

**CITY OF OCONOMOWOC
COMMON COUNCIL MEETING**

May 17, 2005

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

Alderman Hollatz led in the **Pledge of Allegiance**

Roll Call: Aldermen Foti, Morgan, Gross, Larsen, Antonneau, Cochrane, Hollatz and Jones (all present)

Staff in attendance: Lamp, Sugden, Severson, Caughran, Kitsembel, Duffy, Martin, Leidel, Bednarski, Frye, Steinbach, Senfleben, Gard and Attorney Chapman

Minutes of previous meeting (May 3, 2005) – Moved by Ald. Jones, seconded by Ald. Cochrane to approve the minutes of the May 3, 2005 Common Council meeting, as written. Voice vote carried with no dissenting votes.

Comments and suggestions from citizens – Mr. Joe Wagner, 637 S. Main St., being a neighbor, requested an additional 24' of netting extending from the existing backstop in order to stop the foul balls.

Mr. Pat Neary, N8110 LaSalle Circle, stated that he has been a resident for 36 years connected with baseball, having been the Head Coach at the high School for 22 of those years. He is presently President of the Oconomowoc Area Baseball Club and spoke to issues relating to Roosevelt Field. He referred to the newspaper article regarding the fact that the Common Council did not approve their beer license for July and August, making it appear that there was a big problem with alcohol at their games. He firmly stated that alcohol is not a problem at their games, but that the problem is with foul balls and neighbors. Ald. Gross was quoted in the newspaper that there were a "lot" of problems with the games in the last couple of years. Mr. Neary stated that he never talked about a "lot" of problems, and referred to a Five-O's game when the Police were called down there for an incident. The Police felt they were not needed when they got there, but the Club had to pay for their time. Mr. Neary stated that Oconomowoc has a rich tradition in baseball, Roosevelt Field having been there for many, many years, and it would be a sad day in this community if baseball at Roosevelt Field would not be played any more.

His opinion regarding the extending of the netting is that it won't fix the problem, and suggested that netting be put over the backstop which would be much less expensive, and be a better solution for foul balls. He pointed out that the baseball club has raised considerable funds over the years to put in the improvement of the ball field. In addition, if this netting is approved, they will be asked to pay approximately \$1,500 for 4 years toward it. He further stated that they have done everything they can to curb this issue, including making announcements during the games, talked with neighbors, moved the dugouts and asked for parking to be on Jefferson St., as opposed to S. Main St. He wanted to make sure that everyone heard the other side of the story.

Consent agenda:

- A. Licenses – none to consider
- B. Treasurer's Report

C. Joint Powers Agreement – County 911 Emergency System (Waukesha County)

Moved by Ald. Antonneau, seconded by Ald. Cochrane to approve the Consent agenda. Voice vote carried with no dissenting votes.

Committee Reports:

- A. Finance – no report
- B. Personnel – no report
- C. Protection & Welfare
 - 1) Consider/act on recommendation to the County for reduction of speed limit on Lake Dr. (Hwy. Z) Lapham St. to Brown St. – Moved by Ald. Hollatz, seconded by Ald. Morgan to recommend to the County that the speed limit on Lake Dr. be reduced.

Public Safety Director, Hugh Martin, stated that the speed limit on Lake Dr. is now 25 mph for a short way, then 55 mph. He is recommending that the speed limit be 35 mph for all of Lake Dr. With all of the development in that area, he feels a 55 mph speed limit is inappropriate, and reduction of the speed limit in that area could reduce potential accidents. A speed limit of 35 mph would be consistent with the continuation of Brown St. to the east, in the Town of Oconomowoc.

Motion to recommend the reduced speed limit to the County, carried unanimously.

- 2) Resolution re: New doors on Fire Station – Moved by Ald. Hollatz, seconded by Ald. Morgan to adopt the Resolution.

Deputy Fire Chief, Glenn Leidel, pointed out that \$12,475 is budgeted in the 2005 Capital Budget for the replacement of the original doors on the Fire Station. Three quotes were received, and staff is recommending the low quote of TJ Installers for \$10,262.

Motion to adopt the resolution carried unanimously.

- D. Public Services
 - 1) Resolution re: Fencing at Roosevelt Field - Moved by Ald., Larsen, seconded by Ald. Hollatz to adopt the Resolution.

Mayor Sullivan reported that this was the topic of discussion at the Public Services Committee meeting this evening. He stated there would need to be a cost estimate on the additional 24' requested, for a total of 97'. The additional cost is estimated to be approximately \$3,000 and the Treasurer will determine whether or not it is possible to do that this year.

