

City of Oconomowoc Common Council Meeting Minutes April 19, 2022 - 7:30 PM



Aldermen Present: Kevin Ellis, Karen Spiegelberg, Matt Mulder, Charles Schellpeper, Lou Kowieski, Chris Douglas, Matt Rosek, Jennifer Aultman Kloth

Also Present: Robert Magnus, Betsy Bleck, Diane Coenen, Kevin Freber, Mark Frye, Jason Gallo, Craig Hoepfner, Laurie Sullivan-Murray, Brad Timm, Dan Uribe, Brad Bowen, Stan Riffle

Mayor Magnus called the Common Council Meeting to order at 7:32 PM.

Call to Order and Confirmation of Appropriate Meeting Notice

Pledge of Allegiance

Roll Call

Ceremonial Oath of Office for Newly Elected Officials

Coenen gave the Oath of Office to re-elected Aldermen Mulder - District #1, Schellpeper - District #2, Rosek - District #3 and to newly elected Alderman Aultman Kloth - District #4. Coenen then gave the Oath of Office to re-elected Mayor Magnus. Congratulations were given by all.

Public Hearing

a. Public Hearing - WI Harley-Davidson Conditional Use Permit

The purpose is to hear public comments on the Conditional Use Permit allowing general outdoor recreation, commercial, at 1280 Blue Ribbon Dr. The parcel is identified as tax key #OCOC 0635.999.010. Per the Table of Allowable Uses listed in §17.106 of the Oconomowoc Zoning Code a general outdoor recreation, commercial use requires a CUP in the General Commercial zoning district. If approved the applicant would be allowed to operate up to 17 identified outdoor events which are classified as outdoor recreation, commercial within the Zoning Ordinance. The annual events include Bike Nights, Friday Night Live, Saturday Rides, Honor Celebration, Medal of Honor Ride & the Hometown Rally.

The hearing opened at 7:37 PM. Gallo gave a PowerPoint presentation. No other comments were received. The hearing closed at 7:46 PM.

Approval of Meeting Minutes

a. Minutes of April 5, 2022

Motion to approve the Council minutes of April 5, 2022 made by Kowieski.
Motion carried 8-0-0.

Comments/Suggestions from Citizens

Barbara Dittrich, 38th Assembly Representative reported on the court ruling regarding the legislative maps for the State Senate and State Assembly seats stating the maps as proposed were approved meaning no changes for Oconomowoc. Additionally, Oconomowoc will remain in the 38th Assembly District with Ixonia

being removed and Waterloo joining in.

- a. **Senior Cohort Group Update** - Jeannie Hicks, Oconomowoc Senior Cohort Group representative stated the group was established approx. 8 months ago and initiated by Mayor Magnus to hear what seniors need. The group will focus on three areas: Research and Due Diligence; Collaboration; and Accomplishment. They also have an Accessibility Sub-Group. They are currently working with the Police Dept. on a Special Open House on June 14th. This group provides opportunity for seniors to gather and is looking for volunteers. Hicks passed out two sheets titled Meet our Heroes on June 14th & a Senior Resource Directory.

Without objection Item 12. was moved up on the agenda.

1 Mayoral Citizen Reappointments with Council Confirmation

Danny Day reported on his qualifications and desire to serve. Council asked a few questions regarding his experience and knowledge. Ben Nankee answered Council questions on book choices stating the Board wants to represent all sides of a topic allowing parents to make the choice on which book to select. Council indicated they would like to see resumes/applications/letters of interest not just for new appointments but for all reappointments no matter the length of service included in the meeting packet.

Motion to confirm the Mayor's reappointments as presented made by Spiegelberg and seconded by Mulder.

Motion carried 7-0-1. Voted no: Ellis.

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

Motion to approve the Consent Agenda made by Mulder and seconded by Ellis.

Motion carried 8-0-0.

a. Licenses

1. **Resolution 22-R3031 Granting a 6-Month Class "B" License to Oconomowoc Area Baseball Club (Roosevelt Field)**

- b. **Electric Utility Easement Agreement Between City of Oconomowoc and Tinus Properties 803 LLC (Tinus Marine, 803 S Silver Lake St)**

c. Treasurer's Report

1. **Treasurer's Report and Financials for March 2022**

Committee Reports

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

1. **Consider/act on Budget Amendment for 1st Quarter 2022 Grants and Amendments (1/1/22 - 3/31/22)**

Motion to approve the Budget Amendments for 1st Quarter 2022 Grants and Amendments (1/1/22 - 3/31/22) made by Rosek and seconded by Ellis.

