

**City of Oconomowoc  
Common Council**

**Tuesday, January 21, 2020 - 7:30 PM  
City Hall - Council Chambers**



**Notice:** If a person with a disability requires that the meeting be accessible or that materials at the meeting be in an accessible format, call the City Clerk's office at least 48 hours in advance to request adequate accommodations. Tel: 569-2186

**1. Call to Order and Confirmation of Appropriate Meeting Notice**

**2. Pledge of Allegiance**

**3. Roll Call**

**4. Public Hearing**

a. Neumann Companies Inc.

The purpose of the hearing is to hear public comments on the application for Neumann Companies Inc. who is requesting the zoning designation of Suburban Residential District to be placed on 18.4 acres of un-zoned vacant land. The property is located west of HWY P, east of the HWY 67 by-pass, between Lisbon Rd & Lake Dr, adjacent to Wood Creek Subdivision. The property is identified as tax key #OCOC 0539.983.001.

b. Elite Collision Repair

The purpose of the hearing is to hear public comment on the application of Elite Collision Repair for a Conditional Use Permit allowing vehicle service & repair at 156 N Thompson St. Per the Table of Allowable Uses in §17.106 of the Oconomowoc Zoning Code, vehicle service & repair use requires a Conditional Use Permit in the Mixed-Use Commercial zoning district. If approved the applicant would be allowed to conduct collision repair & auto body work which is classified as vehicle service & repair within the Zoning Code.

**5. Comments/Suggestions from Citizens**

**6. Consent Agenda (Items listed under the Consent Agenda are considered in one motion - a Council member may request to remove an item):**

a. Licenses

b. Final Release of Letter of Credit - Lake Country Village #1

c. Set Trick or Treat for October 31, 2020 from 6:00 - 8:00 PM

d. Treasurer's Report

1. Treasurer's Report - December 2019

**7. Plan Commission**

a. Consider/act on Ordinance to Rezone Lands Suburban Residential (SR) District for Pine Ridge Estates West Development

b. Consider/act on Amendment to the Village Crossing II Condominium Plat to Add One

Building (Two Units) on Belmont Lane

- c. Consider/act on Conditional Use Permit for Elite Collision Repair to Allow Vehicle Service and Repair at 156 N. Thompson Street
- d. Consider/act on Final Plat for Prairie Creek Ridge Addition #4

**8. New Business**

- a. Consider/act on Ordinance to Create Section 1.47 of the City of Oconomowoc Municipal Code Creating the Technology Committee
- b. Consider/act on Resolution Waiving Conflict of Interest Between the City of Oconomowoc and the Village of Summit Regarding the Provision of Water Service to an Area South of I94 and West of Dousman Road
- c. Consider/act on Ordinance to Repeal and Recreate Provisions of Chapter 7 of the City of Oconomowoc Municipal Code Relating to Parking Regulations

**9. Reports and Comments from the Mayor**

**10. Reports and Comments from the Aldermen**

**11. Adjourn**

**12. Staff Reports**

## LICENSE APPROVALS

Honorable Mayor and Common Council:  
2020

January 21,

The following license applications have been received by the City Clerk, accompanied by the proper fee and approved by the Oconomowoc Police Department:

### Bartender (Operator) License Requests: (January 22, 2020 through June 30, 2020)

**Rocky Rococo**  
*Alexander J. Poston*

**Steeltank Brewing**  
*Rebecca J. Blankenship*  
*Benjamin P. Karczewski*  
*Bethanie A. Krause*  
*Dawn M. Neubauer*  
*Jennifer C. Wafford*

**Vino Etcetera**  
*Jolyn R. Damrow*

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### Special Class "B" Picnic License Request:

**Rock River HOG Chapter**  
*Saturday, January 11, 2020 (Request dated, approved & issued 1/8/20)*  
*(Chili Cookoff at Wisconsin Harley-Davidson)*

**Downtown Oconomowoc Business Assn.**  
*Saturday, January 25, 2020*  
*(Chili-Fest at Village Green)*

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### Agent Change:

**Par Inc. dba Paganica Golf Course**  
*Todd G. Faherty, Agent*  
*N8062 Woody Lane, Ixonia*



# MEMORANDUM

## DEPARTMENT

Date: January 16, 2020  
To: Mayor Nold, City Council  
Cc: Sarah Kitsembel, City Administrator  
From: Laurie Sullivan, Finance Director  
Re: Financial Security Release-Lake Country Village, Addition 1

## RELATES TO THE STRATEGIC PLAN

N/A

## BACKGROUND

The City has received a request from the Lake Country Village Subdivision to release the financial security the City holds for their project (currently \$63,502.70). This current value was to remain in place for the duration of the warranty period. The one-year warranty period on all improvements has expired and all the punch list items have been satisfactorily addressed. Staff recommends the release of the financial security.

## ADDITIONAL ANALYSIS

N/A

## FINANCIAL IMPACT

N/A

## RECOMMENDATION

Staff recommends approval of the release of letter of credit.

## SUGGESTED MOTION

Consent Agenda Item: Move to approve the consent agenda.

January 13, 2020

Ms. Laurie Sullivan  
Finance Director  
City of Oconomowoc  
174 East Wisconsin Avenue  
Oconomowoc, WI 53066

RE: Lake Country Village Addition #1  
Fourth & Final Reduction in Letter of Credit

Dear Ms. Sullivan:

We have received a request from the Neumann Companies, the developer of the Lake Country Village Subdivision, requesting a final reduction in the Letter of Credit. It is our understanding that the current Letter of Credit is in the amount of \$63,502.70.

This current value was to remain in place for the duration of the warranty period. Since the warranty period has expired and all punch list items have been addressed, we therefore, recommended that the reduction in the Letter of Credit of \$63,502.70 be granted.

It must be noted that continuing work on the site will be on going and we recommend that the Utility review the facilities before and after the asphalt surface course gets placed to ensure that any damage done as a result of this continuing work is noted and repaired by the development team.

If you have any questions on the above, please contact this office.

Sincerely,

RUEKERT & MIELKE, INC.



Christopher M. Genellie, P.E. (WI), CPESC  
Senior Project Manager  
[cgenellie@ruekert-mielke.com](mailto:cgenellie@ruekert-mielke.com)

CMG:sjs  
Enclosure

cc: Sarah Kitsembel, City Administrator  
Mark R. Frye, City of Oconomowoc  
Joe Pickart, Oconomowoc Utilities  
Lucas Caine, P.E., City of Oconomowoc Utilities  
Scott D. Osborn, P. E., City of Oconomowoc Utilities  
Kevin Anderson, Neumann Companies Inc.

# MEMORANDUM

## CLERKS

Date: January 14, 2020  
To: Mayor Nold  
Common Council  
From: Diane Coenen, City Clerk  
Re: Trick or Treat

## RELATES TO THE STRATEGIC PLAN

Strategic Goal – N/A

## BACKGROUND

Each year Council decides the day and hours of trick or treating in the City. In an effort to be consistent with other activities planned on Halloween, it is recommended that trick or treating be set for Saturday, October 31, 2020 from 6:00 – 8:00 PM.

## ADDITIONAL ANALYSIS

Typically, the Business Trick or Treat and outlying shopping districts also have their event on the same day from 2:00 PM – 4:00 PM as well as the Annual Lions Club Halloween Parade which starts at 4:00 PM. The parade travels through downtown where the Lions Club will provide food and beverages at the Village Green.

## FINANCIAL IMPACT

N/A

## RECOMMENDATION

This item is part of the Consent Agenda.

## SUGGESTED MOTION

Motion to approve the Consent Agenda.



**City of Oconomowoc - Treasurer's Report  
Cash & Investments  
December 31, 2019**

**CASH & INVESTMENTS**

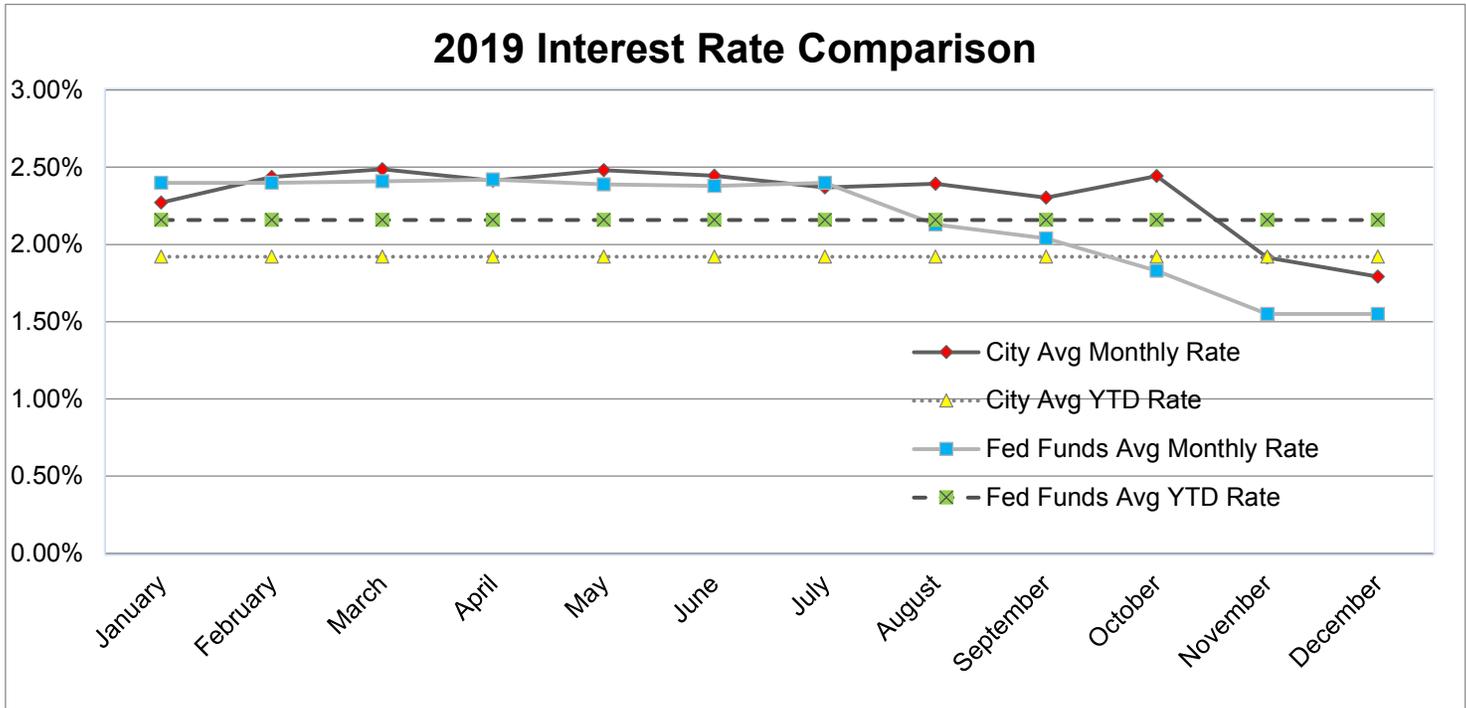
	<b>Total</b>	<b>% of Portfolio</b>
State of Wisconsin LGIP	\$ 1,505,231.77	2.1%
PMA Financial Network	38,702,751.19	55.1%
DANA Investments	5,492,350.62	7.8%
Certificates of Deposit	750,000.00	1.1%
Checking/Municipal Sweep	16,772,633.20	23.9%
Other <sup>(1)</sup>	35,198.31	0.1%
Internal Advances	6,928,736.27	9.9%
<b>Total</b>	<b>\$ 70,186,901.36</b>	<b>100.0%</b>

(1) Includes Library Trust Fund, Ambulance Billing

**INTEREST REVENUE**

	<b>December Interest</b>	<b>YTD Interest</b>	<b>Average YTD Rate</b>
State of Wisconsin LGIP	\$ 2,083.77	242,249.84	2.19%
Checking & Related Accts	22,136.53	256,186.27	2.25%
Other Investments	54,303.97	679,931.37	1.73%
Internal Advances	12,163.22	160,238.75	2.32%
<b>Total</b>	<b>\$ 90,687.49</b>	<b>1,338,606.23</b>	<b>1.92%</b>

Benchmark - Fed Funds 2.16%  
 Benchmark - 6 Month Treasury Bill 2.11%



**City of Oconomowoc - Treasurer's Report**  
**Checking Account Transactions**  
**December 31, 2019**

**RECEIPTS**

	<b>Combined Checking</b>
Cash Balance as of December 1	\$ 12,931,961.20
Property Taxes	\$ 19,460,486.33
Utility Payments	2,168,030.94
Impact Fees	113,386.81
First Bank Construction Draw	87,092.00
Building / Electric/ Plumbing Permits	71,457.24
Weston Meadows Inc	55,145.74
Town of Oconomowoc	52,220.39
Room Tax	21,609.36
Municipal Court Fines/Rent	19,370.73
Town of Ixonia - Sanitary District	19,167.65
Tall Pines Conservancy	18,147.50
Tim Pearson - Health Insurance 2020	15,659.04
Little Buddies Food Carts	13,909.93
Charter Communications	12,806.29
Silver Lake Utility District	10,084.76
Recreational Enrollment Fees	8,382.88
Miscellaneous Receipts	185,410.58
<b>Total Receipts</b>	<b>\$ 22,332,368.17</b>

**DISBURSEMENTS**

	<b>Combined Checking</b>
WPPI	\$ 1,132,673.01
D.F. Tomasini Inc	253,317.77
Department of Employee Trust Funds	179,123.40
Federal & FICA Payroll Taxes	178,709.09
Ruekert & Mielke	168,422.72
P-card	124,621.12
WI Retirement	92,934.99
John's Disposal Service Inc	79,385.90
Payne & Dolan Inc	58,240.87
First Bank - Interest on Construction Loan	51,333.32
Badger State Waste LLC	39,222.75
State Withholding	35,298.06
Dorner Company/OPS Systems	35,000.00
Back Nine Aerial LLC	33,401.25
State of WI - Deferred Comp	25,934.00
WI Sales Tax Payment	25,168.52
Miscellaneous Disbursements	348,473.14
<b>Total Disbursements</b>	<b>\$ 2,861,259.91</b>
Payrolls	\$ 453,817.43
P-Card Paid from PMA	\$ (124,621.12)
Transfer to PMA - General Acct 101	\$ 1,500,000.00
Transfer to PMA - Taxes Acct 102	\$ 13,801,239.95
<b>General Checking Account Balance as of December 31</b>	<b>\$ 16,772,633.20</b>

# Planning Staff Report

City of Oconomowoc

Plan Commission – 1/8/2020

## ***Pine Ridge Estates West***

*Establish Permanent SR Zoning*

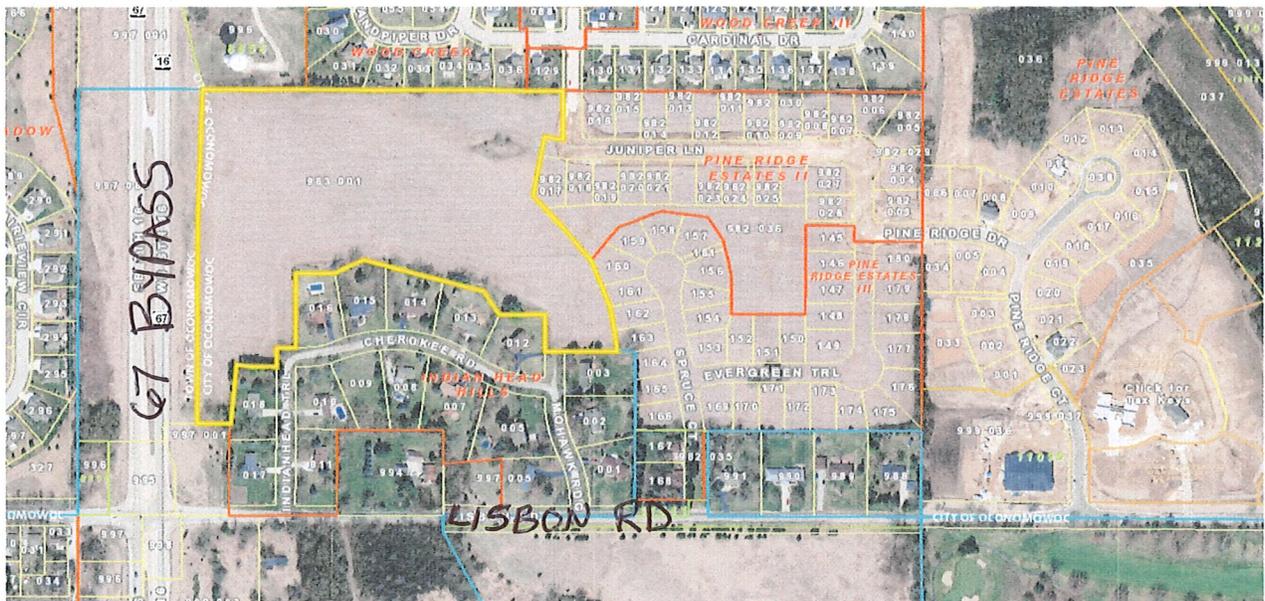
**Summary:** An application to create zoning for an area 18.38 acres that would expand a future single-family residential development to be known as Pine Ridge Estates West.

