

City of Oconomowoc Common Council Meeting Minutes March 07, 2023 - 7:30 PM



Aldermen Present: Charles Schellpeper, Lou Kowieski, Chris Douglas, Matt Rosek, Jennifer Aultman Kloth, Kevin Ellis, Karen Spiegelberg (*left at 8:00 PM*), Matt Mulder

Also Present: Robert Magnus, Lucas Caine, Diane Coenen, Robert Duffy, Mark Frye, Jason Gallo, Jason Herzog, Craig Hoepfner, Scott Osborn, Joe Pickart, Laurie Sullivan-Murray, Brad Timm, Dan Uribe, Luke Martell

Mayor Magnus called the Common Council Meeting to order at 7:38 PM.

Pledge of Allegiance

Roll Call

Approval of Meeting Minutes

a. Minutes of February 21, 2023

Motion to approve the Council minutes of February 21, 2023 made by Spiegelberg and seconded by Mulder.

Motion carried 8-0-0.

Without Objection Item 12.a. was moved up on the agenda

a. Proclamation - Jim O'Connor Day March 17th

Magnus read the Proclamation into the record and it was presented to Jim O'Connor.

Comments/Suggestions from Citizens

1) George Justice, Jennifer Justice, 552 Cassie Lynn Lane referred to Item 9.a. on agenda regarding denial of their claim for damages. They feel the City should take responsibility for City equipment failure (pedestal) which caused 3 of their smoke detectors to catch fire on one occasion and a second surge occurred with loss of power. They contacted Oconomowoc Utilities and upon investigation they found a loose wire in the pedestal. The last inspection of the pedestal was 3/31/18 and it was due for another inspection on 3/31/23. They have been a homeowner since 2005 and the cost of damage was \$3K+.

2) Jerry Wendt, W155 Allen Rd, Town of Concord supports the Olympia Hills project.

3) Terry Birk, 845 St. Andrews Dr asked Council to take another look at the Olympia Hills project as it is extremely dense, there are Mackenzie Dr traffic concerns, asked for restriction of trucks during construction, feels the City is losing charm and green space with so much growth and does the cost of services outweigh the revenue of the project.

4) Jane Owen, Box 254, Nashotah encourages everyone to vote on April 4th. She noted the school referendums and provided information on City debt and School debt, spending, revenue, etc.

Committee Reports

a. Finance - Mulder, Chr; Schellpeper, Secy; Spiegelberg

1. Consider/act on Resolution 23-R3105 Approving Budget Amendments to the 2023 Budget for Continuing Appropriations

Motion to adopt Resolution 23-R3105 approving budget amendments to the 2023 Budget for Continuing Appropriations made by Mulder and seconded by Aultman Kloth.

Motion carried 8-0-0.

2. Consider/act on Resolution 23-R3106 Approving Budget Amendments to the 2022 Tax Increment Financing District #7 Budget

Motion to adopt Resolution 23-R3106 approving budget amendments to the 2022 Tax Increment Financing District #7 Budget made by Aultman Kloth and seconded by Kowieski.
Motion carried 8-0-0.

3. Consider/act on Resolution 23-R3108 Authorizing the Use of ARPA Funds for Full Lead Service Line Replacements

Motion to adopt Resolution 23-R3108 authorizing the use of ARPA Funds for Full Lead Service Line Replacements made by Kowieski and seconded by Schellpeper.
Motion carried 8-0-0.

Plan Commission

a. Consider/act on Ordinance 23-O1045 to Amend the City of Oconomowoc Comprehensive Land Use Plan 2050 (Olympia Hills 235.79 Acres - 965 Cannon Gate Road) - 1st Reading

Gallo gave a PowerPoint presentation stating current zoning allows for 640 residential multi-low use. Council discussed the developer providing an exhibit of the planned development overlay that would address buffered areas, trees and green space detail around and abutting the adjacent properties. Council noted this development will create connectivity with walking paths, trails, etc., the developer proposes 622 residential units, Oconomowoc Parkway extension would be completed, upsizing of infrastructure, and it will provide diverse housing stock and ownership opportunities. A "Point of Order" was made by Rosek that the approval of the ordinances and Certified Survey Maps be contingent on purchase of the land and a signed Developer's Agreement. He also noted that the General Development Plan has conditions associated with the zoning and if the conditions are not met, the zoning does not go through.

Motion to adopt the ordinance and waive the second reading made by Rosek and seconded by Kowieski.
Motion carried 7-0-0.

b. Consider/act on Ordinance 23-O1043 to Rezone 235.79 Acres to Various Districts for the Olympia Hills Development, 965 Cannon Gate Road - 1st Reading

Motion to adopt the ordinance and waive the second reading contingent on the land purchase by Neumann Development and signed Developer's Agreement entered into with the City made by Rosek and seconded by Kowieski.
Motion carried 7-0-0.

c. Consider/act on Ordinance 23-O1044 to Create a Planned Development (PD-1-23) Overlay Zoning District for the Olympia Hills Planned Development, 965 Cannon Gate Road - 1st Reading

Motion to adopt the ordinance and waive the second reading amending 9.a. to remove the last sentence and insert language that the existing building be removed in accordance with the Developer's Agreement made by Rosek and seconded by Kowieski.
Motion carried 7-0-0.

