

CITY OF OCONOMOWOC
COMMON COUNCIL MEETING MINUTES
September 19, 2006

Mayor Sullivan called the regular Common Council meeting to order at 7:31 p.m. and the Clerk confirmed appropriate notice was given.

Pledge of Allegiance

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

Staff present: Mayor Sullivan, Gard, Lamp, Wohlfeil, Murray, Gallo, Duffy, Maurer, Spencer, Frye, Bednarski, Kitsembel, Molitor, Beguhn, McKenna and Coenen

Others present: Atty Chapman

Minutes of September 5, 2006: Motion by Cochrane to approve the Common Council Minutes of the September 5, 2006 meeting as written; second by Jones. Motion carried 8-0.

Comments and suggestions from citizens:

1) Citizens against the extension of Thackeray Trail as part of the SW Summit Avenue Plan

Melissa Krahn, 833 Thackeray Trail
Mary Pat Lindl, 839 Thackeray Trail
Basil F. Mroz, 844 Thackeray Trail – spoke twice
Pat Williams, 775 Thackeray Trail

2) Citizen against the Parc on Lac La Belle Project

Tess Keller, 941 Old Tower

3) Negative Comments on Rockwell Project - Zero (0) setback, impact on their property, not meeting requirements of the Downtown Master Plan and height

Ken Herro, owner of property abutting Rockwell Project
Mike Herro, owner of property abutting Rockwell Project. Also commented that they plan to move forward with plans by year-end for their property. They were waiting for the final reconstruction plans of Wis. Ave.
Larry Witzley, 241 Broadway

Consent agenda

- A. Licenses
- B. Treasurer's Report
- C. Resolution Exempting the City from the Waukesha County Library Levy for 2007

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

Committee Reports

- A. Finance – No Report
- B. Personnel – No Report
- C. Protection and Welfare – No Report
- D. Public Services:
 - 1. **Consider/act on Veolia Environmental Services Proposal for a Three-Year Contract Extension for Refuse/Recyclable Collection** – Lamp reported on the terms of the contract extension. Motion by

Larsen to approve a three-year contract extension for Refuse/Recyclable Collection with Veolia Environmental Services; second by Antonneau. Motion carried 8-0.

- E. Utility – No Report

Plan Commission – (Gallo briefly introduced each item)

- A. **Conceptual Presentation on the application of Doug Gallus for the Rezoning to a Planned Development Overlay for Lexington Square Condominiums; located within the SW ¼ of Section 3** – Bob Schneider described the location of the project and described briefly the building design. There will be seventeen units with two bedrooms and 2 baths. A road will be put in that will be dedicated to the City and a standard sidewalk will be placed along the east portion bordered by trees. The street is part of the CSM. A Developer's Agreement will be needed. This project exceeds density, so they are requesting a PD. Council gave no comment.
- B. **Consider/act on the Conditional Use Permit for Richard Shovick, for a restaurant and comedy club to known as "The Blue Ribbon", located at 1710 and 1730 Summit Avenue** – Sullivan referenced a handout Council received with highlighted changes to the CUP. Chapman reported that staff worked with Shovick in June, July and August to address concerns and new plans for an 18,502 sq. ft. building have been submitted. He referenced parking, landscaping, dumpster, fire protection, water utilities, sanitary, surface water, junk, permits and Architectural approval as part of the CUP. Tim Siedl, architect, stated they are still waiting for the final letter from the County. In addition, three stalls of parking will be removed from the plans. Motion by Gross to approve the Conditional Use Permit for Richard Shovick for The Blue Ribbon at 1710-1730 Summit Avenue; second by Cochrane. Motion carried 8-0.
- C. **Conceptual presentation of Jerry Erdmann, of Frontier Development Inc. for the Rezoning to a Planned Development Overlay for Brennan's Marketplace, located at the northeast corner of Summit Avenue (STH 67) and Valley Road (CTH B)** – Erdmann, Tim (MSI General) and Atty. Murn each discussed portions of this project. They passed out color renderings, described the site plan and displayed a map. The building will be placed along the roadside with parking behind. They incorporated the comments from the Plan Commission into their plans, i.e. varied heights, color/theme of Pabst Farms and office space. They are asking for SO zoning which would allow for exceptions with limitations. They are striving for a pedestrian friendly design and will have a strong mixed use of tenants. Brennan's will be the main anchor. The site is designed to have access from Pabst Farms Circle, but the County would allow for temporary access from CTH B until Pabst Farms Circle is completed. They will make improvements on CTH B and when Pabst Farms Circle is complete, they will make the temporary access area green space. The value of the build out is approximately \$17M - \$20M. Storm water will be handled on site and the preliminary boring is good. They would install a paver system instead of asphalt and are proposing an underground storage system, with DNR approval. The development would consist of 60% SO zoning and 40% SC zoning. Chapman recommended they remove Contractor's office from the list of non-allowed uses. In addition, building sizes may change to accommodate users. Council commented the project proposed showed a nice mix of uses and good ideas.
- D. **Consider/act on Resolution for amending the Project Plan for Tax Incremental District (TID) No. 4, Downtown Area, City of Oconomowoc** – Chapman read the resolution into the record and stated the legal opinion will be attached as an appendix. Duffy did a power point presentation on the need for downtown revitalization, plan components and implementation. The TID was created in 2003 and the value has increased \$21M to date. TID #4 is expected to be paid off within 20 years, which is actually one year sooner than proposed in 2001. A question from Council regarding Map 5 compared to Map 7 about residential becoming commercial was asked. The property is zoned EO and the outlay is a projection of potential users. Motion by Gross to approve the resolution amending the Project Plan for Tax Incremental District #4; second by Antonneau. Motion carried 6-2. Morgan and Larsen voted no.

