

CITY OF OCONOMOWOC
COMMON COUNCIL MEETING

August 16, 2005

Public Hearing/informational meeting to receive public comment on the proposed sewer service area amendment – Mayor Sullivan declared the public hearing open at approximately 7:30 p.m. and the Clerk confirmed that proper notice had been published.

The Mayor pointed out that this meeting is to receive public comment regarding three areas proposed to be included in our sanitary sewer service area. Mr. Steinbach, Operations Manager of our Wastewater Treatment Plant, pointed out the areas involved. One is in the Village of Lac LaBelle, and is in the Lac LaBelle Sanitary District. The Village came to us in 2002 requesting this area to be included in the district. This inclusion will serve the Union Institute only, and the number of REC's is estimated to be 50 and will come before the Council at the next meeting for approval. The second area is in the area of Reddlein Rd. and Allen Rd. (west and south). They came to the City with a request to be included in the district, also in 2002. The third area was requested in 2004 by Pabst Farms for the reconfiguration of an existing man-made pond in the Environmental Corridor in order to provide greater flexibility for future development. This would not change the acreage of the pond.

Mr. Steinbach then introduced Mr. Tim McCauley from SEWRPC (Southeastern Regional Plan Commission) who explained in great detail the process of expanding the sanitary sewer service area. He stated that the Sanitary Sewer Service Plan for the Oconomowoc area was adopted by SEWRPC in 1979, and revised in 1999. This would be an amendment to that plan. He stated that when an area is defined, it is planned for about 20 years. A property must be within a sanitary sewer service plan in order for sewer to be extended to them, and this is intended to help the City comply with the Clean Water plan. The first area defined is approximately 175 acres; the second area is approximately 445 acres in the Town of Oconomowoc and Town of Summit, and could ultimately accommodate 850 people; the third area is to reshape an area in an environmentally sensitive area on the Pabst Farms, a man-made pond north of the cemetery in the Town of Summit. In total, approximately 620 sq. miles will be added to the Sanitary Sewer Service area plan. Mr. McCauley stated that these changes are consistent with the Water Quality Management plan, although changes may be made depending on the comments that are made this evening. SEWRPC will be considering the plan for adoption on September 14th and a final report will be sent to the City, and to the DNR (Department of Natural Resources) for their approval.

Mayor Sullivan opened the meeting for public comments on this subject.

Mr. Jerry Erdmann, 1101 Christopher Court, stated that he is in favor of this amendment, pointing out that the area of Reddlein Rd. that is in the Town of Summit, is part of the Boundary Agreement the city has with the Town of Summit and that land will become part of the City by December 31, 2009. He further commented that the area around Reddlein Rd. that is in the Town of Oconomowoc will not remain in the Town for a long period of time, so it makes sense to expand the sewer area. This gives the City the ability to extend sewer to that area in the future.

Ms. Lynn Affetto, 1990 N. Hickory Ct., Town of Summit, had concerns about the re-shaping of the pond and asked where the water would come from to fill it. Mr. Dan Warren, Construction Manager for Pabst Farms, responded that this pond was created from sand and gravel by going down below the ground water, and the level of water is determined by the natural ground water.

There being no further input, the public hearing adjourned at 8:00 p.m.

Mayor Sullivan called the regular Common Council meeting to order at approximately 8:00 p.m. and the Clerk confirmed that appropriate notice had been given.

The Mayor led in the **Pledge of Allegiance**.

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

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

Minutes of previous meeting: Regular Common Council meeting of August 2, 2005 – The City Clerk pointed out a correction and read it into the record: Page 3, paragraph E. – Completion contract – The City has available \$435,547.00 of the original contract amount less liquidated damages of \$6,750.00, for a net available to pay the completion contract of \$428,707.00. The difference between \$428,707.00 and the completion contract cost of \$511,316.00 is \$82,609.00, which is the excess completion cost and which will be paid by the surety to the City within 21 days of the execution of the agreement.”

Moved by Ald. Cochrane, seconded by Ald. Jones to approve the minutes of the August 2, 2005 Common Council meeting, as corrected. Voice vote carried with no dissenting votes.

Comments and suggestions from citizens: Mr. Don Niles, 107 Oconomowoc Square, thanked the City for creating the dog exercise park. It is approximately 1 1/3 miles round trip, and he and his aging dog really appreciate the area.

Ms. Kaye Miller, 909 York Imperial Dr., also referred to the dog exercise park and urged the Council to vote to extend the time. She felt the first year has been a success, and people are picking up after their dogs so it has become much cleaner and users are enjoying it.

There was a question from a constituent as to a Transportation Utility. Mayor Sullivan responded that it is not scheduled for consideration tonight, but it will be discussed at the Common Council at future meetings. He continued that there is a report available if he would like to stop by and get one.

Consent Agenda:

- A. Licenses – one additional bartender licenses was read into the record
- B. Treasurer’s Report
- C. Set Trick or Treat hours for Saturday, October 29th, from 6:00 to 8:00 p.m.

Moved by Ald. Hollatz, seconded by Ald. Morgan to approve the Consent Agenda, as presented. Voice vote carried with no dissenting votes.

Committee Reports: The Mayor reported the Public Services Committee and the Protection & Welfare Committee met prior to this Council meeting and reviewed several items and

recommend them to Council and will be acted on this evening. The Finance Committee met and approved the monthly payables.

