

City of Oconomowoc Common Council Meeting Minutes July 20, 2021 - 6:45 PM



Aldermen Present: John Zapfel, Kevin Ellis, Karen Spiegelberg, Lou Kowieski, Matt Rosek

Aldermen Absent: Matt Mulder and Charles Schellpeper

Also Present: Robert Magnus, Matt Trebatoski, Diane Coenen, Robert Duffy, Kevin Freber, Mark Frye, Jason Gallo, Craig Hoepfner, James Pfister, Joe Pickart, John Schuh, Laurie Sullivan, Ivan Lam, Stan Riffle (arrived 7:17 PM)

Mayor Magnus called the Common Council Meeting to order at 6:45 PM.

Call to Order and Confirmation of Appropriate Meeting Notice

Pledge of Allegiance

A video clip was shared showing Ben Tajnai an Oconomowoc resident singing the National Anthem at the Milwaukee Bucks game.

Roll Call

Approval of Meeting Minutes

a. Minutes of July 6, 2021

Motion to approve the Council minutes of July 6, 2021 made by Rosek and seconded by Zapfel.

Motion carried 5-0-0.

Comments/Suggestions from Citizens

Diane Kiefer, W351 N5972 Westshore Rd; Laurie Hoffmann, 1009 N Second St; Michael Fagan, 39933 Valley Rd; and Denise Craig, N9541 County Rd G, all support the proposed revisions to the Pit Bull ordinance.

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

Spiegelberg requested Item a. be removed from the Consent Agenda.

b. Water Utility Easement Agreement between City of Oconomowoc and Stonebridge Capital Unit II LLC (Pabst Farms, Well 8, Section 1)

c. Water Utility Easement Agreement between City of Oconomowoc and Pabst Farms Land Co LLC, (Pabst Farms, Well 8, Section 2)

d. Water Utility Easement Agreement between City of Oconomowoc and Pabst Farms Gateway, LLC (Pabst Farms, Well 8, Section 3)

e. Treasurer's Report and Financials - June 2021

Motion to approve Items b. - e. of the Consent Agenda made by Zapfel and seconded by Ellis.

Motion carried 5-0-0.

a. Budget Amendment for 2021 Grants/Donations Received - 1/1/21 - 6/30/21

Council requested that all future budget amendments be listed under the appropriate Committee. Motion to approve Item a. of the Consent Agenda made by Spiegelberg and seconded by Rosek. Motion carried 5-0-0.

Committee Reports

a. Public Services - Ellis, Chr; Zapfel, Secy; Kowieski

1. Consider/act on Preliminary Resolution 21-R2970 Declaring Intent to Levy Special Assessments Under Municipal Police Power Pursuant to Section 66.0703, WI Stats. (Regent Road)

Motion to adopt Preliminary Resolution 21-R2970 Declaring Intent to Levy Special Assessments Under Municipal Police Power Pursuant to Section 66.0703, WI Stats. (Regent Road) made by Zapfel and seconded by Ellis. Council requested in the future the City notify property owners as soon as it determines a Special Assessment will be moving forward. Motion carried 5-0-0.

b. Utility - Zapfel, Chr; Ellis, Secy; Rosek

1. Consider/act on Resolution 21-R2969 Awarding Electric Cable Replacement and Supplemental Labor Contract

Motion to adopt Resolution 21-R2969 awarding Electric Cable Replacement and Supplemental Labor Contract made by Zapfel and seconded by Kowieski. Motion carried 5-0-0.

Plan Commission

a. Consider/act on Final Plat for Morgan Station Subdivision Located at 9740 Valley Road

Motion to approve the Final Plat for Morgan Station Subdivision located at 9740 Valley Road made by Rosek and seconded by Zapfel. Motion carried 5-0-0.

b. Consider/act on Condominium Plat for the Park at Prairie Creek Ridge (Phase 1) for 20 Residential Units Located on Outlot 17 of Prairie Creek Ridge #5, Whalen Drive

Motion to approve the Condominium Plat for the Park at Prairie Creek Ridge (Phase 1) for 20 residential units located on Outlot 17 of Prairie Creek Ridge #5, Whalen Drive made by Rosek and seconded by Kowieski. Motion carried 5-0-0.