**Property Location:** Located west of CTH P, and east of HWY 67 by-pass, between Lisbon Road and Lake Drive, adjacent to Wood Creek Subdivision and Pine Ridge Estates II Subdivision. Identified as tax key number OCOC 0539.983.001.

**Property Owner:** Herro Woodland Trust, David Radtke, and Barbara Brockway  
156 E. Wisconsin Avenue  
Oconomowoc, WI 53066

**Applicant:** Neumann Companies, Inc. – Bryan Lindgren  
N27 W24025 Paul Court, Suite 100  
Pewaukee, WI 53072

**Current Zoning:** Temporary Urban Reserve (designated at time of annexation)  
**Proposed Zoning:** SR – Suburban Residential District



**Location Map**

## **Rezoning:**

Neumann Companies submitted an application on behalf of the Herro Woodland Trust to rezone lands from temporary UR - Urban Reserve to permanent SR - Suburban Residential. The amendment affects a total of 18.38 acres, changing the designation from **Urban Reserve** to **Suburban Residential**. If granted this area could then be used for future single-family residential development.

The Suburban Residential land use designation would allow for future residential development at densities up to 4 dwellings per acre.

The requested change in zoning would be **consistent** with **Land Use Plan** designation of Suburban Residential. The zoning would allow for 45 additional single-family residential lots to be created.

## **Adjacent Zonings:**

North - SR – Suburban Residential

South – Residential (Town of Oconomowoc)

East – SR – Suburban Residential

West – Hwy 67 Bypass / Beyond that SR – Suburban Residential

## **Findings:**

Per the City Ordinance Section 17.803(5)(a) with all rezoning applications the Zoning Administrator shall review the application and evaluate regarding the following standards:

**1. How does the proposed map amendment further the purposes and intent of this Zoning Ordinance?**

The proposed map amendment promotes land uses and development patterns that are consistent with the City's Comprehensive Plan and the City Park and Open Space Plan that extends the public open space corridor along Rosenow Creek. The proposed plan will promote safe pedestrian and vehicular circulation.

**2. Which of the following factors have arisen that are not properly addressed on the current Official Zoning Map?**

**a. The designations of the Official Zoning Map should be made consistent with the Comprehensive Plan;** The zoning map would be changed to be consistent with the Comprehensive Plan.

**b. A mistake was made in mapping on the Official Zoning Map;** No, the proposed lands were not part of the City at time of the adoption of the Zoning Map.

**c. Factors have changed, making the subject property more appropriate for a different district;** The annexation brought the lands into the City.

d. **Growth patterns or rates have changed, thereby creating the need for an amendment to the Official Zoning Map.** The amount of residential growth is increasing in this part of the City.

3. **How does the proposed amendment to the Official Zoning Map maintain the desired consistency of land uses, land use intensities, and land use impacts as related to the environs of the subject property?** The proposed zoning maintains single-family zoning which will be served by public utilities. This is a logical location to change the zoning to accommodate additional single-family residential lots and help serve the area with public utilities.

### **Planning Comments:**

Planning staff supports the application for the zoning amendment. The proposed change allows for additional single-family development.

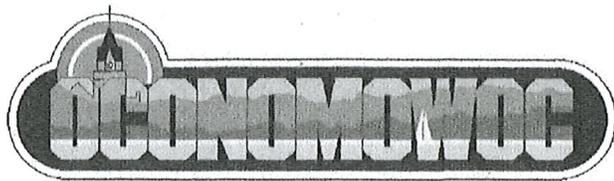
### **Recommendation:**

Plan Commission recommend **approval** of the zoning ordinance for the Herro Woodland Trust properties.

Submitted by: \_\_\_\_\_



Jason Gallo, AICP  
City Planner/Zoning Administrator



# STAFF RECOMMENDATION FORM

TYPE OF REQUEST: **REZONING**

PROJECT NAME:

**PINE RIDGE ESTATES WEST**

TAX KEY NO.:

**OCOC 0539.983.001 (18.4 Acres)**

PROJECT ADDRESS/LOCATION:

**SOUTH OF WOOD CREEK SUBDIVISION**

### RECOMMENDATION SIGNATURES

CITY PLANNER:

*[Signature]*

Date: **12-20-19**

Comments:

CITY ENGINEER:

*[Signature]*

Date: **12-27-19**

Comments:

DIRECTOR OF PUBLIC WORKS:

*[Signature]*

Date: **12.29.19**

Comments:

WASTEWATER:

*[Signature]*

Date: **12-20-19**

Comments:

WATER:

*[Signature]*

Date: **1/2/20**

Comments:

ELECTRIC:

*[Signature]*

Date: **1-2-20**

Comments:

PARKS, RECREATION & FORESTRY:

*[Signature]*

Date: **12-20-19**

Comments:

POLICE CHIEF:

*[Signature]*

Date: **1-2-20**

Comments:

FIRE:

*[Signature]*

Date: **12-28-19**

Comments:

DIRECTOR OF FINANCE:

*[Signature]*

Date: **12-20-19**

Comments:

ECONOMIC DEVELOPMENT DIRECTOR:

*[Signature]*

Date: **1-2-20**

Comments:



# Development Application

Department of City Planning  
 174 E. Wisconsin Avenue Oconomowoc, WI  
 www.oconomowoc-wi.gov | 262.569.2166

X	Description	Administrative Fee
	Administrative Design Review	\$ 75.00
	Major Design Review	\$ 75.00
	Conditional Use Permit	\$ 500.00
	Zoning Determination Letter	\$ 100.00
	Temporary Use Permit	\$ 75.00
	Temporary Use Permit - Renewal	No Charge
	Variance	\$ 425.00
	Special Exceptions	\$ 425.00
	Appeals of Zoning Administrator	\$ 300.00
X	Zoning Map Amendment (From <u>UR</u> To <u>SR</u> )	\$ 425.00
	Zoning Text Amendment	\$ 425.00
	Comprehensive Plan Amendment	\$ 300.00
	Planned Development District	Step 1: Pre-application Conference
		Step 2: Concept Plan Review
		Step 3: General Development Plan Review
X	Preliminary or Final Plat Review	\$ 75.00
	Certified Survey Map or Extraterritorial Plat/CSM Review	\$ 75.00

\*NOTE: Administrative filing fees are due at the time an application is filed with the City Clerk's Office and are not refundable. In addition to the Administrative fees, City Staff time (City Engineer, City Planner & City Attorney) will be charged back to the applicant. The Applicant will receive monthly invoices of payments due.

Date: 12-11-19

Project/Business Name: Pine Ridge Estates West

Address/Location: West of Pine Ridge Estates from Juniper Lane

City, State, Zip Code: Oconomowoc, WI 53066

Proposed Use of Property: Residential Development of 45 lots

Applicant: <u>Newmann Developments Inc. - Bryan Lindgren</u>	Property Owner: <u>Herro Woodland Trust</u>
Address: <u>N27W24025 Paul Ct., Suite 100</u>	Address:
City/State/Zip: <u>Pewaukee, WI 53072</u>	City/State/Zip:
Phone: <u>262-542-9200</u>	Phone: <u>signed &amp; submitted</u>
E-mail: <u>blindgren@newmanncompanies.com</u>	E-mail: <u>on separate copy</u>
Signature:	Signature:

This form is not valid unless signed by Owner or Agent under a written power-of-attorney (please provide). I, Owner/one of the Owner's of the property, declare that this application (including any accompanying documents) has been examined by me and to the best of my knowledge and belief is true, correct and complete. I further accept all liability, which may be a result of the City of Oconomowoc relying on this information I am providing in this application.



## **Narrative in Support of Amendment of the Official Zoning Map**

### **Pine Ridge Estates West**

Neumann Developments, Inc. proposes a residential development known as Pine Ridge Estates West on an approximately 18.4 acre site located East of STH 67/16 and adjacent to our previously developed Pine Ridge Estates neighborhood. The materials presented herewith are in support of a SR-Suburban Residential zoning designation for the project. The general characteristics of the proposed development are as follows:

- Total Area = 18.4 Acres
- Allowed Density = 3/acre = 55 units
- Proposed Density = 2.45/acre
- Single Family Dwelling Units = 45
- Minimum lot width = 70 feet, 80 feet minimum adjacent to existing neighborhoods

Application of the SR-Suburban Residential zoning district designation is appropriate in this development as it matches the intent of the Comprehensive Plan. It meets several of the stated goals for comprehensive planning. Specifically:

- The proposed development is in an area previously identified and designed for public infrastructure and services.
- It is consistent with adjacent neighborhood design and supports a range of transportation choices.
- It is designed to with a land use and density that promotes efficient development and relatively low municipal, state governmental, and utility costs.
- It is designed to balance the needs of the adjacent municipality.
- The proposed lot sizes and density are consistent with those of the zoning proposed and provide much needed new housing at a level that is affordable for our area.
- Provides the necessary infrastructure and public services to meet existing and future demands.
- Balances individual property rights with community interests and goals

Additionally we feel that the proposed zoning amendment is consistent with the objectives, goals, and policies of the City's Zoning Ordinance and Official Zoning Map. The proposed zoning furthers the purposes and intent of the zoning ordinance by promoting land uses and development consistent with the City's Comprehensive Plan, promotes and protects the public health, safety and general welfare of the City, maintains and promotes safe pedestrian and vehicular circulation, minimizes congestion in public rights of way, provides for adequate open space, facilitates the

NEUMANN DEVELOPMENTS, INC. \* N27 W24025 PAUL CT. SUITE 100 \* PEWAUKEE, WI 53072  
262-542-9200 \* FAX: 262-349-9324 \* NEUMANNDEVELOPMENTS.COM



adequate, efficient and cost-effective provision of infrastructure and other public services and facilities, stabilizes and protects property values, protects groundwater resources, prevents the overcrowding of land, and facilitates the adequate provisions of transportation, water, and sewerage, all as stated in Sec. 17.002 Purpose and Intent of the Zoning Ordinance. The development of surrounding areas and addition of new infrastructure trigger the change in proposed zoning for this parcel that is consistent in use and intensity with the zoning of adjacent properties.

We estimate that home and lot packages in this neighborhood would range from \$350,000 to \$500,000 and generate approximately \$18,000,000 in estimated value once fully improved.

Deed Restrictions would be put on record to ensure high quality development, and provide an enforcement mechanism to protect the preservation areas as well as compliance with other deed restrictions that are placed of record as approved by the City. Individual home and lot packages would be developed pursuant to those deed restrictions.

In summary, the proposed SR-Suburban Residential zoning district is consistent in all respects with the intent and purpose of the SR zoning and the comprehensive plan as well as matches the proposed use and zoning identified by the adopted zoning and land use maps of the City. Additionally, the development proposed provides housing using economical and efficient design as well as plans for adequate drainage for surface and storm water, and is accessible by public utilities. We feel that the proposed zoning and associated development would make a great addition to the City of Oconomowoc. We appreciate your time and consideration of this proposed zoning amendment.

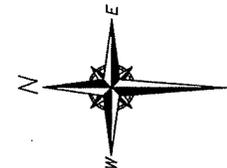
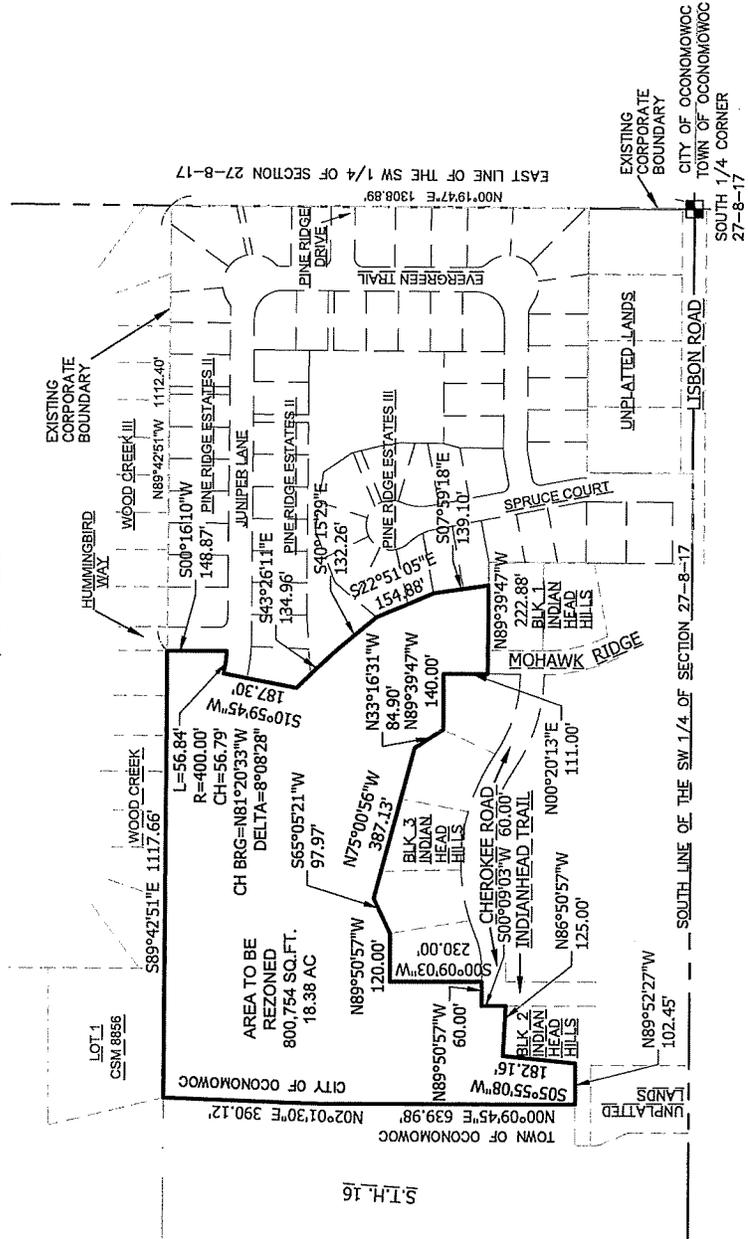
Sincerely,

A handwritten signature in blue ink, appearing to read "Bryan Lindgren", is written over a faint, circular stamp or watermark.

Bryan Lindgren

# ZONING EXHIBIT

LOT 2 OF CERTIFIED SURVEY MAP NO. 11253 BEING A PART OF THE SE. 1/4 AND SW. 1/4 OF THE SW. 1/4 OF SECTION 27, T.08N., R.17E., CITY OF OCONOMOWOC, WAUKESHA COUNTY, WISCONSIN.