Council discussed adding design standards, traffic study and the items outlined by Gallo in his presentation in the Developer's Agreement.

Motion to amend the Planned Development ordinance by adding Items 9.k. design standards and 9.l. traffic study and require the developer provide an exhibit detailing the 50' buffer between their

development and the existing development showing landscape screening detail for those areas where the new houses abut the old houses made by Rosek and seconded by Kowieski.
Motion carried 7-0.

Motion to add Item 8.d. which will provide a zero-lot line between the duplexes as shown on the development plans made by Rosek and seconded by Kowieski.
Motion carried 7-0.

Motion to adopt the ordinance as amended and waive the second reading made by Rosek and seconded by Ellis. Council discussed that one of the key components of the development is supporting the commercial aspect of the hill and if that does not work out an idea/option would be to make the hill a HOA privately owned area. During discussions with the developer about the commercial opportunity not working out it was noted that there would be a public easement access to the hill, however it would not be publicly owned but under private ownership. The Developer agreed that in the event no commercial activity evolves on the hill they will provide a public easement for the enjoyment of the community.
Motion carried 7-0.

d. Consider/act on Certified Survey Map #1 of Olympia Hills to Reconfigure Parcels into 3 Lots and 1 Outlot, 965 Cannon Gate Road

Motion to approve CSM #1 Olympia Hills to reconfigure parcels into 3 lots and 1 outlot at 965 Cannon Gate Rd contingent on the purchase of the property and a signed Developer's Agreement made by Rosek and seconded by Kowieski.
Motion carried 7-0-0.

e. Consider/act on Certified Survey Map #2 of Olympia Hills to Divide 1 Parcel into 2 Lots and 1 Outlot, 965 Cannon Gate Road

Motion to approve CSM #2 Olympia Hills to divide 1 parcel into 2 lots and 1 outlot at 965 Cannon Gate Rd contingent on the purchase of the property and a signed Developer's Agreement made by Rosek and seconded by Ellis.
Motion carried 7-0-0.

f. Consider/act on Certified Survey Map #3 Olympia Hills Dividing 1 Parcel into 4 Lots, 965 Cannon Gate Road

Motion to approve CSM #3 Olympia Hills dividing 1 parcel into 4 lots at 965 Cannon Gate Rd contingent on the purchase of the property and a signed Developer's Agreement made by Kowieski and seconded by Aultman Kloth.
Motion carried 7-0-0.

g. Consider/act on Certified Survey Map #4 Olympia Hills Dividing 1 Parcel into 4 Lots, 965 Cannon Gate Road

Motion to approve CSM #4 Olympia Hills dividing 1 parcel into 4 lots at 965 Cannon Gate Rd contingent on the purchase of the property and a signed Developer's Agreement made by Rosek and seconded by Mulder.
Motion carried 7-0-0.

New Business

a. Consider/act on Resolution 23-R3107 Authorizing Disallowance of Claim (Justice)

Motion to adopt Resolution 23-R3107 authorizing Disallowance of the Justice Claim made by Rosek and seconded by Kowieski.
Motion carried 5-0-2. Voted no: Aultman Kloth, Ellis.

b. Consider/act on Resolution 23-R3092 Authorizing Community Development Authority to Establish Boundaries, Develop Redevelopment Plan and Designate the Olympia Hills Lands Blighted and In Need of Redevelopment

Motion to adopt Resolution 23-R3092 authorizing CDA to establish boundaries, develop a Redevelopment Plan and designate the Olympia Hills lands blighted and in need of redevelopment made by Kowieski and seconded by Mulder.
Motion carried 6-0-1. Voted no: Ellis.

c. Consider/act on Resolution 23-R3101 Designating Oz Plaza as a City Park

Motion to adopt Resolution 23-R3101 designating Oz Plaza as a City Park made by Kowieski and seconded by Aultman Kloth.
Motion carried 7-0-0.

Reports and Comments from the Aldermen

Kowieski thanked Pickart, Sullivan-Murray and Freber for the work they do for the City. He mentioned his son Quinn's 18th birthday and noted that every elected official gives up something to serve the community and constituents. Aultman Kloth thanked Gallo and Duffy for their work on the Neumann Project (Olympia Hills).

Reports and Comments from the Mayor

Magnus asked Aldermen to let him know what Council Committees they would like to serve on. He also gave a hat's off to all the Aldermen for their conversations on items that come before them and keeping the risks down for residents.

Adjourn

Motion to adjourn made by Aultman Kloth and seconded by Kowieski.
Motion carried 7-0-0.
The meeting adjourned at 9:12 PM.

Minutes taken by Diane Coenen, City Clerk