c. Consider/act on Extraterritorial Certified Survey Map to Combine Lots Located on the NE Corner of Marquette Street and Yale Street, Town of Oconomowoc

Motion to approve the ETZ CSM to combine lots located on the NE corner of Marquette Street and Yale Street, Town of Oconomowoc made by Kowieski and seconded by Ellis. Motion carried 5-0-0.

d. Consider/act on Extraterritorial Final Plat for the Meadowlands Subdivision Located on the SW Corner of Hwy K and Road J, Town of Oconomowoc

Motion to approve the ETZ Final Plat for the Meadowlands Subdivision located on the SW corner of Hwy K and Road J, Town of Oconomowoc made by Zapfel and seconded by Spiegelberg.
Motion carried 5-0-0.

Unfinished/Old Business

a. Bethany Recovery Center Presentation/Update on Operations

Debra Adamus with Bethany Christian Services provided an update and stated the recovery center will open August 9th. Council requested that Bethany Recovery come back in August 2022 and provide an operational update.

Staff Reports

a. PSC Public Hearing RE: Water Rate Increase

Sullivan stated the new rate will take effect September 9, 2021.

Committee Reports – This item was moved up without objection.

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

1. Consider/act on Ordinance 21-O1010 Amending Section 12.03(7A)(a)1.a. & (b)2. of the City of Oconomowoc Municipal Code Relating to Pit Bull Dogs - 1st Reading

Motion to table made by Rosek and seconded by Kowieski.

Motion failed 2-0-3. Voted no: Zapfel, Ellis, Spiegelberg.

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

Motion carried 3-0-2. Voted no: Kowieski, Rosek.

Public Hearing

a. Public Hearing - Arrowood Subdivision Rezone

The purpose is to hear public comment on the Arrowood Development (Veridian Homes) for a proposed rezoning of 269.9 acres located on the NW corner of Oconomowoc Pkwy & Valley Rd with additional frontage on S Concord Rd. The parcel is identified as tax key #OCOC 0596.995.003 & zoned Suburban Residential District. The request is to rezone the property to Traditional Residential with a Planned Development Overlay District. The purpose of the PD overlay request is to allow building setback exemptions from the TR District requirements. The request is to allow for the construction of a total of 299 residential units including 239 single-family homesites & 30 attached single-family (duplex) lots resulting in 60 additional units.

The hearing opened at 7:55 PM. Gallo gave a PowerPoint presentation. Chris Ehlers, Grant Duchac and Brian Munson of Veridian Homes, gave a PowerPoint presentation.

Meredith Dressel, 37732 Valley Rd; Scott Dressel, 37732 Valley Rd; Eric Printz, 37726 Valley Rd; John Slatinsky, 37720 Valley Rd; Dave Zimmermann, 35831 Hewitts Point Rd; Pete Holmes, 237 Shore Cir; Tom Halverson, 557 W Valley Rd; and Jane Owen, Box 493, all spoke of concerns with traffic volume, pedestrian & vehicle safety, ground water issues, too many homes and small lot sizes. It was requested that a traffic study be done and suggested to alleviate traffic Oconomowoc Parkway should be extended and potentially add on and off ramps at Golden Lake Rd.

Katie Schubert, 838 Tamarack Ln, spoke on experience with Veridian Homes.

No other comments were received. The hearing closed at 8:52 PM.

b. Public Hearing - Olympia Fields Development

The purpose is to hear public comment on the Olympia Fields Development proposed rezoning of 15.37 acres at 1350 Royal Mile Rd. The request is to rezone the property to Residential Multi-Unit High with a Planned Development Overlay District. The purpose of the PD overlay request is to allow reduced parking counts, reduced building setback & reduced paved surface setback exemptions from the RMH District requirements. The request is to allow for the construction of a total of 152 residential apartment units.

The hearing opened at 8:52 PM. Gallo gave a PowerPoint presentation. Matt Moroney, Wangard Partners stated there are no changes from the original plans.

