

**CITY OF OCONOMOWOC
COMMON COUNCIL MEETING**

December 7, 2004

Mayor Sullivan called the meeting to order at approximately 7:36 p.m. and the Clerk confirmed that appropriate meeting notice had been given.

Ald. Hollatz led in the **Pledge of Allegiance**.

Roll call: Aldermen present - Cochrane, Hollatz, Jones, Morgan, Gross, Larsen & Antonneau
Aldermen absent: Snyder (a quorum was present)

Minutes of previous meeting: (November 16, 2004) – Moved by Ald. Cochrane, seconded by Ald. Jones to approve the minutes of the November 16, 2004 Common Council meeting, as written. Voice vote carried with no dissenting votes.

Comments from the Audience: In the absence of any public input, Mayor Sullivan asked Mr. Don Wood to come to the podium. It was his 89th birthday, and we all sang Happy Birthday to him.

Consent agenda: A. Licenses – The Clerk read one more bartender license to be included. Moved by Ald. Cochrane, seconded by Ald. Hollatz to approve the consent agenda, with the addition of the one license. Voice vote carried with no dissenting votes.

Committee Reports:

A. Finance

1) An Ordinance to Amend Section 18.03(5)(a)2.d. and Section 18.03(5A)(e) of the Municipal Code of the City of Oconomowoc Relating to Platting and Subdivisions, particularly the Parkland fee in lieu of Dedication and the Parkland Improvement fee - Mayor Sullivan stated that this was discussed by the Finance Committee earlier this evening.

Moved by Ald. Larsen, seconded by Ald. Cochrane to give the ordinance its first reading.
Carried unanimously.

B. Personnel – no report

C. Protection and Welfare – no report

D. Public Services

1) Resolution re: Purchase of a new cab and chassis – tandem axle; and a new dump body, plow and wing for above cab and chassis - Moved by Ald. Larsen, seconded by Ald. Antonneau to adopt the resolution. Carried unanimously.

Adoption of this resolution authorizes the purchases of the cab and chassis for \$60,093, from Truck Country of Wisconsin; and purchase of related equipment for \$50,499, from Monroe Truck. This is a budgeted item.

2) Resolution re: Purchase of heavy duty Top Dresser unit for Parks Department - Moved by Ald. Larsen, seconded by Ald. Hollatz to adopt the resolution. Carried unanimously.

Adoption of this resolution authorizes the purchase of the demo Top Dresser from Reinders, for \$10,857. This is a budgeted item. Ms. Caughran, Director of Parks & Recreation, stated this

will be an excellent piece of equipment for their department. It will be used in spreading granular material, fertilizer and seeding in our ball diamonds and parks.

E. Utility

1) Resolution re: Engineering services for pump station upgrade at the Wastewater Treatment Facility (WTF) – Ald. Gross reported that the Utility Committee recommends this, and moved to adopt the resolution. Seconded by Ald. Antonneau to adopt the resolution. Carried unanimously.

Adoption of this resolution authorizes the engineering firm of Ruckert & Mielke to perform the study phase for not to exceed \$5,300 and the design phase for not to exceed \$14,500, plus estimated reimbursable costs of \$600.

2) Resolution re: 2004 Utility write-offs – Moved by Ald. Gross, seconded by Ald. Cochrane to adopt the resolution. Carried unanimously.

The total sum of write-offs is \$23,211.78, of which K-Mart makes up more than half. The City has received 6.25% of the amount of their delinquency through the bankruptcy process.

3) Resolution re: Bids for well maintenance – Moved by Ald. Gross, seconded by Ald. Antonneau to adopt the resolution. Carried unanimously.

Adoption of this resolution authorizes Municipal Well and Pump to do our well maintenance, for the sum of \$33,994.

4) Resolution re: Watermain relay engineering – Moved by Ald. Gross, seconded by Ald. Cochrane to adopt the resolution. Carried unanimously.

Adoption of this resolution authorizes Ayres & Associates to perform the engineering necessary, for the sum of \$14,100.

5) An Ordinance to Amend Section 13.63(3)(a) of the Municipal Code of the City of Oconomowoc Relating to Sewer Availability Charges – Moved by Ald. Gross, seconded by Ald. Cochrane to give the ordinance its first reading. Carried unanimously.

6) An Ordinance to Amend Section 27.09(4)(b) of the Municipal Code of the City of Oconomowoc Relating to the Impact Fee for the North Water Tower – Moved by Ald. Gross, seconded by Ald. Cochrane to give the ordinance its first reading. Carried unanimously.

7) An Ordinance to Amend Section 27.09(3)(b) of the Municipal Code of the City of Oconomowoc Relating to the North Interceptor Impact fee – Moved by Ald. Gross, seconded by Ald. Cochrane to give the ordinance its first reading. Carried unanimously.

(at this point Ald. Antonneau got a phone call, and had to leave the meeting.)

Plan Commission recommendations

- A. Consider/endorse Amendment/modification to Conditional Use Permit for Pabst Farms Convenience Center – Attorney Chapman stated that the Plan Commission has approved the amendments, and forward it to Council for endorsement. Moved by Ald. Gross, seconded by Ald. Cochrane to endorse the amendment to the Conditional Use Permit for Pabst Farms Convenience Center.

