

**CITY OF OCONOMOWOC
COMMON COUNCIL MEETING**

January 21, 2003

Mayor Kohlenberg called the regular Common Council meeting to order at approximately 7:48 p.m. and the Clerk confirmed that appropriate meeting notice had been given.

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

Staff in Attendance: Sugden, Tonn, Langohr, Lamp, Kitsembel, Duffy, Buerger, Frye, Steinbach, Leidel, LaVenture, Burditt and several ambulance crew members, Senfleben, Gard and Attorney Chapman

The Pledge of allegiance was recited

Minutes of previous meeting - regular Common Council meeting of January 7, 2003. Moved by Ald. Jones, seconded by Ald. Cochrane to approve the minutes of the January 7, 2003 Minutes, as written. Carried unanimously.

Comments and suggestions from citizens

A. Update on status of Inter-municipal Court by Judge Stern - Judge Stern distributed figures showing the Court's business for year 2001-2002, reflecting the percentage of monies the Court returned to the various municipalities. He stated that the year 2002 was an outstanding year, volume wise. The Court is running very well and have two new members to the inter-municipal Court, the Town of Lisbon and the Town of Delafield. He reported that the Court has updated their computer ability in order to produce more specialized reports which will be helpful to the participating communities. He expressed his appreciation to the City for use of this facility in which to hold Court.

Consent Agenda: A. Licenses (no licenses) B. Treasurer's Report - Moved by Ald. Hollatz, seconded by Ald. Cochrane to approve the consent agenda. Carried unanimously.

Committee Reports

- A. Finance - no report
- B. Personnel - no report
- C. Protection & Welfare

1) Ordinance Increasing 2003 Ambulance rates - Moved by Ald. Hollatz, seconded by Ald. Nold to give the ordinance its first reading.

Deputy Fire Chief Leidel responded to questions of the aldermen, particularly regarding the medicare runs and bad debt write-off. He explained that his office aggressively pursues collection of all accounts, but some are turned over to collection agencies.

Motion on the first reading carried unanimously.

2) Resolution re: Purchase of 2003 Ambulance - Moved by Ald. Hollatz, seconded by Ald. Nold to adopt the resolution.

Mayor Kohlenberg stepped down and President Nold took the Chair. The Mayor stated that he made the same comments at the Committee meeting, just preceding this meeting. He pointed out that he is not opposed to purchasing an ambulance, but maintained that the City got just 1 valid quote, and that it would be fiscally irresponsible to expend \$150,000 with just 1 quote. Further, a delay of 30 to 60 days should not make any difference. He recommended going through the process of re-quoting again in order to get better participation and a better price.

Deputy Fire Chief Leidel, however, pointed out that 8 requests for proposals were sent out to a 5 state area. 4 did not respond at all; 2 responded that they would not be quoting as they could not meet the specs; and 2 valid quotes were received. There is a limited number of vendors for this specialized equipment. There were several items in the quote from Wheeled Coach that didn't provide all the information asked for, nor did they send pictures of the vehicle. Some of their paperwork was illegible. Deputy Fire Chief Leidel went on to say that his Committee has worked 6 to 8 months on this purchase, the money is budgeted and he stands by the Committee's recommendation. They have checked out each and every line item and are comfortable with the bid of 5-Alarm Fire and Safety Equipment.

There was considerable discussion, and Mayor Kohlenberg stated that even if this passes tonight, he will request additional quotes himself. Ald. Hollatz commented that if this quote is accepted, obviously any subsequent quote will come in for less. Ald. Gross directed this comment to the Mayor, that "delaying this decision is being irresponsible and is absolutely a shameful display of leadership.", to which the Mayor responded "We'll see when we get the bids back." Ald. Gross stated "That's invalid and useless. It's just a point to make to try to embarrass us and I think it's a useless waste of time." Ald. Snyder stated he is satisfied that the process has been done thoroughly, and to re-quote this item would send a bad message to vendors who would eventually not quote on City projects. Committee member Parnell Burditt stated that the committee is made up of volunteers who are not paid for the time they have invested for the last 6 or 8 months, and he felt they have done what they needed to do. Deputy Fire Chief Leidel again stated "I stand by the recommendation of the Committee." President Nold called for the vote.

Motion to adopt the resolution carried, with Ald. Larsen voting "no".

Adoption of this resolution authorizes the purchase of an ambulance from 5-Alarm Fire & Safety Equipment, for a total cost of \$150,994, which includes a \$2,500 discount for a \$100,000 prepayment. Deputy Fire Chief Leidel reported that the present 1987 ambulance will go to the state auction for the maximum return.

Mayor Kohlenberg returned to the Chair.

D. Public Services - no report

E. Utility - no report

Plan Commission recommendations

A. Consider/act on Conditional Use Permit for Fencing Studio @ 20 S. Main St. (Richard Struk) - Ald. Gross pointed out that #4 in the Findings should read that Hours of Operation will be 8:00 a.m. to 10:00 p.m. daily, and the Plan Commission recommends approval.

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

B. Ordinance to zone properties at 3850, 3854, 3902, 3910, 3916, 3922 & 3930 N. Summit Ave. SC Suburban Commercial District, with conditions. Attorney Chapman stated that he is not comfortable with having a first reading on the zoning this evening, since the property is still in the Town of Summit. The 7 property owners have come to an agreement with the developers, but do not want to be attached unless they will be selling. The developers have agreed to enter into a Developer's Agreement, with the Planner's recommendations and concerns of the property owners, and a Declaration of Restrictions with limitations as to use. He suggested the following procedure for the next Council meeting: 1) Discussion of the Zoning Ordinance, and plan 2) 2nd reading of the attachment Ordinance 3) 1st reading of the Zoning Ordinance. Hopefully we will receive the approval Resolution from the Town of Summit as to attachment by February 18th, when we will have the second reading of the Zoning Ordinance.

