

# City of Oconomowoc Common Council Meeting Minutes June 07, 2022 - 7:30 PM



**Aldermen Present:** Charles Schellpeper, Lou Kowieski (*arrived 8:26 PM*), Chris Douglas, Matt Rosek, Jennifer Aultman Kloth, Kevin Ellis, Karen Spiegelberg, Matt Mulder

**Also Present:** Robert Magnus, Betsy Bleck, Lucas Caine, Diane Coenen, Robert Duffy, Kevin Freber, Mark Frye, Jason Gallo, James Pfister, Joe Pickart, Tony Posnik, Ivan Lam

Mayor Magnus called the Common Council Meeting to order at 8:07 PM.

## Call to Order and Confirmation of Appropriate Meeting Notice

## Pledge of Allegiance

## Roll Call

## Approval of Meeting Minutes

### a. Minutes of May 17, 2022

Motion to approve the Council minutes of May 17, 2022 made by Schellpeper and seconded by Ellis.

Motion carried 7-0-0.

## Comments/Suggestions from Citizens

1) Mary Claire Lanser, 14550 W. Meadowshire recapped the survey work she has done for Rockwell Partners. She passed out two sets of Sign-in Sheets along with her Summary Sheets for the May 16<sup>th</sup> & June 1<sup>st</sup> Public Information Meetings. She also read some of the comments received from individuals attending the meetings.

2) Rick Stalle, Lakewood Dr Hartland applauds Council for looking at the Rockwell Development Project.

3) James Larsen, 718 N. Lake Rd has concerns with the Rockwell Development height noting that the downtown overlay district was set at 50 ft. He feels the project should not deviate from the City's approved plans, does not approve taking 18 ft of Village Green for parking and providing a TIF is a taxpayer burden.

4) Laura Gibbs, 908 W. LaBelle Ave has concerns with the Rockwell project, the downtown design plans should not be abandoned, only allow 50-60 ft in height, would prefer the City develop and maintain the boardwalk all the way north, the warming house would only be used 3-4 months out of the year, not in favor of giving 18 ft from the Village Green for parking and feels there are too many unanswered questions.

5) Michael Bertrand, N58 W38082 Anchorage Rd and owner of Lago Su Bella supports the Rockwell project and height, feels the warming house space is prime retail space and he would be interested in purchasing the space and working with the City as a co-op to allow the City to use the space 2-3 months of the year. He suggested bathrooms should be constructed next to The Etc. business building.

6) Christina Donald, 610 N. Oakwood Ave does not support the Rockwell project, stated setbacks are not being followed, wants the lake view preserved, read a part of a letter written to Adelia Rockwell in 1908, and asked when the City will adopt a landmark commission to regulate and recognize City places on the historic registry.

7) David Rupnow, 800 Byron Dr stated the Thackery Trail reconstruct is beautiful and complimented the Police Dept. on responses for his wife. He passed out a document titled Warren Burger's Interpretations of the 2<sup>nd</sup> Amendment and feels the conceal carry ordinance was adopted too hastily with only one reading. He asked

Council to do research and listen.

8) Pete Holmes, 237 Shore Cir asked Council to support adding signage for no trucking/no construction zone on Ocon Pkwy. He cited recent construction traffic occurring and early morning brake noise. He feels there is a dangerous situation with truck traffic crossing trails and that they need to map out their route better to use Valley Rd because the Arrowood development is not a short-term development.

9) Robert Bortz, 121 Monastery Hill Dr has a business in Fowler Lake Village (FLV) and stated that blighted area is now a quality development and the Rockwell development will be the same.

10) Susan Holgren, 547 LaBelle Ave moved here 5 yrs ago and the landscape has changed with condo after condo being developed. She does not want to pay for a developer to make money and does not support a TIF.

11) John Gedymin, 617 N. Lake Rd feels the best prediction of future performance is based on past performance and he does not feel FLV resembles what was proposed. He wants the City to hold the Rockwell Project to their proposed architectural design.

12) Laura Gibbs, 908 W. LaBelle Ave feels the price Rockwell paid for the buildings/land they acquired is the value of the land and the City should not be part of a private ownership.

13) Sue Bartel, 225 W. 3rd St. does not support more condos, parking using Village Green land and turning out of the lot will be an issue. She asked Council to not take away from lake frontage for a private development and that the private homes bought by FLV were kept up and only became blighted because FLV did not maintain them.

**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 Schellpeper and seconded by Spiegelberg.

Motion carried 8-0-0.