There was discussion, Ald. Morgan felt it was too much expense for something that won't fix the problem, and suggested that if there is property damage to a neighbor due to a foul ball, that the baseball club would pay for the damage. It was pointed out that the Club does have liability insurance for that purpose. It would appear there are not that many foul balls, since they happen when there is a left-handed hitter. Ald. Gross interjected that a neighbor said he has 30 balls this season, and he felt something should have been done by the City years ago. There have been agreements made to respect private property, but it only takes a few people who

disregard that agreement. Ald. Gross stated that is the reason he proposed holding up approval of the Club's beer license for the July and August games, as it appears it is the only tool we have to get their attention. With regard to the additional 24' of netting, he felt that should be the City's responsibility, not just the baseball club. We don't want to penalize them.

Ald. Larsen suggested that we put netting over the backstop, using utility poles, and continuing 10' down, as Mr. Neary suggested. Ms. Caughran, Director of Parks, Recreation & Forestry, stated that Lannon does that and she visited their ball field, and due to the width of our field it would not work out at Roosevelt Field. Other alternatives were suggested and discussed, but no change to the resolution.

Vote on motion to adopt the Resolution carried, with Ald. Morgan voting "no".

Plan Commission recommendations

- A. Consider/act on Conditional Use Permit for Brisco County – A modified Conditional Use Permit document was distributed this evening, which Planner Severson, stated was just cleaning up some of the language. The Conditional Use Permit is to grant the land use, and architectural review.

Moved by Ald. Gross, seconded by Ald. Cochrane to approve the Conditional Use Permit, as modified.

There was discussion as to paragraph 8, requiring that all lighting shall consist of "white light". Ald. Jones commented that he is comfortable with that, as long as it is not us who are requiring it. The reason being, some time ago the Council considered an ordinance requiring white light, and it failed. Mr. Frye, Utilities, stated that this is something that the developer is requiring throughout the development, but does not include street lighting.

Motion to approve the Conditional Use Permit carried unanimously.

Unfinished Business

- A. An Ordinance to Amend Ch. 1.45(4)(b) of the Municipal Code of the City of Oconomowoc Relating to Community Development Authority Appointments – 2nd reading. Moved by Ald. Gross, seconded by Ald. Cochrane to give the Ordinance its second reading by title only. Carried unanimously.

Moved by Ald. Gross, seconded by Ald. Cochrane that the Ordinance become law. Roll call vote carried unanimously.

New Business

- A. An Ordinance to Amend the General Ordinances of the City of Oconomowoc – Moved by Ald. Gross, seconded by Ald. Antonneau to give the Ordinance its first reading. Carried unanimously.
- B. Consider/act on Amendment to Cooperative Agreement between the City and Waukesha County Department of Senior Services – Moved by Ald. Gross, seconded by Ald. Cochrane to approve the Amendment to the Cooperative Agreement.

Ms. Caughran stated that this is an Amendment to the Agreement we have with the Department of Aging program. The County has a grant to offer a Healthy Steps to Aging Program in

conjunction with our nutrition site, but they cannot run it. They have asked us to have it at the Community Center. All costs will be funded through the grant, with no cost to the City.

Vote on motion to approve the Amendment carried unanimously.

- C. Consider/act on Agreement Transferring ownership of sanitary sewer – Attorney Chapman explained this is the Henszey property on Maple Terrace. A sewer main was installed right up to their door many years ago. We are unable to find any easement for that sewer. The Henszey's have asked the City to convey that approximate 150' of 8" main to them, from the street manhole to the manhole in front of their front door (from manhole 338 to manhole 339). This would save tearing up their lawn and irrigation system. This agreement will accomplish that. We agreed that the City would clean the sewer the same as others in the area, every 3 years. The Henszey's have accepted all other responsibility. This Agreement will be recorded, and will stay with the property. He mentioned that the house on the east side of them also has a lateral in their front yard.

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

- D. Consider/act on Agreement to Extend Advertising Agreement (Coca-Cola) – This extends the agreement for 2005 for the 10 Community events. (3 movies/7 concerts) at City Beach. They will pay \$1,000 per event, up to \$10,000. There are no other changes in the Agreement.

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

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

Staff Reports

- A. City Administrator – no report
- B. Other – none

Announcements and Communications – Mayor Sullivan read a Proclamation proclaiming Friday, May 27th "Poppy Day in Oconomowoc".

Reports and comments from the Mayor –no report

Reports and comments from the Aldermen – Ald. Hollatz asked that there be a notice in the newspaper as to not blowing grass clippings in the street, now that grass cutting season has begun.

There being no further business to properly come before this body, a motion to adjourn was made by Ald. Jones, seconded by Ald. Cochrane, and carried. (8:37 p.m.)

Ardyce Senfleben, City Clerk

