

# City of Oconomowoc Common Council Meeting Minutes July 07, 2020 - 7:30 PM



**Aldermen Present:** Matt Rosek, John Zapfel, Kevin Ellis, Karen Spiegelberg, Matt Mulder, Charles Schellpeper, Lou Kowieski, Andy Rogers

**Also Present:** Robert Magnus, Jason Gallo, Laurie Sullivan, Betsy Bleck, Ivan Lam, Stan Riffle, Mark Frye, Ron Buerger, Joe Pickart, Kevin Freber, Craig Hoepfner, Diane Coenen

Mayor Magnus called the Common Council Meeting to order at 7:30 PM.

## **Call to Order and Confirmation of Appropriate Meeting Notice**

### **Pledge of Allegiance**

### **Roll Call**

### **Public Hearing**

#### **a. Public Hearing - Bethany CUP**

The purpose is to hear public comment regarding the application by Jennifer Schmeichel of Bethany Christian Services for a Conditional Use Permit to operate Bethany Recovery Center, a 30-bed residential alcohol & drug treatment facility at 1331 W Capitol Dr. Per the Table of Allowable Uses listed in §17.106 of the Oconomowoc Zoning Code, Community Living Arrangements with 9 or more residents requires a CUP in the General Commercial Zoning District.

The hearing opened at 7:30 PM. Gallo gave a PowerPoint presentation. These individuals spoke in favor of the CUP for Bethany Recovery Center: Laurie Lorino, 317 Lakeview Dr, Dr. Karen Berte, W340N8121 Townline Rd, Deborah Adamus (Applicant), Dinah Vankrevel-Polzin, Lauri Badura, Kelly Schuster, Gary Kohlenberg, Jennifer Schmeichel (Applicant), Shari Kleppe, 1015 Dana Lane, & Colleen Terry, 155 Douglas Ave. No other comments were received. The hearing closed at 8:07 PM.

### **Approval of Meeting Minutes**

#### **a. Minutes of June 2, 2020**

Motion to approve the Council minutes of June 2, 2020 as presented made by Schellpeper and seconded by Mulder.  
Motion carried 8-0-0.

### **Comments/Suggestions from Citizens**

Melissa VanBeck, 934 High St is concerned about placing 5G towers in the City. Paul Schultz, 133A E. Wisconsin Ave is concerned about removal of the Collins St parking lot mature trees for the reconstruction of the lot and feels the proposed location of the dumpster is not in a good spot. James Funke, 730 N. Lake Rd asked Council to consider a fence enclosure for licensed dogs on City owned property. Jill Persick, 701 York Imperial Dr is concerned that the City Zoning Administrator has sole approval, per code, for installation of 5G. She is asking Council to look for ways to keep 5G wireless away from vulnerable populations - children & seniors. Laura Ustarovska, W379N6272 N. Lake Rd. does not support 5G installation in the City and would like something in place to support transparency.

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

**a. Section 1 - Approval**

**1. License Approvals**

Motion to approve the consent agenda Section a.1. made by Schellpeper and seconded by Zapfel.  
Motion carried 7-1-0. Kowieski abstained.

**Section 2 - Approvals**

**b. Resolution Granting a 6 Month Class "B" License to the Oconomowoc Area Baseball Club**

**c. Ordinance 20-0979 Creating Section 20.15(2)(a)3. Hydraulic Shadow Map of the Peacock (Fowler Lake) Dam - 2nd Reading**

**d. Ordinance 20-0980 to Repeal and Re-Crete Section 17.108(15) of the City of Oconomowoc Zoning Code Relating to Towers and Antennas - 2nd Reading**

**e. Ordinance 20-0981 Amending 1.44(1)(a) of the Municipal Code of the City of Oconomowoc Relating to Bureau of Economic Development & Tourism Commission Members - 2nd Reading**

Motion to approve the consent agenda items Section 2 b., c., d. & e. made by Mulder and seconded by Zapfel.  
Motion carried 8-0-0.

**Committee Reports**

**a. Finance - Rosek, Chr; Ellis, Secy; Spiegelberg**

**1. Consider/act on Approving Assessor Contract 2021-2025**

Accurate Appraisal representatives provided information on their company and the options for conducting assessment inspections. They brought up their website on the screen.

Motion to approve the Assessor Contract 2021-2025 made by Ellis and seconded by Mulder.

Motion carried 8-0-0.

**Plan Commission**

**a. Consider/act on Conditional Use Permit for Bethany Recovery Center Located at 1331 Capitol Drive**

Motion to approve the Conditional Use Permit (CUP) made by Schellpeper and seconded by Rosek.

Motion to amend Section 23 to read: Following one year of operation for this group living use, the applicant shall appear before Council to provide a report. The Council may discuss any complaints or concerns received about the group living use and any concerns raised by Council shall be addressed by the applicant and may result in amendment of this CUP.

The Council reserves the right to review the operation and amend the CUP as the Council deems appropriate and under Sections 21., 22., 23. & 25. strike the words Plan Commission and insert Common Council; made by Schellpeper and seconded by Rosek. The Council discussed the amendment at length and Kowieski called the question.

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

Main motion as amended carried 8-0-0.

**New Business**

**a. Consider/act on Final Design Concepts for Collins Parking Lot**

Motion to approve final design concept 1B for the reconstruction of the Collins Parking Lot made by Rosek and seconded by Zapfel.

Motion carried 8-0-0.

**Mayoral Appointments with Council Confirmation**

Motion to confirm the appointments as presented made by Ellis and seconded by Rogers.  
Motion carried 8-0-0.

### **Reports and Comments from the Aldermen**

Rosek stated vehicle speed around River Lakes and Peanut Park is still an issue; the ponds / dry beds in E. Lake Village need cleaning; he is looking to schedule a Protection & Welfare meeting to go over public safety ordinances in order to get discussion started on a draft proposal he submitted to Mayor for an emergency government director appointment; agrees with Kowieski on creating a hierarchy for Committees and the potential to put ads in paper; and commented on the new City Administrator process expressing concerns with a member of the hiring committee not being a City resident / taxpayer and needing more information on another member. Zapfel thanked our first responders and Captain Pfister for all their work and volunteering over the fourth of July. Ellis thanked the Council for hearing his thoughts on a parking structure as part of the Collins parking lot; stated he appreciates staff for getting information to Council; commented that 5G will be difficult to deny with laws; and gave a thumbs up to Mayor for having fireworks - it was needed. Spiegelberg would like further discussion on the Administrator hiring process; congratulated the Mayor for becoming a 1<sup>st</sup> time grandfather; and also noted that Schellpeper had a new addition to his family. Mulder gave kudos for the fireworks. Schellpeper supported the fireworks and is looking for consistency in hiring the City Administrator as well as having more Aldermen involvement. Kowieski echoes support & celebration of 4<sup>th</sup> of July; asked Council to address how many terms a non-elected individual can serve on a Committee that influences policies; congratulated Schellpeper on the addition to his family; and Spiegelberg for moving her mother closer to her. Rogers stated the fireworks were outstanding and gave a feeling of normalcy; he agrees that terms of committee members is important and Council should look into monitoring it; and he agrees it is Council's responsibility to be more informed in the hiring process for the new City Administrator.

### **Reports and Comments from the Mayor**

Magnus stated he is happy to discuss the process for hiring a new City Administrator and asked the Aldermen to let him know what they need from him. He is pleased with the direction Council is moving in.

### **Adjourn**

Motion to adjourn made by Ellis and seconded by Schellpeper. Motion carried 8-0-0. The meeting adjourned at 9:34 PM.

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Diane Coenen, City Clerk  
City of Oconomowoc