**OWNER:**  
 HERRO WOODLAND TRUST,  
 DAVID RADTKE,  
 BARBARA BROCKWAY  
 156 E. WISCONSIN AVE.  
 OCONOMOWOC, WI 53066

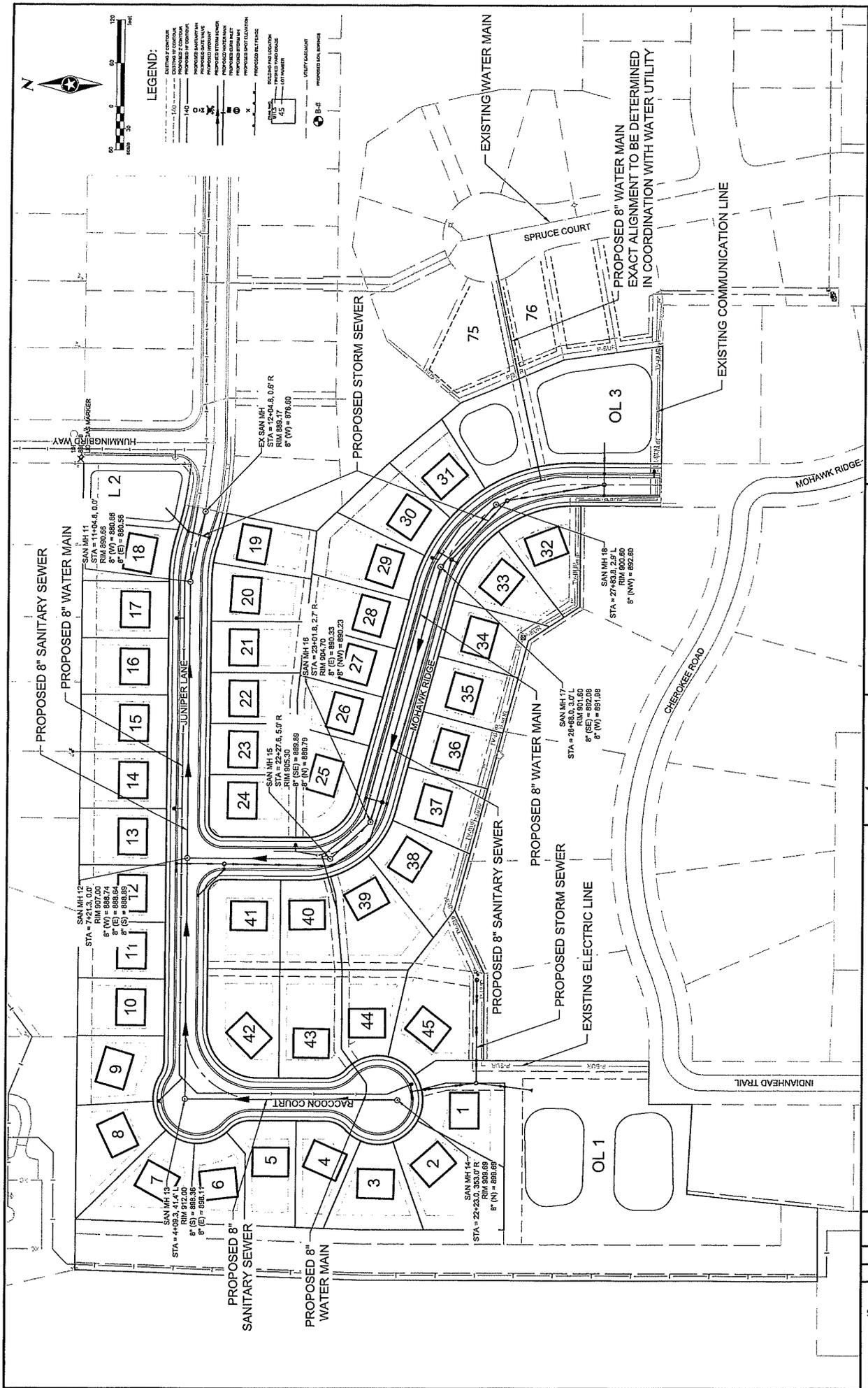
**DEVELOPER:**  
 NEUMANN COMPANIES, INC.  
 N27W24025 PAUL CT.  
 STE 100  
 PEWAUKEE, WI 53072  
 262-542-9200

**SURVEYOR:**  
 KEITH A. KINDRED, PLS S-2082  
 SEH, INC.  
 501 MAPLE AVE.  
 DELAFIELD, WI 53018  
 (414) 949-8919  
 KKINDRED@SEHINC.COM

PHONE: 414.949.8962  
 501 MAPLE AVENUE  
 DELAFIELD, WI 53018-9351  
 www.sehinc.com







<p>REVISIONS</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>NO.</th> <th>BY</th> <th>DATE</th> </tr> </thead> <tbody> <tr> <td> </td> <td> </td> <td> </td> </tr> </tbody> </table>	NO.	BY	DATE				<p>DESIGN TEAM</p> <p>CHECKED BY: <u>          </u></p> <p>DESIGNER: <u>          </u></p> <p>DRAWN BY: <u>          </u></p>
NO.	BY	DATE					
<p>REVISIONS</p>							
<p>SEH  <small>SEAN HENNINGSON        201 WISCONSIN AVENUE        DELAWARE, WI 53515        www.sehinc.com</small></p>							
<p>PINE RIDGE ESTATES WEST        CITY OF OCONOMOWOC, WI</p>							
<p>PRELIMINARY UTILITY PLAN</p>							
<p>FILE NO.          16044_152114</p>	<p>2</p>						
<p>DATE          1/13/2019</p>	<p>02</p>						

ORDINANCE NO. 20-0973

AN ORDINANCE TO REZONE LANDS  
SUBURBAN RESIDENTIAL (SR) DISTRICT  
AS SHOWN ON THE ZONING DISTRICT MAP, CITY OF OCONOMOWOC, WISCONSIN  
(PINE RIDGE ESTATES WEST)

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The Common Council of the City of Oconomowoc, Waukesha County, Wisconsin, do ordain as follows:

SECTION 1. The Zoning District Map of the City of Oconomowoc, Wisconsin, dated June 25, 2018, as revised, is hereby amended by rezoning lands identified currently as temporary UR – Urban Reserve District to SR – Suburban Residential District. The lands consist of 18.4 acres as Lot 2 of certified survey map number 11253 and are located south of Wood Creek Subdivision, east of Hwy 67 bypass, tax key number OCOC 0539.983.001, within the City of Oconomowoc, said lands are precisely described as follows:

SEE REZONING EXHIBIT FOR LEGAL DESCRIPTION - ATTACHED HERETO

SECTION 2. This zoning ordinance amendment and map revision shall be listed on Appendix B of the zoning ordinance of the City of Oconomowoc entitled "List of Amendments to the Official Zoning Map."

SECTION 3. This ordinance shall take effect upon passage and publication as required by law.

DATED: January 21, 2020

CITY OF OCONOMOWOC

By: \_\_\_\_\_  
David Nold, Mayor

ATTEST:

\_\_\_\_\_  
Diane Coenen, Clerk

Date Adopted: \_\_\_\_\_  
Date Published: \_\_\_\_\_  
Effective Date: \_\_\_\_\_

Zoning Description

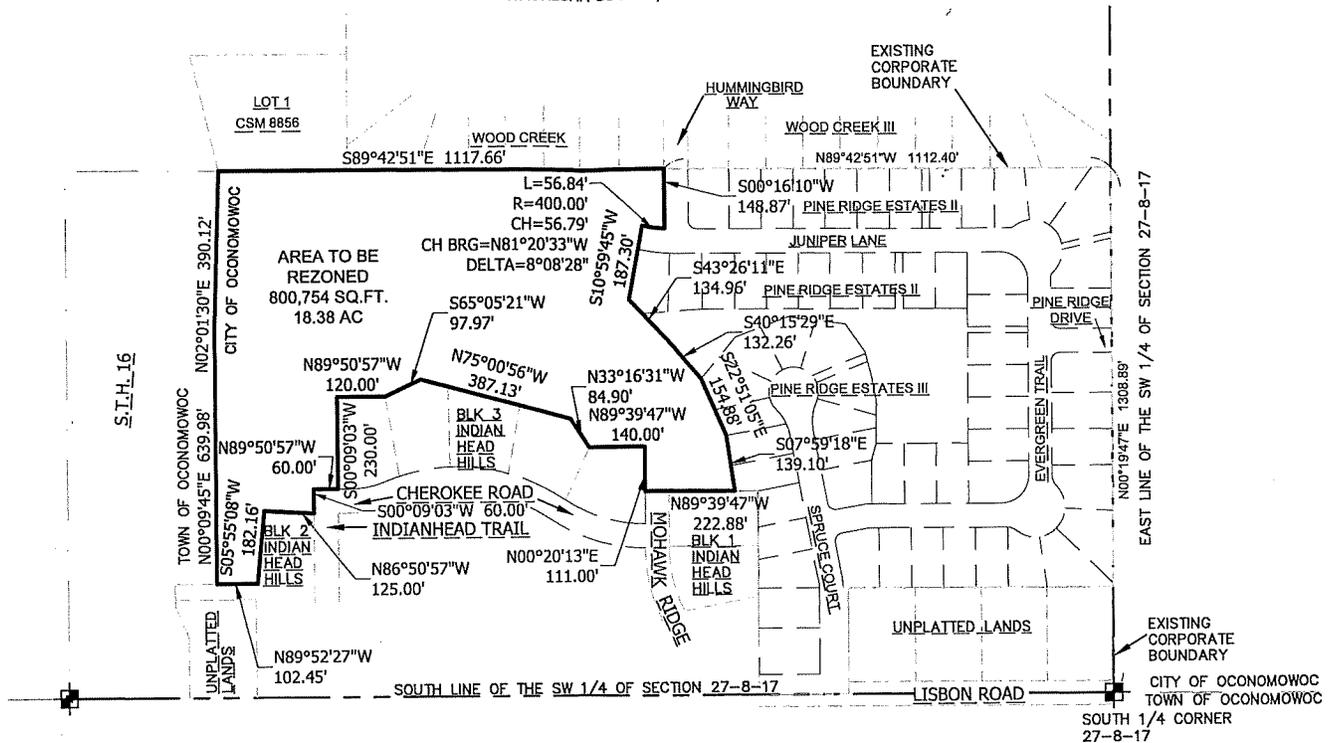
Lot 2 of Certified Survey Map No. 11253 being a part of the Southeast 1/4 and Southwest 1/4 of the Southwest 1/4 of Section 27, T8N R17E, City of Oconomowoc, Waukesha County, Wisconsin more fully described as:

All of Lot 2 of Certified Survey Map No. 11253, recorded in the Waukesha County Register of Deeds as Document 4112739 on December 2, 2014.

Said lands contain 800,754 square feet (18.38 acres).

# ZONING EXHIBIT

LOT 2 OF CERTIFIED SURVEY MAP NO. 11253 BEING A PART OF THE SE. 1/4 AND SW.1/4 OF THE SW. 1/4 OF SECTION 27, T.08N., R.17E., CITY OF OCONOMOWOC, WAUKESHA COUNTY, WISCONSIN.



**SURVEYOR:**  
 KEITH A. KINDRED, PLS S-2082  
 SEH, INC.  
 501 MAPLE AVE.  
 DELAFIELD, WI 53018  
 (414) 949-8919  
 KKINDRED@SEHINC.COM

**DEVELOPER:**  
 NEUMANN COMPANIES INC.  
 N27W24025 PAUL CT.  
 STE 100  
 PEWAUKEE, WI 53072  
 262-542-9200

**OWNER:**  
 HERRO WOODLAND TRUST,  
 DAVID RADTKE,  
 BARBARA BROCKWAY  
 156 E. WISCONSIN AVE.  
 OCONOMOWOC, WI 53066



# Planning Staff Report

City of Oconomowoc  
Plan Commission – 1/8/2020

## Village Crossing II Addendum #1

### Condominium Plat Review

**Summary:** The developer submitted plans for an **addendum** to Phase I approval of the Condominium Plat for Village Crossing II project within the Village Crossing Condominium development.

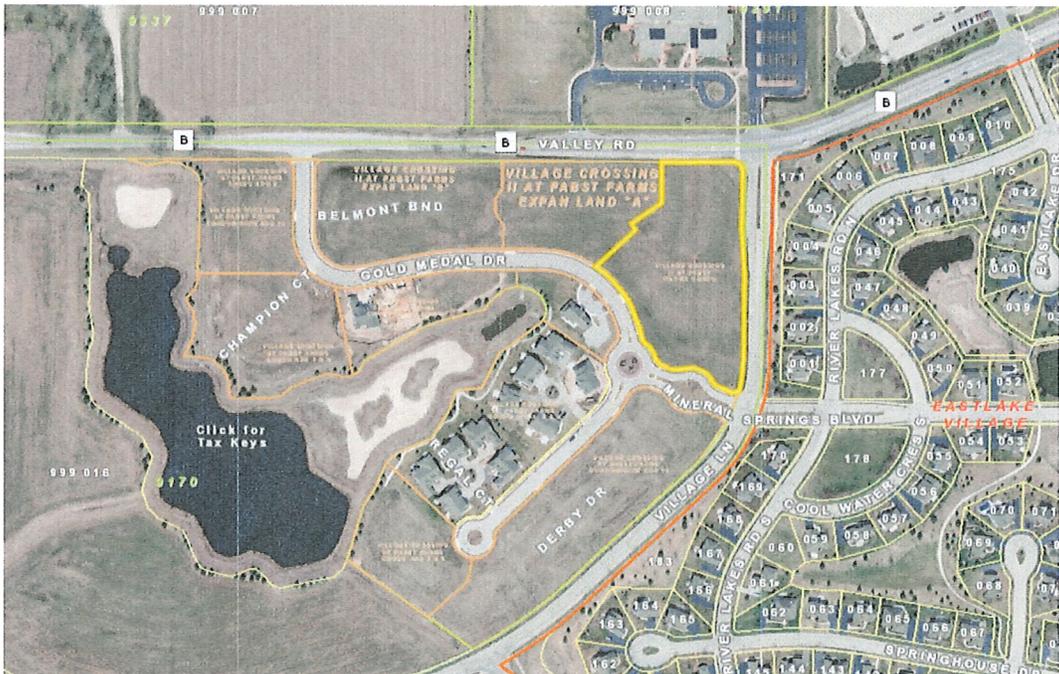
**Property Location:** Village Crossing Development, SW corner of Valley Road and Village Lane – See Map Below

**Property Owner:** Dartmoor Investments, LLC (Craig Caliendo)  
700 Pilgrim Parkway, #100  
Elm Grove, WI 53122

**Applicant:** Craig Caliendo - Same as Owner

**Existing Zoning:** RML / PD – Residential Multi-Unit Low / Planned Development

**Existing Land Use:** Currently vacant land  
**Proposed Land Use:** Twenty-six duplex residential condominiums (52 units total)  
**Condo Plat – Phase I:** Consists of 10 buildings and a total of 20 units



**Location Map**

### **Summary:**

The applicant is requesting condominium plat approval for an **ADDENDUM** to the first phase of Village Crossing II. This phase previously consisted of 9 duplex buildings, for a total of 18 residential units. The developer is asking to add one additional duplex building to the Plat, which will now have 10 buildings, with 20 residential units.

The total development was approved with 26 buildings with 52 residential units. The overall number of units in the development is not changing. The remaining 32 units (16 buildings) will be requested in future phases of the development. These areas are shown as expansion areas to the west of the proposed area.

### **Condominium Plat Process:**

This project is a residential condominium development. Earlier phases have been approved via a condominium plat. The developer is aware that the City of Oconomowoc requires all condominium plats, as well as amendments, are to be reviewed and approved by the Plan Commission and Common Council prior to recording. Once approved and recorded at the Waukesha County Register of Deeds office, separate tax key numbers and tax bills will be prepared for each unit.

### **What is the purpose of this Addendum?**

The developer has buyers for units 19 & 20, which are currently under construction. These units were not included in the original phase and cannot be sold until they are platted with tax key numbers assigned. The single building with two units would be moved from the next expansion phase into the current phase.

Second change is regarding the changed layout for units 7 & 8. This addendum is properly reflecting the new building footprint layout. This is more of a housekeeping matter to make the plat correctly reflect what was constructed.

Generally, the developer likes to expand the condo plat to include larger blocks of buildings and units. In this case, they are only adding 1 building (2 units) because they still have 3 more buildings (6 units) to start and construct in the original phase I. The developer will be expanding a larger block of the condo later in 2020, which most likely will include the rest of Phase II.

### **History:**

- May 1, 2018 the Common Council approved the second Planned Development Ordinance reading (7-0) and adopted the General Development Plan amendment. This approval was contingent upon Major Design Review, **Condominium Plat** and Developer's Agreement.
- September 12, 2018 Plan Commission approved the Major Design Review.
- September 18, 2018 Common Council approved the Developer's Agreement.

- October 10, 2018 Plan Commission approved the Village Crossing II Condo Plat for Phase I
- October 16, 2018 Common Council approved the Village Crossing II Condo Plat for Phase I

**Final Thoughts:**

Staff and all other City Departments are comfortable with the condominium plat Addendum for Village Crossing II development. The plat continues to resemble the approved General Development Plan that was previously approved.

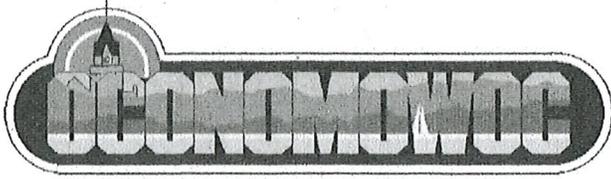
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**Recommendation:**

Planning Staff recommends the Plan Commission recommend **approval** of the Addendum #1 for the Village Crossing Condominium II project.