Ald. Gross stated that there were residents at the Plan Commission who circulated a letter saying that they were in agreement with the developers. Ald. Snyder stated that he and Ald. Jones attended a meeting that the developers had with the neighbors explaining their proposed plan and they felt the developers did a good job in responding to neighbors' concerns. Ald. Larsen asked if we could hear about their proposal. Mr. Jerry Erdmann and Mr. Pat McNamee stepped forward and displayed some elevations of the buildings and mixed uses that are proposed. Ald. Larsen stated he is concerned about the look of this project, being the gateway to the City. The developers stated that they, too, are concerned that the appearance of the entire project be held to high standards. It will be called "Summit Center Market Place", with a bank and office space in the building next to Dr. Marsh's eye clinic, retail and a sit-down restaurant. The buildings will be stone and brick exterior. There will be no additional cuts on Hwy. 67, the frontage road will remain. Considerable landscaping is proposed with built up berms on top of which trees will be planted for screening from residential properties. Mr. Erdmann thanked the Council for their time and they look forward to working with the City's timing.

No action was taken on this item.

Unfinished Business

A. Resolution re: Purchase of video equipment (through PEG grant) - There was discussion as to the need for the proposed equipment. Ald. Larsen questioned if one updated camera and/or sound equipment would be adequate. Ald. Nold mentioned that the School

District is starting to broadcast, perhaps we should check to see what they have for equipment. Ald. Snyder questioned how many bids we received for the proposed equipment, to which Ms. Gard, City Administrator, stated that there was only one, from Advanced Communication. She thought that Mr. Don Murray, Maintenance Supervisor, contacted four people. Ald. Antonneau recalled that Mr. Dittmann (Advanced) advised that a good stationary camera would cost between \$500 and \$600. He suggested that two could be purchased, within our \$2,000 appropriation, and aim one at the Council and one at the audience/podium. He felt when you get into more sophisticated equipment, there is more chance for costly maintenance, and operator. Ald. Gross agreed that people would like a better quality video, however, he felt one camera mounted above the door, pointing at the Council and an upgraded sound system would accomplish this. He didn't feel it was necessary to "zoom and pan". Ald. Larsen suggested that we ask Mr. Dittmann for one more alternative as to the cost of one or two cameras.

There was no action on this item.

New Business

A. Resolution re: Emergency dewatering/repair of floor drain in Wastewater Treatment Plant - Moved by Ald. Nold, seconded by Ald. Cochrane to adopt the resolution. Mr. Tom Steinbach, Wastewater Treatment Plant Operations Manager, explained that because of deterioration and corroding of drainpipes under the solids handling building, groundwater and sand are entering the drain system. In addition, the groundwater is undermining the floor of the solids building, threatening the integrity of the building. This has been determined to be an emergency situation, as the public health or welfare of the City is endangered. Mr. Steinbach requested two quotes, and only one was received, from T.V. John and Son in the sum of \$19,750. The City has worked with this concern in the past and they are a reliable contractor and the quote is reasonable, therefore staff recommends accepting it. Mr. Steinbach pointed out that appropriate permits must first be obtained from the Department of Natural Resources (DNR), which he felt could be received within 2 weeks.

Motion to adopt the resolution carried unanimously.

Staff Reports

A. Administrator - no report

B. Other - Mr. Bob Duffy, Director of Economic Development, announced that the developers of Pabst Farm have made their display (from Home Improvement Show) available for view in the lobby of the Olympia Resort.

Mr. Stan Sugden, City Engineer, updated the Council regarding the additional lights at the Worthington Street crossing. In June last year the Mayor asked that options be checked into making that pedestrian crossing more safe. In contacting the Department of Transportation (DOT), they are in agreement with our suggestion of installing an additional set of yellow flashing lights on the tall poles on either side of the street. The lights would be attached more at an eye level for motorists. He stated that he has been working with Mr. Frye, Oconomowoc Utilities, who estimates the labor cost to be \$1,258 for installation. Mr. Frye stated that he

would take this to the Utility Committee for consideration of donating that work. If approved by them, work could be completed by the end of March. Mr. Sugden suggested that we have a couple of signs posted prior to the pedestrian crossing, cautioning motorists.

Announcements and Communications - none

Reports and Comments from the Mayor - none

Reports and Comments from the Aldermen - Ald. Jones asked if any thought had been given to moving the City signs on Hwy. 67 south further out where the City limits now are, to which Mr. Jim Lamp, Engineering, responded that the Department of Transportation is reviewing the permit now and it should be done in the Spring, in connection with the Pabst development.

Ald. Snyder congratulated Mr. Tonn on the article in the Wisconsin Chapter American Planning Association (WAPA) profiling him in his field. It was a great article. Ald. Snyder also thanked the Ambulance Committee for their time and effort in coming up with their recommendation. He felt they did a very thorough job. He also thanked Judge Stern for the update, and commented that he sat in on Court one Friday morning and it was very interesting. Judge Stern does a fine job.

Ald. Gross thanked the Department of Public Works and the Police Department for the addition of a stop sign on Lincoln St. He feels this will slow traffic down considerably. He suggested that the Police park their "Smart Trailer" in that area at some point, as well.

Ald. Nold asked if the regularly scheduled Common Council meeting of April 15th could be changed, as it falls in the middle of Spring break and he, for one, will be gone and it's a meeting he would like to be at.

There being no further business to properly come before this body, a motion to adjourn was made by Ald. Nold, seconded by Ald. Cochrane, and carried. (9:14 p.m.)

Ardyce Senfleben, City Clerk