Motion carried 8-0-0.

2. Consider/act on Resolution 22-R3029 Authorizing Application for a WI DNR Stewardship Grant for John & Lavinia Rockwell Park

Motion to adopt Resolution 22-R3029 authorizing application for a WI DNR Stewardship Grant for John & Lavinia Rockwell Park made by Mulder and seconded by Spiegelberg.

Motion carried 8-0-0.

3. Consider/act on Resolution 22-R3030 Authorizing Application to Participate in the WI DNR LAWCON Grant for Northeast Regional Park

Motion to adopt Resolution 22-R3030 authorizing application to participate in the WI DNR LAWCON Grant for Northeast Regional Park made by Kowieski and seconded by Rosek.

Motion carried 8-0-0.

b. Protection & Welfare - Rosek, Chr; Ellis, Secy; Douglas

1. Consider/act on Resolution 22-R3027 Granting New 2021-2022 "Class B" Intoxicating Liquor/Fermented Malt Beverage License to Blue Ribbon Baseball, LLC (Lake Country DockHounds)

Motion to adopt Resolution 22-R3027 granting new 2021-2022 "Class B" Intoxicating Liquor/Fermented Malt Beverage License to Blue Ribbon Baseball, LLC (Lake Country DockHounds) made by Kowieski and seconded by Rosek.

Motion carried 8-0-0.

c. Public Services - Ellis, Chr; Kowieski, Secy; Douglas

1. Consider/act on Resolution 22-R3028 Awarding Contract for Design/Engineering Services for Lac La Belle Boat Launch and Parking Area

Council discussed having staff create a Memorandum of Understanding (MOU) that would address the cost share of the project between the City, Town of Oconomowoc and Village of Lac La Belle before entering into contracts for the project. Hoepfner will check into the potential timing of the execution of the contract as it may need to be awarded within 60 days. He also stated the design work would be done in summer and fall and that the City can apply for the DNR Recreational Facilities Grant in either September or November. Council further discussed postponing action on this contract until an MOU is entered into.

Motion to postpone made by Rosek and seconded by Ellis.

Motion carried 8-0-0.

2. Consider/act on Resolution 22-R3033 Awarding Construction Management Services Contract for 2022 Street Maintenance Projects

Motion to adopt Resolution 22-R3033 awarding Construction Management Services Contract for 2022 Street Maintenance Projects made by Mulder and seconded by Schellpeper.

Motion carried 8-0-0.

Plan Commission

a. Consider/act on Certified Survey Map for Prairie Creek Ridge Subdivision Expansion by Dividing One Lot into Two Located at the SW Corner of CTH K & CTH P

Motion to approve the CSM for Prairie Creek Ridge Subdivision expansion by dividing one lot into two located at the SW Corner of CTH K & CTH P made by Schellpeper and seconded by Kowieski.

Motion carried 8-0-0.

- b. Consider/act on Certified Survey Map for Pabst Farms Commerce Centre Dividing One Lot into Three Located at the NW Corner of CTH DR & Blue Ribbon Circle North**
 Motion to approve the CSM for Pabst Farms Commerce Centre dividing one lot into three located at the NW Corner of CTH DR & Blue Ribbon Circle North made by Kowieski and seconded by Aultman Kloth.
 Motion carried 8-0-0.
- c. Consider/act on Certified Survey Map for UW Credit Union Dividing One Lot into Three and One Outlot Located at the SE Corner of Summit Avenue & Pabst Farms Boulevard**
 Motion to approve the CSM for UW Credit Union dividing one lot into three and one outlot located at the SE corner of Summit Ave and Pabst Farms Blvd made by Rosek and seconded by Schellpeper.
 Motion carried 8-0-0.
- d. Consider/act on Conditional Use Permit for Wisconsin Harley-Davidson to Allow Outdoor Recreation/Commercial Located at 1280 Blue Ribbon Drive**
 Motion to approve the Conditional Use Permit for WI Harley-Davidson to allow outdoor recreation/commercial located at 1280 Blue Ribbon Dr made by Kowieski and seconded by Douglas.
 Motion carried 8-0-0.