Submitted by: \_\_\_\_\_

  
Jason Gallo, AICP  
City Planner/Zoning Administrator



# STAFF RECOMMENDATION FORM

TYPE OF REQUEST:

CONDOMINIUM PLAT

PROJECT NAME:

VILLAGE CROSSING II At PABST FARMS

TAX KEY NO.:

PROJECT ADDRESS/LOCATION:

BELMONT LANE

## RECOMMENDATION SIGNATURES

CITY PLANNER:

Date: 12-20-19

Comments:

CITY ENGINEER:

Date: 12/27/2019

Comments:

DIRECTOR OF PUBLIC WORKS:

Date: 12.29.19

Comments:

WASTEWATER:

Date: 12-20-19

Comments:

WATER:

Date: 1/20/19

Comments:

ELECTRIC:

Date: 1-2-20

Comments:

PARKS, RECREATION & FORESTRY:

Date: 12-20-19

Comments:

POLICE CHIEF:

Date: 1-2-20

Comments:

FIRE:

Date: 12-26-19

Comments:

DIRECTOR OF FINANCE:

Date: 12-20-19

Comments:

ECONOMIC DEVELOPMENT DIRECTOR:

Date: 1-2-20

Comments:



# Development Application

Department of City Planning  
 174 E. Wisconsin Avenue Oconomowoc, WI  
 www.oconomowoc-wi.gov | 262.569.2166

X	Description	Administrative Fee
	Administrative Design Review	\$ 75.00
	Major Design Review	\$ 75.00
	Conditional Use Permit	\$ 500.00
	Zoning Determination Letter	\$ 100.00
	Temporary Use Permit	\$ 75.00
	Temporary Use Permit - Renewal	No Charge
	Variance	\$ 425.00
	Special Exceptions	\$ 425.00
	Appeals of Zoning Administrator	\$ 300.00
	Zoning Map Amendment (From _____ To _____)	\$ 425.00
	Zoning Text Amendment	\$ 425.00
	Comprehensive Plan Amendment	\$ 300.00
	Planned Development District	Step 1: Pre-application Conference
		Step 2: Concept Plan Review
		Step 3: General Development Plan Review
	Preliminary or Final Plat Review	\$ 75.00
X	Certified Survey Map or Extraterritorial Plat/CSM Review	\$ 75.00

\*NOTE: Administrative filing fees are due at the time an application is filed with the City Clerk's Office and are not refundable. In addition to the Administrative fees, City Staff time (City Engineer, City Planner & City Attorney) will be charged back to the applicant. The Applicant will receive monthly invoices of payments due.

Date: *12-23-2019*

Project/Business Name: *Village Crossing II at Pabst Farms Condominium*

Address/Location: *Gold Medal Drive*

City, State, Zip Code: *Oconomowoc, WI*

Proposed Use of Property: *Condominiums - Residential*

Applicant: *Dartmoor Investments, LLC* Property Owner: *Same as Applicant*

Address: *700 Pilgrim Parkway #100* Address: *"*

City/State/Zip: *Elm Grove, WI 53122* City/State/Zip: *"*

Phone: *414-333-2059* Phone: *"*

E-mail: *ccaliends@kingswayhomes.com* E-mail: *"*

Signature: *[Signature]* Signature: *[Signature]*

This form is not valid unless signed by Owner or Agent under a written power-of-attorney (please provide). I, Owner/one of the Owner's of the property, declare that this application (including any accompanying documents) has been examined by me and to the best of my knowledge and belief is true, correct and complete. I further accept all liability, which may be a result of the City of Oconomowoc relying on this information I am providing in this application.







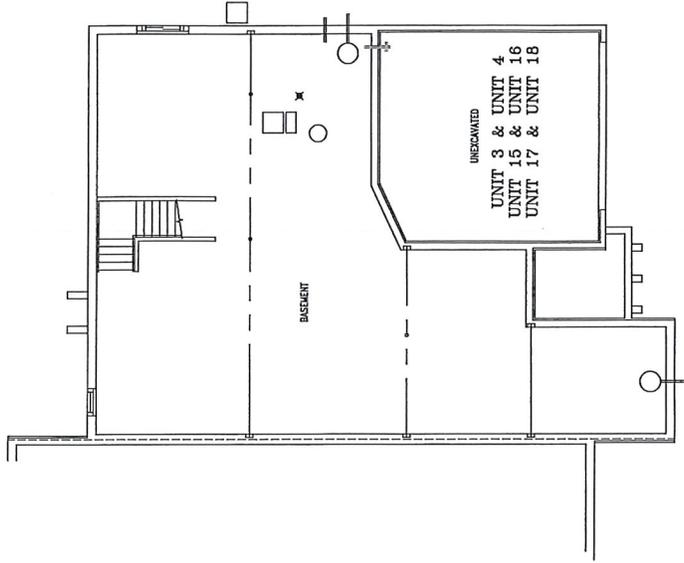
**CONDOMINIUM PLAT OF  
VILLAGE CROSSING II AT PABST FARMS  
CONDOMINIUM ADDENDUM NO. 1**

Being a part of the Northwest 1/4 of the Northwest 1/4 of Section 14,  
Town 7 North, Range 17 East, in the City of Oconomowoc,  
Wautesha County, Wisconsin.



DECEMBER 18, 2019

**BRETON BASEMENT PLAN  
NOT TO SCALE**



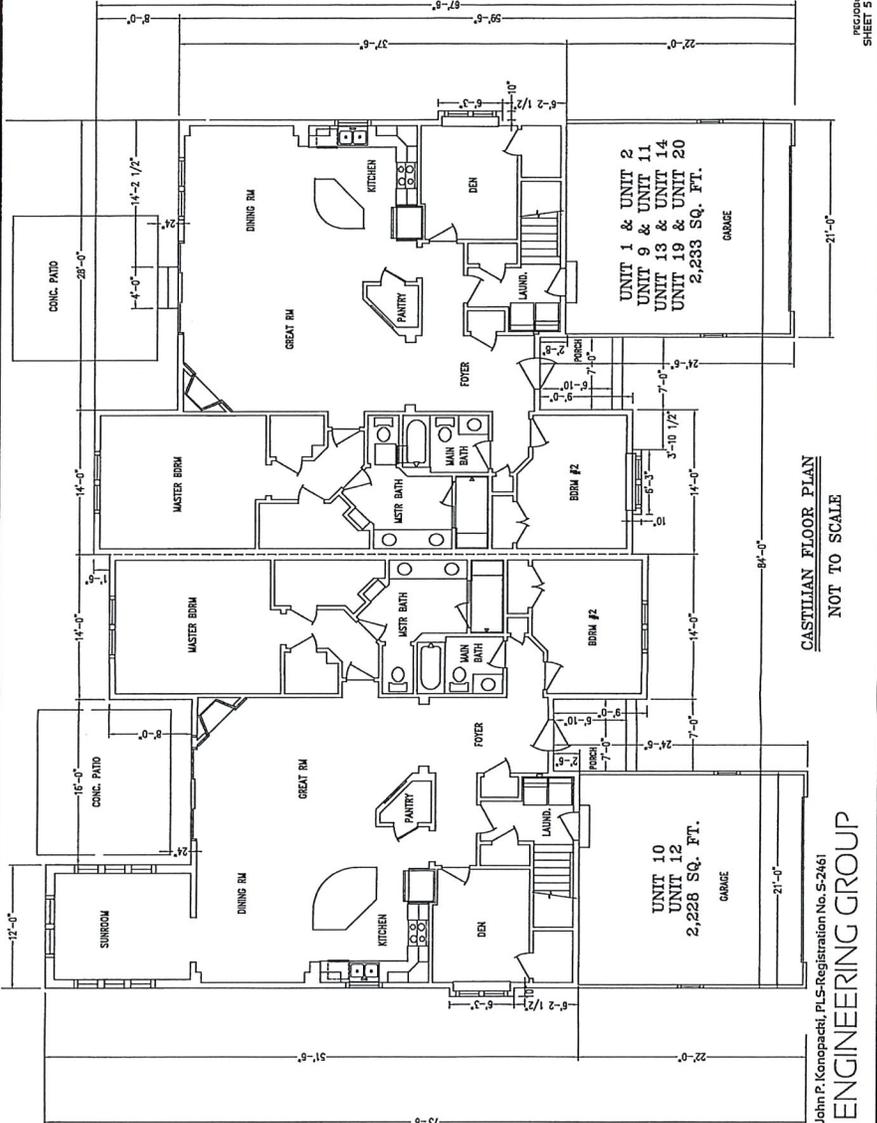
www.pinnacle-engr.com

PFCJONP/PAJDO  
SHEET 4 OF 10

**NOTES:**  
- Refer to the related 1: scale drawings, specifically: Sheet 1  
- Building and improvements shown represent proposed conditions.  
- Sloops, poles, sidewalks, decks and driveways, if any, are United Common Elements assigned to the Unit(s) they serve.

This instrument drafted by John P. Konopacki, P.E.-Registration No. S-2461

**PINNACLE ENGINEERING GROUP**



**CASTILIAN FLOOR PLAN**  
NOT TO SCALE

**CONDOMINIUM PLAT OF  
VILLAGE CROSSING II  
AT PABST FARMS  
CONDOMINIUM  
ADDENDUM NO. 1**

Being a part of the Northwest 1/4 of the Northwest 1/4 of Section 14, Town 7 North, Range 17 East, in the City of Oconomowoc, Waukesha County, Wisconsin.



DECEMBER 18, 2019

- NOTES:**
- Unit floor plans may be mirrored in combination, according to the building's layout.
  - Building and improvements shown represent proposed construction.
  - Dimensions, levels, and elevations, if any, are Limited Common Elements assigned to the Unit(s) they service.
  - Square footages are approximate, taken from architectural drawings and are not intended to be a representation of the actual square footage of the unit, including the garage, and do not include possible changes requested by purchaser.

This instrument drafted by John P. Konopacki, P.L.S. Registration No. S-2461

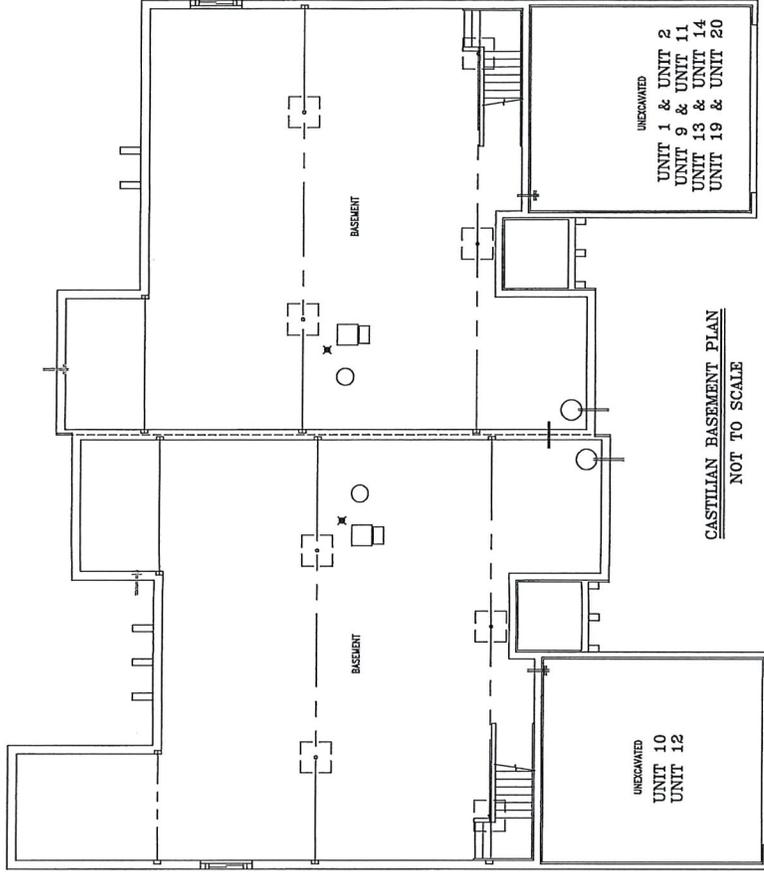
**PINNACLE ENGINEERING GROUP**

**CONDOMINIUM PLAT OF  
VILLAGE CROSSING II  
AT PABST FARMS  
CONDOMINIUM  
ADDENDUM NO. 1**

Being a part of the Northwest 1/4 of the Northwest 1/4 of Section 14, Town 7 North, Range 17 East, in the City of Oconomowoc, Waushara County, Wisconsin.



DECEMBER 19, 2019

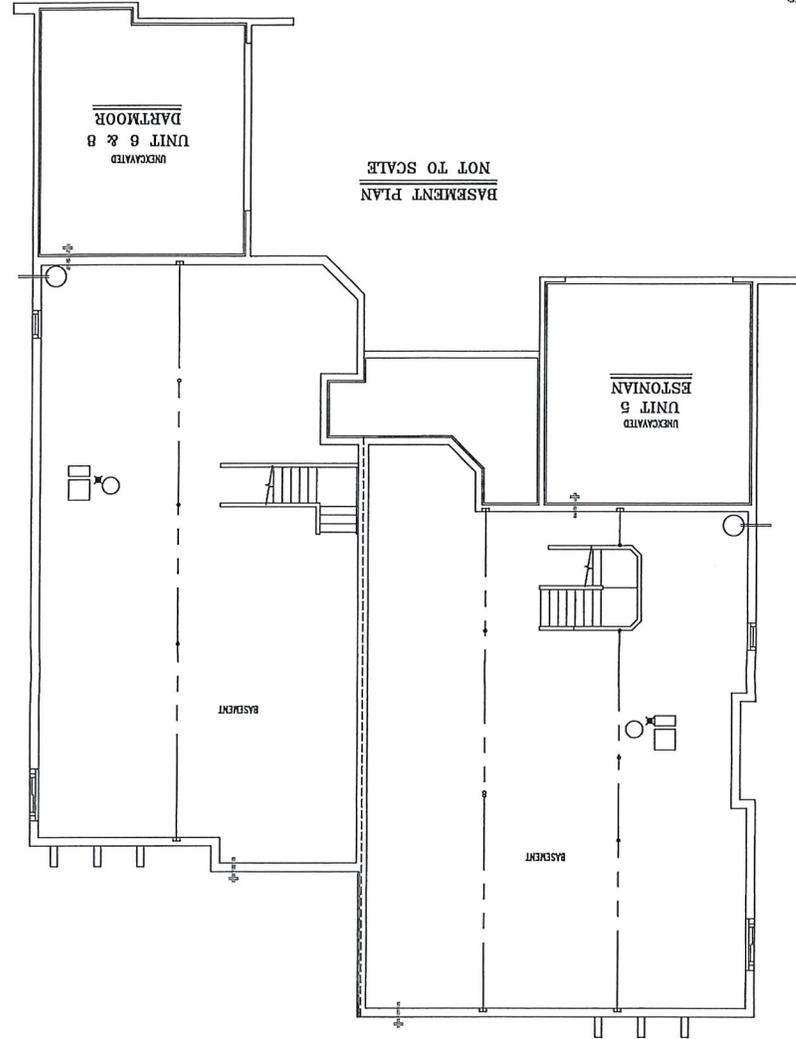


**CASTILIAN BASEMENT PLAN**  
NOT TO SCALE

**NOTES:**  
- This plan has been checked to conform with the applicable code.  
- All dimensions and improvements shown on this plan are subject to change.  
- Sloops, pillars, sidewalks, eaves and driveways, if any, are Limited Common Elements assigned to the Unit(s) they service.

This Instrument drafted by John P. Konopacki, PLS-Registration No. S-2461  
**PINNACLE ENGINEERING GROUP**





NOT TO SCALE  
BASEMENT PLAN

NOTES  
 1. All Floor Plans may be revised by contractors according to their L  
 2. Building and Improvements shown represent proposed construction.  
 3. Scope, parties, details, dates and drawings, if any, are listed.  
 4. Common Elements assigned to the building owner.

PRECEDENCE  
SHEET 8 OF 10

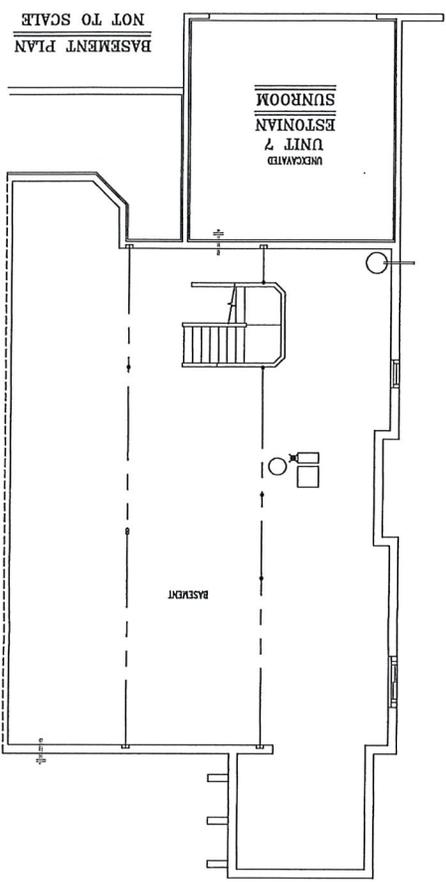
CONDINIUM PLATOF  
 VILLAGE CROSSING II AT  
 PABST FARMS  
 CONDOMINIUM  
 APPENDUM NO. 1  
 Being a part of the Northwest 1/4 of the Northwest 1/4  
 of Section 14, Town 7 North, Range 17 East, in the City  
 of Oconomowoc, Waukesha County, Wisconsin.

