

City of Oconomowoc Common Council Meeting Minutes August 16, 2022 - 7:30 PM



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

Also Present: Robert Magnus, Diane Coenen, Mark Frye, Jason Gallo, Craig Hoepfner, Rachel Oelsner, James Pfister, Laurie Sullivan-Murray, Ivan Lam, Stan Riffle

Mayor Magnus called the Common Council Meeting to order at 7:38 PM.

Call to Order and Confirmation of Appropriate Meeting Notice

Pledge of Allegiance

Roll Call

Public Hearing

a. Wetland Text Amendment

The purpose is to hear public comment on the proposed Zoning Ordinance text amendment that creates Section 17.116 pertaining to wetland regulations. The text amendment creates wetland regulations, including a 10 ft. no disturbance setback from all wetlands. The ordinance discusses both permitted and prohibited uses within these areas. Section 17.904–Definitions is also being amended to add definitions for ‘wetland’ and ‘land disturbing activity’.

The hearing opened at 7:39 PM. Rachel Oelsner, Planning Intern gave a PowerPoint presentation. No other comments were received. The hearing closed at 7:51 PM.

Approval of Meeting Minutes

a. Minutes of August 2, 2022

Motion to approve the Council minutes of August 2, 2022 made by Rosek and seconded by Kowieski.

Motion carried 8-0-0.

Comments/Suggestions from Citizens

Jill Baillargeon, 675 S. Worthington St. shared concerns with the proprietary drinking water treatment products the City uses from Caras Chemical Co. and asked for an opportunity to meet with staff to discuss. She also referenced an email she sent to elected officials and staff regarding this concern and is asking the Mayor to get these treatment products into the hands of those that can determine what chemicals are in the proprietary drinking water in order to protect citizens and monitor these intentionally added products.

Without objection Item 10.d. was moved up on the agenda

d. Presentation on First Year of Operation from Bethany Recovery Center for the Group Living Use

Jennifer Schmeichel, Executive Director reported on the first year of operation stating they just became fully operational in January 2022. She noted the parking lot has never exceeded capacity and there have been 20 emergency response calls made from the Center. Bethany does not own the land or building and property taxes are being paid by the owner. Currently, they have 20 residents and can accommodate up to 30 adults. Since January they have had 86 admissions.

Council recommended another review after a full year of operation and asked Gallo to write a letter stating an additional review is required in 2023. Council also requested Bethany provide information on where their admissions come from. Pfister noted the Police have received no complaints. Schmeichel stated Hope Church and White Stone Church are very supportive of the Center as well as numerous private individuals. They have posted no trespassing signs on the property and are very vigilante on who enters the Center due to the nature of operation.

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

a. Treasurer's Report

1. Treasurer's Report & Financials - July 2022

Motion to approve the Consent Agenda made by Kowieski and seconded by Schellpeper.
Motion carried 8-0-0.

Committee Reports

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

1. Consider/act on Resolution 22-R3057 Awarding the Contract for the Peacock Dam Maintenance Project

Motion to adopt Resolution 22-R3057 awarding the contract for the Peacock Dam Maintenance Project made by Ellis and seconded by Mulder.
Motion carried 8-0-0.

2. Consider/act on Resolution 22-R3053 Awarding John and Lavinia Rockwell Park Phase 2 Design/Engineering Services Contract

Motion to adopt Resolution 22-R3053 awarding John and Lavinia Rockwell Park Phase 2 Design/Engineering Services Contract made by Mulder and seconded by Spiegelberg. Council discussed cost of Phase 1 and 2, and a potential grant.
Motion to table this item until the City hears on the grant made by Ellis. Motion died due to a lack of a second.
Motion failed 2-0-6. Voted no: Aultman Kloth, Ellis, Schellpeper, Kowieski, Douglas, Rosek.

Plan Commission

a. Consider/act on Extraterritorial Certified Survey Map to Divide One Lot into Two at N7121 Ski Slide Road, Town of Concord

Motion to approve the ETZ CSM to divide one lot into two at N7121 Ski Slide Road, Town of Concord made by Ellis and seconded by Aultman Kloth.
Motion carried 8-0-0.

b. Consider/act on Ordinance 22-O1038 Creating Section 17.116 Wetland Regulations & Amending Section 17.904 Definitions of the City Zoning Ordinance

Gallo reported this is a text amendment which creates a wetland setback and two definitions. He noted Plan Commission had a lengthy discussion and made these amendments; to allow stormwater management facilities in the wetland setback and that invasive vegetations such as buckhorn can be cut. He also stated a wetland setback is noted in the City's Comprehensive Plan. Council discussed appropriate size of wetlands to be regulated, allowable uses such as a dog park within the wetland and fences, allowing variances, the ordinance language being too broad and postponing this item to work on the language. Gallo will work with Rosek on language cleanup.

Motion to postpone action until language is updated and Council reviews made by Kowieski and seconded by Rosek.
Motion carried 8-0-0.

c. Presentation/discussion on the Planning Department's Updated Housing Study for the City of Oconomowoc

Rachel Oelsner, Planning Intern gave a PowerPoint presentation on the City's Housing Study 2022.

New Business

a. Consider/act on Preliminary Resolution 22-R3056 Declaring Intent to Exercise Police Power Authority for Special Assessment for Northeast Lift Station Improvements

Motion to adopt Preliminary Resolution 22-R3056 declaring intent to exercise Police Power Authority for Special Assessment for Northeast Lift Station improvements made by Mulder and seconded by Kowieski.

Motion carried 8-0-0.

b. Consider/act on Final Resolution 22-R3055 Levying the Special Assessments for the Northeast Region Infrastructure Project under Section 66.0703, Wisconsin Statutes

Motion to adopt Final Resolution 22-R3055 levying the Special Assessments for the Northeast Region Infrastructure Project under Section 66.0703, Wisconsin Statutes made by Rosek and seconded by Kowieski.

Motion carried 8-0-0.

c. Consider/act on Potential Relocation of Public Restroom Within the Rockwell Building

Frye displayed a picture on the screen of the Rockwell Partners Project showing a potential relocation of the restroom from the lake (east) side of the building to the street (west) side of the parking ramp. Council was not in favor of the relocation. No action taken.

Staff Reports

Frye reported on the sanitary lawsuit for the sanitary district stating Judge Maxwell ruled for the City and that an appeal of that ruling can be filed.

Reports and Comments from the Aldermen

Mulder Expressed his disappointment on the failed motion for Phase 2 of the Rockwell Park Project and asked staff for regular updates on where donations/funding is at.

Reports and Comments from the Mayor

Magnus asked the Aldermen to let him know if they would like any topics investigated as he is attending the League of Wisconsin Municipalities Chief Executives Workshop later this week.

Adjourn

Motion to adjourn made by Schellpeper and seconded by Spiegelberg.

Motion carried 8-0-0.

The meeting adjourned at 9:36 PM.

Minutes taken by Diane Coenen, City Clerk