

CITY OF OCONOMOWOC
COMMON COUNCIL MEETING MINUTES
June 6, 2006

Mayor Sullivan called the regular Common Council meeting to order at 7:30 p.m. and the Clerk confirmed that appropriate notice had been given.

Chief Hugh Martin led in the **Pledge of Allegiance**.

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

Staff present: Martin, Lamp, Gallo, Langohr, Kitsembel, Schmidt, Maurer, Duffy, Bednarski, Frye, Steinbach, Gard, Coenen and Attorney Chapman

Others: Stan Sugden, Ruekert & Mielke Engineering

Minutes of May 16, 2006: Motion by Jones to approve the Common Council Minutes of the May 16, 2006 meeting as written; second by Cochrane. Motion carried 8-0.

Comments and suggestions from citizens: None

Consent agenda

- A. Licenses – Motion by Antonneau to approve the license applications as presented; second by Hollatz. Motion carried 8-0.
- B. EMS Contract for Ambulance Service with Town of Ashippun - Motion by Antonneau to approve the EMS Contract as presented; second by Hollatz. Motion carried 8-0.

Committee Reports

- A. Finance –
 - 1) Consider/act on proposal to amend Tax Incremental District #4. Larsen stated that the proposal is to amend the boundaries and provide additional funding due to the transportation improvements and property acquisition needed for the roundabout in Tax Incremental District #4. Motion by Larsen to approve the proposal to amend Tax Incremental District #4 as presented; second by Cochrane. Motion amended by Larsen to clarify the hiring of Ruekert-Mielke for professional services in the amount of \$11,200.00; second by Cochrane. Motion carried 8-0.
- B. Personnel – no report
- C. Protection & Welfare – no report
- D. Public Services
 - 1) Resolution: Additional streets to be resurfaced with the 2006 Paving Program. Chapman read the resolution into the record. Motion by Larsen to approve the resolution addition of Old Tower Road, Rose Street and Luther Avenue as part of the 2006 Street Paving Program; second by Hollatz. Motion carried 8-0.
- E. Utility
 - 1) Resolution: Electronic Compliance Maintenance Annual Report. Chapman read the resolution into the record. Gross stated that this is a yearly report regarding our wastewater treatment plant that is required by the DNR. Motion by Gross to approve the resolution for the Electronic Compliance Maintenance Annual Report as presented at the Utility Meeting on May 24, 2006; second by Snyder. Motion carried 8-0.
 - 2) Consider/act on American Transmission Company (ATC) Easement Agreement. Gross stated that we have an agreement with ATC that details the obligations and responsibilities of both parties. Additionally, approval of an easement is needed to allow ATC to have infrastructure and the right to serve on our property at the Cooney Substation. Motion by Gross to approve the American Transmission Company Easement Agreement as presented; second by Cochrane. Motion carried 8-0.

Unfinished Business

- A. An Ordinance to Amend the Planned Development Ordinance Relating to the Lutheran Homes of Oconomowoc, Inc., property at 1305 and 1306 W. Wisconsin Ave, City of Oconomowoc, Waukesha County, Wisconsin, designated the Lutheran Homes of Oconomowoc, Inc., Planned Development (PD-5-03) – 2nd reading. Motion by Gross to give the ordinance its second reading by title only; second by Cochrane. Motion carried 8-0. Motion by Gross that the ordinance become law; second by Cochrane. Motion carried 8-0.
- B. An Ordinance to Amend the General Ordinances of the City of Oconomowoc (Codification) – 2nd Reading. Motion by Gross to give the ordinance its second reading by title only; second by Cochrane. Motion carried 8-0. Motion by Gross that the ordinance become law; second by Cochrane. Motion carried 8-0.
- C. Ordinance Attaching land located near the NE corner of Allen Road and Reddelien Road, Town of Summit (Frontier Development) – 2nd Reading. Motion by Gross to give the ordinance its second reading by title only; second by Cochrane. Motion carried 8-0. Motion by Snyder that the ordinance become law; second by Cochrane. Motion carried 8-0.