DECEMBER 18, 2019



This instrument drafted by John P. Konopacki, PLS-Registration No. S-2461  
**PINNACLE ENGINEERING GROUP**





NOTES:  
 - Unit Floor Plans may be mirrored by contractors according to Sheet 1  
 - Balings and Improvements shown requires proposed construction.  
 - Slopes, grades, elevations, details and drawings, if any, are limited.  
 Common Elements assigned to the Unit(s) by owner.

PC0204012400  
 SHEET 10 OF 10

CONDOMINIUM PLAT OF  
 VILLAGE CROSSING II AT  
 PABST FARMS  
 CONDOMINIUM  
 APPENDUM NO. 1  
 Being a part of the Northwest 1/4 of the Northwest 1/4  
 of Section 14, Town 7 North, Range 17 East, in the City  
 of Oconomowoc, Waukesha County, Wisconsin.



This instrument drafted by John P. Konopacki, P.L.S.-Registration No. S-2461  
**PINNACLE ENGINEERING GROUP**

# Planning Staff Report

City of Oconomowoc

Plan Commission – 1/8/2020

## ***Elite Collision Repair***

### **Conditional Use Permit**

**Summary:** The applicant has submitted an application for a conditional use permit to conduct vehicle service and repair at 156 N. Thompson Street.

**Property Location:** 156 N. Thompson Street,  
tax key number OCOC 0563.031.001

**Property Owner:** Aaron Jungbluth (Sale pending per outcome of CUP application)  
W294 N7854 Camp Whitcomb Road  
Hartland, WI 53029

**Applicant:** Same as Owner

---

**Existing Zoning:** MC – Mixed-Use / Commercial District  
**Existing Land Use:** Vehicle Service & Repair (Auto Body) – No CUP  
**Proposed Land Use:** Vehicle Service & Repair (Auto Body)



**Location Map**

## **Use:**

Per Section 17.106 of the zoning ordinance, the proposed vehicle service & repair use requires a conditional use permit within the Downtown MC – Mixed-Use / Commercial zoning district. This use is viewed as one that could cause a future nuisance to the surrounding area.

Supreme Auto Body is the existing business at this location which has been operating a similar vehicle service and repair use. Typically, conditional use permits run with the land and may be transferred from one owner to the next. In this case there was no conditional use permit to transfer. Supreme has been operating at this location since 1982 and would now like to sell the property. There is no conditional use permit on record. Permits may not have been required in 1982 or the business never applied for one. The existing business is allowed to continue to operate the business, but since it does not have a permit it ends with that business. This has been the City policy for these types of unapproved uses, such as when Safro Ford was sold to Van Horn, a CUP was required to be approved for new use of Van Horn Auto.

The City can require conditions of existing standards of the zoning ordinance and the applicant must adequately address those conditions prior to the City approving the conditional use permit application.

The proposed suggested hours of operation will be between 7:30 AM to 6:30 PM, with weekends 9:00 AM to Noon on Saturday. No Sunday hours. Starting out there will be four employees, (2 body techs, 1 paint tech and 1 office staff), but as the business grows it is anticipated that additional employees could work out of this facility.

## **Site Plan:**

### **Parking / Access:**

The site contains a total of 36 parking stalls to be used by all customers and employees. For parking 13 stalls are inside the building and 23 stalls are outside. For the outside stalls 5 are in the front of the building and 18 are within an existing fenced area. The fenced area has 13 stalls for vehicles waiting to be worked on and 5 employee stalls. The applicant provided a master parking plan that identifies the number of stalls devoted to each use. The site appears to have enough parking for customer and employee parking.

### **Drainage / Stormwater:**

No additional hard surface is being added to the site that would increase the amount of storm water run-off. The applicant is working with the DNR to review ideas to prevent any undesirable contaminants getting flushed into the Lake. Vehicles coming in and being dropped off may be leaking antifreeze, oil or transmission fluids. Staff was concerned about these pollutants as vehicles will be parked approximately 25' from the water. Staff was told the parking lot has a pitch that goes away from the Lake.

**Utilities:**

The City Utilities has the capacity to handle the additional wastewater, water and electrical demands. The applicant will need to confirm that there is a working grease / sand trap, as well as a sampling manhole. If these items are not on site, now would be the time to bring the use into conformance with the City Ordinance requirements.

**Lighting:**

Per the submitted plan of operation, no additional exterior lights will be added. The lighting will utilize existing lighting,

**Outdoor Storage and Display of Product:**

No car parts, including tires, shall be stored outside or adjacent to the building.

**Architecture:**

The applicant will be painting the exterior of the building. This request is going forward to the City's Architectural Commission. The applicant intends on installing a business advertising sign which can be approved administratively by Planning Department Staff.

**Conditional Use Permit Findings**

1. How is the proposed conditional use (in general) in harmony with the purposes, goals, objectives, policies and standards of the City of Oconomowoc Comprehensive Plan, the Zoning Ordinance, and any other plan, program, or ordinance adopted by the City?

*The subject use is an allowable use listed in the Zoning Ordinance. The use is a business that will serve the general public by providing an additional vehicle service and repair for the residents of the City.*

2. How is the proposed conditional use (in its specific location) in harmony with the purposes, goals, objectives, policies and standards of the City of Oconomowoc Comprehensive Plan, the Zoning Ordinance, and any other plan, program, or ordinance adopted by the City?

*The site is zoned MC Mixed-Use Commercial that allows vehicle service and repair with a conditional use permit. The proposed business maintains the commercial uses in the area with a use that will assist the residents of the City.*

3. Does the conditional use, in its proposed location and as depicted on the required site plan, result in a substantial or undue adverse impact on nearby property, the character of the neighborhood, environmental factors, parking, public improvements, public property or rights-of-way, or other matters affecting the public health, safety, or general welfare, either as they now exist or as they may in the future be developed as a result of the implementation of the provisions of the Zoning Ordinance, the comprehensive plan, or any other plan, program, map, or ordinance

adopted by the City or other governmental agency having jurisdiction to guide development?

*The proposed use will not cause adverse impacts to the current or future adjacent uses. Hours are limited. All work will be conducted indoors. There is no outside storage of car parts.*

4. Does the proposed conditional use maintain the desired consistency of land uses, land use intensities, and land use impacts as related to the environs of the subject property?

*The property is currently zoned MC Mixed-Use Commercial District. Car service and repair uses are allowable uses with a conditional use permit within this zoning district. The site currently has a similar use that has been operating since 1982.*

5. Is the proposed conditional use located in an area that will be adequately served by, and will not impose an undue burden on, any of the improvements, facilities, utilities or services provided by public agencies serving the subject property?

*The car service business will not impose an undue burden on public facilities and services in the area as they are provided. The current utilities are able to serve this property.*

6. Do the potential public benefits of the proposed conditional use outweigh all potential adverse impacts of the proposed conditional use, after taking into consideration the applicant's proposal and any requirements recommended by the applicant to ameliorate such impacts?

*The benefits of the proposed use outweigh any adverse impacts in the neighborhood.*

7. Will the proposed conditional use create adverse impacts such as dust, lighting, air pollution, noise, odor, vibration, glare, heat, hazardous materials, or traffic?

*The proposed use will not adversely impact the surrounding neighborhood.*

8. Will the proposed conditional use negatively affect the health, safety, welfare and morals of the general public?

*The proposed use will not negatively affect the health, safety, welfare or morals of the general public.*

**Easement:**

The applicant has verbally agreed to voluntarily provide an easement to the City. This is for the lands located on the subject property between the water of Fowler Lake and the northern edge of the existing parking lot. The City would use this area as a potential future walking path for pedestrians.

As the East Wisconsin Avenue Corridor redevelops, it is envisioned a path could be installed beginning at the Fowler Lake Bridge on Oakwood Avenue along the lakeshore to Lapham Street. This initiative has been discussed in the past, as the City has previously obtained an easement from the prior Sentry Grocery Store. The City now owns this adjacent parcel, that will be used for a Public Safety Facility. Details of the easement can be worked out in the future. The City has no immediate plans for the installation of this path, but the purpose is to improve pedestrian connectivity.

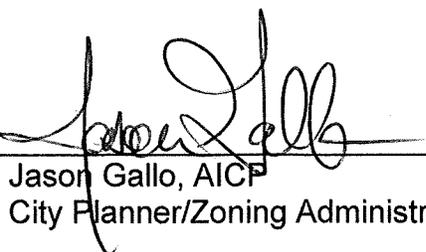
**Planning Comments:**

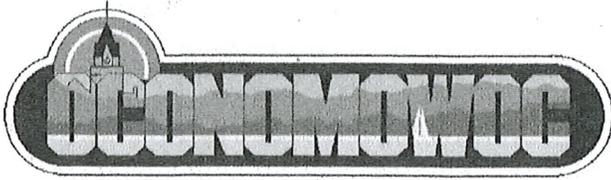
The proposed use complies with the standards listed within the Zoning Ordinance. Planning feels the proposed use will continue to serve a customer base that is currently in the City, just under new ownership. Staff feels the proposed use is similar to the prior business which created no negative issues to the City. The draft conditional use permit regulates the hours and noise, while prohibiting the outdoor storage of parts. Planning supports the proposed business with the restrictions for the use as listed in the conditional use permit.

**Recommendation:**

Planning Staff recommends the Plan Commission **recommend approval** of the conditional use permit for Elite Collision Repair located at 156 N. Thompson Street, as drafted.

Submitted by: \_\_\_\_\_

  
Jason Gallo, AICP  
City Planner/Zoning Administrator



**STAFF RECOMMENDATION FORM** TYPE OF REQUEST: **CONDITIONAL USE PERMIT**

PROJECT NAME: **ELITE COLLISION REPAIR**

TAX KEY NO.:

PROJECT ADDRESS/LOCATION: **156 N. THOMPSON STREET**

**RECOMMENDATION SIGNATURES**

CITY PLANNER: *[Signature]* Date: **12-20-19**

Comments:

CITY ENGINEER: *[Signature]* Date: **12/27/2019**

Comments:

DIRECTOR OF PUBLIC WORKS: *[Signature]* Date: **12.29.19**

Comments:

WASTEWATER: *[Signature]* Date: **12-20-19**

Comments: **state approved sand/oil trap**

WATER: *[Signature]* Date: **1/2/20**

Comments:

ELECTRIC: *[Signature]* Date: **1-2-20**

Comments:

PARKS, RECREATION & FORESTRY: *[Signature]* Date: **12-20-19**

Comments: **POSSIBLE FUTURE BASEMENT FOR PATHWAY ALONG WATERWAY**

POLICE CHIEF: *[Signature]* Date: **1-2-20**

Comments:

FIRE: *[Signature]* Date: **12-20-19**

Comments: **see previous requirement**

DIRECTOR OF FINANCE: *[Signature]* Date: **12-20-19.**

Comments:

ECONOMIC DEVELOPMENT DIRECTOR: *[Signature]* Date: **1-2-20**

Comments:

**CONDITIONAL USE PERMIT**  
**Elite Collision Repair – Vehicle Service & Repair**  
**156 N. Thompson Street**

A petition having been filed by Aaron Jungbluth, Elite Collision Repair, for permission to engage in vehicle service & repair at 156 N. Thompson Street, in the City of Oconomowoc, Wisconsin 53066, requesting a conditional use permit, upon which there has been the following proceedings:

- Preapplication meetings between the applicant, the Zoning Administrator and appropriate City staff to discuss the general concept on December 4, 2019.
- Zoning Administrator determination that the application is complete as required by §17.806(5).
- Zoning Administrator evaluation of the written justification for the conditional use and determination if the proposed conditional use is in harmony with the Master Plan of the City as required by §17.806(6)(a).
- After due notice, a public hearing was held before the Common Council on January 21, 2020.
- Plan Commission has adopted the memorandum report of the City Planner as the Plan Commission's report and has adopted the findings of fact set forth therein (Exhibit A).
- Plan Commission has, by motion duly made, seconded and carried, at its regular Plan Commission meeting of January 8, 2019, recommended to the Common Council of the City of Oconomowoc that a conditional use be granted to Elite Collision Repair, for the use of vehicle service & repair at 156 N. Thompson Street, in the City of Oconomowoc.
- Plan Commission has forwarded its report and recommendation to the Common Council for final action by the Council.
- Common Council has reviewed the Plan Commission's recommendations and the proposed written conditional use permit.

The Common Council hereby accepts the Plan Commission's recommendation.

The Common Council of the City of Oconomowoc does hereby make the following findings of fact and does hereby grant a conditional use permit to Aaron Jungbluth, doing business as, Elite Collision Repair, to allow for vehicles service & repair at 156 N. Thompson Street subject to the conditions set forth below.

**FINDINGS OF FACT**

The findings of fact listed in the Oconomowoc Planning Staff Report adopted as the City Plan Commission's report are hereby incorporated herein by reference. See Exhibit A.

### **CONDITIONS**

1. Development Application / Plan of Operation. The application and the plan of operation submitted by Aaron Jungbluth, Elite Collision Repair, dated December 9, 2019, (received December 12, 2019) are hereby approved and incorporated herein by reference. If any terms of the plan of operation conflict with provisions of this conditional use permit, the provisions of this conditional use permit shall control.

2. Site Plans. The site development plans included with the development application dated July 3, 1984, and on file in the Office of the City Planner is hereby approved and incorporated herein by reference, including:

- Site / Parking Plan
- Judson Sale Flyer including site & building information and photos
- Aerial Photo of site, dated December 10, 2019

3. Initially Approved Activities. The applicant may operate a vehicle service & repair business at 156 N. Thompson Street. The hours of operation for the business shall be 7:30 AM to 6:30 PM, Monday thru Friday with hours on Saturday being 9:00 AM to 12:00 PM. No Sunday Hours are being requested.

4. Noise. The business shall conform with the noise regulations listed in the City Zoning Ordinance.

5. Outdoor Storage / Sales Display. Per the zoning ordinance, no outdoor storage of automobile parts shall be permitted on the subject property.

6. Fire Protection. The applicant shall provide all fire protection items as required by the City of Oconomowoc Fire Department Codes and Ordinances.

7. Security Cameras. Cameras shall be installed per the direction of the City of Oconomowoc Police Department. Cameras shall be operational prior to final occupancy permit being released from the City.

8. Sand / Oil Trap. Applicant shall install and maintain a State Approved Sand and Oil Trap prior to final occupancy.

9. Easement. Applicant has voluntarily agreed to grant to the City of Oconomowoc an easement for the lands located between the shore of Fowler Lake and the northern edge of the existing parking lot. The purpose of this easement is to allow pedestrian access in this area. The easement document shall be drafted and recorded to become part of this property.

10. Permit Transferability. This approved Conditional Use Permit is transferable to subsequent permit users provided said users conform to the conditions within this approved permit and the use is consistent with the approved plan of operation. A change in business name or ownership shall not be considered a substantive change and shall not require Plan Commission approval. In order for the use to be transferred, the use shall not discontinue for 12 consecutive months and the use must not exceed the restrictions and conditions listed within the approved conditional use permit.

12. Encroachment Agreement. Applicant shall enter into an encroachment agreement with the City of Oconomowoc regarding the existing fence that is currently located in the public right-of-way of Thompson Street. The agreement shall allow the fence to remain on the property, unless directed by the City to remove at the applicant's expense. This agreement shall be recorded at the Waukesha County Register of Deeds office and made part of the parcel record.

13. Containment System. Applicant shall be responsible containing the pollutants and other contaminant droppings from all vehicles parked on the subject property. No pollutants, such as gasoline and diesel fuels, antifreeze, transmission fluids, brake fluid, battery acid, or engine oils shall drip uncontained on the parking lot, which could end up in Fowler Lake. Applicant shall utilize a rubberized walled device to catch pollutants from leaking vehicles. All materials contained in such devices shall be disposed of in a proper fashion.

14. Acceptance. The applicant, upon the granting of the Conditional Use Permit, shall agree to accept the same in writing.

