zoning matters; second by Cochrane. Motion carried 6-1-0. Larsen abstained.
 - 2. Consider/act on State/Municipal Agreement Revision - Duffy stated that the language in this agreement is standard by the state government and it provides the additional right-of-way needed to construct improvements to Wisconsin Avenue. Motion by Larsen to approve the State/Municipal Agreement revision as presented; second by Cochrane. Motion carried 7-0.
 - 3. Consider/act on Real Estate Service Contract with Miesbauer & Associates – Duffy stated this contract would secure the services of Miesbauer & Associates to perform real estate services necessary to acquire the additional right-of-way for Wisconsin Avenue construction. Motion by Larsen to approve the Real Estate Service Contract with Miesbauer & Associates in the amount of \$190,700.00 as presented; second by Cochrane. Motion carried 6-1. Morgan voted no.

- B. Personnel – No Report
- C. Protection and Welfare:
 - 1. Consider/act on acceptance of “Charitable Contribution of Building” for Fire Department Training – Snyder reported that the building at W393 N6063 Mary Lane in the Town of Oconomowoc has been donated to the Fire Department for training purposes. Motion by Snyder to approve the Charitable Donation from John and Patricia Grogan of their home at W393 N6063 Mary Lane in the Town of Oconomowoc for the purpose of Fire Department training; second by Gross. Motion carried 7-0.
- D. Public Services:
 - 1. Resolution: City Hall Boiler Replacement – Project #1254-06 – Chapman read the resolution into the record. Motion by Larsen to adopt the Resolution for the City Hall boiler replacement as presented; second by Cochrane. Motion carried 7-0.
 - 2. Resolution: Fowler Lake Shoreline Stabilization – Project #1256-06 – Chapman read the resolution into the record with the change that the cost of the contract is now \$124,000.00 instead of \$127,000.00, because of a \$3,000.00 credit for tree and brush removal by the City crew. Motion by Larsen to adopt the Resolution for the Fowler Lake Shoreline Stabilization project in the amount of \$124,000.00; second by Cochrane. Motion carried 7-0.
 - 3. Resolution: Purchase of HP Design Jet Color Plotter – Chapman read the resolution into the record. Motion by Larsen to adopt the Resolution for the purchase of an HP Design Jet Color Plotter as presented; second by Cochrane. Motion carried 7-0.
- E. Utility – No Report

Plan Commission - Sullivan referred to Item C. and stated that this item was not properly noticed, therefore it can not be considered at this time

- A. Consider/act on Conditional Use Permit for Dr. Tom Stamus, 1020 Oconomowoc Parkway – Antonneau stated that this development has 675 landscaping points, more than required. Motion by Gross to approve the Conditional Use Permit for Dr. Tom Stamus at 1020 Oconomowoc Parkway as presented; second by Cochrane. Motion carried 7-0.
- B. Consider/act on Conditional Use Permit for Marina Degiovanni, 162 E. Wisconsin Avenue – Gross mentioned a concern he received from a citizen regarding noise. Sullivan mentioned that there is adequate space for a table and chair outside on the patio, which is owned by the property owner. Motion by Gross to approve the Conditional Use Permit for Marina Degiovanni to operate a restaurant known as Golosi Gelato Café located at 162 E. Wisconsin Avenue as presented; second by Cochrane. Motion carried 7-0.
- C. Consider/act on amending the Planned Development Ordinance relating to the Lutheran Homes of Oconomowoc property at 1305 and 1306 W. Wisconsin Avenue – This item was not considered.
- D. Consider/act on the application of Attorney Thomas Aul, on behalf of Arnold Schlender and Dale Honey for a CSM, 38134 Delafield Road, Town of Summit – This request is to divide one lot into two lots. Motion by Gross to approve the application of Attorney Thomas Aul, on behalf of Arnold Schlender and Dale Honey for a CSM, 38134 Delafield Road, Town of Summit; second by Cochrane. Motion carried 7-0.
- E. Consider/act on the ETZ Plat of Greg and Ralph Cavaiani, on behalf of Ytinirt, LLC, for The Highlands of Lake Country – Sullivan stated the Plan Commission took no action. Staff recommends that the City allow the 60 day review period to expire and that no action be taken. Chapman stated this parcel is not prime Ag land and the density here is better than three units per acre. Additionally, there are wetlands on the parcel, which have been dedicated to the Town. Furthermore, it has been through the County process. Motion by Cochrane to approve the ETZ of Greg and Ralph Cavaiani, on behalf of Ytinirt, LLC, for The Highlands of Lake Country. The motion died due to lack of a second.
- F. Consider/act on Ordinance for Behling/Walsh Attachment, located near the NW & SW corner of Allen Road and Reddelien Road, Town of Summit – Chapman read this Ordinance into the record, excluding Paragraph 2. Larsen is concerned with the amount of land being attached into the City. Antonneau asked for RA-35 designation to be clarified. RA-35 District means 35 acre lots, which basically holds until the plat is approved. This land will come into the City on 12-31-09 anyway. Wetlands are usually designated by SEWRPAC (Don Reed). Motion by Gross to adopt the Ordinance for Behling/Walsh Attachment, located near the NW & SW corner of Allen Road and Reddelien Road, Town of Summit; second by Cochrane. Motion carried 7-0.

