

**CITY OF OCONOMOWOC
COMMON COUNCIL MEETING**

May 3, 2005

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

Mr. Rob Severson led in the **Pledge of Allegiance**.

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

Staff in Attendance: Caughran, Sugden, Severson, Langohr, Kitsembel, Martin, Duffy, Bednarski, Frye, Steinbach, Senfleben, Gard and Attorney Chapman

Minutes of previous meeting (April 19, 2005) – Moved by Ald. Jones, seconded by Ald. Cochrane to approve the minutes of April 19, 2005 Common Council meeting, as written. Voice vote carried with no dissenting votes.

Comments and suggestions from citizens – none

Consent agenda:

- A. Licenses (Including a Class “B” Fermented Malt license and a Class “C” Wine license for China Town) – Moved by Ald. Foti, seconded by Ald. Morgan to approve the consent agenda.

The Clerk pointed out there was an additional item for re-approval, that being the Special Class “B” license for the Chamber of Commerce. Although this was approved by Council at the April 5th meeting, the time that was approved was in error. The license was for the Cooney Cruise, and approved for a 4:00 p.m. closing, when in fact they had applied for a closing time of 12:00 a.m., as it is the night of their street dance. The Clerk therefore asked that the new time be included in this approval.

Moved by Ald. Foti, seconded by Ald. Morgan to approve the consent agenda, as modified. Voice vote carried with no dissenting votes.

Committee Reports:

- A. Finance – no report
- B. Personnel
 - 1) Consider/act on creation of an Electrical Engineer position in the Electric Department - Moved by Ald. Antonneau, seconded by Ald. Morgan to approve the creation of an Electrical Engineer position for the Electric Department. Carried unanimously.
 - 2) Consider/act on reclassification of a vacant Assessment Account Clerk position in the Finance Department to an Accounting Manager position – Moved by Ald. Antonneau, seconded by Ald. Morgan to approve the reclassification of a vacant Assessment Account Clerk in the Finance Department to an Accounting Manager position. Carried unanimously.
- C. Protection and Welfare – none
- D. Public Services – none
- E. Utility

- 1) Resolution re: Contract Locating Services – Moved by Ald. Gross, seconded by Ald. Antonneau to adopt the Resolution. Carried unanimously.

Adoption of this Resolution authorizes an Agreement with Triple E Utility Service to do our locating services for 1 year, but are willing to extend the agreement for 3 years, if it is necessary. 1st year - \$11.00 per ticket; 2nd year - \$11.00 per ticket; 3rd year - \$11.35 per ticket; and \$40.00 per project for each year.

- 2) Resolution re: Influent pump replacement bids – Moved by Ald. Gross, seconded by Ald. Antonneau to adopt the Resolution. Carried unanimously.

Adoption of this Resolution authorizes the upgrade of the influent pumping system at the Wastewater Treatment Plant, from Midwest Pipeline, Inc., for \$359,819.00.

Plan Commission recommendations – none

Unfinished Business

- A. An Ordinance to Zone SR-3 Suburban Residential Lands Recently Annexed to the City of Oconomowoc, Waukesha County, Wisconsin (Bielinski Development, property) – 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.

It was pointed out that this area is intended for green space. Its size and configuration does not lend itself to any other development.

New Business

- A. Resolution re: Official Newspaper for 2005-2006 – Moved by Ald. Gross, seconded by Ald., Cochrane to adopt the Resolution. Carried unanimously.

Our Official Newspaper for the coming year will be the Oconomowoc Focus, having submitted the lowest bid.

- B. Consider/act on Development Agreement for Wood Creek VI – Moved by Ald. Gross, seconded by Ald. Cochrane to approve the Development Agreement for Wood Creek VI.

Attorney Chapman stated this is a standard development agreement for the Wood Creek phases, except that Section 1.6, on page 2, has been added regarding the Electric Utilities, and this will be included in all future development agreements. They must pay all current impact fees; and replace any trees that are removed. Ald. Larsen felt there should be some language regarding replacing trees, i.e. if two mature trees are removed, they must be replaced with large trees. Ald. Gross felt that was a good concept and suggested that it be looked at during the moratorium, and possibly put in the development agreements. Mayor Sullivan suggested that modified language regarding the tree replacement be implied with this action, and convey this to the developer.

Motion to approve the Development Agreement for Wood Creek VI carried unanimously.

- C. An Ordinance to Amend §1.45(4)(b) of the Municipal Code of the City of Oconomowoc Relating to Community Development Authority (CDA) Appointments – This Ordinance would move the various appointments of the five members forward and they would all expire at the same time of year as do other appointments, on staggered years.

Moved by Ald. Jones, seconded by Ald. Cochrane to give the Ordinance its first reading. Carried unanimously.

- D. Resolution accepting Annexation Petition for Cemetery parcel, and refer to Plan Commission – Moved by Ald. Gross, seconded by Ald. Cochrane to adopt the Resolution accepting the Petition and refer it to the Plan Commission for recommendation and temporary zoning. Attorney Chapman explained that this is a very small parcel which the cemetery has owned for 150 years, and the Department of Transportation does not understand that it has been annexed. To them it appears that when the Thurow parcel was annexed a couple of years, this left this .24 acre island owned by the Cemetery, and they will not pay for roads in the Thurow development until this is taken care of. We are therefore going through the annexation process now, and this resolution states that we accept the Petition and refer it to the Plan Commission for consideration.