DATED: \_\_\_\_\_

**CITY OF OCONOMOWOC**

By: \_\_\_\_\_  
David Nold, Mayor

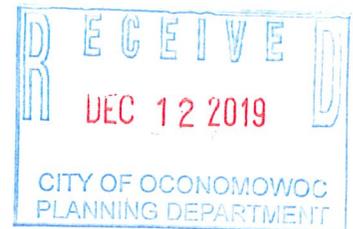
Attest: \_\_\_\_\_  
Diane Coenen, Clerk

**ACCEPTANCE**

This conditional use is accepted, and applicant / permittee agrees to abide by the terms thereof.

***Elite Collision Repair***

By: \_\_\_\_\_  
Aaron Jungbluth, Owner



## Development Application

Department of City Planning  
 174 E. Wisconsin Avenue Oconomowoc, WI  
 www.oconomowoc-wi.gov | 262.569.2166

X	Description	Administrative Fee
	Administrative Design Review	\$ 75.00
	Major Design Review	\$ 75.00
X	Conditional Use Permit	\$ 500.00
	Zoning Determination Letter	\$ 100.00
	Temporary Use Permit	\$ 75.00
	Temporary Use Permit - Renewal	No Charge
	Variance	\$ 425.00
	Special Exceptions	\$ 425.00
	Appeals of Zoning Administrator	\$ 300.00
	Zoning Map Amendment (From _____ To _____)	\$ 425.00
	Zoning Text Amendment	\$ 425.00
	Comprehensive Plan Amendment	\$ 300.00
	Planned Development District Step 1: Pre-application Conference Step 2: Concept Plan Review Step 3: General Development Plan Review	No Charge
		\$ 75.00
		\$ 200.00
	Preliminary or Final Plat Review	\$ 75.00
	Certified Survey Map or Extraterritorial Plat/CSM Review	\$ 75.00

\*NOTE: Administrative filing fees are due at the time an application is filed with the City Clerk's Office and are not refundable. In addition to the Administrative fees, City Staff time (City Engineer, City Planner & City Attorney) will be charged back to the applicant. The Applicant will receive monthly invoices of payments due.

Date: 12-4-19

Project/Business Name: Elite collision repair

Address/Location: 156 N Thompson St Oconomowoc WI

City, State, Zip Code: Oconomowoc WI 53066

Proposed Use of Property: collision repair

Applicant: Aaron Jungbluth

Property Owner: Aaron Jungbluth

Address: w294 N 7854 Camp Whitecomb Rd

Address

City/State/Zip: Hartland WI 53029

City/State/Zip:

Phone: 262 394 6210

Phone:

E-mail: jungbluthaaron@qatar.com

E-mail:

Signature: [Handwritten Signature]

Signature: [Handwritten Signature]

This form is not valid unless signed by Owner or Agent under a written power-of-attorney (please provide). I, Owner/one of the Owner's of the property, declare that this application (including any accompanying documents) has been examined by me and to the best of my knowledge and belief is true, correct and complete. I further accept all liability, which may be a result of the City of Oconomowoc relying on this information I am providing in this application.

## Elite collision repair business plan

### Rebranding

First, rebranding. This is essential in establishing a new customer base. We need to change the look and feel of Supreme Auto Body in order to excite potential customers and people of the community, getting potential customers or people in the community talking about Elite Collision repair. Whether they're looking to get a vehicle repaired after a collision or just looking to get damage looked at that's been bothering them on their vehicle. A face lift of the property, new signage. New paint on the exterior of the original brick building grey with blue trim. Remodel of office space and bathrooms making the interior customer friendly and inviting. Updating some of the older equipment, mostly with a new frame rack and electronic measuring system which is required by most insurance companies to do any structural repairs. The shop would receive a resistance spot welder which is required by most insurance companies and more importantly vehicle manufacturers in order to replace most weld on parts in today's advanced automobiles. The last big item the shop would be receiving is an ac recovery and recharge machine. You cannot remove any ac components without first recovering the Freon from the system first. There would also be other small items brought in to make repairing today's automobiles feasible.

### Advertising

New lighted sign on the building. advertising throughout the community, sponsor public events such as moonlight movies, car shows. church flyers, diner placemats and even possibly a billboard. I hope our largest form of advertisement to be word of mouth through honest and quality work at an

affordable price.

### Staffing

Ideal employees 2 body techs 1 paint tech 1 office staff. I plan to use wctc as a possible place to find qualified eager hard working entry level labor. Other body and paint positions will hopefully be filled through online ads and maybe word of mouth seeing this is a tight nit trade. I hold i car platinum certifications in icar structural repair and would expect potential candidates to have training or be open to continuing their education through courses on subjects of vehicle technology to structural component replacement. Office staff would be great to have previous parts counter experience because one of their job duties would be ordering parts from various vendors. They would ideally be comfortable using a computer and be able to easily learn cc1 a common estimating program used in the collision repair industry

### Setting us apart

We will specialize in repairing cars for our customers and through insurance companies, but not on a direct repair plan. Fixing cars with the correct parts and the correct repair procedures. Along with what best fits the repair for every vehicle. Insurance companies have shops on direct repair programs and some insurance companies contracts say that the shop will use used parts, aftermarket parts sometimes putting a lesser quality part on the vehicle without the customer's full knowledge. This means if you have a current model year vehicle you just drove off the lot and we're involved in an accident that car could receive aftermarket or used parts if the vehicle is taken to direct repair facility. If the customer has a vehicle that doesn't have the value and the only way to repair their car is aftermarket or used that is perfectly fine as long as the customer is aware that is what they will be receiving.

## Appeal

Staying involved in the community and promoting an honest business at a affordable rate. Offering customer pay rates Lower than the competition. Customer pay rate of 52\$ per hour. Collision repair has gotten extremely expensive and I would do my best to create an affordable alternative for customer's to repair cars using aftermarket parts if needed to cut costs and repair our customer vehicles using the same high quality repair procedures. As cars are advancing in technology there are more systems on board such as collision avoidance, parking sensors, cameras, and other technology making repairs more difficult, expensive, and increase the cost of vehicle repairs. Damage to these advanced systems can result in a total loss by the insurance company's when the cost of repairs exceed the vehicles value resulting in a total loss. Elite collision repair would work with customers who wish to save their car from a total loss situation by using alternative parts.

## **Project summary**

I plan to purchase the property at 156n Thompson st oconomowoc 53066 currently known as supreme auto body and operate Elite collision repair out of the existing building. I plan to repaint the exterior of the block part of the building from the existing tan and teal to light grey and dark blue. Pictures of the current building are on page 3 and 4. The future colors are on page 9. There are two locations on the front of the building that currently have overgrown trees that will be cleared and professionally landscaped in the spring with a mixture of perennials and annuals surrounded by a bed of mulch and decorative block wall. Also new signage for Elite collision repair in a similar color scheme pictured on page 7. Interior remodel of the office and bathrooms to make it customer friendly and up to date.

All repairs completed by Elite collision repair will be completed within the building, there is ample room to have 13 plus cars in process at any given time.

Vehicles that are not in process waiting on parts or repair approval may be stored in the screened fenced in area next to the building. I believe that there is plenty of room to store 13 vehicles in the fenced area out of sight from the surrounding area. Vehicles awaiting pick up or being dropped off may be parked in the paved stalls in front of the office over to the gate of the fenced area. There are 5 stalls facing the road that will be utilized for pick up and drop off. Parking diagram for customer cars is page 15 All employees will be parking inside the fenced area along the building. Parking diagram for employee vehicles is on page 16.

Security cameras will be installed on the building so that all of the surrounding area is under surveillance. Planning to install a 6 camera system with 1 tb dvr. I will be hiring a security company to install the system soon

after I obtain the property.

Customer service hours will be Monday, Wednesday and Friday 7:30am-5:30pm and Tuesday and Thursday 7:30am-6:30pm. Saturday hours 9am-12pm.

Fire, building, and engineering ordinances are in process of being rectified. Clean air make up unit, dry chemical fire suppression in paint booth, cement bolster around gas meter, light exit signs. Additionally I have contacted the dnr about water runoff from the parking lot. I have not been given any direction if there will be anything needed as far as a retaining wall or filter from parking lot to lake.

# PLAT OF SURVEY

BEING ALL OF LOTS 8 AND 9 OF THE PLAT OF THOMPSON'S ADD.,  
 LOCATED IN THE SE. 1/4 OF THE SW. 1/4 OF SECTION 33, T 8 N,  
 R. 17 E., CITY OF OCCONOMOC, WAUKESHA COUNTY, WISCONSIN.

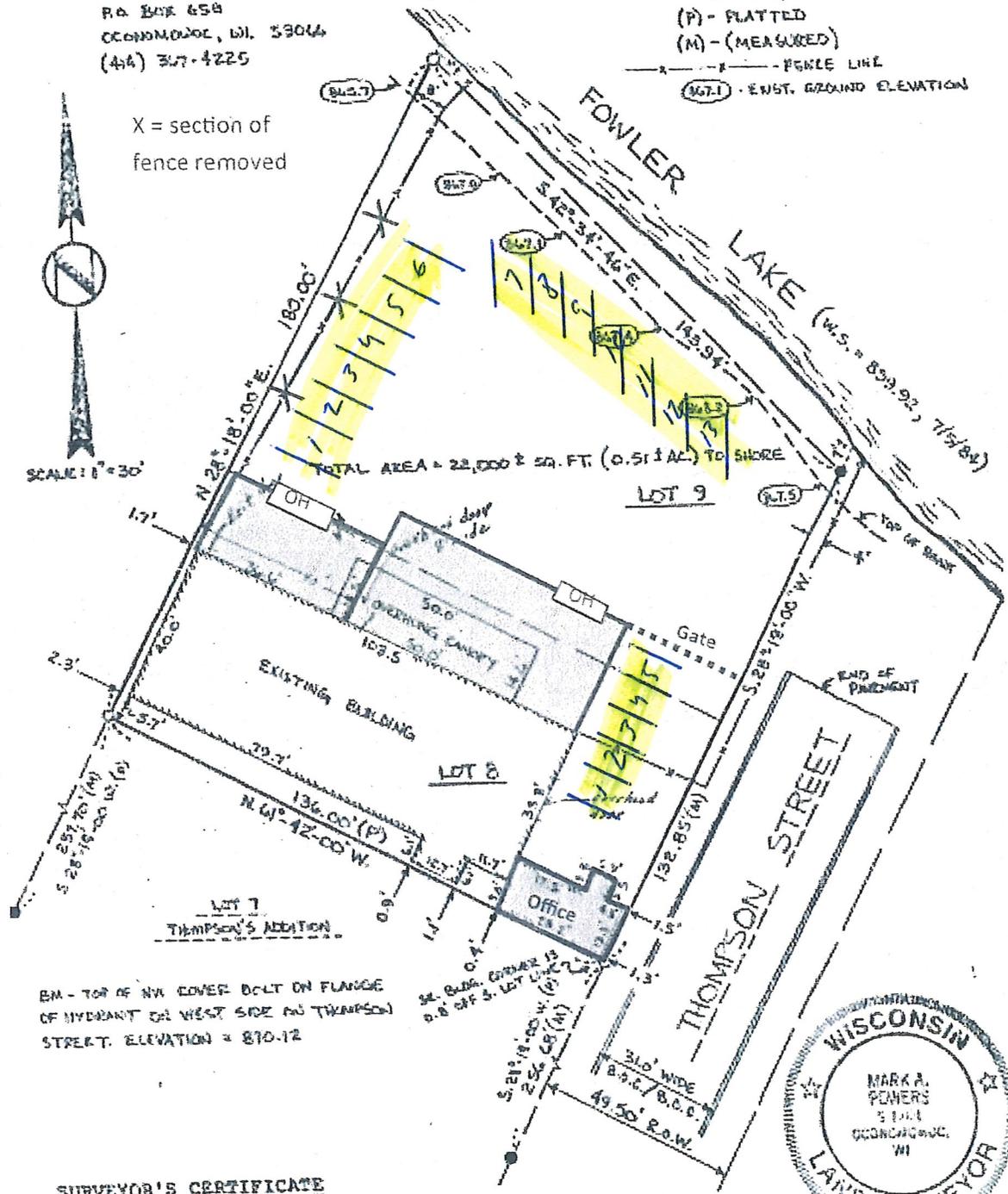
**SURVEYOR**  
 MARK A. POWERS R.L.S 1701  
 WELCH, HANSEN & ASSOC., INC.  
 P.O. BOX 654  
 OCCONOMOC, WI. 53044  
 (414) 367-4225

**SURVEY FOR**  
 LEN-LOY, INC.  
 15 1/2 N. THOMPSON ST  
 OCCONOMOC, WI.

**LEGEND**  
 ● - IRON PIPE FOUND, SIZE SHOWN  
 ○ - 3/4" DIA. SOLID IRON BAR SET,  
 24" LONG, WT. 1.6 LBS./LIN. FT.  
 (P) - PLATTED  
 (M) - (MEASURED)  
 --- FENCE LINE  
 (67.1) - EXIST. GROUND ELEVATION



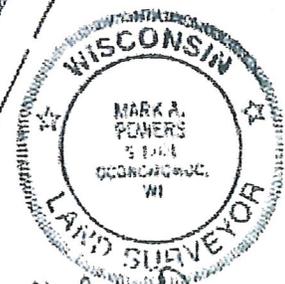
X = section of fence removed



BM - TOP OF NW COVER BOLT ON FLANGE  
 OF HYDRANT ON WEST SIDE OF THOMPSON  
 STREET. ELEVATION = 870.12

**SURVEYOR'S CERTIFICATE**

I hereby certify that I have surveyed the above described property and that the above map is a true representation thereof and shows the size and location of the property, its exterior boundaries, the location of all visible structures and dimensions of all principal buildings thereon, boundary fences, apparent easements, roadways and visible encroachments, if any.



*Mark A. Powers*  
 July 3, 1984

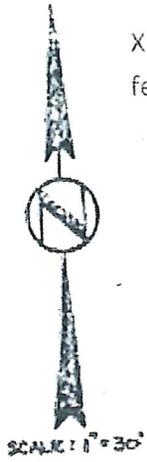
PROJECT NO. 1611

BEING ALL OF THE SW. 1/4 OF SECTION 33, T 8 N,  
 LOCATED IN THE SE. 1/4 OF THE SW. 1/4 OF SECTION 33, T 8 N,  
 R. 17 E., CITY OF OCONOMOC, WAUKESHA COUNTY, WISCONSIN.