**a. Licenses**

**1. License Approvals**

**b. Financial Security Release-Prairie Creek Ridge, Addition 4**

**c. Financial Security Release-Silver Lake Trails Phase 2**

**Committee Reports**

**a. Personnel - Spiegelberg, Chr; Douglas, Secy; Schellpeper**

**1. Consider/act on 2022 Compensation Revision to the Employee Handbook's "Compensation Upon Interim Assignment Policy" for Interim City Administrator and Interim Department Heads**

Motion to approve the 2022 Compensation Revision to the Employee Handbook's "Compensation Upon Interim Assignment Policy" for Interim City Administrator and Interim Department Heads with an amendment that if Council confirmation is required for the vacant Department Head/Administrator position, and the interim appointment goes beyond 90 days, the continuation of the interim appointment and compensation would need to come before Council for action and that the increase in compensation as proposed takes effect as of July 1, 2022 made by Rosek and seconded by Douglas.

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

**2. Consider/act on Pay Grade Adjustments for City Positions Below Market Value**

Motion to create additional Grades 22 - 25 that step up proportionately to Grade 25 with the City

Administrator/Utility Manager being placed at Grade 25 made by Mulder and seconded by Spiegelberg.  
Motion carried 8-0-0.

Motion to approve the Pay Grade Adjustments for City Positions Below Market Value as amended made by Rosek and seconded by Ellis.  
Motion carried 7-0-0. *(Schellpeper left Council Chambers)*

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

**1. Consider/act on Resolution 22-R3040 Granting Renewal of 2022-2023 Alcohol Beverage Licenses**

Motion to adopt Resolution 22-R3040 granting renewal of 2022-2023 Alcohol Beverage Licenses made by Douglas and seconded by Ellis.  
Motion carried 6-0-0. *(Mulder left Council Chambers)*

Magnus called for a 5-minute break (9:32-9:37 PM.)

**c. Utility - Rosek, Chr; Mulder, Secy; Ellis**

**1. Consider/act on Resolution 22-R3045 Approving Electric Budget Amendment for Outage Management Funds**

Motion to adopt Resolution 22-R3045 approving Electric Budget Amendment for Outage Management Funds made by Rosek and seconded by Kowieski.  
Motion carried 8-0-0.

**2. Consider/act on Resolution 22-R3043 for the Wisconsin DNR Compliance Maintenance Annual Report (CMAR) for 2021 Wastewater Operations**

Motion to adopt Resolution 22-R3043 for the WI DNR Compliance Maintenance Annual Report (CMAR) for 2021 Wastewater Operations made by Ellis and seconded by Aultman Kloth.  
Motion carried 8-0-0.

**New Business**

**a. Consider/act on Resolution 22-R3046 Declaring the N. Main Street Redevelopment Project Area Blighted**

Duffy gave a PowerPoint presentation.

Motion to adopt Resolution 22-R3046 declaring the N. Main Street Redevelopment Project area blighted made by Kowieski and seconded by Ellis.  
Motion carried 7-0-1. Voted no: Schellpeper.

**b. Consider/act on Rockwell Partners Project Overview Agreement for N. Main Street Redevelopment**

Duffy had placed at Council stations, a memo dated June 7<sup>th</sup> with the agreement attached that referenced financial impacts as discussed in the C-O-T-W Closed Session. Motion to amend the agreement to issue \$4.67M City contribution as TIF and/or include funds from other City sources such as Park Impact fees, etc. to make the TIF number as low as possible made by Rosek and seconded by Kowieski.  
Motion carried 8-0-0.

Council noted the agreement/memorandum is non-binding. Height was questioned by Council and Scrima stated if the higher density is not allowed the public amenities would be affected. Motion to approve the Rockwell Partners Project Overview Agreement for N. Main Street Redevelopment as amended made by Rosek and seconded by Ellis. Motion carried 6-0-2. Voted no: Schellpeper, Douglas.

**c. Consider/act on Ordinance 22-01036 to Repeal and Recreate Section 1.02(2)(a) Elected Officials of the City of Oconomowoc Municipal Code Changing the Mayor Term from Two to Three Years Effective April 2024 - 1st Reading**

Motion to give the ordinance its first reading made by Ellis and seconded by Mulder. Motion failed 4-0-4. Voted no: Schellpeper, Kowieski, Douglas, Rosek. Magnus did not cast the tie-breaking vote because a majority vote (6) is needed to change the City's Charter Ordinance.

**Reports and Comments from the Aldermen**

Kowieski stated June 18<sup>th</sup> is the SOFA event at Fowler Lake, along with a 5K, Jump for Archie and Community Concert. All events are free and open to the public, except there is a small fee for the 5K event. The Veterans, 1st Responders & students will be sponsored for the 5K. Aultman Kloth suggested a group could be created by the City to participate.

**Adjourn**

Motion to adjourn made by Mulder and seconded by Kowieski. Motion carried 8-0-0. The meeting adjourned at 10:40 PM.

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Minutes taken by Diane Coenen, City Clerk