Unfinished Business

- A. An Ordinance to Amend §12.01(8)(e)2. of the Municipal Code of the City of Oconomowoc Relating to License Fees for Fermented Malt Beverage Operators – 2nd Reading. Chapman read this Ordinance by Title only. Motion by Antonneau to give the ordinance its second reading by title only; second by Cochrane. Motion carried 7-0. Motion made by Snyder that the ordinance become law; second by Jones. Motion carried 7-0.
- B. An Ordinance to Create §9.01 of the Municipal Code of the City of Oconomowoc Relating to Offenses Against State Laws Subject to the Forfeiture, Specifically §9.961.573(1) and (2) Relating to Possession of Drug Paraphernalia, §9.961.574(1) and (2) Relating to Manufacture or Delivery of Drug Paraphernalia, and §9.961.575(1) and (2) Relating to Delivery of Drug Paraphernalia to a Minor Pursuant to §961.577, Wis. Stats. – 2nd Reading. Chapman read this Ordinance by Title only. Motion by Antonneau to give the ordinance its second reading by title only; second by Cochrane. Motion carried 7-0. Motion by Snyder that the ordinance become law; second by Jones. Motion carried 7-0.

New Business

- A. Consider/act on Resolution relating to Industrial Development Revenue Bond Financing on behalf of The Prestwick Group, Inc. and Prestwick Development LLC – Chapman stated that this resolution authorizes the City to issue industrial revenue bonds to The Prestwick Group in the amount of \$4,250,000.00. By doing this, we are allowing the project to proceed. It is a loan agreement the City will enter into and the resolution approves of bonds being issued and merely authors the Mayor and Clerk to sign. Motion by Gross to approve the Resolution relating to Industrial Development Revenue Bond Financing on behalf of The Prestwick Group, Inc. and Prestwick Development LLC in the amount of \$4,250,000.00 as presented; second by Cochrane. Motion carried 7-0.
- B. Resolution Renewing Liquor Licenses for 2006-07 – Chapman read the resolution into the record. Motion by Gross to approve the Resolution renewing Liquor Licenses for 2006-07 as presented; second by Cochrane. Motion carried 7-0.

Mayoral Appointments – None**Staff Reports – None****Announcements and Communications – None**

Reports and Comments from the Aldermen – Snyder asked if the N. Lapham Bridge closure on Friday was the best time we could arrange with the contractor. Gross received a call from a citizen who got a ticket for parking too close to a driveway. Can we paint lines to mark this area more clearly? The Police report will be checked and staff will get back to him. Antonneau gave an “atta boy” to the weed cutters for doing a good job east of the bridge at Fowler Lake.

Reports and Comments from the Mayor – None

Motion by Cochrane to adjourn; second by Antonneau. Motion carried 7-0. Meeting adjourned at 8:23 p.m.

Diane Coenen, City Clerk