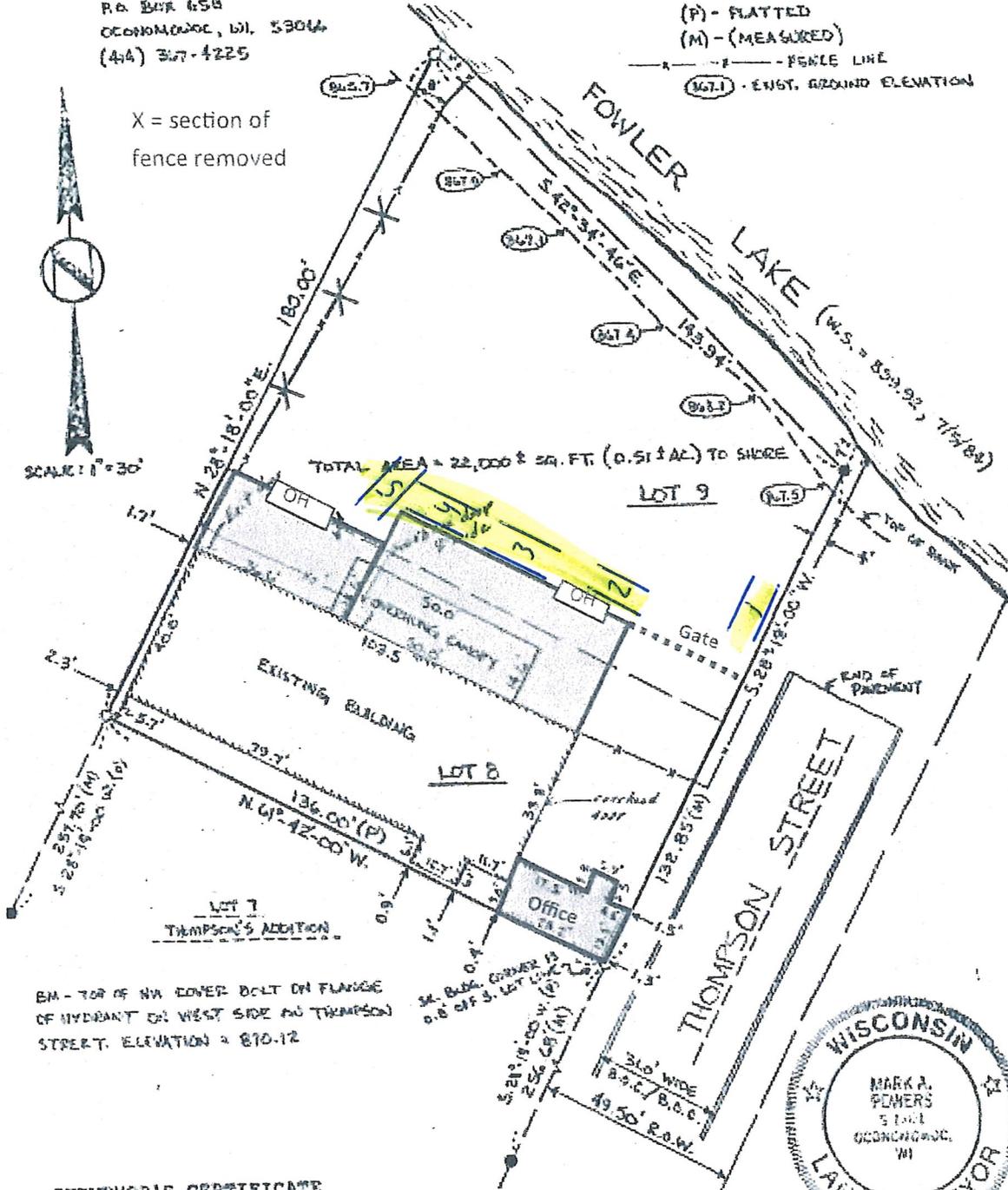
**SURVEYOR**  
 MARK A. POWERS R.L.S. 1701  
 WELCH, HANSEN & ASSOC., INC.  
 P.O. BOX 658  
 OCONOMOC, WI. 53066  
 (414) 367-4225

**SURVEY FIRM**  
 LEN-LDY, INC.  
 156 N. THOMPSON ST  
 OCONOMOC, WI.

**LEGEND**  
 ● - IRON PIPE FOUND, SIZE SHOWN  
 ○ - 3/4" DIA. SOLID IRON BAR SET,  
 24" LONG, WT. = 1.5 LBS./LIN. FT.  
 (P) - FLATTED  
 (M) - (MEASURED)  
 --- FENCE LINE  
 (967.1) - EXIST. GROUND ELEVATION



X = section of  
 fence removed



BM - TOP OF WA EDGER BOLT ON FLANGE  
 OF HYDRANT ON WEST SIDE OF THOMPSON  
 STREET. ELEVATION = 870.12

**SURVEYOR'S CERTIFICATE**

I hereby certify that I have surveyed the above described property and that the above map is a true representation thereof and shows the size and location of the property, its exterior boundaries, the location of all visible structures and dimensions of all principal buildings thereon, boundary fences, apparent easements, roadways and visible encroachments, if any.



*Mark A. Powers*  
 July 3, 1984

PROJECT NO. 1411



## 156 N THOMPSON STREET OCONOMOWOC, WI 53066

### Features

7,056 SF single story industrial building with large fenced in outdoor storage.

**Approximately 150 feet of frontage on Fowler Lake!**

Zoning: MC - Mixed Use Commercial

Drive in Doors: 3

Year Built / Renovated: 1940 / 1986 & 1988

Construction: Masonry and Metal

Sewer: Municipal / Water: Municipal

Heat: Gas and Waste Oil Heat

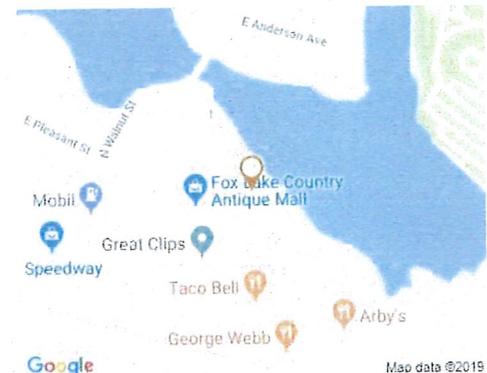
Electric Service: 3 Phase, 400 amp

Lighting: Fluorescent

Tax Key #: OCOC0563031001

Property Taxes: \$5,044.17 (2018)

Listing: 4466



### Industrial For Sale

**Total SF: 7,056**

**Available: 7,056 SF**

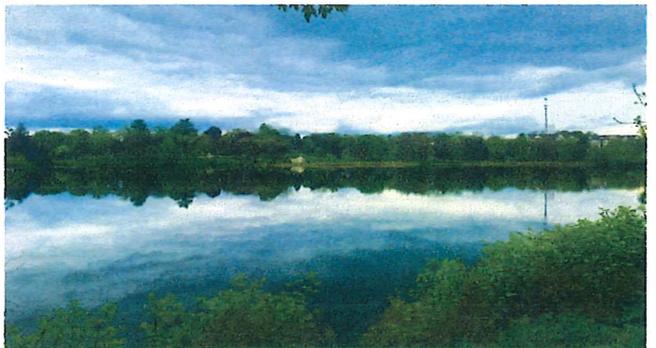
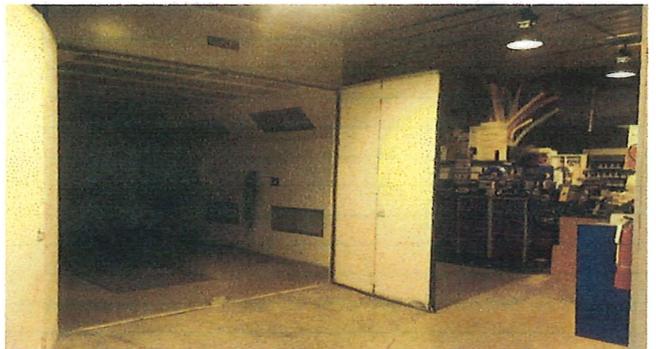
**Total Acres: .52**

**Available: 0.52 Acre(s)**

**Sale Price: \$799,000.00**

Cole Russell, Sales Agent  
262-695-8800  
crussell@judsonrealestate.com

Judson & Associates, S.C.  
2831 N. Grandview Blvd, Suite 222  
Pewaukee, WI 53072



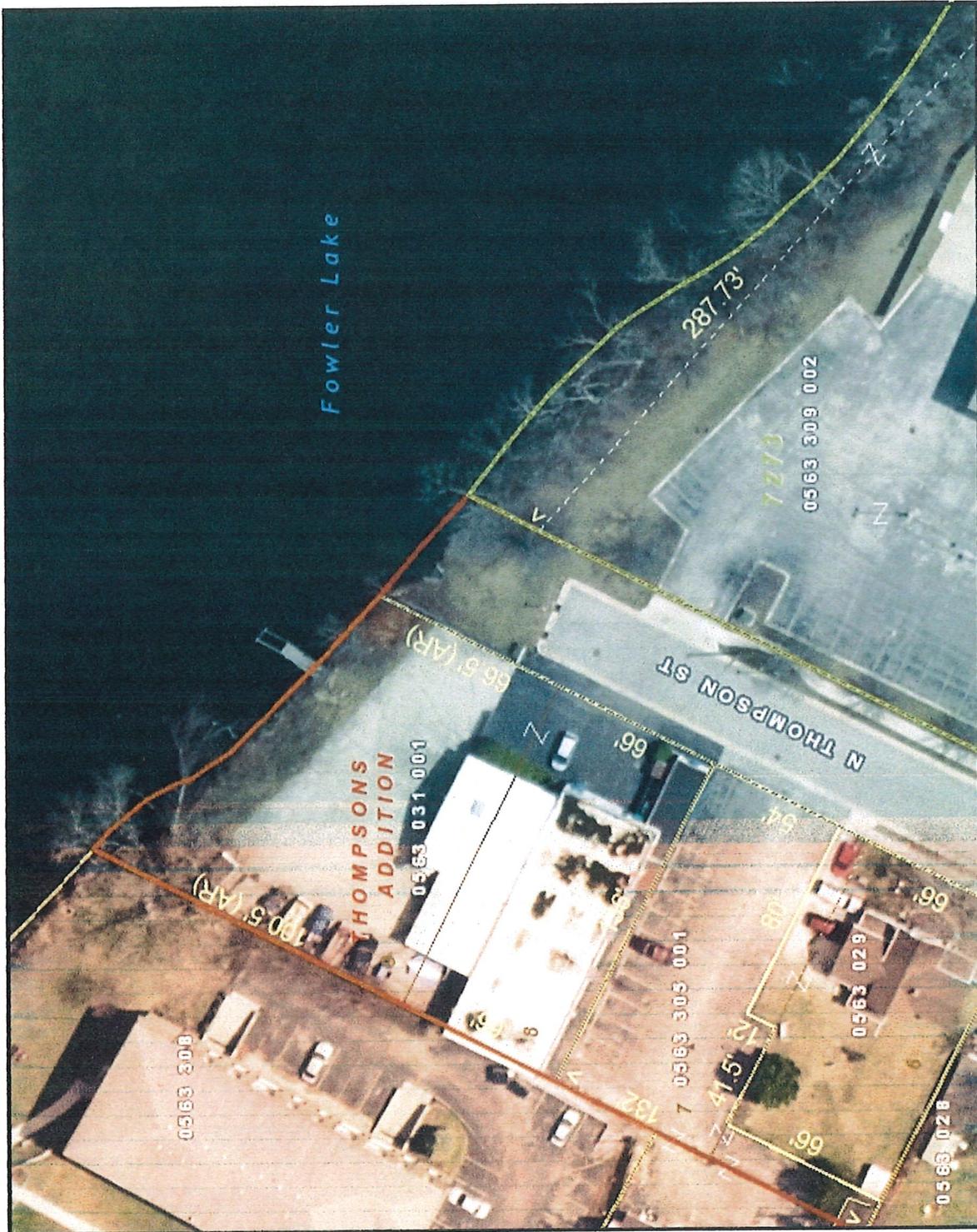
Cole Russell, Sales Agent  
262-695-8800  
crussell@judsonrealestate.com

Judson & Associates, S.C.  
2831 N. Grandview Blvd, Suite 222  
Pewaukee, WI 53072



LAND INFORMATION SYSTEMS DIVISION

# Waukesha County GIS Map



### Legend

- Parcels (Click for details)
- Plats (Click for details)
- Retired Parcels (Click for de
- Retired Plats (Click for de
- Municipal Boundary\_2K
- FacilitySites\_2K\_Labels
- Lots\_2K
  - Lot
  - Outlot
- SimultaneousConveyance
  - Assessor Plat
  - CSM
  - Condominium
  - Subdivision
- Cartoline\_2K
  - <all other values>
  - EA-Easement\_Line
  - PL-DA
  - PL-Extended\_Tie\_line
  - PL-Meander\_Line
  - PL-Note
  - PL-Tie
  - PL-Tie\_Line
- Road Centerlines\_2K
- Railroad\_2K
- TaxParcel\_2K
- Waterbodies\_2K\_Labels
- Waterlines\_2K\_Labels

### Notes:

The information and depictions herein are for informational purposes and Waukesha County specifically disclaims accuracy in this reproduction and specifically admonishes and advises that if specific and precise accuracy is required, the same should be determined by procurement of certified maps, surveys, plats, Flood Insurance Studies, or other official means. Waukesha County will not be responsible for any damages which result from third party use of the information and depictions herein, or for use which ignores this warning.

0 59.18 Feet

Printed: 12/10/2019



# Planning Staff Report

City of Oconomowoc

Plan Commission – 1/8/2020

## Prairie Creek Ridge IV Subdivision

Final Plat

**Summary:** The applicant has submitted a request for approval for the final plat of Prairie Creek Ridge Subdivision, Addition #4. The development would finalize 20 single-family residential lots, that were already granted preliminary approval.

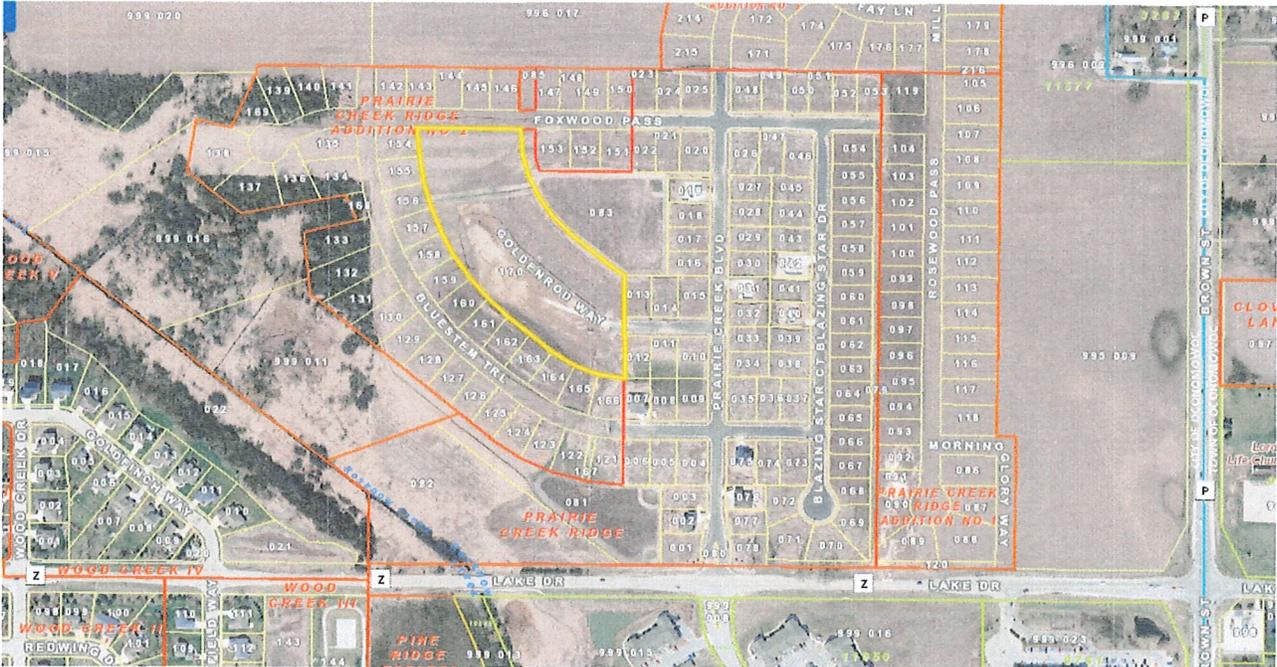
**Property Location:** Extension of Goldenrod Way, Surrounded by Prairie Creek Ridge Subdivision, tax key OCOC 0537.170 (consists of 6.092 acres)

**Property Owner:** Prairie Creek Ridge, LLC  
11600 W. Lincoln Avenue  
West Allis, WI 53227-1018

**Applicant:** Mike Kaerek  
Kaerek Homes  
11600 W. Lincoln Avenue  
West Allis, WI 53227

Mike Bickler  
Stonewood Companies  
720 Industrial Ct. Suite A  
Hartland, WI 53029

**Existing Land Use:** Vacant - Agricultural  
**Proposed Land Use:** 20 Single-family homes



**Location Map**

### **Zoning / History**

The zoning of the proposed subdivision area is currently SR – Suburban Residential. The intended use of single-family residential homes is in compliance with the zoning. The preliminary plat for this development was reviewed and approved by the City in 2017. Since that time the infrastructure has been constructed and lots are now being prepared for sale. The most recent approval was in February 2019, which was for the final plat of Addition #3.

### **Compliance with City’s Comprehensive Plan**

The proposed subdivision conforms with the City Comprehensive Land Use Plan. The Plan identifies the land as Suburban Residential, to provide single-family residential densities at a maximum of four (4) dwelling units per acre. The proposed density of this phase is 3.2 dwellings per gross acre (20 units on 6.092 acres). Other phases of this subdivision contained lower density. The overall density for this Prairie Creek Ridge is 2.6 dwelling units (146 units on 63 acres).

### **Layout**

The access to this subdivision will be from the existing roads of Prairie Creek Boulevard and Foxwood Pass. Goldenrod Way will extend between these two roads and have lots on each side. The lot layout, sizes and frontage are all consistent with the preliminary plat approval from May 2017. The lots range in size from 9828 SF to 12,938 SF.

### **Other Department Comments**

No concerns. The Civil Plans have been approved for this area. Infrastructure has been installed, this is the final document approval for this area of the subdivision.