- A. Finance – no report
- B. Personnel – no report
- C. Protection and Welfare
 - 1) Consider/act on “Charitable Contribution of Building” form for Fire Department training (former Summit School building) - Deputy Fire Chief Leidel stated that this is the procedure that must be followed to accept a building for fire training. Jerry Erdmann and Pat McNamee will convey the building to the City for this purpose. He pointed out that there will be no live fire and no change to the exterior. There will be a wide range of non-toxic theatrical smoke training on the interior. They expect to conduct their training beginning September 1st and end by October 30th.

Moved by Ald. Hollatz, seconded by Ald. Morgan to approve the “Charitable Contribution of Building” form to allow for training for our Fire Department. Carried unanimously.

- D. Public Services
 - 1) Consider/act on dog exercise area extension – Moved by Ald. Larsen, seconded by Ald. Cochrane to extend the dog exercise area for another year. Carried unanimously.
 - 2) Resolution naming Parks of recently dedicated parkland – Moved by Ald. Larsen, seconded by Ald. Cochrane to adopt the Resolution. Carried unanimously.
 - 3) Resolution re: 2006 Street maintenance project – Moved by Ald. Larsen, seconded by Ald. Hollatz to adopt the Resolution. Carried unanimously.
- E. Utility – no report

Plan Commission recommendations

- A. Consider/act on Conditional Use Permit for Bed & Breakfast @ 317 N. Lake Rd. (Alexis Michaels) - This is our standard form for Conditional Use Permits, with appropriate conditions. Ald. Gross stated that there was a public hearing before the Plan Commission and it was unanimously recommended.

Moved by Ald. Gross, seconded by Ald. Cochrane to grant the Conditional Use Permit. Carried unanimously.

- B. Consider/act on Conditional Use Permit for the “Retro” restaurant in the Summit Center Marketplace, 1284 Summit Ave. (Bud Bessler/Oliver Construction) – Again this is our standard form for Conditional Use Permits, with appropriate conditions. Ald. Gross stated that there was a public hearing before the Plan Commission and they recommend approval.

Moved by Ald. Gross, seconded by Ald. Cochrane to grant the Conditional Use Permit. Carried unanimously.

- C. Consider/act on Certified Survey Map (CSM) for Oconomowoc Memorial Hospital – Moved by Ald. Gross, seconded by Ald. Cochrane to approve the Certified Survey Map. Carried unanimously.

Unfinished Business

- A. An Ordinance to Create Ward 21, Aldermanic District #1, and Transferring Oconomowoc Cemetery Association property to Ward 21, Aldermanic District #1 – 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 become law. Roll call vote carried unanimously.

New Business

- A. Resolution Adopting the Oconomowoc Sanitary Sewer Service Area amendment – Moved by Ald. Cochrane, seconded by Ald. Hollatz to adopt the Resolution.

Mr. Steinbach stated that he is comfortable with the plant's capacity, there being approximately 4000 RECS remaining after this amendment. Mr. McCauley stated that SEWRPC staff is satisfied in all respects, including the reshaping of the pond. There should be no decline as a result.

Motion to adopt the resolution carried unanimously.

- B. An Ordinance to Amend §12.03(6)(a) of the Municipal Code of the City of Oconomowoc Relating to the number of Dogs or Cats allowed per family unit – Moved by Ald. Cochrane, seconded by Ald. Antonneau to give the ordinance its first reading.

Attorney Chapman pointed out the number of dogs/cats is addressed in our Zoning Code (Chapter 17) as well, and the number of dogs/cats conflict. The staff is therefore recommending this amendment to be consistent in both areas, a total of 3 dogs or 3 cats, or a combination of 3.

Motion for first reading carried unanimously.

- C. An Ordinance Repealing and Re-Creating §21.125 of the Municipal Code of the City of Oconomowoc Relating to Slow No Wake Speed Limits on Fowler Lake – Ms. Caughran, Director of Parks, Recreation & Forestry, reported that the Fowler Lake Advisory Committee recommend to lower the speed limit north of the slow no wake buoy at the mouth of the river, and west of the slow no wake buoy located about 135' east of the Oakwood Ave. bridge. She has been directed to apply to the DNR for permits to locate slow no wake speed limit buoys at the two locations. Before she can apply to the DNR, the City must adopt this Ordinance. This will have no affect on the waterski show.

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

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

Staff Reports

- A. City Administrator – no report
- B. Other – City Planner will update the Council on the status of the Zoning Ordinance revisions. Ms. Gard, City Administrator, stated that Mr. Severson could not be here this evening, but that he has submitted a draft of the Zoning Ordinance revisions to staff for their review. He has included his memorandums with the Council packets, as well.

Announcements and communications – none

Reports and comments from the Mayor – none

Reports and comments from the Aldermen – Ald. Cochrane thanked First Bank Financial Centre for sponsoring the fireworks, they were the best we have had in years. Also, thanks to the Chamber of Commerce for a great Festival kick-off week-end.

Ald. Antonneau thanked Ms. Caughran for having the Riverside Park area cleaned up, making it a better area for fishing.

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. (8:47 p.m.)

Ardyce Senfleben, City Clerk