

FINANCE, LICENSE & REGULATION COMMITTEE
MONDAY, JANUARY 25, 2010 - 6:00PM
COUNCIL CHAMBERS, CITY HALL

Meeting was called to Order by Chairman Todd Krause.

Roll Call: Alderman Krohn, Roehrer, Marsala, Fesenmaier, and Krause, Clerk Dykstra, Comptroller Pollitt, and Administrator Jordan.

Marsala/Roehrer motion to approve Finance, License and Regulation Committee minutes of January 11, 2009 as distributed. Unanimously carried.

Comments from the public as allowed by Wis. Stats. §19.84(2), limited to items on this agenda except for public hearing items. Comments will be limited to 5 minutes.

Ellyn Kehoe, 222 Warren Street, commented on item #18 and #7, she noted that the pre pay on the ambulance was resolved several months ago and wonders why this is back on the agenda. She also noted that the TIF4 resolution was well meant but she heard repairs and expansion of the skate park. She understands there was a repair portion that would go to the maintenance account. A skate park by the school is historic and should be maintenance. In her notes there was another unused fund that was not used and could be used in another park area.

Spyro Condos, 1760 Hillcrest Drive, discussed item #13, he noted the purchase of the WE Energies building depleted the unreserved fund balance. He brought each person a state statute when he served on the Council that governs the unreserved fund balance and noted they are not allowed to withdraw money out of that fund unless they have a $\frac{3}{4}$ vote by the council. He brought to the attention of everyone because the reserve funds have been depleted. There was an entire year with no finance committee. It is coincidental that year is when the Library thefts started. Today there is a purchase of a building and sent without a $\frac{3}{4}$ vote of the Council. He doesn't know why they don't understand this is misuse of City funds. It is up to the Finance Committee to find out who is responsible. If they don't it is part of the problem not the solution. That check was written, no resolution, charged against TIF districts, and when is this illegal practice going to stop. This is mismanagement of City funds. Appropriate actions must be taken.

Ed Yeager, Water Street, item #7 wanted to discuss the TIF amendment. He produced two forms obtained from City Hall regarding the TIF tax. The TIF Calculations shows the budgets for the districts and each one is listed as their budget and another levy at the end for the Tax Increment Levy is added. The increment is \$2,061,000 for 2009-2010. The balance sheet for TIF increment #4. The total is \$6,634,000. That means there is over \$6,000,000 in this fund. The City of Lake Geneva is violating the TIF statute in his opinion. He requests they close the TIF at the end of the year.

Terry O'Neill, 954 George Street, Commented about items #13 and #14 on the agenda. Those resolutions are retroactive to cover actions that were already completed. The statutes require $\frac{2}{3}$ vote of the governing body. The reason \$100,000 was taken by the Library was because procedures were not followed then and they aren't followed now. Spending and transferring City funds without the proper approval is illegal. Not commenting on them makes it seem as if you are covering something up.

Update from City Administrator on the Room Tax Audit.

Administrator Jordan noted there were some that had not responded to the audit request. They have five that have not responded. He has asked the City Attorney to respond and declare the statute they need to reply. He noted he would assume in a week they would know more.

Discussion/Recommendation on the Room Tax delinquency and the possible effect on liquor licenses.

Administrator Jordan noted that delinquency could result in a revocation. Attorney Draper discussed the issue and noted the options include beginning a complaint and revocation, suspension, and provisions for penalty. There are provisions for the collection of interest also.

Marsala/Roehrer motion to have Administrator Jordan place a warning letter to reply by February 3, 2010 or a complaint will be filed for revocation or suspension. Unanimously carried.

Request from resident regarding clarification on the TID Resolution 10-R03 to amend Resolution 09-R28 which amends Tax Increment District #4 Project Plan and the amended table of projects.

No action to be taken.

Discussion/Recommendation on the Park Donation Policy as recommended by the Park Board. (Alderman Fesenmaier) (Continued on 12/14/09, 1/11/10)

Fesenmaier/Marsala motion to recommend approval. Alderman Fesenmaier noted this is a procedure for when the public wishes to donate an item for the parks and sets limits on those donations.

Chairman Krause noted there is a covenant for the Library Park and wondered if the Park Board had reviewed this. Attorney Draper noted the issue concerns the structures that can be brought in and the consistent use of the park. Whether it extends to monuments, it may he is able to determine at this short notice. Alderman Fesenmaier does point out that the donation will comply with all deed restrictions. She also questioned the numbering system of the policy. Fesenmaier/Marsala motion to table until February 8, 2010. Unanimously carried.

Discussion/Recommendation on Resolution 10-R01 a resolution to authorize the City Clerk to determine the number of poll workers at each polling place to be either three (3), five (5), or seven (7) depending on the number of ballots and anticipated turnout, and authorizing the split shifts of poll workers when necessary. (Tabled 1/11/10)

Marsala/Krohn motion to remove from the table. Unanimously carried.

