

**CITY OF OCONOMOWOC
COMMON COUNCIL MEETING**

December 17, 2002

Public Hearing re: Revised public facility needs assessment relating to the water facilities impact fee and an Ordinance amending §27.09(2) of the Municipal Code relating to the water facilities impact fee - **Mayor Kohlenberg** declared the public hearing open at approximately 7:30 p.m.

Ms. Kitsembel, Finance Director, stated that this ordinance would amend an ordinance adopted in 1995 to recover costs for Well #6 and #7 from future users. The current ordinance expires at the end of 2002. Our Engineering firm has reviewed the costs and recommend extending this fee through 2010, unless all costs are recovered prior to that. The fee for 2003 is \$485.00, and will increase incrementally annually until totally paid. Ms. Kitsembel pointed out that if there is increased development, it could be paid off earlier than 2010.

There being no public input, the hearing adjourned at 7:33 p.m.

Public Hearing re: Repealing Ch. 26 Titled Signs and Outdoor Advertising, Subchapter 17-8 Titled Signage Regulations and §17.907 of the Municipal Code, all relating to Signs, signage Regulations and Sign Permitting and to Re-Create subchapter 17-8 Relating to Signage Regulations.

This hearing was scheduled for 7:35 p.m., however, has been re-scheduled to January 21, 2003.

Mayor Kohlenberg called the regular Common Council meeting to order at approximately 7:35 p.m. and the Clerk confirmed that appropriate meeting notice had been given.

The **Pledge of Allegiance** was recited

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

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

Minutes of previous meeting: Regular Common Council meeting of December 3, 2002 - Moved by Ald. Cochrane, seconded by Ald. Jones to approve the minutes of the December 3, 2002 Common Council meeting, as written. Carried unanimously.

Comments and suggestions from citizens - none

Consent agenda:

- A. 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 and Welfare - no report
- D. Public Services - no report
- E. Utility - no report

Plan Commission recommendations

A. Consider/act on rezoning the Oconomowoc Memorial Hospital properties at 791, 849 and 869 E. Summit Ave., from SO Suburban Office district to IP Institutional and Public District - Moved by Ald. Gross, seconded by Ald. Cochrane to give the ordinance its first reading. Carried unanimously.

B. Consider/act on Conditional Use Permit for Delores Zahn to convert a nonconforming boarding house at 325-329 Silver Lake Street into a two-flat dwelling. The property is zoned SR-4 Suburban Residential district - Moved by Ald. Gross, seconded by Ald. Cochrane to grant the Conditional Use Permit to Delores Zahn for a two-flat dwelling.

Attorney Chapman gave some background on this matter, pointing out that the Conditional Use Permit provides that the existing building be razed by December 31, 2002, and that a new two family building may be built on that property to be more in keeping with the character of the neighborhood. A demolition contractor has been contacted and Mr. Langohr, our Director of Public Works, has arranged for an inspection. There is considerable asbestos which must be removed, therefore the December 31st date will probably not work. He suggested that the deadline for razing the building be extended to January 15, 2003 to allow time for inspection, removal of asbestos and demolition. The contractor is to have the building razed within 3 days after all asbestos has been removed. The remark has been made that it took two months to get this building down, to which the Mayor stated that it has actually taken twenty years. He pointed out that he has been the driving force in getting this to happen, having started it his second day in office. He has not problem with delaying it for two weeks in light of the discovery of the asbestos.

Moved by Ald. Cochrane, seconded by Ald. Hollatz to amend the deadline of December 31st to January 15, for razing of the building. Carried unanimously.

Mayor Kohlenberg pointed out that the present building will be razed independent of this conditional use permit. He stated that he is concerned about the neighborhood and by changing the use to a two-family residential dwelling the Plan Commission, Architectural Commission and Common Council will have more input into the plans that are submitted.

Attorney Chapman pointed out that the owners of that property have complied with whatever was asked of them in regard to this property. It is only in the last four years that the property has been neglected by

the owner. Ald. Antonneau stated that he felt a two-family makes good sense and it will be a real plus for Silver Lake St.

Vote on main motion, as amended, carried unanimously.

