

City of Oconomowoc Common Council Meeting Minutes June 27, 2023 - 7:30 PM



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

Also Present: Robert Magnus, Diane Coenen, Robert Duffy, Kevin Freber, Mark Frye, Jason Gallo, Craig Hoepfner, Laurie Sullivan-Murray, Brad Timm, Ivan Lam, Brad Bowen, Stan Riffle, Rachel (*Planning Intern*)

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

Pledge of Allegiance

Roll Call

Public Hearing

a. Bohrman Rezoning

The purpose is to hear public comment on rezoning of .184 acres located at 208 S. Franklin. The parcel is identified as tax key #OCOC 0560.220.002 and zoned General Commercial District. The request is to rezone the property to Traditional Residential District. If approved, the property containing a single-family residential dwelling would be considered conforming. The applicant intends to sell the property.

The hearing opened at 7:31 PM. Gallo gave a PowerPoint presentation. No other comments were received. The hearing closed at 7:35 PM.

b. Stor-It Right Conditional Use Permit

The purpose is to hear public comment on the Conditional Use Permit to operate Stor-It Right Oconomowoc, LLC in the Pabst Farms Commerce Centre at the NW corner of Blue Ribbon Circle North and CTH DR, formally described as tax key number OCOC 0635.999.031. Per the Table of Allowable Uses listed in §17.106 of the City of Oconomowoc Zoning Code, Mini-Storage requires a CUP in the BP - Business Park Zoning District. If approved, the applicant would be allowed to construct 8 storage buildings totaling 127,000 SF in area.

The hearing opened at 7:35 PM. Gallo gave a PowerPoint presentation and stated this is a two-phase project. Joseph Grasch, owner of Stor-It Right stated the project offers a premium storage facility with larger and smaller units, automatic garage door openers, lights in all units and climate-controlled. No other comments were received. The hearing closed at 7:44 PM.

Approval of Meeting Minutes

a. Minutes of June 6, 2023

Motion to approve the Council minutes of June 6, 2023 made by Aultman Kloth and seconded by Ellis.

Motion carried 8-0-0.

Comments/Suggestions from Citizens

- 1) Jeff Scrima, Rockwell Partners, provided an update on their project and stated they have acquired the parcel next to the dam so now they will be able to develop the whole site and extend the boardwalk.

- 2) Rachel Clevenstine, 722 Royal Troon Ct, spoke on behalf of the Briarwood Subdivision (*many were in attendance*) stating they do not support the extension of Mackenzie Lane. In addition, the developers traffic study stated Mackenzie did not need to be extended for the project.
- 3) Steve Proell, 510 S Worthington, stated D & H Industries, 1880 Executive Dr (2 buildings), did not receive prior notice from the City that the cost of a watermain pipe that was installed (went from 1" to 2" main) would be \$51K. He is asking how the cost of the permitting was calculated?

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

Motion to remove the Commercial Quadricycle for Vino Etc. made by Rosek and seconded by Schellpeper. Motion carried 8-0-0. Motion to approve the Consent Agenda as amended made by Mulder and seconded by Spiegelberg. Motion carried 8-0-0.

a. Licenses

Timm stated the Police Dept. is working with Brian Borkowski, owner of Vino Etc. to correct the pedal tavern route and parking issues behind Vino. Borkowski reported the pedal tavern is successful, it is in year 3 and rentals are increasing. The operation has donated over \$20K for fundraisers in the City and the pedal tavern riders patronize local businesses along the route. He will work on the parking issue, has corrected the route issue and the cow bell has been removed.

Motion to conditionally grant the renewal license for Vino Etc. Commercial Quadricycle from July 1st through September 5th, 2023 at which time a report and recommendation will be made to Council by the Police Dept. made by Mulder and seconded by Spiegelberg. Motion carried 8-0-0.

b. Treasurer's Report

1. May 2023 Treasurer's Report and Financials

Committee Reports

a. Protection & Welfare - Douglas, Chr; Schellpeper, Secy; Rosek

1. Consider/act on Resolution 23-R3136 Granting New 2023-2024 "Class B" Intoxicating Liquor/Fermented Malt Beverage License to BNB Lounge, LLC (Bubbles and Bourbon)

Michele Gilbert, owner of Bubbles and Bourbon stated her operation is a cocktail lounge and she will work with food truck vendors to bring food in.

Motion to adopt Resolution 23-R3136 granting new 2023-2024 "Class B" Intoxicating Liquor/Fermented Malt Beverage License to BNB Lounge, LLC (Bubbles and Bourbon) conditioned that the lounge is operating no later than July 31st for the license to be issued made by Rosek and seconded by Spiegelberg.

