



**REGULAR CITY COUNCIL MEETING**  
**MONDAY, JANUARY 27, 2014 – 7:00 PM**  
**COUNCIL CHAMBERS, CITY HALL**

**MINUTES**

- 1. Mayor Connors calls the meeting to order at 7:00pm**
- 2. Pledge of Allegiance – Alderman Kupsik**
- 3. Roll Call**  
Present: Connors, Hougen, Wall, Mott, Hill, Kehoe, Kuspik, Lyon  
Not Present: Taggart (excused)  
Also Present: Attorney Draper, City Administrator Jordan, Clerk Neubeck, Director of Public Works Winkler
- 4. Awards, Presentations, and Proclamations**  
None  
  
Mayor Connors announced there will be a shuttle bus from Home Depot to the downtown area for Winterfest this coming weekend.
- 5. Re-consider business from previous meeting**  
None
- 6. 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.**  
Terry O’Neill, 954 George Street, stated, in regards to Agenda Items 14B and 13C that he felt the City Council’s control over certain departments. He said the City should maintain control of its departments as per its Charter rather than bureaucratic control. He finds that the square footage charges for Riviera shop contracts are inconsistent.
- 7. Acknowledgement of Correspondence**  
Clerk Neubeck acknowledged correspondence from the Lake Geneva Historic Preservation Commission voicing their displeasure about a potential parking structure.
- 8. Approve Regular City Council Meeting minutes of January 13, 2014, as prepared and distributed**  
**Motion #1:** Alderman Wall moved to approve Regular City Council Meeting minutes of January 13, 2014, as prepared and distributed, Alderman Kehoe seconded, and the motion passed unanimously.
- 9. CONSENT AGENDA.** Any item listed on the consent agenda may be removed at the request of any member of the Council. The request requires no second, is not discussed, and is not voted upon.
  - A. Original 2013-2014 Operator (Bartender) License applications filed by Alyxandra Barkwill and Kirsten Gardner.**  
**Motion #2:** Alderman Hougen moved to approve Original 2013-2014 Operator (Bartender) License applications filed by Alyxandra Barkwill and Kirsten Gardner, Alderman Kupsik seconded, and the motion passed unanimously.

**10. Items removed from the Consent Agenda**

None

**11. Update on probationary Operator licenses for Lori A. Hall and Christopher C. Cummings (no action required)**

Mayor Connors explained these individuals were given six month probationary Operator licenses. Police Chief Rasmussen wrote a memo explaining their background checks came back fine in the meantime, and their probationary Operator licenses would now become full licenses.

**12. First Reading Ordinance 14-02 amending Chapter 6, Alcohol Beverages of the Lake Geneva Municipal Code (prohibiting the consumption of fermented beverages on a commercial quadricycle)**

Mayor Connors explained this is just a first reading of the Ordinance, and any interested parties can obtain a copy from the City Clerk.

**13. Finance, License and Regulation Committee Recommendations – Alderman Hill**

**A. Discussion/Action on a proposal for the disc golf course signage**

Alderman Hill explained this project is anticipated to cost \$3,980

**Motion #3:** Alderman Hill moved to accept the proposal from D.B. Event Signage in the amount of \$3,980 to be funded from the designer’s contract and Park Impact fees, and Alderman Kupsik seconded.

Alderman Hill informed the Council the owner of the company, Mr. Buelter, will be donating signs as well as performing the installation.

The motion passed unanimously.

**B. Discussion/Action on Lake Geneva Boat Line pier lease**

**Motion #4:** Alderman Hill moved to approve Lake Geneva Boat Line pier lease, and Alderman Wall seconded.

Alderman Hill explained staff needed to clean up language on the lease which is for ten years beginning in 2012 incorporating a three percent annual increase.

Attorney Draper mentioned a major change to the lease is a section which will not hold Lake Geneva Boat Line for normal wear and tear to the pier; however, it would be liable for any abusive damage done by the company of patrons.

**Motion #5:** Alderman Kupsik moved to instruct City Attorney to insert language in section 6 of the lease to say the Geneva Boat Line is not responsible for wear and tear on the pier but will be responsible for abuse as well as change to the boundaries on the map exhibit, and the motion passed unanimously

**Motion #4** passed unanimously.

**C. Discussion/Action on Riviera shop leases**

**Motion #6:** Alderman Hill moved to approve the Riviera shop leases, and Alderman Wall seconded.

Alderman Hill questioned the differences in lease rates.

