City of Lake Geneva
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COMMITTEE OF THE WHOLE

MONDAY, MARCH 7, 2016 – 6:30 PM

CITY HALL BUILDING, COUNCIL CHAMBERS

AGENDA

1. Council President Kupsik calls the meeting to order

2. Pledge of Allegiance

3. Roll Call

4. Approval of Minutes from February 1, 2016 Committee of the Whole Meeting as distributed

5. Comments from the public as allowed by Wis. Stats. §19.84(2), except for public hearing items. Comments will be limited to 5 minutes. Be further advised that matters brought up at this time may be referred to the appropriate committee or individual for further discussion and consideration.

6. Presentation by City Administrator Oborn on room tax law changes

7. Discussion on Geneva Lake Law Enforcement proposed Ordinance

8. **STANDING COMMITTEE REPORTS.** The following Aldermen will be given the opportunity to make announcements or reports at the meeting in regards to committee activities they have been involved in since the last meeting on behalf of the City, future activities and citizen contacts. It is not contemplated that these matters will be discussed or acted on but referrals to the appropriate committees and/or individuals will be made.

    a. Finance, License & Regulation Committee, Alderman Kupsik

    b. Personnel Committee, Alderman Hedlund

    c. Public Works Committee, Alderman Kordus

    d. Piers, Harbors, & Lakefront Committee, Alderman Wall

9. **COMMITTEE, COMMISSION AND BOARD REPORTS.** The following committee representatives will be given the opportunity to make announcements or reports at the meeting in regards to committee activities they have been involved in since the last meeting on behalf of the City, future activities and citizen contacts. These matters will be required to be placed on the agenda to comply with Wis. Stats.

    a. Utility Commission, Aldermen Hedlund & Wall

    b. Tree Board, Alderman Kupsik

c. Police & Fire Commission, Alderman Gelting

d. Plan Commission, Alderman Kupsik

e. Board of Park Commissioners, Alderman Kupsik

f. Library Board, Alderman Hill

g. Historic Preservation Commission, Alderman Chappell

h. Cemetery Board, Alderman Kordus

i. Parking Commission, Alderman Gelting

j. Communications Committee, Alderman Kordus

k. Avian Committee, Alderman Wall

10. **COUNCIL REPRESENTATIVES SERVING ON OTHER BOARDS AND COMMITTEES.** The following committee representatives will be given the opportunity to make announcements or reports at the meeting in regards to committee activities they have been involved in since the last meeting on behalf of the City, future activities and citizen contacts. These matters will be required to be placed on the agenda to comply with Wis. Stats.

a. Chamber of Commerce, Alderman Kordus

b. Geneva Lake Museum, Alderman Chappell

c. Lake Geneva Economic Development Corporation, Aldermen Gelting & Hedlund

d. Geneva Lake Environmental Agency, Alderman Wall

e. Geneva Lakes Family YMCA, Alderman Kupsik

f. Geneva Lake Use Committee, Alderman Hill

11. Adjourn

This is a meeting of the Committee of the Whole.
No official Council action will be taken; however, a quorum of the Council will be present.

3/3/2016 1:41pm
cc: Aldermen, Mayor, Administrator, Attorney, Media

COMMITTEE OF THE WHOLE
MONDAY, FEBRUARY 1, 2016 - 6:30 PM
CITY HALL BUILDING, COUNCIL CHAMBERS

Council President Kupsik called the meeting to order at 6:30 p.m.

Pledge of Allegiance led by Alderman Kupsik.

Roll Call. Present: Aldermen Wall, Kordus, Kupsik, Hedlund, Howell. Absent: Aldermen Chappell, Hill and Gelting. Also Present: City Administrator Oborn.

Kordus/Hedlund motion for approval of minutes from January 4, 2016 Committee of the Whole Meeting as distributed. Motion carried unanimously.

Comments from the public as allowed by Wis. Stats. §19.84(2), except for public hearing items.
Mary Jo Fesenmaier, 955 George St, asked that the interest in the Hillmoor property be carried forward. She feels the community is very interested in the fate of that property. She noted many members of the Plan Commission are concerned with the future of the property just hanging there as we wait. Many believe the City is in a good place to put together a study to find out what the options are to best deal with that property. That does not mean the City is going to purchase the property, it means options can be laid out. She explained there is a reason it is in the TIF district as it meets the blight standard. She asked that a feasibility study be placed on the Finance Committee agenda and then be sent to the City Council.

Don Ogden, 108 Evelyn Ln Unit D, stated he lives on the Hillmoor golf course. He asked the City to put together a feasibility study for that property and see what it could be used for. He would prefer it not be used for high density homes.