No other comments were received. The hearing closed at 8:57 PM.

c. Public Hearing - Jiffy Lube

The purpose is to hear public comment on a Conditional Use Permit for Jiffy Lube to allow vehicle service and repair on a vacant 1-acre property that will be created immediately south of 1604 Water Place. The property is currently part of tax key number OCOC 0616.999.028. Per the Table of Allowable Uses listed in Section 17.106 of the Oconomowoc Zoning Code, vehicle service and repair require a Conditional Use Permit in the GC-General Commercial Zoning District. If approved the applicant would be allowed to operate a 3,454 sf building for automobile oil changes, batteries, brakes, engine and suspension work and tires, which are all classified as vehicle service and repair within the Zoning Ordinance.

The hearing opened at 8:57 PM. Gallo gave a PowerPoint presentation. No other comments were received. The hearing closed at 9:00 PM.

Plan Commission

a. Consider/act on Ordinance 21-01011 to Create a Planned Development Overlay District for Arrowood Subdivision Located at the NW Corner of Oconomowoc Parkway & Valley Rd - 1st Reading

Motion to adopt the ordinance and waive the second reading made by Zapfel and seconded by Spiegelberg.

Motion carried 5-0-0.

b. Consider/act on Certified Survey Map for Wangard Partners Dividing One Lot into Two Lots & Two Outlots at 1350 Royale Mile Road

Motion to approve the CSM for Wangard Partners dividing one lot into two lots & two outlots at 1350 Royale Mile Road made by Spiegelberg and seconded by Zapfel.

Motion carried 5-0-0.

c. Consider/act on Certified Survey Map for Wangard Partners Dividing One Lot into Three Lots & One Outlot at 1350 Royale Mile Road

Motion to approve the CSM for Wangard Partners dividing one lot into three lots & one outlot at 1350 Royale Mile Road made by Rosek and seconded by Spiegelberg.

Motion carried 5-0-0.

d. Consider/act on Ordinance 21-01012 to Rezone 15.37 Acres from RML Residential Multi-Unit

Low to RMH Residential Multi-Unit High for Olympia Fields Located at 1350 Royale Mile Road - 1st Reading

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

Motion carried 5-0-0.

e. Consider/act on Ordinance 21-O1013 to Create a Planned Development Overlay District for Olympia Fields at 1350 Royale Mile Road - 1st Reading

Motion to adopt the ordinance and waive the second reading made by Kowieski and seconded by Zapfel.

Motion carried 5-0-0.

f. Consider/act on Certified Survey Map Dividing One Lot into Two, Creating One Lot for Jiffy Lube at 1610 Water Place

Motion to approve the CSM dividing one lot into two, creating one lot for Jiffy Lube at 1610 Water Place made by Ellis and seconded by Spiegelberg.

Motion carried 5-0-0.

g. Consider/act on Conditional Use Permit for Jiffy Lube at 1610 Water Place

Motion to approve the Conditional Use Permit for Jiffy Lube at 1610 Water Place based on substantial evidence presented and that the proposal conforms with all zoning and CUP requirements for the Conditional Use Permit made by Rosek and seconded by Ellis.

Motion carried 5-0-0.

New Business

a. Consider/act on Final Design Approval for John and Lavinia Rockwell Park

Frye, Hoepfner and SEH Engineering gave a PowerPoint presentation.

Motion to approve the final design concept for John and Lavinia Rockwell Park with the removal of the bathrooms and turn around made by Kowieski and seconded by Rosek.

Motion failed 2-0-3. Voted no: Zapfel, Ellis, Spiegelberg.

Motion to approve the final design approval for John and Lavinia Rockwell Park made by Rosek and seconded by Spiegelberg.

Motion carried 3-0-2. Voted no: Kowieski, Rosek.

Reports and Comments from the Aldermen

Kowieski commented on Ellis's shovel efforts to dig the Hwy 67 tunnel and feels it is never a good position for an elected official to advocate for destruction of property. He stated he spoke with the County Executive and Waukesha County and the City will be applying for CMAQ funding. He recommends citizens do not attend the shovel event. Zapfel hopes the Bucks bring home a birthday present for our Enterprise reporter - Happy Birthday Alex!

Adjourn

Motion to adjourn made by Kowieski and seconded by Spiegelberg.

Motion carried 5-0-0.

The meeting adjourned at 10:11 PM.

Minutes taken by Diane Coenen, City Clerk