

**CITY OF OCONOMOWOC**  
**COMMON COUNCIL MEETING**

August 2, 2005

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

Public Safety Director, Hugh Martin, led in the **Pledge of Allegiance**.

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

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

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

**Comments and suggestions from citizens** – none

**Consent agenda:**

- A. Licenses – The Clerk read several additional licenses for consideration. Moved by Ald. Hollatz, seconded by Ald. Antonneau to approve the Consent agenda, including the additional licenses. Voice vote carried with no dissenting votes.

The Mayor reported that there has been a Finance/Utility Committee meeting prior to this meeting where our audit firm went over the 2004 audit, reflecting excellent staff and Council management. The Public Services Committee met and recommended several items, which will be considered on this agenda. The Protection and Welfare Committee met and discussed adopting an ordinance regulating the number of dogs/cats per residence. This will come before the Council at the next meeting. He also pointed out that an item has been added to the agenda, 10. F., regarding a completion agreement with Rawson for the Saratoga pump station.

**Committee Reports**

- A. Finance – no report
- B. Personnel – no report
- C. Protection & Welfare – no report
- D. Public Services
  - 1) Consider/act on sidewalk infill program – Secretary Larsen reported that the committee recommended that we not move forward with the sidewalk infill program. No action was taken.
  - 2) Resolution re: Purchase of 2006 Dump Truck w/plow – Moved by Ald. Larsen, seconded by Ald. Snyder to adopt the resolution. Carried unanimously.

Adoption of this resolution authorizes the purchase of a 2006 Sterling L7500 cab and chassis for \$54,485; and a Crysteel dump body, Monroe front plow and wing plow for \$40,130, or a total of \$94,615, coming in under budget.

- 3) Consider/act on change order for 2004 Street project (Dodge Const.) – Moved by Ald. Larsen, seconded by Ald. Cochrane to approve the Change Order for the 2004 Street project for the amount of \$19,580.63. Carried unanimously.

E. Utility

- 1) Resolution re: Concrete Coatings Project – Moved by Ald. Gross, seconded by Ald. Cochrane to adopt the resolution. Carried unanimously.

Adoption of this resolution authorizes Spectrum Contracting Corp to proceed with the work on our Wastewater Treatment Plant, for \$114,975.00.

- 2) Resolution re: Purchase of Bucket Truck – Moved by Ald. Gross, seconded by Ald. Antonneau to adopt the Resolution. Carried unanimously.

Adoption of this resolution authorizes the purchase of a Versa-Lift SST-40EIH aerial unit with a Knapheide 6108D54J utility body and Ford F-550 chassis from Utility Sales and Service, for \$89,291.00.

**Plan Commission recommendations – none**

**Unfinished Business**

- A. An Ordinance to Amend the Boundaries of the MR-6 Mixed Residential District as shown on the District Map, City of Oconomowoc, Wisconsin (Maureen Stapleton/Silver Lake Street property) – 2<sup>nd</sup> 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. Resolution Disallowing Claim (Clement Hahn) – Attorney Chapman reported that upon investigation by our insurance carrier, they find no negligence on the part of the City therefore recommend that it be denied.

Moved by Ald. Gross, seconded by Ald. Cochrane to adopt the Resolution. Carried unanimously.

- B. Consider/act on Development Agreement for Arrowood Subdivision-Phase I – Attorney Chapman stated this is the typical form of development agreement and this is for the first phase only. When subsequent Phases are presented, they will have a separate development agreement. He referred to an agreement the developer and the developer of Hickorywood Farms have entered into. It is a Recapture Agreement to extend the existing municipal water system to serve both areas. This Recapture Agreement and the Development Agreement shall control the construction of the municipal improvements and the City's ability to levy special assessments against benefited properties to reimburse the developers for the cost of the improvements. All other provisions must be met, including all fees being paid and acceptance by the

City. At this point sidewalk is proposed only on one side of the Parkway, as it is not known what may develop there.

