

CITY OF OCONOMOWOC
COMMON COUNCIL MEETING

June 7, 2005

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

The **Pledge of Allegiance** was recited.

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

Staff in Attendance: Lamp, Sugden, Severson, Langohr, Caughran, Kitsemel, Duffy, Schmidt, Frye, Steinbach, Senfleben, Gard and Attorney Chapman

Minutes of previous meeting (May 17, 2005) – Moved by Ald. Jones, seconded by Ald. Cochrane to approve the minutes of the May 17, 2005 Common Council meeting, as written. Voice vote carried with no dissenting votes.

Comments and suggestions from citizens - Mr. Neal Adamek, 627 S. Main St., and Mr. Joe Wagner, 637 W. Main St., both live across the street from Roosevelt Field and complained about the foul balls coming into their yards, and people coming on to their property to retrieve them causing damage to their yards. Mr. Adamek stated he has had foul balls break windows on his home, and car and balls have dented the siding on his house. He stated he thinks the fence going up will help the situation somewhat, and thanked those who voted for it. He has also been subjected to name-calling, obscene gestures and continuous horn-blowing. He feels that alcohol is a factor in how players and spectators behave. If alcohol is allowed, he feels that either police should be present or the Director of Parks and Recreation, to keep order. Mr. Wagner has also retrieved foul balls, and had a bag of balls for Ms. Caughran at the meeting. He felt the netting would help with the foul balls, and thanked the Council for that. He stated he would appreciate if people would park at least 4' from his driveway, and that of his parents. Mr. Wagner felt Mr. Neary should make a public apology and tell people to stay off surrounding properties. He thanked Ms. Caughran for being at the games on Memorial Day, as it went very well.

Consent agenda

- A. Licenses – Moved by Ald. Hollatz, seconded by Ald. Morgan to approve the consent agenda, as presented.

Ald. Gross stated he would like to remove the licenses for the baseball teams from the other licenses, to vote separately on those.

Moved by Ald. Cochrane, seconded by Ald. Gross to remove the licenses for the baseball teams from the other licenses. Voice vote carried, with no dissenting votes.

Motion to approve the consent agenda, minus the baseball team licenses, carried by voice vote, with no dissenting votes.

There was discussion, and Ald. Gross said he has not seen any improvement and since is the only way we have to attempt to control it, he will still vote against it. Some people ignore rules

and spoil it for all. Ald. Cochrane questioned whether the police department could issue citations, to which Lt. Schmidt stated that citations definitely can be issued, with set bail amounts. Ald. Morgan suggested that there be no beer for either team until the game is over, but felt that the license should be approved this year and see if things improve. Ald. Snyder felt that just separating the license and voting on it separately should send a message that we are carefully watching the situation.

Moved the Ald. Cochrane, seconded by Ald. Snyder to approve the fermented malt beverage licenses for the Five-O's and American Legion for July and August, as identified. Motion carried, with Aldermen Gross, Larsen and Antonneau voting against it.

Mayor Sullivan reported on the Committee meetings that preceded this meeting, and that several of those items are on this agenda. He also announced that there will be a closed session following this meeting regarding purchase of property.

Committee Reports

A. Finance

- 1) Consider/act on participation in the VALU bid process for a procurement card – Moved by Ald. Larsen, seconded by Ald. Antonneau to move forward to participate in the VALU bid process. Carried unanimously.

This approval authorizes our Finance Director to participate in the RFP process with the VALU program, together with Waukesha County and other municipalities.

B. Personnel – no report

C. Protection and Welfare – no report

D. Public Services

- 1) Resolution re: Annual sidewalk replacement program – Moved by Ald. Larsen, seconded by Ald. Hollatz to adopt the resolution. Carried unanimously.

Adoption of this resolution authorizes the low bid of Concrete Placement Co. to do the sidewalk replacement project, for \$31,707.

- 2) Consider/act on change order on UPI contract with the water utility (Maple Terrace, Poppy St. project, and City portion of paving on Green Meadow) – Moved by Ald. Larsen, seconded by Ald. Hollatz to approve the change order. Carried unanimously.

This approval authorizes one contractor to pave all of Green Meadow, rather than only the trenching portion for utilities. Costs will be shared appropriately.

E. Utility

- 1) Resolution re: Contribution to WPPI low income pool – Moved by Ald. Gross, seconded by Ald. Cochrane to adopt the resolution. Carried unanimously.