Mayor Connors read off the rates per square foot for the individual contracts.

Administrator Jordan said the lower rates pertain to storage sheds.

Alderman Hill asked about the great variety in prices.

The motion and second were withdrawn while Administrator Jordan went back to his office to obtain the leases and related information.

**Motion #7:** Alderman Hill moved to suspend the rules to go to Agenda Item 13D, Alderman Mott seconded, and the motion passed unanimously.

**D. Discussion/Action on a maintenance contract for the LUKE parking system with APT in the amount of \$67,100**

Alderman Hill noted this was recommended by the Finance Committee three to two.

**Motion #8:** Alderman Hill moved to approve a maintenance contract for the LUKE parking system with APT in the amount of \$67,100, and Alderman Kupsik seconded.

Alderman Hill said this will be paid from the parking fund and pointed out Administrator Jordan's memo regarding 2013 repairs.

Alderman Wall voiced his displeasure about the cost of the maintenance contract and feels the City is not receiving the best deal.

Administrator Jordan explained the costs of hardware, labor, and software. He noted several computers in the LUKES malfunctioned over the past year possibly due to power surges, APT upgrades the software every now and then, but the City has the option to accept or reject the upgrades.

Alderman Lyon pointed out due to the proprietary system, the City only has a choice on labor as no other vendors can provide parts and software. He added the software system is not tailor-made to Lake Geneva and not accepting upgrades leaves the City vulnerable.

Alderman Kupsik said the City is not at a point to provide the maintenance yet, but he felt the contract should be approved to keep the LUKE system running.

Alderman Hill said she would like a Parking Operation Supervisor in place to oversee the system.

Alderman Mott asked what the cost of the contract was last year.

Administrator Jordan replied the contract was prorated, but it averaged out to \$1,100 per unit.

Alderman Mott voiced his displeasure with the system.

Mayor Connors said the extreme cold weather and age of the system contributes to some failure.

Alderman Hill asked about the units at the beach.

Administrator Jordan replied those units are part of their one year warranty ending this summer. The remainder of the calendar year for those units will be paid from beach funds.

Alderman Kehoe asked if APT would be willing to help train the new Parking Operations Supervisor on the system.

Administrator Jordan replied they will.

The motion passed four to three with Aldermen Hougen, Wall, and Mott voting no.

**Motion #9:** Alderman Hill moved to return to agenda item 13C, Alderman Hougen seconded, and the motion passed unanimously.

**C. Discussion/Action on Riviera shop leases**

Mayor Connors noticed some inconsistencies with the square footages of the shops and suggested this item be continued to the next meeting.

**Motion #10:** Alderman Kupsik moved to continue this item to the next meeting to verify the square footages, and Alderman Hougen seconded, and the motion passed unanimously.

**14. Personnel Committee Recommendations – Alderman Kupsik**

**A. Discussion/Action on changes to Employee Handbook pertaining to part-time employees, disability insurance**

Alderman Kupsik explained the changes pertain to paid time off (PTO) for part-time employees as well as disability insurance.

**Motion #11:** Alderman Kupsik moved to approve changes to Employee Handbook pertaining to part-time employees, disability insurance, and Alderman Lyon seconded.

Alderman Hougen asked how these changes compares to the private sector.

Administrator Jordan replied the language was taken from comparable communities and private sector organizations.

Alderman Hill said this is a good thing as it addresses PTO being given to part-time individuals.

The motion passed unanimously.

**B. Discussion/Action on changes to Organizational Chart**

Alderman Kupsik said the Committee wanted to reflect changes to the Cemetery, Public Works, and various departments in the organizational chart which is an appendix to the employee handbook.

**Motion #12:** Alderman Kupsik moved to approve the organizational chart as distributed, and Alderman Hougen seconded.

Mayor Connors explained the chart would reflect the current structure of the City's staff.

Alderman Kupsik explained changes to be reflecting current operations such as Police and Library department structures, the change of the Treasurer no longer being an elected position, the Cemetery employees being brought in under the Public Works umbrella, the addition of an Assistant Director of Public Works, the creation of a Parking Operations Supervisor, as well as changes of various titles to reflect current job descriptions.

Alderman Hill said she has an issue with a dotted line connecting the Common Council to the City Administrator.

Attorney Draper said an Ordinance specifically says what duties are given to the City Administrator and staff, and the organizational chart does not change duties or what powers are delegated by the Council. He stated Ordinances, State statutes, and the City's Charter trump any diagram.