New Business

- A. **Consider/act on 2007-2011 Capital Improvement Plan** – Motion by Cochrane to approve the 2007-2011 Capital Improvement Plan as presented; second by Jones. Chapman read the resolution into the record. Motion carried 8-0.
- B. **Consider/act on 2006-2008 Dispatch Union Contract** – Kitsemel reported that the City and the Dispatch Union have agreed to a three-year contract with raises of 3.0% in 2006, 3.75% in 2007 and

3.75% in 2008. Employer contribution toward health insurance will be 105% in 2006, 98% in 2007 and 95% in 2008. Part-time employees will now receive the second tier wage step upon completion of training vs. upon 1,040 hours of work. New language was added in regards to work hours/time off. The City can authorize the filling of the request on an overtime basis up to three shifts per year per employee and will only be considered after the options of part-time dispatchers and movement of full-time dispatchers are not viable. Language regarding sick leave usage to assist immediate family members changes and in addition, language was added that employees will make every effort to schedule appointments during non-working hours. Language was also added that full-time employees who have completed their training period will receive their clothing allowance. Motion by Jones to approve the 2006-2008 Dispatch Union Contract; second by Cochrane. Motion carried 8-0.

- C. **Consider/act on Appointment of Mark Frye to the Position of Director of Public Works** – Gard reported that George Langhor has retired after 27 years with the City. Interviews were conducted by the Mayor, Stan Sugden, Ruckert-Mielke and herself recently for the Director of Public Works position. This position requires a mayoral appointment and the Mayor is requesting confirmation by Council of Mark Frye to the Director's position. He has been employed with the City since 1990 in the Utilities Department. At this time, we have not advertised for the Water Operations Manager position. Motion by Snyder to approve the appointment by the Mayor of Mark Frye to the position of Director of Public Works; second by Gross. Motion carried 8-0.

Mayoral Appointments – None

Staff Reports – Lamp reported the shoreline work on Fowler Lake has started and will continue into next year. Also, the required permit has been issued.

Announcements and Communications – None

Reports and Comments from the Aldermen – Morgan commented about dogs in the park and stated the only signage was by the road. He also commented on the Council Chamber microphones.

Reports and Comments from the Mayor – None

Motion by Cochrane to convene into Closed Session; second by Jones. Motion carried 8-0.

Motion by Antonneau to adjourn the Common Council Meeting; second by Jones. Motion carried 8-0 The meeting adjourned at 9:25 p.m.

Diane Coenen, City Clerk