Update from Mike Kramp with the Geneva Lakes Family YMCA on 2016 activities
Mike Kramp, CEO of the Geneva Lakes Family YMCA, gave an update on the status of the YMCA as well as the programs they offer and are involved in.

Standing Committee Reports given:
Finance, License & Regulation Committee, Alderman Kupsik
Personnel Committee, Alderman Hedlund
Public Works Committee, Alderman Kordus
Piers, Harbors, & Lakefront Committee, Alderman Wall

Committee, Commission and Board Reports given:
Utility Commission, Alderman Hedlund
Tree Board, Alderman Kupsik
Police & Fire Commission, Alderman Gelting as read by Alderman Kupsik
Plan Commission, Alderman Kupsik
Board of Park Commissioners, Alderman Kupsik
Library Board, no report given
Historic Preservation Commission, no report given
Cemetery Board, Alderman Kordus
Parking Commission, no report given
Communications Committee, Alderman Kordus
Avian Committee, Alderman Wall

Other Boards and Committee Reports given:
Chamber of Commerce, Alderman Kordus
Geneva Lake Museum, no report given
Lake Geneva Economic Development Corporation, Aldermen Hedlund

Geneva Lake Environmental Agency, Alderman Wall
Geneva Lakes Family YMCA, Alderman Kupsik
Geneva Lake Use Committee, no report given

Kordus/Wall motion to adjourn the meeting at 6:35 p.m. Unanimously carried.

/s/ Stephanie Gunderson, Assistant City Clerk

THESE ARE NOT OFFICIAL MINUTES UNTIL APPROVED BY THE COMMITTEE OF THE WHOLE

AGENDA

Room Tax Law – Adapting to the new Rules

a Telephone Conference Call
1:30-3:00 p.m., December 2, 2015
League of Wisconsin Municipalities

Dial: 1 (855) 947-8255
Passcode: 5574 824#

1. Welcome and explanation of conference call goals and rules
   a. During open discussion period ,when not speaking mute your line by dialing ***** 6
   b. Consider emailing your questions/comments to witynski@lwm-info.org
   c. Background material is posted on League's web site at the following link: http://wi-lwm.civicplus.com/815/2814/Room-Tax-Resources

2. Overview of room tax law changes made by Act 55

3. Room Tax Clean-up Bills? Discussion of possible room tax bills being considered by several legislators.

4. Reports from the frontlines. Hear how a few municipalities are adjusting to the new rules.

5. Open discussion – Questions and Comments from phone call participants.

6. Adjourn

Room Tax Law Changes made by Act 55

Effective Date

Effective Date

SECTION 1986me. 66.0602 (3) (fm) of the statutes is created to read:

66.0602 **(3)** (fm) 1. Subject to subds. 3. and 4., a political subdivision's levy increase limit otherwise applicable under this section may be increased by any amount up to the maximum adjustment specified under subd. 2.

2. The maximum adjustment allowed under subd. 1. shall be calculated by adding the difference between the political subdivision's valuation factor in the previous year and the actual percent increase in a political subdivision's levy attributable to the political subdivision's valuation factor in the previous year, for the 5 years before the current year, less any amount claimed under subd. 1. in one of the 5 preceding years, except that the calculation may not include any year before 2014, and the maximum adjustment as calculated under this subdivision may not exceed 5 percent.

3. The adjustment described in subd. 1. may occur only if the political subdivision's governing body approves of the adjustment by a two–thirds majority vote of the governing body and if the political subdivision's level of outstanding general obligation debt in the current year is less than or equal to the political subdivision's level of outstanding general obligation debt in the previous year.

4. This paragraph first applies to a levy that is imposed in 2015, and no political subdivision may make an adjustment under this paragraph if it makes an adjustment under par. (f) for the same year.

SECTION 1990e. 66.0615 (1) (a) of the statutes is amended to read:

7/2015

66.0615 **(1)** (a) "Commission" means an entity created by one municipality or by 2 or more municipalities in a zone, to coordinate tourism promotion and tourism development for the zone.

SECTION 1990ec. 66.0615 (1) (f) of the statutes is amended to read:

7/2015

Vetoed In Part

66.0615 **(1)** (f) "Tourism entity" means a nonprofit organization that came into existence before January 1, ~~1992, and provides staff, development or promotional~~ 2016, spends at least 51 percent of its revenues on tourism promotion and tourism development, and provides destination marketing staff and services for the tourism industry in a municipality, except that if no such organization exists in a municipality on January 1, 2016, a municipality may contract with such an organization if one is created in the municipality.