Moved by Ald. Gross, seconded by Ald. Cochrane to approve the Development Agreement for Arrowood Subdivison, Phase I. Carried unanimously.

Mayor Sullivan pointed out that this plat was submitted prior to the adoption of the moratorium.

- C. Ordinance to Create Ward 21, Aldermanic District #1, and Transferring Oconomowoc Cemetery Association property to Ward 21, Aldermanic District #1 (Thurrow & Cemetery Association) – Moved by Ald. Gross, seconded by Ald. Cochrane to give the ordinance its first reading.

The Clerk explained this is for voting purposes only. When the annexation ordinances were adopted for Thurrow and the Oconomowoc Cemetery Association, respectively, they were made part of Ward 3, Aldermanic District #1. When filed with the County, it was pointed out that these two properties are in Supervisory District #2, and the balance of Ward 3 is in Supervisory District #1. In certain Spring Elections when there are County Supervisors on the ballot they would be voting for a different supervisor, therefore, they must be made a separate ward. Rather than being part of Ward #3, this ordinance will correct that error, and make them Ward 21 allowing them to vote for the correct supervisor.

Motion carried unanimously.

- D. Consider/act on Amendment to Community Development Authority (CDA) By-laws & Rules of Procedure – Mr. Duffy, Director of Economic Development, explained that approximately 4 months ago an Ordinance was adopted regarding appointments to the CDA making the appointment terms consistent, except that it did not address the Chairman. This amendment will make everything consistent, and extend the Chairman's current term to June 1, 2006.

Moved by Ald. Jones, seconded by Ald. Cochrane to approve the Amendment to the CDA By-laws & Rules of Procedure. Carried unanimously.

- E. Consider/act on Tender Agreement for Saratoga Parkway, with bonding company (Saratoga lift station project) – Attorney Chapman explained the reason for this agreement. The work was originally to be done by Advance Mechanical, however, there have been some financial issues and their bonding company has taken over the project. This agreement will assign the completion of the project to Rawson Contracting. Rawson will furnish its performance and payment bond surety. The sum of \$511,316.00 is the completion contract cost. 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 \$84,609.00, 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.

Motion was made by Ald. Jones, seconded by Ald. Cochrane to approve the Tender Agreement for Saratoga Parkway lift station project, with the bonding company. Carried unanimously.

- F. Consider/act on Completion Agreement with Rawson for Saratoga pump station – Attorney Chapman stated that he just received this agreement, and distributed copies to the aldermen. He stated that the Attorney for the bonding company approves of this contract. Attorney Chapman further said that nothing would move forward until we are in receipt of the surety bond and insurance, but that time is of the essence in this matter.

Motion was made by Ald. Jones, seconded by Ald. Cochrane to approve the Completion Agreement with Rawson for the Saratoga pump station. Carried unanimously.

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

**Staff Reports**

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

**Announcements and Communications** – Mayor Sullivan read a Proclamation, proclaiming September 28<sup>th</sup> through October 2<sup>nd</sup> “Clown Days in Oconomowoc”.

**Reports and Comments from the Aldermen** – Ald. Antonneau referred to a person who came to Oconomowoc to shop and have lunch and when returning to her car, after 2 ½ hours, found that she had a parking ticket. He felt we should probably look into the 2 hour limit, as we do not want to penalize people who come here to shop. The Mayor responded that this will be looked into by the Administrator and Police Department.

Ald. Morgan said it has been brought to his attention that there are no lines designating parallel parking spaces on Wisconsin Ave., and questioned whether there should be. Mr. Langohr, Director of Public Works, responded that by not marking the stalls, it allows for more cars to park, i.e. the space it takes for a large vehicle vs. a Volkswagen, for example. That is the main reason.

**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. Jones, seconded by Ald. Cochrane, and carried. (8:28 P.M.)

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Ardyce Senfleben, City Clerk