

CITY OF OCONOMOWOC
COMMON COUNCIL MEETING

February 21, 2006

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

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

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

Staff in attendance: Lamp, Sugden, Langohr, Wohlfeil, Buss, Maurer, Kitsembel, Duffy, Martin, Leidel, Frye, Bednarski, Senfleben, Gard and Attorney Chapman

Minutes of previous meeting: Common Council meeting of February 7, 2006 – Moved by Ald. Cochrane, seconded by Ald. Jones to approve the minutes of the February 7, 2006 Common Council meeting, as written. Voice vote carried with no dissenting votes.

Comments and suggestions from citizens: Mrs. Dolores Johnson, 507 E. Grove St., presented a petition with signatures of homeowners on Grove St. and Grove Lane asking the City to enforce the zoning code as to single family residential for the property at 515 E. Grove St., where there are two families living. She felt that by not addressing this situation, it makes a mockery of City laws. She asked for a written response within 7 to 10 days.

Consent Agenda: A. Licenses (the Clerk read two additional bartender's licenses into the record), B. Treasurer's Report and C. Resolution amending Resolution 05-R1790 designating wards.

Motion was made by Ald. Hollatz, seconded by Ald. Antonneau to approve the Consent Agenda. Voice vote carried with no dissenting votes.

Committee Reports:

- A. Finance – no report
- B. Personnel – no report
- C. Protection and Welfare – no report
- D. Public Services
 - 1) Resolution re: Purchase of a new Patrol (plow) Truck – Moved by Ald. Larsen, seconded by Ald. Hollatz to adopt the Resolution. Carried unanimously.

Adoption of this resolution authorizes the purchase of the truck chassis from Badger Truck Center for \$55,094, and the dump box, plow and sander from Caspers Truck Equipment for \$33,138., for a total amount of \$88,232.

- 2) Consider/act on Change Order #2 for 2005 Street Project – Moved by Ald. Larsen, seconded by Ald. Hollatz to approve Change Order #2, for the amount of \$11,452.06. Motion carried with Ald. Snyder abstaining.

Mayor Sullivan pointed out that the two previous items had been considered and recommended by the Public Services Committee earlier this evening.

Plan Commission recommendations

- A. Consider/act on Conditional Use Permit to operate an "Event By Design tent" at Olympia Resort and Conference Center, 1350 Royale Mile Rd. – Moved by Ald. Gross, seconded by Ald. Cochrane to grant the conditional Use Permit.

Ald. Gross reported that there had been a public hearing before the Plan Commission on February 8th, and they have received Architectural Commission approval for the proposed design tent. Attorney Chapman pointed out that this is an 8,000 s.f. tent and a 2,000 s.f. patio. Included in this permit is permission for them to build a 9,000 s.f. addition to the tent for their food service to house coolers, and an outdoor roasting pit, which plans will have to be approved by the Plan Commission. No public hearing will be required for that addition. Our Building Inspection department will review the tent upon completion to make sure it has been installed according to the manufacturer's specifications to withstand winds up to 75 mph. He pointed out that the dotted line around the tent is the patio area which will be attractively fenced off and will be part of the licensed premises, as required by the Department of Revenue. No alcoholic beverages will be allowed outside of the fenced area, and there will be signs posted to that effect. Landscaping will be submitted and reviewed by staff and the Plan Commission, and all impact fees must be paid. This permit shall expire 180 days from May 12, 2006, but the tent may be reinstalled in the spring of 2007 and may remain for an additional 180 days, commencing May 1, 2007. Operation of "Olympia Gardens" for 2007 shall be subject to amended conditions, as established by the Plan Commission, if necessary. Sewer and water facilities will not be run to the facility, but they must put in the electric utilities, and all conditions of the Permit must be complied with.

There was a brief discussion, and the question of noise was brought up. There is nothing in the Permit as to a noise factor of music being played to any certain hour. At this point it didn't seem necessary to address that, but this Permit can be amended if that becomes a problem.

Motion to grant the Conditional Use Permit carried unanimously.

- B. Consider/act on Precise Implementation Plan for the Planned Development known as "Verpera at Porticello" (Krill, Icon Development) – Ald. Gross reported that the Plan Commission voted unanimously to approve the Precise Implementation Plan. Attorney Chapman pointed out that because there is a restaurant, a Conditional Use Permit will be required. This is the 4th and final step for Plan Commission and Common Council to approve in the development. There are new plans that have not yet been reviewed by staff, and building permits must be gotten for each building. If there are insignificant changes in the document, the Plan Commission may not require a public hearing. A Development Agreement will be entered into which will coincide with the Ordinance and this PIP. The question of pyramiding has been settled. There had been concern as to parking, as the buildings were so close to the street. This verbiage was added to address that concern, at the request of the Deputy Fire Chief, "that the garages shall be set back enough for sufficient parking between the garage and the street on Drive B". No parking on Drive B & C, and parking will be allowed on only one side of Drive A providing vehicles do not encroach on access for emergency vehicles. The construction schedule and all other road and traffic conditions must be complied with. Erosion control will be strict, and extreme between the restaurant building and Silver Lake. All other typical

conditions are contained in this Permit. A Conditional Use Permit application has been filed and will be before the Plan Commission for a public hearing on March 8th.

Moved by Ald. Gross, seconded by Ald. Cochrane to approve the Precise Implementation Plan for "Vespera at Porticello. Motion carried, with Aldermen Morgan and Larsen voting "no".

Unfinished Business- - none

New Business

- A. Consider/act on Senior Center Lease w/Berkshire – Ms. Gard, City Administrator, stated that all concerns have been addressed. This Lease is between the City and Berkshire. It is a 30 year lease, with an annual rent of \$1.00, and can be terminated after 15 years at which time the \$175,000 loan would be due. If it runs for 30 years, the loan would come due at the end of that term. It is a 0% loan.

Moved by Ald. Cochrane, seconded by Ald. Hollatz to approve the Senior Center Lease with Berkshire. Carried unanimously.

- B. Consider/act on Sublease Agreement between the City and Oconomowoc Area Senior Center – This sublease is between the Oconomowoc Area Senior Center (OASC) and the City and transfers the terms to them so they can occupy the facility. They will deal directly with Berkshire, and will pay \$200.00 per month toward maintenance and services. The Sublease has already been signed by them.

Moved by Ald. Cochrane, seconded by Ald. Hollatz to approve the Sublease between the City and Oconomowoc Area Senior Center. Carried unanimously.

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

Staff Reports A. City Administrator – no report

- C. Other – Attorney Chapman remarked about Mrs. Johnson's concerns and the petition she filed. He stated that the owners own this property as tenants in common, each with one-half interest, and only use it on week-ends for access to the lake. They meet the requirements of single family zoning. He will do a full report in writing for distribution before the next Council meeting.

Announcements and Communications – none

Reports and comments from the Aldermen – none

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. Cochrane, seconded by Ald. Jones, and carried. (8:13 p.m.)

Ardyce Senfleben, City Clerk