SECTION 1990ed. 66.0615 (1) (fm) (intro.) of the statutes is amended to read:

66.0615 **(1)** (fm) (intro.) "Tourism promotion and tourism development" means any of the following that are significantly used by transient tourists and reasonably likely to generate paid overnight stays at more than one establishment on which a tax under sub. (1m) (a) may be imposed, that are owned by different persons and located within a municipality in which a tax under this section is in effect; or, if the municipality has only one such establishment, reasonably likely to generate paid overnight stays in that establishment:

SECTION 1990ee. 66.0615 (1m) (a) of the statutes is amended to read:

66.0615 **(1m)** (a) The governing body of a municipality may enact an ordinance, and a district, under par. (e), may adopt a resolution, imposing a tax on the privilege of furnishing, at retail, except sales for resale, rooms or lodging to transients by hotelkeepers, motel operators and other persons furnishing accommodations that are available to the public, irrespective of whether membership is required for use of the accommodations. A tax imposed under this paragraph may be collected from the consumer or user, but may not be imposed on sales to the federal government and persons listed under s. 77.54 (9a). A tax imposed under this paragraph by a municipality shall be paid to the municipality and ~~may~~, with regard to any tax revenue that may not be retained by the municipality, shall be forwarded to a tourism entity or a commission if one is created under par. (c), as provided in par. (d). Except as provided in par. (am), a tax imposed under this paragraph by a municipality may not exceed 8%. Except as provided in par. (am), if a tax greater than 8% under this paragraph is in effect on May 13, 1994, the municipality imposing the tax shall reduce the tax to 8%, effective on June 1, 1994. 1/1/2017

SECTION 1990ef. 66.0615 (1m) (d) 1. of the statutes is amended to read:

66.0615 **(1m)** (d) 1. A municipality that first imposes a room tax under par. (a) after May 13, 1994, shall spend at least 70% of the amount collected on tourism promotion and tourism development. Any amount of room tax collected that must be spent on tourism promotion and tourism development shall either be ~~spent directly by the municipality on tourism promotion and development or shall be~~ forwarded to the commission for its municipality or zone if the municipality has created a commission, or forwarded to a tourism entity. 1/1/2017

SECTION 1990eg. 66.0615 (1m) (d) 2. of the statutes is amended to read:

66.0615 **(1m)** (d) 2. ~~If~~ Subject to par. (dm), if a municipality collects a room tax on May 13, 1994, it may retain not more than the same percentage of the room tax that it retains on May 13, 1994. If a municipality that collects a room tax on May 1, 1994, increases its room tax after May 1, 1994, the municipality may retain not more than the same percentage of the room tax that it retains on May 1, 1994, except that if the municipality is not exempt under par. (am) from the maximum tax that may be imposed under par. (a), the municipality shall spend at least 70% of the increased amount of room tax that it begins collecting after May 1, 1994, on tourism promotion and development. Any amount of room tax collected that must be spent on tourism promotion and tourism development shall either be ~~spent directly by the munici-~~ 1/1/2017

~~pality on tourism promotion and development or shall be~~ forwarded to the commission for its municipality or zone if the municipality has created a commission, or forwarded to a tourism entity.

SECTION 1990eh. 66.0615 (1m) (d) 3. of the statutes is amended to read:

66.0615 **(1m)** (d) 3. A commission shall use the room tax revenue that it receives from a municipality for tourism promotion and tourism development in the zone or in the municipality.

SECTION 1990ei. 66.0615 (1m) (d) 7. of the statutes is amended to read:

66.0615 **(1m)** (d) 7. Notwithstanding the provisions of subds. 1. and 2., any amount of room tax revenue that a municipality described under s. 77.994 (3) is required to spend on tourism promotion and tourism development shall be forwarded to, and spent by, the municipality's tourism entity, unless the municipality creates a commission and forwards the revenue to the commission.

SECTION 1990ej. 66.0615 (1m) (d) 8. of the statutes is created to read:

66.0615 **(1m)** (d) 8. The governing body of a tourism entity shall include at least one owner or operator of a lodging facility that collects the room tax described in this section and that is located in the municipality for which the room tax is collected. Subdivision 4., as it applies to a commission, applies to a tourism entity.

SECTION 1990ek. 66.0615 (1m) (dm) of the statutes is created to read:

Vetoed In Part

1/1/2017

66.0615 **(1m)** (dm) Subject to par. (dq), beginning with the room tax collected on January 1, 2017, by a municipality that collected a room tax on May 13, 1994, as described in par. (d) 2., and retained more than 30 percent of the room tax collected for purposes other than tourism promotion and tourism development, such a municipality may continue to retain, each year, the greater of either 30 percent of its current year revenues or one of the following amounts:

1. For fiscal year 2017, the same dollar amount of the room tax retained as the municipality retained in its 2014 fiscal year.