Motion carried 8-0-0.

Council requested in the future the Clerk provide a customized Best and Highest License Use Criteria list for all new "Class B" licensed establishments that has each criteria item answered by the applicant.

b. Public Services - Mulder, Chr; Aultman-Kloth, Secy; Ellis

1. Consider/act on John & Lavinia Rockwell Park Vehicle Parking Option

Hoepfner gave a PowerPoint presentation. City staff recommends Option 1.

Motion to approve the vehicle turnaround (Option 1) for John & Lavinia Rockwell Park - Phase 2 design made by Ellis and seconded by Spiegelberg.

Motion carried 5-0-3. Voted no: Schellpeper, Rosek, Aultman Kloth.

2. Consider/act on Resolution 23-R3144 Approving John & Lavinia Rockwell Park Phase 1 Final Construction Change Order and Budget Amendment

Motion to adopt Resolution 23-R3144 approving John & Lavinia Rockwell Park Phase 1 final construction change order in the sum of \$6,269.59 and approving a budget amendment for \$6,269.59 received from a DNR Stewardship Grant Fund made by Spiegelberg and seconded by Rosek.

Motion carried 8-0-0.

3. Consider/act on Resolution 23-R3145 Awarding the Oconomowoc Pickleball Lighting Contract and Approving Budget Amendment

Motion to adopt Resolution 23-R3145 awarding the Oconomowoc Pickleball Lighting contract in the amount of \$84,683.00 and approving budget amendment made by Mulder and seconded by Schellpeper.

Motion carried 8-0-0.

c. Utility - Rosek, Chr; Spiegelberg, Secy; Ellis

1. Consider/act on Resolution 23-R3143 Awarding Engineering Design Services Contract for the Septage Receiving Station Project

Motion to adopt Resolution 23-R3143 awarding Engineering Services Contract in the amount of \$164,000 for the Septage Receiving Station Project made by Rosek and seconded by Schellpeper.

Motion carried 8-0-0.

Plan Commission

a. Consider/act on Certified Survey Map Affidavit of Correction Instrument for CSM #11518 Amending a Vision Corner on Lot 2 Located at the SE Corner of Commerce Street and Unity Drive

Gallo displayed a map on the screen of the area.

Motion to approve the CSM Affidavit of Correction Instrument for CSM #11518 amending a vision corner on lot 2 located at the SE corner of Commerce Street and Unity Drive made by Mulder and seconded by Douglas.

Motion carried 8-0-0.

b. Consider/act on Ordinance 23-O1048 to Rezone Lands to TR - Traditional Residential District Located at 208 S. Franklin Street - 1st Reading

Motion to adopt the ordinance and waive the second reading made by Aultman Kloth and seconded by Ellis.

Motion carried 8-0-0.

c. Consider/act on Extraterritorial Certified Survey Map for Property Combination Located at N52 W37171 Washington Street, Town of Oconomowoc

Gallo displayed a map on screen of the area.

Motion to approve the ETZ CSM for property combination located at N52 W37171 Washington St, Town of Oconomowoc made by Spiegelberg and seconded by Aultman Kloth.

Motion carried 8-0-0.

d. Consider/act on Extraterritorial Certified Survey Map for Property Combination Located at W355 N6106 Schooner Court, Town of Oconomowoc

Gallo displayed a map on screen of the area.

Motion to approve the ETZ CSM for property combination located at W355 N6106 Schooner Ct, Town of Oconomowoc made by Ellis and seconded by Moroni.

Motion carried 8-0-0.

- e. **Consider/act on Conditional Use Permit for Stor-It Right Storage Facility Located at the NW Corner of Blue Ribbon Circle North and CTH DR**
Gallo gave a PowerPoint presentation and stated the Plan Commission recommendations have been made in the document and are in bold print. Parking is determined by number of units and that number is unknown at this time. Staff capped the storage units at 450 and the Landscape Plan exceeds requirements.
Motion to approve the CUP for Stor-It Right storage facility located at the NW Corner of Blue Ribbon Cir N and CTH DR made by Mulder and seconded by Ellis.
Motion carried 8-0-0.

Unfinished/Old Business

- a. **Consider/act on the La Belle Yacht Club's Use Agreement for City Beach Parking Facilities**
Heather Shanks, LLYC stated the contract shows a discount for launch fees, but they are willing to pay full fees. Hoepfner reported staff recommends paying the full \$8.00 fee per launch and all agree. Parking can be handled in the same space they have used in the past.
Motion to approve the La Belle Yacht Club's Use Agreement for City Beach parking facilities and pay the full boat launch fee per boat made by Rosek and seconded by Ellis.
Motion carried 8-0-0.