### **Parkland Dedication**

As required by ordinance, 1500 SF of land per dwelling unit is required for parkland dedication purposes. With 20 lots, this development requires a total of 30,000 SF or .69 acres. This general area was targeted for a regional park. Regional parks are defined with a size ranging from 25 to 40 acres. With no proposed parkland dedication, the applicant’s intent is to pay the increased park fee for the City to bank toward the future regional park. The current fee is required for each dwelling for the parkland dedication fee. Based on 2019 numbers, the total amount of park fees this development will generate is \$55,920. These fees will help pay for the acquisition of the regional park.

### **Stormwater Management**

The stormwater will be directed to a shared regional stormwater pond.

### **Landscaping Requirements**

The City requires street trees to be planted in the terrace area of the street right-of-way. A plan identifying the tree species and locations is required per Section 18.08(2m) of the Subdivision Ordinance. The City Forester will review the plan and work closely with the Developer. No landscaping is required for the individual private lots or the outlots.

### **Other review Agencies**

As with any subdivision plat in the City, there is a required review from outside agencies. Copies of the final plat were submitted to the State of Wisconsin Department of Administration. The State transmits copies to Waukesha County Parks and Land Use and Department of Transportation. The State will work directly with the developer to resolve any issues that their review uncovers, as will the County and DOT. The State DOA then certifies the plat upon receipt of certification by the County and DOT. The State issues a letter of certification to all involved, including the City. The City's review and the review by the other reviewing parties may happen simultaneously.

### **Review Timelines**

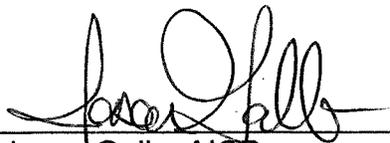
The final plat was officially submitted to the City on December 26, 2019. The City has 60 calendar days to act on the plat or no later than February 24, 2020. The Plan Commission could act on the plat in either January or February which allows the Common Council time to act within the required timeframe.

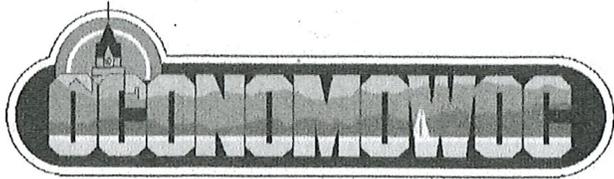
Action includes approve, conditionally approve or reject the plat. The review time may be extended by mutual agreement. Failure to act within the allotted time frame, the plat is deemed to be approved.

### **Recommendation**

Planning Staff recommends that the Plan Commission **Recommend Approval** of the final plat for Prairie Creek Ridge Addition #4 Subdivision.

Submitted by: \_\_\_\_\_

  
Jason Gallo, AICP  
City Planner/Zoning Administrator



**STAFF RECOMMENDATION FORM**

TYPE OF REQUEST: **FINAL PLAT**

PROJECT NAME: **PRAIRIE CREEK RIDGE - Addition #4**

TAX KEY NO.:

PROJECT ADDRESS/LOCATION: **GOLDENROD WAY**

**RECOMMENDATION SIGNATURES**

CITY PLANNER: *[Signature]*

Date: **12-20-19**

Comments:

CITY ENGINEER: *[Signature]*

Date: **12/27/2019**

Comments:

DIRECTOR OF PUBLIC WORKS: *[Signature]*

Date: **12.29.19**

Comments:

WASTEWATER: *[Signature]*

Date: **12-28-19**

Comments:

WATER: *[Signature]*

Date: **1/2/20**

Comments:

ELECTRIC: *[Signature]*

Date: **1-2-20**

Comments:

PARKS, RECREATION & FORESTRY: *[Signature]*

Date: **12-20-19**

Comments:

POLICE CHIEF: *[Signature]*

Date: **1/2/20**

Comments:

FIRE: *[Signature]*

Date: **12-26-19**

Comments:

DIRECTOR OF FINANCE: *[Signature]*

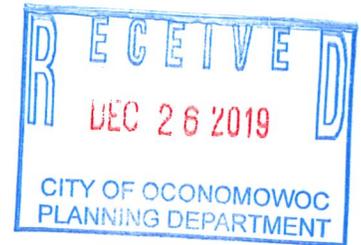
Date: **12-20-19**

Comments:

ECONOMIC DEVELOPMENT DIRECTOR: *[Signature]*

Date: **1-2-20**

Comments:



## Development Application

### Preliminary Plat

Department of City Planning  
174 E. Wisconsin Avenue Oconomowoc, WI  
www.oconomowoc-wi.gov | 262.569.2166

X	Description	Administrative Fee
	Administrative Design Review	\$ 75.00
	Major Design Review	\$ 75.00
	Conditional Use Permit	\$ 500.00
	Zoning Determination Letter	\$ 100.00
	Temporary Use Permit	\$ 75.00
	Temporary Use Permit - Renewal	No Charge
	Variance	\$ 425.00
	Special Exceptions	\$ 425.00
	Appeals of Zoning Administrator	\$ 300.00
	Zoning Map Amendment (From <u>UR</u> To <u>    </u> )	\$ 425.00
	Zoning Text Amendment	\$ 425.00
	Comprehensive Plan Amendment	\$ 300.00
	Planned Development District    Step 1: Pre-application Conference	No Charge
		Step 2: Concept Plan Review
		Step 3: General Development Plan Review
X	Preliminary or Final Plat Review	\$ 75.00
	Certified Survey Map or Extraterritorial Plat/CSM Review	\$ 75.00
<p><b>*NOTE: Administrative filing fees are due at the time an application is filed with the City Clerk's Office and are not refundable. In addition to the Administrative fees, City Staff time (City Engineer, City Planner &amp; City Attorney) will be charged back to the applicant. The Applicant will receive monthly invoices of payments due.</b></p>		
Date: 12/05/2019		
Project/Business Name: Prairie Creek Ridge Addition #4		
Address/Location: Connection to road stub of Goldenrod Way to Foxwood Pass		
City, State, Zip Code: Oconomowoc, WI 53066		
Proposed Use of Property: Residential		
<b>Applicant:</b> Mike Kaerek Kaerek Homes 11600 W Lincoln Avenue West Allis, WI 53227 Ph: 414-321-5300 mikekaerek@kaerekhomes.com	<b>Property Owner:</b> Prairie Creek Ridge, LLC	
<b>Address:</b> West Allis, WI 53227 Ph: 414-321-5300	<b>Address:</b> 11600 W. Lincoln Avenue	
<b>City/State/Zip:</b> West Allis, WI 53227	<b>City/State/Zip:</b> West Allis, WI 53227	
<b>Phone:</b> Mike Bickler Stonewood Companies 720 Industrial Ct., Suite A Hartland, WI 53029 Ph: 262-367-4700	<b>Phone:</b> 414-870-6705 cell	
<b>E-mail:</b> mbickler@stonewoodcompanies.com	<b>E-mail:</b> mikekaerek@kaerekhomes.com mbickler@stonewoodcompanies.com	
<b>Signature:</b> mbickler@stonewoodcompanies.com	<b>Signature:</b>	

*This form is not valid unless signed by Owner or Agent under a written power-of-attorney (please provide). I, Owner/one of the Owners of the property, declare that this application (including any accompanying documents) has been examined by me and to the best of my knowledge and belief is true, correct and complete. I further accept all liability, which may be a result of the City of Oconomowoc relying on this information I am providing in this application.*







# MEMORANDUM

## ADMINISTRATION

Date: January 15, 2020  
To: Mayor Nold, Common Council  
From: Sarah Kitsembel, City Administrator  
Re: Ordinance to Create Technology Committee

## RELATES TO THE STRATEGIC PLAN

V. C. Improve Our Technology; 4. Create Technology Committee

## BACKGROUND

As part of the Strategic Plan update that the Council adopted in July 2019, an item was included to consider the creation of a Technology Committee. On October 15, 2019 the Committee of the Whole discussed the creation of a Technology Committee and the possible structures and purpose of such a committee. The consensus of the Committee of the Whole was to have the Mayor appoint a Special Committee to discuss this further and make a recommendation to the Council. The Special Committee was appointed and met on November 14, 2019 to discuss and recommend the purpose and structure of the Technology Committee.

Attached is a draft ordinance that creates the Technology Committee and incorporates the Special Committee’s recommendations. The recommended structure of the Technology Committee is to be an advisory committee with 7 members consisting of 3 aldermen and 4 resident citizen members which shall be appointed by the Mayor and subject to Council confirmation.

## ADDITIONAL ANALYSIS

The Special Committee reviewed and confirmed the draft mission and objectives for the Technology Committee as shown below. Specific tasks and their priority can be identified by the Committee after it is formed.

Mission: The Technology Committee shall study the city’s needs, develop planning strategies and make recommendations to the Council concerning technology issues in an effort to make the city more accessible, efficient and responsive to the needs of the public and city operations.

Objectives:

- Provide feedback on the City’s future technology plans, identify priorities
- Monitor technology trends and impacts to City infrastructure and services
- Monitor legislative matters, make policy/position recommendations
- Consider impacts of technologies regarding the city and public’s safety, security, and privacy

## FINANCIAL IMPACT

n/a

## RECOMMENDATION

Recommend adoption of the ordinance to create the Technology Committee.

## SUGGESTED MOTION

Move to adopt the Ordinance to create Section 1.47 of the Municipal Code to create a Technology Committee.

**ORDINANCE NO. 20-0974**

**ORDINANCE TO CREATE SECTION 1.47 OF THE CITY OF OCONOMOWOC  
MUNICIPAL CODE CREATING THE TECHNOLOGY COMMITTEE**

---

The Common Council of the City of Oconomowoc, Waukesha County, Wisconsin, do ordain as follows:

SECTION 1. Section 1.47 of Chapter 1 of the Municipal Ordinance, is hereby created:

(1) CREATED

There is hereby created an Advisory Committee, which shall be known as the Technology Committee, to study the needs, develop planning strategies and make recommendations to the Council concerning technology issues of the City.

(2) ORGANIZATION: TERMS

- a. The Technology Committee shall consist of 7 members appointed by the Mayor, subject to confirmation by the Council. The members of the Committee shall consist of 3 aldermen and 4 resident citizen members. Citizen members shall be persons of recognized experience and qualifications.
- b. The term of the alderman members shall be for one year.
- c. The resident citizen members for 2-year terms in such manner that 2 members are appointed in one year and 2 members are appointed in the alternate year.
- d. The Committee shall meet on call.

SECTION 2. EFFECTIVE DATE. This ordinance shall become effective upon passage and publication as required by law.

DATED: January 21, 2020

CITY OF OCONOMOWOC

By: \_\_\_\_\_  
David Nold, Mayor

ATTEST:

\_\_\_\_\_  
Diane Coenen, Clerk

Date Adopted: January 21, 2020

Date Published: \_\_\_\_\_

Effective Date: \_\_\_\_\_



# MEMORANDUM

## CITY ADMINISTRATOR

Date: January 14, 2020  
To: Mayor Nold  
Common Council  
From: Sarah Kitsembel, City Administrator  
Re: Waiving Conflict of Interest – Summit Water Service Request

## RELATES TO THE STRATEGIC PLAN

n/a

## BACKGROUND

The Village of Summit has requested the City for an extension of water utility service into the Village of Summit to an area south of I-94 and west of Dousman Road. The City and Village wish to have our attorneys from Municipal Law & Litigation Group, S.C. assist in the drafting of the agreement. The City and the Village are both represented by this law firm and therefore the City and Village must approve this waiver conflict resolution to obtain their services in drafting the agreement for this matter.

## ADDITIONAL ANALYSIS

n/a

## FINANCIAL IMPACT

The cost of drafting the agreement should be fairly minimal, our expectation is less than \$1,000.

## RECOMMENDATION

It is recommended that the City utilize Municipal Law & Litigation to assist in the drafting of an agreement for extension of water utility service and approve the resolution waiving the conflict of interest.

## SUGGESTED MOTION

Move to adopt the Resolution waiving conflict of interest between the City of Oconomowoc and the Village of Summit regarding provision of water service to an area south of I94 and west of Dousman Road.

**RESOLUTION NO. 20-R2851**

**RESOLUTION WAIVING CONFLICT OF INTEREST  
BETWEEN THE CITY OF OCONOMOWOC AND THE VILLAGE OF SUMMIT  
REGARDING PROVISION OF WATER SERVICE  
TO AN AREA SOUTH OF I94 AND WEST OF DOUSMAN ROAD.**

WHEREAS, the City of Oconomowoc and the Village of Summit are both represented by the law firm of MUNICIPAL LAW & LITIGATION GROUP, S.C., and

WHEREAS, the City and Village desire to formalize a written agreement regarding the extension of water utilities into the Village to extend City services to an area south of I-94 and west of Dousman Road, and

WHEREAS, both the City and Village wish to continue to receive legal services in drafting the agreement from MUNICIPAL LAW & LITIGATION GROUP, S.C. and

WHEREAS, MUNICIPAL LAW & LITIGATION GROUP, S.C. has notified the City that the firm cannot represent both the City's and the Village's interest in part because of Supreme Court Rule 20:1.7, which provides that a lawyer shall not represent a client if the representation of that client will be directly adverse to another client unless the lawyer reasonably believes the representation will not adversely affect the relationship with the other client and each client consents in writing, after consultation; and

WHEREAS, MUNICIPAL LAW & LITIGATION GROUP, S.C. has consulted with the City and advised the City that its interests could be materially impacted by an agreement related to the extension of the utilities to be placed in the Village.

NOW, THEREFORE, BE IT RESOLVED, the Common Council of the City of Oconomowoc hereby consents to the City Attorneys, MUNICIPAL LAW & LITIGATION GROUP, S.C. representing both the City of Oconomowoc and Village of Summit in their draft of agreements related to the extension of new water facilities within the Village.

EFFECTIVE DATE. This resolution shall take effect immediately upon passage and posting or publication as provided by law.

Date: \_\_\_\_\_

CITY OF OCONOMOWOC

By: \_\_\_\_\_  
David Nold, Mayor

ATTEST:

\_\_\_\_\_  
Diane Coenen, City Clerk



# MEMORANDUM

## POLICE

Date: January 17, 2020  
To: Mayor Nold, Common Council  
From: Ron Buerger, Chief of Police  
Re: Ordinance to Repeal and Recreate Provisions of Chapter 7 of the City Municipal Ordinance Relating to Parking Regulations

## RELATES TO THE STRATEGIC PLAN

N/A

## BACKGROUND

In reviewing Section 7.03 of the municipal ordinance, it was determined that penalties for certain parking fines were established by amending the ordinance, while others were not. By repealing and recreating provisions of Chapter 7, changes to all parking fines can be done periodically by resolution of the Common Council after consulting with the Chief of Police.

## ADDITIONAL ANALYSIS

N/A

## FINANCIAL IMPACT

N/A

## RECOMMENDATION

Staff recommends Repeal and Recreating Provisions of Chapter 7 of the Municipal Ordinance

## SUGGESTED MOTION

Motion to adopt the ordinance Repealing and Recreating Provisions of Chapter 7 of City Municipal Ordinance Relating to Parking Regulations

**ORDINANCE NO. 20-0975**

**AN ORDINANCE TO REPEAL AND RECREATE PROVISIONS OF CHAPTER 7  
OF THE CITY OF OCONOMOWOC MUNICIPAL CODE  
RELATING TO PARKING REGULATIONS**

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The Common Council of the City of Oconomowoc, Waukesha County, Wisconsin, do ordain as follows:

SECTION 1. Section 7.03 (10) (e) of Chapter 7 of the Municipal Ordinance, is hereby repealed in its entirety.

SECTION 2. Section 7.03 (13) of Chapter 7 of the Municipal Ordinance, is hereby created as follows:

**PENALTY.**

Any person who violates any of the provisions of this Section shall, upon conviction of such violation, be subject to the penalties that shall be established, from time to time, by separate resolution of the Common Council in consultation with the Chief of Police.

SECTION 3. The preamble to Section 7.20 of Chapter 7 of the Municipal Ordinance, is hereby repealed and recreated as follows:

Except as otherwise provided in this Chapter, the penalty for violation of any provision of this chapter shall be a forfeiture and penalty assessment if required under §165.87, Wis. Stats., a jail assessment if required by §53.46(1), Wis. Stats., plus any applicable fees prescribed in Ch. 814, Wis. Stats.

SECTION 4 EFFECTIVE DATE. This ordinance shall become effective upon passage and publication as required by law.

DATED: January 21, 2020

CITY OF OCONOMOWOC

ATTEST:

By: \_\_\_\_\_  
David Nold, Mayor

\_\_\_\_\_  
Diane Coenen, Clerk

Date Adopted: January 21, 2020

Date Published: \_\_\_\_\_

Effective Date: \_\_\_\_\_