

City of Oconomowoc Common Council Meeting Minutes May 03, 2022 - 7:30 PM



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

Also Present: Robert Magnus, Betsy Bleck, Diane Coenen, Robert Duffy, Kevin Freber, Mark Frye, Jason Gallo, James Pfister, Ivan Lam, Stan Riffle, Stan Sugden

Mayor Magnus called the Common Council Meeting to order at 7:56 PM.

Call to Order and Confirmation of Appropriate Meeting Notice

Pledge of Allegiance

Roll Call

Approval of Meeting Minutes

a. Minutes of April 19, 2022

Motion to approve the Council minutes of April 19, 2022 made by Rosek and seconded by Ellis.
Motion carried 8-0-0.

Without objection Item 9.a. was moved up on the agenda.

Mayoral Appointments with Council Confirmation

a. Mayoral Appointments/Reappointments with Council Confirmation

Council requested to receive a list in January/February each year of who is up for appointment in April so Council can be engaged. The information could be provided in the Administrator's Weekly Update. Council requested to remove John Harrison's appointment and bring back on May 17th since he was unable to attend the meeting. Motion to approve the various appointments and reappointments as presented by the Mayor made by Spiegelberg and seconded by Mulder.
Motion carried 8-0-0.

Comments/Suggestions from Citizens

- 1) Philip Heinle, 1011 Ann Marie Way current President of Festival of the Arts has concerns with safety due to traffic congestion caused by Temporary Use Permit (TUP) vendors. The Festival is asking Council to help the event by limiting the number of outside vendors starting in 2023 to 3 vendors, 2024 2 vendors, 2025 1 vendor and 2026 no vendors. He passed out his written request.
- 2) Lynne Frank, 306 Pine Terrace supports not issuing TUP to outside vendors during the Festival.
- 3) Thomas Schweizer, 1033 Ann Marie Way shared quotes from artists displaying at the event stating they support not issuing TUP to outside vendors.
- 4) Scott Donald, 610 N. Oakwood supports the TUP as it brings in artists and gives them an opportunity to display. Some property owners charge a fee to have vendors on their property, but he does not charge for the space.
- 5) Christina Donald, 610 N. Oakwood supports the current process because the TUP allows other artists to participate in an affordable way.
- 6) Chris Audley, 445 N. Oakwood lives right across the entrance to Fowler Park and accepts all the bad with the good. He only brings in artists from his gallery to allow them to show at no charge.
- 7) Lori Boldig, W2373 McAlevey Ct. owns a gallery in Oconomowoc and asked that the City afford the same level of support as it does for DOBA events.

- 8) Barb Heinle, 1011 Ann Marie Way asked the City if the bandshell had a performance, would the City issue a permit for a band across the street.
- 9) Bob Nussbaum, 833 Bryon Dr is a Festival volunteer and is asking the City to help with traffic issues from outside vendors. Festival vendors have a set time to set up, outside vendors do not. Outside food vendors do impact the festival charity sales.
- 10) Jill Persick, 701 York Imperial Dr commented on technology and the odds of getting cancer. Local governments are the first and only defense against cell towers/antennas and the affects to citizens.

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

- a. **Resolution 22-R3032 Granting a 6-Month Class "B" License to R & S Hospitality, LLC**
- b. **Public Sanitary Sewer Easement Between City of Oconomowoc and Arrowood Investors, LLC (Arrowood Phase II)**
- c. **Water Utility Easement Agreement Between City of Oconomowoc and VH Arrowood, LLC (Arrowood Phase II Looping)**

Motion to approve the Consent Agenda made by Mulder and seconded by Spiegelberg.
Motion carried 8-0-0.

Committee Reports

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

1. Consider/act on Ordinance 22-O1032 Creating Chapter 29 of the Municipal Code of the City of Oconomowoc Regulating Short Term Rentals - 1st Reading

Riffle stated he revised the ordinance adding new §29.02 A. language "A Short-term Rental is defined pursuant to sec. 66.1014(1)(c), Wis. Stats, as a residential dwelling that is offered for rent for a fee and for fewer than 30 consecutive days," which also renumbers the other items in the new code. Motion to adopt Ordinance 22-O1032 creating Chapter 29 of the Municipal Code of the City of Oconomowoc regulating short term rentals incorporating the revision as presented and correction of a grammatical error and waive the second reading made by Spiegelberg and seconded by Mulder.

