

**CITY OF OCONOMOWOC
COMMON COUNCIL MEETING**

February 5, 2002

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

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

Staff in Attendance: Sugden, Tonn, Langohr, Lamp, Endl, Kitsemel, Duffy, Martin, Frye,
Jarocki, Steinbach, Senfleben, Gard and Attorney Chapman

Minutes of previous meeting: Regular Common Council meeting of January 15, 2002 - Moved by Ald. Cochrane, seconded by Ald. Jones to approve the minutes of the Common Council meeting of January 15, 2002, as written. Carried unanimously.

Comments from the audience: none

Committee Reports:

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

1) Licenses (including "Class B" Liquor license to Boro Buzdum for Shakers Pub & Grill, presently Karetaker) - Moved by Ald. Erdmann, seconded by Ald. Hollatz to grant the licenses. Carried unanimously. It was pointed out that this is a regular "Class B" license, not a Reserve "Class B" license, as it was an existing liquor licensed establishment.

- D. Public Services - no report
- E. Utility

1) Resolution re: Engineering for Well 6 Treatment - Moved by Ald. Cochrane, seconded by Ald. Gross to adopt the resolution.

Mr. Mark Frye, Utilities, explained in the past we have budgeted \$4,500 for cleaning of the well (in 1996 and 1999), however we have experienced some problems and recommend a mass cleaning as it appears the two previous cleanings were inadequate. The cost of engineering is \$5,980, to be done by Ruekert & Mielke Engineers. The cost for the actual work is estimated to be approximately \$20,000, and that will come to Council at a later date.

Motion to adopt the resolution carried unanimously.

2) Resolution re: Purchase of Hydraulic Impact Hammer - Moved by Ald. Cochrane, seconded by Ald. Gross to adopt the resolution. Motion carried, with Ald. Larsen voting against it.

The purchase price is \$14,723.00 from the low bidder, L. F. George. Mr. Frye explained this piece of equipment will attach to our John Deere backhoe.

3) Resolution re: Sanitary Sewer repairs for West Second St. - Moved by Ald. Cochrane, seconded by Ald. Larsen to adopt the resolution.

Mr. Tom Steinbach, Wastewater Treatment Operations Manager, explained that they have discovered severe manhole and sewer degradation as a result of the discharge from the Vollrath company. He stated there is a history of violations there resulting in fines. These repairs must be done now and will cost \$12,000, all of which will be borne by the Vollrath company.

Motion to adopt the resolution carried unanimously.

Unfinished Business

A. Annual review of Conditional Use Permit for Quonset Hut on E. Wisconsin Ave. - Mr. Tonn, City Planner, gave an update regarding this property, which was granted a Conditional Use Permit in 1998, to conclude in 2005, with an annual review. He has inspected the property and finds no problem. In checking with other departments, they too have not had any problems with it. Ald. Snyder stated he felt the gentleman had done an outstanding job of upgrading the property, and should not be forced to raze it at the end of the Permit period.

Moved by Ald. Nold, seconded by Ald. Jones that we need not review the Quonset hut property until 2005.

Ald. Larsen felt it needed to have a review annually.

Motion carried with Ald. Larsen voting "nay".

B. An Ordinance to amend §9.161.01 to §9.990.01 Titled Offenses Against State Laws subject to forfeiture to provide for a forfeiture for violating §943.34, Receiving Stolen Property; §943.37, Alteration of property Identification Marks; §943.46, Theft of Cable Television Service - 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.

C. An Ordinance Creating Chapter 19 of the Municipal Code of the City of Oconomowoc, which is the Construction site Erosion Control and Stormwater Management Ordinance of the City of Oconomowoc, Waukesha County, Wisconsin - 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.

Attorney Chapman reminded the Council that this is being done by way of codification.

Plan Commission recommendations - none

New Business

A. Resolution re: Set fee for Land Development Erosion Control Permit application - Moved by Ald. Gross, seconded by Ald. Cochrane to adopt the resolution. Carried unanimously.

Announcements and Communications - none

Staff Reports

A. Administrator - no report

B. Other - Mr. Sugden, City Engineer, reported that the three letters that were distributed to the aldermen regarding the sidewalk in-fill program will be going out. This represents an informal notice to property owners of work that is to take place in years 2003, 2004 and 2005. Mr. Lamp is the designated person to respond to any questions that come in, so refer any questions you might get to him.

Mr. Mark Frye, reported that all of our traffic lights will be replaced with LED lights, a more energy efficient light. This is being done through WPPI for a cost of \$31,300, and will be paid for through the Public Benefits Fund, hence no tax dollars need be expended on this project.

The City Clerk reported that post cards will be sent out this week advising all registered voters in the City what district they are in, and where their polling place is. This is all as a result of the re-districting. Hopefully, this will reduce confusion at the polls.

Reports and Comments from the Mayor - none

Reports and Comments from the Aldermen - Ald. Snyder questioned whether a reporter shouldn't be present, particularly from our official newspaper. Mayor Foti stated that it is not required, but they are usually in attendance. Ald. Nold commented on the number of vehicles on the used car lot on E. Wisconsin Ave., he thought there were a lot more than the maximum that were authorized in the Conditional Use Permit. Mr. Tonn checked on that a couple of weeks ago, and they were okay. Ald. Larsen stated he had noticed that several times, that there were too many vehicles, and Attorney Chapman stated he counted 34 cars recently. Attorney Chapman stated that we could terminate his Conditional Use Permit if he violates the conditions. Mayor asked Mr. Tonn to go over there and take pictures, and counts. Attorney Chapman recommended that he and Mr. Tonn have a conference, in his office, with the owner of the used car lot. Ald. Nold also brought up the traffic signals at E. Wisconsin Ave. and Walnut St. The way the lights are set up, it causes tremendous traffic back-up, and hoped that could be changed. Mr. Langohr stated he will look into, although he has not had any complaints about it. Ald. Jones asked if we have heard anything regarding the noise problem in the area of Armour Rd., as a result of hiring an expert. Mr. Tonn reported that we have just received a report back and the noise is coming from roof-top units at Fibersin. Giles Engineering is asking us to get permission from Fibersin to go up on their roof to take measurements. Attorney Chapman

suggested that Mr. Tonn get together with Mr. Don Weimer, of Oconomowoc Lake, and work it out. Mayor Foti also suggested that Mr. Tonn contact Mrs. Hern so she is aware that we are working on this.

There being no further business to properly come before this body, a motion to go into closed session, per Wis. Stats. 19.85(1)(g) "Conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is involved. (Aurora law suit) and per 19.85(1)(e) "Deliberating or negotiating . . . or conducting other specified public business, whenever competitive or bargaining reasons require a closed session." (City/WEPCO Service Agreement), was made by Ald. Cochrane, seconded by Ald. Jones, and roll call vote carried unanimously.

Motion to adjourn was made by Ald. Jones, seconded by Ald. Snyder, and carried. (8:13 p.m.)

Ardyce Senfleben, City Clerk