Unfinished Business

A. An Ordinance to Amend §18.03(5)(a)2.d and §18.03(5A)(e) of the Municipal Code Relating to Platting and Subdivisions, particularly the Parkland Fee in Lieu of Dedication and the Parkland Improvement Fee - 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.

B. An Ordinance to Amend Section 13.63(3)(a) of the Municipal Code of the City of Oconomowoc Relating to Sewer availability Charges - 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.

C. An Ordinance to Amend §27.09(4)(b) of the Municipal Code of the City of Oconomowoc Relating to the Impact Fee for the North Water Tower - 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.

D. An Ordinance to Amend §27.09(3)(b) of the Municipal Code of the City of Oconomowoc Relating to the North Interceptor Impact Fee - 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.

E. An Ordinance to Amend §13.65(2) of the Municipal Code of the City of Oconomowoc Relating to Penalties for Violating the Sewer Use Ordinance - 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

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vote carried unanimously.

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

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

New Business

A. An Ordinance to Amend §27.09(2)(b) of the Municipal Code of the City of Oconomowoc Relating to the Water Facilities Impact Fee, per public hearing - Moved by Ald. Nold, seconded by Ald. Antonneau that the ordinance be given its first reading. Carried unanimously.

B. Consider/act on Stormwater Agreement - Lakeridge I and II/Condominium Development, Inc. (Greg James) - Moved by Ald. Gross, seconded by Ald. Antonneau to approve the agreement. Attorney Chapman explained that this regards the maintenance of the stormwater facility on a percentage basis to each, and an easement to the City to maintain it, if the owners don't. The owners involved have already agreed to this, and signed it. Attorney Chapman recommends approval.

Motion carried unanimously.

Staff reports A. Administrator - Ms. Gard wished everyone a Happy Holiday Season, and stated she thanked staff for their hard work throughout the year.

B. Other - Ms. Kitsemel, Finance Director, reported that due to our experience during the past year, our Workman's Compensation premiums are reduced by approximately \$45,000 for 2003. This is largely due to the efforts of Mr. Steinbach, our safety director, and other department heads and staff.

Attorney Chapman stated that a check in the amount of \$30,000 plus, has been received from the Vollrath Company. This is payment in full for their share of damage to our sewer.

Announcements and Communications - none

Reports and Comments from the Mayor - none

Reports and Comments from the Aldermen - Ald. Snyder stated he has received calls from residents on Lincoln Ct. regarding the gate to the school property. He was of the understanding that it would be open every evening, but it is open all the time. He asked staff to check with the School District on this. Ald. Snyder further commented on the proposed sign ordinance. He stated that in viewing photos of before & after the present sign ordinance, only two of those businesses still exist.

He felt we have to take a good look at the proposed

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ordinance. Regarding the Workman's Compensation modification, he felt that was great news and quite an accomplishment. Mr. Steinbach, and the entire City is doing a good job. Happy Holidays.

Ald. Hollatz echoed holiday greetings, as did others.

Ald. Antonneau stated he has gotten several calls and letters regarding the proposed sign ordinance. Businesses are looking at the additional cost, some indicating they may have to close their doors. He felt we must move carefully on this issue.

There being no further business to properly come before this body, Ald. Snyder moved, Ald. Cochrane seconded to go into closed session, per Wis. Stats. 19.85(1)(c) "Considering . . . compensation or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility." (2003 salaries) and

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 or is likely to become involved." (Aurora law suit)

and

per Wis. Stats. 19.85(1)(3) "Deliberating or negotiating the purchasing of public properties . . . whenever competitive or bargaining reasons require a closed session."

Roll call vote carried unanimously.

The closed session commenced at approximately 8:22 p.m. and concluded at 10:30 p.m., at which time the Council re-convened in open session, as follows:

1. Consider/act on Resolution re: 2003 Salaries - Moved by Ald. Antonneau, seconded by ald. Jones to adopt the resolution. Carried unanimously.

Motion to adjourn was made by Ald. Snyder, seconded by Ald. Jones, and carried.
(10:35 p.m.)

Ardyce Senfleben, City Clerk