Alderman Hougen said he does not see any problems with how duties are delegated to the City Administrator.

Administrator Jordan said he has always followed the City Council's direction.

Attorney Draper read section 2-184 which states:

*“The Administrator, subject to the limitations defined in resolutions and ordinances of the City and state statutes, shall be the chief administrative officer of the City, responsible only to the Mayor and the Council for the proper administrations of the business affairs of the City, pursuant to state statutes, local resolutions or ordinances and directives of the Council, with the following power and duties.”*

Attorney Draper gave examples such as following directions from the City Council and other duties in addition to directions from the City Council. He added this organizational chart is an illustration and in no way binding.

Administrator Jordan suggested making the line solid to quell any disputes.

Alderman Lyon said in the private sector a dotted line indicates guidance while a solid line is a direct report as it is indicative of span of control.

Mayor Connors said Ordinances and State statutes reflect exactly what duties are of certain positions.

Alderman Kupsik suggested the organizational chart be reviewed by the City Attorney and return to Council.

The City Attorney said Ordinances do not support the organizational chart because the Ordinances are the controlling documents. He said the private sector is not always comparable to the public sector as they have different missions and goals.

The item fails three to four with Aldermen Wall, Mott, Hill, and Kehoe voting no.

**Motion #13:** Alderman Hill moved to send the organizational chart back to the Personnel Committee with Attorney Draper’s review, Alderman Wall seconded, and the motion passed unanimously.

**C. Discussion/Action on hiring an Assistant Director of Public Works**

Alderman Kupsik explained the Personnel Committee recommended posting this job description for candidates to apply.

**Motion #14:** Alderman Kupsik moved to approve the creation of the position and to proceed in posting the job description, and Alderman Mott seconded.

Administrator Jordan explained the Street Superintendent position will be replaced by the Assistant Director of Public Works who will be mentored by the current Director of Public Works.

Alderman Mott thanked the Personnel Committee for coming up with this idea and thinks it is an excellent option.

Director Winkler explained the City has the flexibility to have a Director of Public Works and an Assistant Director of Public Works who would directly oversee the Street Department.

Administrator Jordan said the position will be posted on various professional websites and have the salary to be dependent on qualifications.

Alderman Hill suggested loosening the educational requirements of the position.

Alderman Kupsik explained the Committee approved the posting of this position.

The motion passed unanimously.

**15. Presentation of Accounts – Alderman Hill**

**A. Purchase Orders**

None

**B. Prepaid Bills in the amount of \$5,576.60**

**Motion #15:** Alderman Hill moved to approve Prepaid Bills in the amount of \$5,576.60, Alderman Hougen seconded, and the motion passed unanimously.

**C. Regular Bills in the amount of \$109,079.38**

Alderman Hill read off items over \$5,000 which were for the following entities: John’s Disposal Service, Inc. for January refuse and recycling, Alliant Energy for December electric bills, Humphrey’s Contracting for concrete projects and repairing Riviera pipes, and Timeless Flooring for Riviera floor refinishing.

**Motion #16:** Alderman Hill moved to approve Regular Bills in the amount of \$109,079.38, Alderman Kupsik seconded, and the motion passed unanimously.

**16. Mayoral Appointments (None) – Mayor Connors**

**17. Closed Session**

**Motion to go into Closed Session pursuant to Wis. Stat. 19.85 (1)(e) for competitive bargaining reasons for Fire union negotiations (Administrator Jordan)**

**Motion #17:** Alderman Lyon moved to go into Closed Session pursuant to Wis. Stat. 19.85 (1)(e) for competitive bargaining reasons for Fire union negotiations, Alderman Hougen seconded, and the motion passed unanimously.

The meeting went into closed session at 8:26 pm.

**18. Motion to return to open session pursuant to Wisconsin Statutes 19.85 (2) and take action on any items discussed in Closed Session**

No action was required.

**Motion #18:** Alderman Kupsik moved to return to open session, Alderman Lyon seconded, and the motion passed unanimously.

The meeting returned to open session at 8:33 pm.

**19. Adjournment**

**Motion #19:** Alderman Mott moved to adjourn, Alderman Lyon seconded, and the motion passed unanimously

The meeting adjourned at 8:34

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Tim Neubeck, City Clerk.

**THESE ARE NOT OFFICIAL MINUTES UNTIL APPROVED BY THE COMMON COUNCIL**