

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

**May 2, 2006**

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

Ms. Sarah Kitsembel led in the **Pledge of Allegiance**.

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

Aldermen absent – Larsen (excused) – a quorum was present.

**Staff in Attendance:** Lamp, Gallo, Langohr, Kitsembel, Duffy, Martin, Frye, Senfleben, Gard  
and Attorney Chapman

**Minutes of previous meeting (April 18, 2006)** – The City Clerk pointed out the following clarifications/corrections to the minutes: On page 5, E., regarding the Conditional Use Permit for Club Porticello. The last sentence in that first paragraph should begin with “Mr. Dave O’Malley”, rather than “He”. In the following paragraph, the sentence beginning with “We have agreed . . . will read as follows: “We have agreed to abide by the most restrictive ordinance, City or County, and it is the City’s responsibility to enforce the County ordinance.”

Moved by Ald. Cochrane, seconded by Ald. Jones to approve the minutes of the April 18, 2006 Common Council meeting, as corrected. Voice vote carried with no dissenting votes.

**Comments and suggestions from citizens – Judge Stern will present his annual update regarding the Municipal Court** - Judge Stern distributed a hand-out, and explained that the Court has grown in size since its inception 10 years ago. At that time the Court returned to the participating communities \$600,000. Today it has more than doubled the return to communities, largely due to population growth. This Court has been an example for other shared services, and other multi-jurisdictional Courts that have been established in the State. Ours was the first one in the State, and he thanked Attorney Chapman for his vision in recommending that we form the Court. It has worked out very well, demonstrating what pulling together can accomplish. We now have a total of 15 participating municipalities, Oconomowoc being the largest in volume. He particularly thanked the 15 municipalities for their assistance in lobbying for Assembly Bill Act 54, which has now become law, raising the fees a municipal court may collect by \$5.00. The last raise was in 1996. This will allow them to continue well into the future without being on the community’s tax base. They have not been part of the tax base since 1997. The Court has now returned any/all subsidies to the communities and have money in the bank. As we grow, the Court does have space issues, as does the entire City Hall. He thanked the Council for the opportunity of presenting his report and was willing to answer questions.

Mayor Sullivan felt this project has been a very good positive thing for the area, a good example of working together. It has been profitable, without affecting our various tax levies, and the communities are getting money returned. He thanked Judge Stern for updating us again this year.

**Consent Agenda**

- A. Licenses (including a “Class A” liquor/beer license for Sonoma Cellars; and a Reserve “Class B” liquor/beer license for Club Porticello; and a Reserve “Class B”

liquor/beer license for Frontier Development) – Moved by Ald. Hollatz, seconded by Ald. Snyder to approve the Consent Agenda. Voice vote carried with no dissenting votes.

Mayor Sullivan stated that there will be discussion with staff regarding issuance of permits and licenses, as we have no more “Class B” or Reserve “Class B” licenses available. We have future developers coming in and inquiring as to the availability of liquor licenses.

### 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 – none

### Unfinished Business

- A. An Ordinance to Amend the Boundaries of the UR-10 Urban Residential District as shown on the District Map, City of Oconomowoc, Wisconsin (Lutheran Homes of Oconomowoc property) – 2<sup>nd</sup> reading. Moved by Ald. Gross, seconded by Ald. Snyder to give the ordinance 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.

- B. An Ordinance to Amend §21.091 of the Municipal Code of the City of Oconomowoc which Prohibits Horses in Parks and other Public Areas – 2<sup>nd</sup> 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.

### New Business

- A. **Consider/act on Official Newspaper** – The City Clerk reported that sealed bids were requested of our two local newspapers, the Oconomowoc Enterprise and the Oconomowoc Focus. These bids were opened at 12:00 noon today in the presence of Mayor Sullivan and myself. Representatives from each newspaper were also present. Since it is difficult to equate the two, because they have different size columns and print, they were e-mailed identical legal notices and asked for the cost of printing the notice two consecutive weeks and the \$1.00 affidavit cost. The Enterprise was \$36.09 and the Focus was \$49.60, the Clerk therefore recommended that we use the Oconomowoc Enterprise for our official newspaper for the coming year.