Motion to adopt the Resolution carried unanimously.

Mayoral appointment of City Attorney, with Council confirmation – The Mayor appointed Bill Chapman. Moved by Ald. Jones, seconded by Ald. Cochrane to confirm the Mayor's appointment of Bill Chapman for City Attorney. Voice vote carried with no dissenting votes.

Mayoral appointments to Council Committees announced (see attached) – Moved by Ald. Cochrane, seconded by Ald. Antonneau to confirm the Mayor's appointments to Council Committees. Voice vote carried with no dissenting votes.

Mayoral appointments to Boards and Commissions, with Council confirmation (see attached) – Moved by Ald. Cochrane, seconded by Ald. Antonneau to confirm the Mayor's appointments to Boards and Commissions. Voice vote carried with no dissenting votes.

Mayor Sullivan stated that the Council appoints a Council member to represent them on the Plan Commission, he would recommend the re-appointment of Ald. Gross.

Appointment by Council of Common Council representative to Plan Commission – Moved by Ald. Antonneau, seconded by Ald. Foti to appoint Ald. Gross as Council representative to the Plan Commission. Voice vote carried with no dissenting votes.

Election of Council President by Aldermen – The Mayor reported that he had talked with Ald. Snyder (who is presently on a leave of absence) who stated he would be willing to serve in that capacity, but would understand if not re-appointed.

Moved by Ald. Antonneau, seconded by Ald. Cochrane to nominate Ald. Gross, as President of the Council.

Ald. Jones moved to close nominations, seconded by Ald. Antonneau and that a unanimous ballot be cast for Ald. Gross as Council president. Voice vote carried with no dissenting votes.

Election of Council Vice-president by Aldermen – Moved by Ald. Hollatz, seconded by Ald. Gross to nominate Ald. Cochrane as Council Vice-President. There being no further nominations, a unanimous ballot was cast for Ald. Cochrane for Council Vice-President. Voice vote carried with no dissenting votes.

Mayoral appointment of City Comptroller, with Council confirmation – Mayor Sullivan appointed Ald. Gross as Comptroller. Moved by Ald. Antonneau, seconded by Ald. Jones to confirm the Mayor's appointment of Ald. Gross as Comptroller. Voice vote carried with no dissenting votes.

City Attorney appoints Assistant City Attorney – Attorney Chapman appointed Mark X. Herro as Assistant City Attorney. He submitted his appointment in writing, as required by our Municipal Code.

Mayoral appointments to WPPI – The Mayor appointed Diane Gard, Director; and Dennis Bendarski, as alternate. Moved by Ald. Antonneau, seconded by Ald. Cochrane to confirm the Mayor's appointments to WPPI. Voice vote carried with no dissenting votes.

Mayoral appointments continued - Community Development Authority – Ald. Jones & Gross; Parks, Recreation and Forestry – Ald. Larsen & Antonneau; Library Board – Ald. Morgan & Hollie Schick (4/30/08); Police & Fire Commission – Ald. Hollatz, and David Kejwan (4/30/10); Capital Improvements, Gard, Langohr, Severson, Jones, Cochrane, Larsen, Gross and Sullivan (by ordinance)

Moved by Ald. Larsen, seconded by Ald. Cochrane to confirm the Mayor's appointments. Voice vote carried with no dissenting votes.

Emergency Management Director – Mayor Sullivan appointed Public Safety Director, Hugh Martin, as Emergency Management Director. Moved by Ald. Larsen, seconded by Ald. Cochrane to confirm the Mayor's appointment. Voice vote carried unanimously.

The Mayor stated he will have additional appointments at the next Council meeting.

Staff Reports

- A. Administrator – no report
- B. Other – Planner, Rob Severson, distributed a timeline for the moratorium. He will be meeting with staff during the Spring; re-organizing/re-writing the zoning ordinance and tables during the summer, and will have a draft ordinance for the Plan Commission and Common Council to review on August 10th. He will do monthly updates to both Plan Commission and Council, and hopes to have the final draft for Council approval on September 10th. He stated there will be two opportunities for

public view/input/comment. He will have it on the website as well. Mayor Sullivan reminded the aldermen to get in touch with Rob if there is something specific they want addressed in the process.

Mr. Stan Sugden, City Engineer, reported the the Advance Auto Parts building is being built and we need to connect to sanitary sewer and water main. This work will begin on Monday, during the night, beginning at 8:00 p.m. and will take 2 evenings to do the work, depending on the concrete. Police, Sheriff's Department and all staff have been notified. There will be one lane open in each direction during this work. Any calls in this regard should be referred to Mr. Langohr, or to himself.

Ald. Larsen questioned when the other building was to come down, and Mr. Sugden stated it won't be until late summer as there are leases for that building that don't expire until summer, so nothing can be done until they do expire. There will be no more trailers on that property.

Announcements and Communications – Mayor Sullivan read a Proclamation proclaiming the week of May 1 – 8th National Music Week in Oconomowoc.

Reports and Comments from the Aldermen – Ald. Gross thanked his fellow alderpersons for their action, and pledged to continue to work hard for the next year.

Reports and Comments from the Mayor – none

There being no further business to properly come before this body, a motion to adjourn was made by Ald. Gross, seconded by Ald. Cochrane, and carried. (8:38 p.m.)

Ardyce Senfleben, City Clerk