Attorney Chapman stated that when modifications to a Conditional Use Permit are insignificant, the Plan Commission may approve without the need for a public hearing. New plans were submitted, which he felt required amendment and Plan Commission approval. 1) The name is changed to Pabst Farms Market Place, LLC; total square footage of buildings is reduced from 130,549 to 116,595; parking spaces are reduced to 599, and may be revised but can be no lower than 415; the plans have been approved by the Architectural Commission and Plan Commission; loading docks are permitted on Roundy's, but no loading docks on the other 4 retail buildings. There may be a need for loading docks in the future, depending on the use, but the Plan Commission will determine that when the Special Use Permits are applied for. Buildings, other than A & B, will provide wider sidewalks for deliveries.

Motion to endorse amendment to the Conditional Use Permit carried unanimously.

New Business

- A. Consider/act on 2005 Utility Budget – Mr. Mark Molitor, Office Supervisor, gave a comprehensive overview of the proposed Utility Budget, which has been reviewed and recommended by the Utility Committee and the Committee of the Whole. This budget proposes no rate increases in water or electric, and a 3% increase in rates for City wastewater customers. This results in an average monthly bill for a City Utility customer for water, wastewater and electric of \$89.54 for 2005, as opposed to \$88.89 in 2004.

Estimated expenses for 2005 is \$17,082,000, an increase of \$1,139,000 compared to last year's budget. Wastewater utility expenses will increase by 7%; water utility will increase by 6.6%; and the electric utility will increase by 7.2%. The largest contributor to increases is the cost of purchased power, which is expected to increase by 7%; salaries and benefits are the next largest costs, which will increase by \$152,000; depreciation expense on the utility plant and equipment is expected to increase \$212,000.

He stated that all utilities continue to do a good job maintaining our plant and equipment while holding the line or decreasing Operating and Supplies expenses. Wastewater shows a decrease of 4.4%; water increasing by 2% and electric increasing by 1.8%

A new initiative added to the 2005 Utility Capital budget are funds to begin converting water and electric meters so they can utilize radio signals in the reading process.

The City utilities are projecting a net income of \$760,000 with a minimal increase or no increases in rates. Wastewater net income is expected to be \$228,000, yielding a 4% rate of return; water net income expected to be \$140,000, yielding a rate of

return of 5.2.%; and electric net income of \$392,000, yielding a rate of return of 3.3%.

Ald. Gross stated that one reason we can offer good rates is because of impact fees which must be paid by new people, making it possible for rates to remain stable for all of us.

Moved by Ald. Gross, seconded by Ald. Cochrane to adopt the 2005 Utility budget. Carried unanimously.

- B. Consider/act on Agreement Amending Intermunicipal Agreement for the Operation of the Lake Country Municipal Court (§66.0301, Wis. Stats.) – Attorney Chapman commented that when a new permanent member joins our municipal court, there must be an Agreement signed by all participants. The two new members tonight are the Village of Sussex, and the Town of Delafield. The governing body of each member must approve the Agreement.

Moved by Ald. Jones, seconded by Ald. Cochrane to approve the Agreement. Carried unanimously.

- C. Consider/act on Conveyance of Rights in Land – Attorney Chapman explained that the City has an easement for electric utilities in the right-of-way for the bypass. We will be conveying our right to the easement to the Department of Transportation, with this instrument. If any of our equipment has to be moved, it will be at their request, and their expense. They will be paying \$2,000 for moving one of our facilities.

Moved by Ald. Cochrane, seconded by Ald. Morgan to approve the Conveyance of Rights in Land. Carried unanimously.

- D. Petition for Attachment – property at 861 E. Wisconsin Ave. (Central Railroad, LLC) Action tonight is for the Council to refer the Petition for Attachment to the Plan Commission. Attorney Chapman explained that there was a petition for attachment several years ago, but did not become effective.

Moved by Ald. Cochrane, seconded by Ald. Morgan to refer the Petition for Attachment to Plan Commission. Voice vote carried with no dissenting votes.

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

Staff Reports

- A. Administrator – Ms. Gard introduced Mr. Dennis Bednarski, the City's new Electric Operations Manager. Mr. Bednarski gave some of his background in the electrical field and is looking forward to being a part of the Oconomowoc team. Ms. Gard also announced that property tax bills are being mailed today or tomorrow.
- B. Other – none

Announcements and Communications – none

Reports and Comments from the Aldermen - none

Reports and Comments from the Mayor – The Mayor said that he got wind of another birthday, and everybody joined in a Happy Birthday to Diane.

There being no further business to properly come before this body, a motion was made by Ald. Cochrane, seconded by Ald. Jones to go into closed session, per Wis. Stats. 19.85(1)© “Consider . . . compensation or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility.” (individual non-represented personnel salaries) Roll call vote carried unanimously.

Motion to adjourn was made by Ald. Gross, seconded by Ald. Jones and carried. (8:25 p.m.)

Ardyce Senfleben, City Clerk