Motion was made by Ald. Jones, seconded by Ald. Cochrane to designate the Oconomowoc Enterprise as our official newspaper for the coming year. Carried unanimously.

**Mayoral appointments to Boards and Commissions, with Council confirmation** – The Mayor pointed out that he has revised the list that was attached to the packet, by adding Laura Rowe, on the CDA and Terry Kaldhusdal, on the Library Board, both re-appointments; and Barbara Le Duc, a new appointee to the Police & Fire Commission, to fill an unexpired term of a member who resigned because of moving out of the city. (see complete list attached)

Motion was made by Ald. Gross, seconded by Ald. Cochrane to confirm the Mayor's appointments. Voice vote carried with no dissenting votes.

**Mayoral appointment of City Attorney** - Mayor Sullivan stated that he appoints Bill Chapman, as City Attorney for the coming year. Moved by Ald. Jones, seconded by Ald. Cochrane to confirm the Mayor's appointment of Bill Chapman as City Attorney for the coming year. Voice vote carried unanimously.

**Appointment of Assistant City Attorney, by City Attorney** – Attorney Chapman has appointed Mark X. Herro, in writing, as the Assistant City Attorney for the coming year. This does not require Council confirmation.

**Mayoral appointments to WPPI** – Mayor appointed Ms. Diane Gard, Director, and Mr. Dennis Bendarski, as alternate to WPPI. Moved by Ald. Snyder, seconded by Ald. Cochrane to confirm the appointments to WPPI, as stated. Voice vote carried with no dissenting votes.

#### **Staff Reports**

- A. Administrator – Ms. Gard referred to a memo from Mr. Ray Maurer, Director of Parks, Recreation and Forestry, that the aldermen received this evening regarding July 4<sup>th</sup>. At this time, it appears there will be no fireworks in the city as the Volunteer Firemen have not offered, nor has the Chamber of Commerce. She stated that the City has \$4,000 budgeted for fireworks, but need someone to partner with us to make it happen. If there is another community group who would like to do this, we would appreciate knowing very soon, as there are commitments that must be made.

Mayor Sullivan stated that we are looking for public participation, and we would need to know soon.

- B. Other – Mr. Bob Duffy, Director of Economic Development, announced that there will be the unveiling of the new City logo during Gallery Night. It will take place here at City Hall @ 7:00 p.m. and everyone is invited.

**Announcements and communications** – The City Clerk again announced the League Dinner on May 25<sup>th</sup> @ Olympia, and asked anyone who has not already reserved with her to let her know as the reservations will be made this week.

**Reports and comments from the Mayor** – none

**Reports and comments from the Aldermen** – Ald. Hollatz was concerned about seeing grass clippings being swept into the gutter, and something should be done about it. The Mayor suggested that perhaps a notice in the newspaper would help.

Ald. Snyder commented that the brickwork that is being put in on South Street really looks great.

Ald. Gross remarked about the newspaper article regarding the CDA meeting. He stated that when the group was formed, circumstances were different. There is no organizational plan for work to be considered by the Common Council. They need to know where they fit in to the City's planning so the work that is being done is validated. There is uneasiness regarding that role. This needs to be talked about. The next meeting of the CDA is on May 23<sup>rd</sup>, at Berkshire.

Ald. Antonneau pointed out that many of the fast food restaurants do not have waste bins that are convenient. This should probably be brought up to the restaurants that they should provide waste receptacles, as people leave. There seems to be a lot of waste paper blowing around.

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 Union negotiations, per 19.82 (1) Wis. Stats. (AFSCME), was moved by Ald. Antonneau, seconded by Ald. Jones and roll call vote carried unanimously.

Motion to adjourn was made by Ald. Antonneau, seconded by Ald. Jones, and carried. (8:01 p.m.)

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Ardyce Senfleben, City Clerk