

**CITY OF OCONOMOWOC**  
**COMMON COUNCIL MEETING MINUTES**  
**August 1, 2006**

**Public Hearings:**

**7:30 PM** – Proposed Revisions to Repeal and Recreate Chapter 27 of the Municipal Code of the City of Oconomowoc Relating to Impact Fees.

Kitsembel reported that Wisconsin Acts 203 and 477 made significant changes to the impact fee law. Several provisions of these acts require the City to amend our impact fee ordinance to become compliant with the new state law. Act 203 now provides that the fees collected must be used within 7 years after they are collected. An extension of 3 years can be adopted due to extenuating circumstances. Act 477 included that if the impact fees were not used within the time period, they would be returned along with any interest that had accumulated. Act 477 specifically prohibits municipalities from imposing any fees to fund the acquisition or improvement of land, infrastructure or other real or personal property as a condition of approval of a plat, CSM, etc. This will require an amendment to Chapter 18 of our subdivision ordinances to repeal the land dedication fee. Act 477 also made a change to the time when a municipality may collect impact fees. It now provides that the City may collect the impact fee within 14 days of the issuance of a building or occupancy permit. Several housekeeping changes were made to update language to mirror definitions, etc. within the state statutes. In addition to changing our ordinances, we are also seeking to repeal the water facilities impact fee. The amount needed to recover the costs for wells 6 & 7, pump stations and a ground storage reservoir in the amount of \$486,625 has been collected. Therefore, the City needs to cease collecting this impact fee.

The hearing closed at 7:37 PM.

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

Denny Daggett led in the **Pledge of Allegiance**.

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

**Staff present:** Gard, Lamp, Gallo, Duffy, Maurer, Frye, Kitsembel, Bednarski, Langhor, Beguhn and Coenen

**Others present:** Atty Chapman and Sugden

**Minutes of July 18, 2006:** Motion by Cochrane to approve the Common Council Minutes of the July 18, 2006 meeting as written; second by Jones. Motion carried 7-0.

**Comments and suggestions from citizens:** None

**Consent agenda**

A. Licenses

Motion by Hollatz to approve the Consent Agenda as presented; second by Antonneau. Motion carried 7-0.

**Committee Reports**

- A. Finance – No Report
- B. Personnel:
  - 1. **Resolution: Changing City's Group Life Insurance Carrier to the State of Wisconsin Department of Employee Trust Funds Group Life Insurance (WPE)** – Antonneau reported that by switching life insurance carriers, our annual savings for active employees will be approximately \$12,900. We will also pay off our unfunded liability for retired employees, which has grown to \$212,400 over the past nine years. Chapman read the resolution into the record. Motion by Antonneau to adopt the resolution to enroll in the Wisconsin Public Employers (WPE) Group Life Insurance program; second by Cochrane. Motion carried 7-0.
  - 2. **Consider/act on Creation of Meter Tech Position in the Electric Department** – Antonneau reported the Committee recommends the addition of the meter technician position in the Electric Department. Currently we have only one person that handles our substations and power metering and with our continued growth and upgrading our substations, this position is needed. Motion by Antonneau to approve the creation of a meter tech position in the Electric Department; second by Jones. Motion carried 7-0.
- C. Protection and Welfare – No Report
- D. Public Services – No Report
- E. Utility:
  - 1. **Resolution: Utility Engineering for East Wisconsin Avenue** – Gross reported that as part of the reconstruction of Wisconsin Avenue, sanitary sewer and water will be completely replaced between Main and Lapham Streets. The Committee recommends Ruckert - Mielke be retained for the design and construction administration of the project. Chapman read the resolution into the record. Motion by Gross to adopt the resolution to retain Ruckert - Mielke for the utility engineering for the East Wisconsin Avenue project; second by Antonneau. Motion carried 7-0.
  - 2. **Resolution: Wastewater Treatment Facility Coatings Project** – Gross reported that three proposals were received for the application of protective coatings to the two grit tanks and two primary clarifiers. The Committee recommends the proposal of Spectrum Contracting Corp. Spectrum coated the secondary clarifiers last year. It was asked if we were satisfied with the 2005 coatings project and the response was yes. It was also asked if the coatings have a life expectancy and it is believed to be fifteen (15) years. Chapman read the resolution into the record. Motion by Gross to approve the resolution awarding the Wastewater Treatment Facility coatings project to Spectrum Contracting Corp. in the amount of \$64, 960.00; second by Antonneau. Motion carried 7-0.
  - 3. **Resolution: Adoption of MEUW Safety Manual** – Gross reported that in 1991 the City adopted the MEUW Safety Manual. This resolution allows the utility to enforce the practices and rules within the manual and any future revisions that are approved by MEUW. Chapman read the resolution into the record. Motion by Gross to adopt the resolution adopting the MEUW Safety Manual and any future revisions; second by Antonneau. Motion carried 7-0.
  - 4. **Ordinance: To Create §13.11(10) Relating to Standards & Specifications of the City of Oconomowoc Electric Utility** – Gross reported that the Electric Utility has created a Standards and Specifications Regulations book to improve our processes and add consistency to our day-to-day operations. The Committee recommends approval, which allows the utility to properly enforce its requirements. Motion by Gross to give the ordinance its first reading; second by Antonneau. Chapman read the ordinance into the record. Motion carried 7-0.