New 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. Coenen stated that an ordinance amending license fees was recently adopted and that the fee for a provisional operator license was changed from \$15.00 to \$20.00 in error. The League of Wisconsin Municipalities Manual on Municipal Licensing and Regulation of Alcohol Beverages states that the fee may not exceed \$15.00. Motion by Cochrane to adopt the ordinance reversing the fee change of \$20.00 for a provisional operator's license back to \$15.00; second by Hollatz. Motion carried 8-0.
- B. Consider/act on Release of Pedestrian Easement on the southerly six (6) ft. of a 30 ft. Easement in the Pioneer Ridge Condominium Development. Frye stated that as part of the Thurow Golden Estates development, easements were platted on lands that have now been split off for the Pioneer Ridge Condos. They are now requesting a reduction in the pedestrian easement from 30 ft. to 24 ft. (6 ft.). Motion by Gross to approve the release of the pedestrian easement on the southerly 6 ft. of a 30 ft. easement in the Pioneer Ridge Condominium Development as requested; second by Cochrane. Motion carried 8-0.
- C. Consider/act on Releasing an Easement for Water from Thurow Golden View Estates Subdivision to the City Water Tower Parcel (to be replaced by a subsequent easement). Frye stated that this platted easement is a duplicated water easement and can be released. Motion by Gross to approve releasing an easement for water from Thurow Golden View Estates Subdivision to the City Water Tower Parcel; second by Cochrane. Motion carried 8-0.
- D. 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. Martin stated that there has been a change in the State Statute that now allows us to prosecute certain municipal citations for drug paraphernalia offenses at the municipal level. By doing this, we would be assisting the District Attorney's office by disposing of minor cases. Motion by Snyder to approve an ordinance creating §9.01 of the Municipal Code of the City of Oconomowoc Relating to Offenses Against State Laws Subject to the Forfeiture relating to Drug Paraphernalia; second by Jones. Motion carried 8-0. Following the main motion, it was suggested to suspend the rules so Chapman would not have to read the 4 page ordinance. Motion by Snyder to suspend the rule of reading the ordinance into the record; second by Jones. Motion carried 8-0.
- E. Consider Acceptance of Behling/Walsh Attachment Petition located on the corner of Allen Road and Reddelien Road, Town of Summit. Chapman stated that the normal procedure is to refer attachments and zoning to the Plan Commission for a recommendation. This area will eventually come into the City in 2010. Motion by Morgan to accept the Behling/Walsh Attachment Petition for property located on the corner of Allen Road and Reddelien Road in

the Town of Summit and that they donate lands to the south of the river. Larsen noted that perhaps the Council should think about the rate we are attaching land and if staff can handle it. Jones noted that he is not in favor of telling people what to do with their lands. Morgan amended his motion to refer it to the Plan Commission with the request that they investigate the area to the south of the river for possible donation to the County Conservatory District as it is unbuildable; second by Gross. Motion carried 8-0.

- F. Ratification of AFSCME Contract for 2006-2008. Gard stated that we have reached an agreement for a three-year contract providing for 3%, 3.75% and 3.75% increases. In 2007, employees will begin to participate in the cost of health insurance. In 2007, the City will pay 98% of the lowest cost qualified plan in the County and in 2008, it will drop to 95%. The City is now paying 105% of lowest plan. Also included in the contract is loss of CDL language where we have agreed to make an accommodation for one employee to the extent that work is available and provided the employee regain their CDL at the end of the suspension period. Motion by Snyder to accept the AFSCME Contract for 2006-2008 as presented; second by Cochrane. Motion carried 8-0.

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

- A. Administrator – Gard acknowledged that this is Chief Martin’s last Common Council Meeting and thanked him for 15 years of dedicated service to the citizens of the City of Oconomowoc. On behalf of the City, we wish him the very best. A reminder that the WPPI Regional Meeting is June 8, 2006 at 5:30 p.m. and if you wish to attend, please call Bednarski and he will get you signed up.
- B. Other – Maurer wanted to remind everyone that on June 9– 11 on Lac La Belle a Carp Catching Contest will be held. Paul Carpenter who is coordinating the event was issued a park rental permit. A lined dumpster will be brought in by the organizers for disposal of the fish.

Announcements and Communications

- A. Proclamation - Chief Hugh Martin: Mayor Sullivan read the proclamation. The Mayor stated it has been a pleasure working with Hugh since he has been in office. The Mayor appreciates that Hugh is a direct man, who will tell you the way it is, and his integrity. The demands of Police Chief are many and Hugh carried out his duties in an effective, quiet style. Under his leadership, the department worked very effectively with the fire department and relatives in the recent fatal home fire. He has always served the taxpayers and employees of the City very well. In recognition of 15 years of dedicated service and with sincere appreciation, the Mayor presented Chief Martin with his Badge, Shield and Stars (mounted).

Chief Martin thanked the City, Council and Staff. Citizens always came first in my efforts to protect them from crime, violence and scams. I have enjoyed my 15 years in the department. Previous Administrator Mercier and Administrator Gard have always been very good to me. The Common Council has always been very supportive, as evidenced when some of them came to the scene of the fatal fire to show their support. Thank you.

Everyone gave Chief Hugh Martin an ovation.

Reports and Comments from the Aldermen - Morgan commended the Chief and Fire Department for all their efforts in the fatal fire. He also recognized their efforts at the Breakshots fire.

Reports and Comments from the Mayor – none

Motion by Jones to adjourn; second by Cochrane. Motion carried 8-0. Meeting adjourned at 8:12 p.m.