Motion carried 6-0-2. Voted no: Schellpeper, Rosek.

2. Consider/act on Resolution 22-R3036 Establishing Fees for Short Term Rentals

Motion to approve Resolution 22-R3036 establishing fees for Short Term Rentals made by Mulder and seconded by Kowieski.

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

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

1. Consider/act on Ordinance 22-O1033 Repealing Section 9.02 (2)(b) of the City of Oconomowoc Municipal Code Regarding Conceal Carry in City Buildings - 1st Reading

Motion to adopt the ordinance to repeal and recreate Section 9.02(2)(b) that a person may possess a conceal carry weapon, knife or firearm within any public building owned by the City with a legal conceal carry permit and waive the second reading made by Schellpeper and seconded by Rosek.

Motion carried 8-0-0.

New Business

a. Consider/act on Resolution 22-R3035 Approving Appointment of Official City Newspaper 2022-2023

Motion to approve Resolution 22-R3035 approving appointment of the Oconomowoc Enterprise as

the Official City Newspaper 2022-2023 made by Spiegelberg and seconded by Douglas.
Motion carried 8-0-0.

b. Consider/act on Developer's Agreement for Arrowood Subdivision Phase II

Motion to approve the Developer's Agreement for Arrowood Subdivision Phase II made by Rosek and seconded by Aultman Kloth.
Motion carried 8-0-0.

c. Consider/act on Limiting Festival of the Arts Outside Vendor Sales Permits

Gallo gave a PowerPoint presentation. Council encouraged the festival organizers to reach out to property owners and try to work out a compromise with traffic flow, number of vendors on their site and providing dollars to offset the cost of safety officers. Magnus suggested Heinle come back in September to give a debriefing of the event. He also directed the Police Dept. to provide the property owners with a summary of tonight's discussion.
Motion to table this item until September and that Planning should not issue any permits for 2023 until after the debriefing made by Ellis and seconded by Spiegelberg.
Motion carried 8-0-0.

Mayoral Appointments to Pabst Farms Joint Stormwater District with Council Confirmation

Motion to confirm the appointments of Mark Frye and David Stoiser to Pabst Farms Joint Stormwater District made by Spiegelberg and seconded by Rosek.
Motion carried 8-0-0.

Mayoral Appointments of City Attorney and Assistant City Attorney, with Council Confirmation

Motion to confirm the reappointment of H. Stanley Riffle as City Attorney and the reappointment of Jeffrey Ek as Assistant City Attorney made by Kowieski and seconded by Aultman Kloth.
Motion carried 8-0-0.

Staff Reports

a. Pabst Farms Sanitary Sewer Update - Freber/Sugden

Sugden, Ruekert & Mielke gave a PowerPoint presentation on sewer capacity for Basin 1, 2 and 3.
Council requested a Master Plan for the area affected by Basin 1.

Valley Road Update: Frye reported that Waukesha County is looking at the Village of Summit taking over a portion of Valley Road between Silver Lake St. going east to Dousman Rd. The County will resurface this area if Summit takes that road. One section (St. Andrews St.) is in the City. Summit has reached out to the City asking if we would be open to a maintenance agreement, if they took over the whole section, that we would agree to pay the appropriate cost if the road needed to be resurfaced, crack sealed, restriped, etc. Staff would bring the Maintenance Agreement forward for Council approval. Frye noted concerns were raised about cutting off the road which would make it a dead end. The City is not in favor of that and it would be addressed in the agreement. This is the only section of the road to be transferred from the County.

Reports and Comments from the Mayor

a. Knights of Columbus Days Proclamation – Magnus read the Proclamation into the record.

Adjourn

Motion to adjourn made by Schellpeper and seconded by Mulder.
Motion carried 8-0-0.
The meeting adjourned at 10:16 PM.

Minutes taken by Diane Coenen, City Clerk