New Business

- a. Consider/act on Request from Lake Country Dockhounds to Approve Various Events in 2022 at 1011 Blue Ribbon Circle North**
 Council had lengthy discussion on approving unknown events, requiring a Plan of Operation for events of 1,500 or more people, reviewing the event terms of the Conditional Use Permit, having the event organizers provide a debriefing after events and including a condition that if a major violation of an event occurred and based on staff review/recommendation, Council could revoke the Temporary Use Permit issued for remaining events.

Sonny Bando, one of the owners stated they are looking at these event dates: July 30th, August 13th & September 17th being concerts and September 24th a Mac & Cheese Festival. All activities would be held inside the stadium and there are 1,100 parking stalls on site.

Based on discussion, Riffle offered a potential motion. Motion to approve up to 5 events in Category's 4 and 5 (exceeding 1,500 people) outlined in the CUP conditioned upon a plan of operation being submitted for each event that would be reviewed by staff for CUP compliance and if violations occurred at an event, staff would have the right to terminate all future events made by Kowieski and seconded by Ellis. Upon further discussion by Council about having staff terminate events, Kowieski rescinded his motion and Ellis rescinded his second. Riffle read, from the original CUP, the provision regarding 1,500 or more attendees at events or use of another sound system needing Council approval. Council discussed that the final decision to terminate a Temporary Use Permit issued by staff after staff has reviewed the Plan of Operation for compliance with the CUP would be made by Council.

Motion to approve up to five events for Lake Country Dockhounds in 2022 with a Plan of Operation provided for each event to be reviewed and approved by staff for compliance of the CUP, and if not compliant after review and recommendation from staff, Council could decide to revoke the Temporary Use Permit for future events, with the understanding that the owners accept the risk of

revocation and loss of dollars spent made by Kowieski and seconded by Spiegelberg.
Motion carried 5-0-3. Voted no: Ellis, Schellpeper, Rosek.

Magnus called for a 5-minute recess: 9:30 – 9:35 PM.

b. Consider/act on Resolution 22-R3034 Denying Claim for Excessive Assessment - Mills Fleet Farm

Motion to adopt Resolution 22-3034 denying claim for Excessive Assessment - Mills Fleet Farm made by Kowieski and seconded by Ellis.
Motion carried 8-0-0.

Election of Council President

Motion to nominate Rosek as Council President made by Schellpeper and seconded by Ellis. No other nominations were received. Motion carried 8-0-0. Rosek was elected Council President

Election of Council Vice-President

Motion to nominate Mulder as Council Vice-President made by Schellpeper and seconded by Spiegelberg. Motion to nominate Kowieski as Council Vice-President made by Rosek and seconded by Douglas. No other nominations were received. Council voted by ballot. Votes tallied by Coenen = Mulder 5 and Kowieski 3. Mulder was elected as Council Vice-President.

Selection of Council Representative to Plan Commission

Motion to nominate Ellis as Plan Commission representative made by Rosek and seconded by Schellpeper. Motion to nominate Mulder as Plan Commission Representative made by Spiegelberg and seconded by Douglas. No other nominates were received. Council voted by ballot. Votes tallied by Coenen = Ellis 6 and Mulder 2. Ellis was elected as Plan Commission Representative.

Mayoral Appointments to Council Committees

Magnus read his appointments into the record and passed out a spreadsheet listing the Aldermen on each standing committee and position (Chairman, Secretary & Member). Magnus also stated in order to be proactive all meetings, special events, committee workshops and budget schedules will be sent out as outlook calendar invites.

Mayoral Appointment of Emergency Government Director with Council Confirmation

Magnus appointed Brad Bowen. Motion to confirm the appointment of Brad Bowen, WLF D Chief, as Emergency Government Director made by Kowieski and seconded by Aultman Kloth.
Motion carried 8-0-0.

Mayoral Appointments to WPPI Board

Magnus appointed Joseph Pickart and Mark Frye (Alternate) to serve on the WPPI Board. No confirmation necessary.

Staff Reports

- a. **Spring 2022 Election Update - Coenen**
- b. **Parks Update - Hoepfner**
- c. **Budget Calendar - Sullivan-Murray**

Sullivan-Murray passed out a 2022 budget calendar.

Reports and Comments from the Aldermen

Ellis welcomed Aultman Kloth. Aultman Kloth thanked Council for the warm welcome.

Reports and Comments from the Mayor

- a. **Arbor Day Proclamation** – Magnus read into the record.

Adjourn

Motion to adjourn made by Ellis and seconded by Spiegelberg.

Motion carried 8-0-0.

The meeting adjourned at 10:44 PM.

Minutes taken by Diane Coenen, City Clerk