New Business

- a. **Consider/act on Resolution 23-R3140 Making Certain Findings and Approving An Amended Project Plan for Tax Increment District No. 7**
Duffy gave a PowerPoint presentation. Phil Cossin, Ehlers gave a PowerPoint presentation and reported on the amended area, TIF capacity, estimated project list (phasing), TIF totaling approx. \$8.3M, development assumptions value of \$56.8M, Parcels 1 & 2, estimated financing plan, cash flow projections, TIF closing out as early as 2038 with the potential to close earlier, and TIF closure does not include extension of Oconomowoc Pkwy. If the extension is added the TIF will close in 2041 with the project estimated at \$3.7M.
Motion to adopt Resolution 23-R3140 making certain findings and approving an amended project plan for Tax Increment District No. 7 made by Mulder and seconded by Rosek.
Motion carried 8-0-0.
- b. **Consider/act on Temporary Use Permit for Lake Country Dockhounds Fireworks Display at Wisconsin Brewing Company Park, 1011 Blue Ribbon Circle North**
Gallo gave a PowerPoint presentation. Dave Ubanks, Ace Precision, stated they have a 1500-gallon oxygen tank on the side of their building that they are concerned with. Matt Sokol, Sokol Exclusive Events owner, addressed the DOT non-support of fireworks at this location and stated the DOT allows fireworks in other stadiums because they have more ambient light by the freeway. He also stated he monitors drought conditions and will cancel a shoot at the last minute if conditions are not right, he shoots 2 in. shells that go up approx. 100- 150 ft but no more than 200 ft, the oxygen tank is 300 ft. away from the shoot site and standards are 150 ft and if there are winds to the east they could cancel the display. Sonny Bando, owner of DockHounds stated he will cancel a shoot if conditions warrant it, the games are less than 2 1/2 hrs and the fireworks display lasts 8 minutes. The length of the games are shorter due to a new pitch clock and they are estimated to be done by 9 PM.
No action was taken.
- c. **Consider/act on Preliminary Resolution 23-R3118 Declaring Intent to Exercise Police Power Authority for Special Assessments (Oconomowoc Parkway Sanitary Sewer**

Preliminary Assessments)

Frye displayed a map on the screen of the assessment area and benefitted parcels.
Motion to adopt Preliminary Resolution 23-R3118 Declaring Intent to Exercise Police Power Authority for Special Assessments (Oconomowoc Parkway Sanitary Sewer Preliminary Assessments) made by Rosek and seconded by Moroni.
Motion carried 8-0-0.

Staff Reports

a. Lac La Belle Boat Launch Project Update - Hoepfner

Hoepfner gave a PowerPoint presentation and stated the City made an application for a grant which the award amount will be determined on how many applications they get. There will also be another opportunity in Feb 2024 to apply for a grant. He stated the City is working collaboratively with the Town of Oconomowoc & Village of Lac La Belle on the design and cost sharing.

b. Introduction to City Transparency Financial Web Page - Sullivan-Murray

Sullivan-Murray gave a Website presentation of the new OpenGov Financial Transparency site. Ellis requested the City put out a School District page on our Transparency website page.

c. Introduction to OnBase Agenda Management Media Module on Website - Sullivan-Murray

Sullivan-Murray reported that the City is ready to implement the Media module of our Agenda Management program which will allow the Council meeting video to be viewed on the City website page along with the agenda, minutes and supporting documents for each meeting.

Reports and Comments from the Aldermen

Schellpeper stated our legislators passed a shared revenue increase last week and the City will get approximately \$441K in addition to what we already receive for a total of \$630K. Road maintenance is imperative, and a large portion should go into our service issues. He also stated he has significant concerns with Accurate Appraisal and the annual revaluation as they continue to drop the ball. Aultman Kloth asked about the placement of the port-a-john at Village Green and suggested against fencing with signage. Mulder stated signage should be placed by the new pavilion behind In Good Company that it is for public use.

Reports and Comments from the Mayor

Magnus wished all a wonderful holiday weekend and to be safe.

Adjourn

Motion to adjourn made by Mulder and seconded by Aultman Kloth.

Motion carried 8-0-0.

The meeting adjourned at 10:25 PM.

Minutes taken by Diane Coenen, City Clerk