Ald. Gross pointed out that this pool is established by State mandate for the low income community and the City is in a position to be able to contribute to another community who has a more immediate need. The contribution is for \$10,000 and comes out of that pool, not City tax dollars.

- 2) Resolution re: Compliance Maintenance Annual Report – Moved by Ald. Gross, seconded by Ald. Antonneau to adopt the resolution. Carried unanimously.

This is the annual report regarding our Wastewater Treatment Plant which the Department of Natural Resources requires each year to make sure the plant is operating properly and in good repair.

- 3) Resolution re: approval of sanitary sewer system construction for the Silver Lake Utility District No. 1 – Moved by Ald. Gross, seconded by Ald. Cochrane to adopt the resolution. Carried unanimously.

This authorizes construction of the Silver Lake Utility District No. 1 by InfraSource, Inc., for the amount of \$1,263,584.90, the low bid. This has been approved by the Town of Summit.

- 4) Resolution re: approval of construction management engineering services for the Silver Lake Utility District sanitary sewer system - Moved by Ald. Gross, seconded by Ald. Antonneau to adopt the resolution.

Adoption of this resolution authorizes Ruekert & Mielke Engineering to do the engineering for this project for a not-to-exceed cost of \$205,547.00. This has also been approved by the Town of Summit.

Plan Commission recommendations

- A. Ordinance Annexing Oconomowoc Cemetery Association property – Moved by Ald. Gross, seconded by Ald. Cochrane to give the ordinance its first reading. Carried unanimously.

Attorney Chapman explained that when the Thurow property was annexed to the City, the Department of Transportation maintained that this small strip of land in the Cemetery was not in the City; therefore an island had been created. We have therefore asked them to go through the annexation process, although the City has been of the understanding that this was done many years ago. When an island is created, the State will not pay any aid for roads, in this case the Thurow subdivision. This ordinance will correct that.

- B. Consider/act on Conditional Use Permit for Tobins – Moved by Ald. Gross, seconded by Ald. Cochrane to grant the Conditional Use Permit.

Attorney Chapman stated this is a standard conditional use permit regarding a 25,000 s.f. area on the south end of the Prairie Creek Shoppes, with a drive-thru for prescription pick-up which is why a conditional use permit is required. They will lease an area within the building to Pro Health, who will need a Special Use Permit. They have filed all necessary documents, and are required to go to the Architectural Commission and meet all other requirements of the permit.

Motion to grant the Conditional Use Permit to Tobins carried unanimously.

Unfinished Business

- A. Ordinance to Amend the General Ordinances of the City of Oconomowoc – 2nd reading. Moved by Ald. Gross, seconded by Ald. Cochrane that the ordinance be given its second reading by title only. Carried unanimously.

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

New Business

- A. Resolution Renewing Liquor Licenses for 2005-2006 – Moved by Ald. Gross, seconded by Ald. Cochrane to adopt the resolution.

The City Clerk pointed out that this Resolution covers approximately 75% of all liquor/fermented malt licenses. The balance of licenses will be before the Council, by Resolution, at the meeting of June 21st.

Motion to adopt the resolution carried unanimously.

Mayoral appointments to Boards and/or Commissions, with Council confirmation – no appointments

- Staff Reports**
- A. City Administrator – no report
 - B. Other – none

Announcements and Communications – none

Reports and Comments from the Aldermen – Ald. Snyder, who is back on the job after a lengthy leave of absence, thanked former Ald. Foti for stepping in to serve in his absence, and said that it is great to be back.

Ald. Cochrane welcomed Ald. Snyder back and happy that he is feeling better. She, too, thanked Tom Foti for his service in the interim. She reminded everyone of the kick-off to summer taking place with a fun parade, music, food and fun in Oconomowoc this week-end.

Ald. Morgan commented that some other cities have “scavenger days” and wondered if that was something we should do. The Mayor said we will talk about it at a staff meeting.

There being no further business to properly come before this body, a motion to go into closed session, per Wis. Stats. 19.85(1)(e) “Deliberating or negotiating the purchasing of public properties . . . whenever competitive or bargaining reasons require a closed session.” was moved by Ald. Jones, seconded by Ald. Antonneau, and roll call vote carried unanimously.

Motion to adjourn was made by Ald. Gross, seconded by Ald. Jones, and carried. (8:59 p.m.)