5. **Resolution: Purchase of Mini Compact Excavator** – Gross reported that the Utility received three quotes and two of the quotes did not meet all specifications. A rep from Bobcat Plus attended the Utility Meeting to discuss the findings. The Committee is recommending the high bid from Brugginks as their equipment met all the specifications required. Antonneau feels that this is the right tool for the job and the safety factor with the self-leveling tracks and adjustable cage is worth the investment. Motion by Gross to adopt the resolution to purchase a mini compact excavator from Brugginks in the amount of \$23,581.59; second by Antonneau. Motion carried 7-0.

### Unfinished Business

- A. Ordinance Amending the Planned Development Overlay District Ordinance relating to the Lutheran Homes of Oconomowoc Property at 1305 and 1306 W. Wisconsin Avenue – 2<sup>nd</sup> Reading. Motion by Gross to give the ordinance its' second reading in title only; second by Cochrane. Chapman read the ordinance by title only. Motion carried 7-0. Motion by Gross for the ordinance to become law; second by Cochrane. Motion carried 7-0.
- B. Ordinance to Amend Ordinance No. 00-0483, Particularly Section 2, Paragraph F. thereof, which Zoned the Pabst Farms and Placed a Condition on Parcel 7 Requiring a Traditional Neighborhood Design Overlay Zoning District – 2<sup>nd</sup> Reading. Motion by Gross to give the ordinance its' second reading in title only; second by Cochrane. Chapman read the ordinance by title only. Motion carried 7-0. Motion by Gross for the ordinance to become law; second by Cochrane. Motion carried 7-0.
- C. Consider/act on Ordinance to Create the Definition of Large Scale Development, Add Large Scale Development as a Conditional Use in SO, NC, SC, UC and CC Districts and Create 17.206(4)(q) which Establishes Large Scale Development as a Commercial Land Use – 2<sup>nd</sup> Reading. Motion by Gross to give the ordinance its' second reading in title only; second by Cochrane. Chapman read the ordinance by title only. Motion carried 7-0. Motion by Gross for the ordinance to become law; second by Cochrane. Motion carried 7-0.

### New Business

- A. Consider/act on Ordinance to Repeal and Recreate Chapter 27 of the Municipal Code of the City of Oconomowoc Relating to Impact Fees. Motion by Gross to suspend the rules and read in ordinance in title only; second by Cochrane. Motion carried 7-0. Chapman read the first page of the ordinance into the record and stated that Kitsemel's explanation of the changes is sufficient. Motion by Gross to give the ordinance its first reading in title only; second by Cochrane. Chapman read the ordinance by title only. Motion carried 7-0.
- B. Consider/act on Resolution Authorizing Submission of the Wisconsin Department of Transportation Hazard Elimination Safety (HES) Project Application. Duffy reported that this resolution allows us to submit a Local Transportation Enhancements Grant application to assist with the Wisconsin Avenue reconstruction project. The grant, if awarded, requires a 10% local match. The CDA recommends the submission of the grant application. Motion by Gross to adopt the resolution authorizing submission of the Wisconsin Department of Transportation Hazard Elimination Safety (HES) Project Application; second by Cochrane. Motion carried 7-0.
- A. Consider/act on Amendment to the August 15, 2004 Lease between the City of Oconomowoc and The Lutheran High School Association of Greater Milwaukee, Inc. Gard reported that The Lutheran High School Association of Greater Milwaukee has requested another one-year lease extension for the property located at 1101 Silver Lake Street from August 15, 2007 to August 15, 2008 with monthly rent of \$10,417. They are hoping to break ground for their new facility in September. Motion by Gross to approve the lease extension for The Lutheran High School Association of Greater Milwaukee as presented; second by Cochrane. Motion carried 7-0.

**Mayoral Appointments** – Sullivan is appointing Matt Rosek to the Zoning Board of Appeals, for a term to expire in April 2007. Motion by Gross to confirm the appointment of Matt Rosek to the Zoning Board of Appeals, term expiring in April 2007; second by Cochrane. Motion carried 7-0.

**Staff Reports** – None

**Announcements and Communications** – Coenen stated that the reason for the “Get Acquainted” Open House on Wednesday, August 9, 2006 at City Hall from 5 – 6:30 PM is to give the public a chance to meet the newest City Employees, as several key positions have been replaced in the last six months. This notice was published in the Focus and Enterprise. Notification was also sent to all Committee members, the Chamber of Commerce and the entire City staff. Everyone is welcome to attend.

**Reports and Comments from the Aldermen** – Gross referenced the copy of the Live Lines Newsletter that was given to each Council member and let everyone know that Frye is the President of this organization. He also wanted to recognize all the hard work Frye has done for the City.

**Reports and Comments from the Mayor** – None

Motion by Gross to adjourn into Closed Session; second by Cochrane. Motion carried 7-0.

**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.” (Boundary Agreement)

Motion by Gross to adjourn the Common Council meeting; second by Cochrane. Motion carried 7-0. Meeting adjourned at 8:22 p.m.

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Diane Coenen, City Clerk