Marsala/Roehrer motion to recommend approval. Unanimously carried.

Discussion/Recommendation on Impact Fee Budget for 2010.

Alderman Krause noted there is a sheet for the Budget that indicates expenses and lays them out for the year. Administrator Jordan commented the impact fee budget total was set but they went in and set increments for each department and can adjust based on their needs.

Alderman Marsala asked about the difference in price. Jordan noted the invoices were not added properly.

It was noted they are \$5,000 for the park, \$5,000 for the Fire Department,

Marsala/Krause motion to recommend approval.

Alderman Fesenmaier questioned the creation of the line items. Comptroller Pollitt noted there was not an impact fee budget set and the money is in the pool that is

Fesenmaier/Roehrer motion to table until the next FLR meeting to have more time to review. Unanimously carried.

Discussion/Recommendation on revised request to approve the Library Impact Fee Budget for the Library not to exceed \$27,500 and request from the Lake Geneva Public Library for Library Impact Fees to purchase additional shelving units for the library collection, as recommended by the Library Board. (Original Tabled 1/11/10)

Item was left on the table.

Discussion/Recommendation on Resolution 10-R04 a resolution to set the EMS billing rates effective February 1, 2010.

Chairman Krause noted he would like to request a change to place the words "Per person per call" for clarification.

Marsala/Roehrer motion to recommend approval. It was noted that no changes were made to the resident rates.

Fesenmaier/Marsala motion to allow Mr. Connelly to speak.

Chief Connelly noted they investigated the industry standards. They are looking for revenue and trying to keep the taxes down. They are still below the industry standard.

Unanimously carried.

Discussion/Recommendation on Resolution 10-R05 a budget resolution to designate the WE Energies property purchase from TID and undesignated reserves. (Administrator Jordan)

Administrator Jordan noted that when they met last the Council decided the bank loans would not be the process that it would be a loan from ourselves. He said he had a hard time with this. Two years ago they decided to do Edwards Boulevard, the Voters said they wanted to do Edwards Boulevard. He is confused if they want to get projects done. He felt that staff was trying to get this done because of the WE Energies push to get this done before the end of the year. He is asking them what they want to do.

Fesenmaier/Roehrer motion to table until February 8, 2010. Motion carried. Alderman Marsala voted no.

Discussion/Recommendation on Resolution 10-R06 a budget resolution to authorize \$140,000 for the demolition and abatement of the WE Energies property.

Fesenmaier/Roehrer motion to table. Unanimously carried.

Discussion/Recommendation on an Agreement with Crispell-Snyder for Professional Construction Related Engineering Services for Edwards Boulevard Extension.

Marsala/Krohn motion to forward to the Council without recommendation. Unanimously carried.

Discussion/Recommendation on CDARS Investment renewals.

Comptroller Pollitt passed out the quotes for the CDARS. There is 2.8 million invested with the CDARS program. The interest rates have dropped dramatically. For a 26 week the best they could get was .6% One year ago they were 2.7%.

Krause/Fesenmaier motion to take \$300,000 into a CD at Community Bank. Unanimously carried.

Discussion/Recommendation on Accounts Payable Regular Check Policy and Accounts Payable Prepaid Check Policy as recommended by the City Comptroller.

Alderman Fesenmaier noted she would like to see the Policy Number along with the footer. She would also like to see a comparison of the old document to see the changes. She was glad to see this completed, but wanted to see it brought forward with the changes.

Fesenmaier/Roehrer motion to table. Unanimously carried.

Discussion/Recommendation on a request from Police and Fire Commission to pre-pay Foster Coach for the 2010 ambulance.

Administrator Jordan noted there is a 3% discount for paying for the item up front.

It would take delivery in March and it would save \$3,537.

Roehrer/Marsala motion to recommend approval. Comptroller Pollitt noted this was a budgeted item, and use of sinking fund, and an EMS rebate. It was noted they would come under budget and the remaining stays in that line item. Alderman Fesenmaier confirmed this would be the last item needed for this purchase no additional funds for this would be needed. Unanimously carried.

Presentation of Accounts

Discussion/Recommendation on Purchase Orders. None.

Marsala/Roehrer motion to recommend approval of Prepaid Bills in the amount of \$43,483.11. Unanimously carried.

Marsala/Krohn motion to recommend approval of Regular Bills in the amount of \$193,203.08. Alderman Roehrer questioned the Mayor's Scholarship award date, and the audit response letter charges. Unanimously carried.

Marsala/Roehrer motion to Adjourn at 7:04pm. Unanimously carried.

/s/ Diana Dykstra, City Clerk