2. For fiscal year 2018, the same dollar amount of the room tax retained as the municipality retained in its 2013 fiscal year.

3. For fiscal year 2019, the same dollar amount of the room tax retained as the municipality retained in its 2012 fiscal year.

4. For fiscal year 2020, the same dollar amount of the room tax retained as the municipality retained in its 2011 fiscal year.

5. For fiscal year 2021 and thereafter, the same dollar amount of the room tax retained as the municipality retained in its 2010 fiscal year.

Vetoed In Part

SECTION 1990ekf. 66.0615 (1m) (dq) of the statutes is created to read:

Vetoed In Part

66.0615 **(1m)** (dq) 1. Subject to subd. 2., with regard to a municipality to which par. (dm) applies, if that municipality is subject to a contract that it entered into before January 1, 2016, the provisions of par. (dm) do not apply to any room tax revenues to the extent those revenues are needed to satisfy the terms of the contract.

2. Upon the satisfaction of the terms of the contract which, under subd. 1., limit the application of par. (dm) to such a municipality, par. (dm) shall then apply to the municipality.

[Reporting requirement kicks in 5/1/2017, but looks back at 2016 activity.

SECTION 1990eL. 66.0615 (4) of the statutes is created to read:

66.0615 **(4)** (a) Annually, on or before May 1, on a form created and provided by the department of revenue, every municipality that imposes a tax under sub. (1m) shall certify and report to the department, beginning in 2017, all of the following:

2017

1. The amount of room tax revenue collected, and the room tax rate imposed, by the municipality in the previous year.

2. A detailed accounting of the amounts of such revenue that were forwarded in the previous year for tourism promotion and tourism development, specifying the commission or tourism entity that received the revenue. The detailed accounting shall include expenditures of at least $1,000 made by a commission or a tourism entity.

3. A list of each member of the commission and each member of the governing body of a tourism entity to which the municipality forwarded room tax revenue in the previous year, and the name of the business entity the member owns, operates, or is employed by, if any.

(b) The department of revenue shall collect the reports described in par. (a) and shall make them available to the public.

(c) The department of revenue may impose a penalty of not more than $3,000 on a municipality that does not submit to the department the reports described in par. (a). A municipality may not use room tax revenue to pay a penalty imposed under this paragraph. The penalty shall be paid to the department of revenue.

SECTION 1990h. 66.0703 (13) of the statutes is amended to read:

66.0703 **(13)** Every special assessment levied under this section is a lien on the property against which it is levied on behalf of the municipality levying the assessment or the owner of any certificate, bond or other document issued by public authority, evidencing ownership of or any interest in the special assessment, from the date of the determination of the assessment by the governing body. The governing body shall provide for the collection of the assessments and may establish penalties for payment after the due date. The governing body shall provide that all assessments or installments that are not paid by the date specified shall be extended upon the tax roll as a delinquent ~~tax~~ special assessment, as defined under s.

(a) The treatment of sections 20.931, 165.25 (11), and 893.981 of the statutes does not apply to actions filed before the effective date of this subsection.

(b) The treatment of sections 165.08, 801.02 (1), 803.09 (1) and (2), 804.01 (2) (intro.), and 805.04 (1) and (2m) of the statutes first applies to actions filed after the effective date of this subsection.

(3j) FUNERAL EXPENSES AID; FEES EXEMPTION. The treatment of section 49.785 (1r) of the statutes first applies to fees imposed with respect to individuals receiving funeral, burial, and cemetery expenses aid who die on September 1, 2015.

(4f) FOODSHARE BENEFIT REDUCTION FOR REPLACEMENT OF CARD. The treatment of section 49.79 (7c) (a) of the statutes first applies to requests for the replacement of electronic benefit transfer cards that are received by the department of health services or its contracted entities on July 1, 2016.

SECTION 9319. Initial applicability; Higher Educational Aids Board.

(3f) MINORITY TEACHER LOAN PROGRAM. The treatment of section 39.40 (2) (a), (am), (b), (bm), (c), (cm), (d), and (dm) and (2m) of the statutes, the renumbering and amendment of section 39.40 (3) of the statutes, and the creation of section 39.40 (3) (b) 1. and 2. of the statutes first apply to loans made after the effective date of this subsection.

Vetoed In Part

SECTION 9329. Initial applicability; Local Government.

(1) CENSUS DATA REPORTING. The treatment of section 5.15 (1) (c), (4) (b), (bg), and (br), and (7) of the statutes first applies with respect to transmittal of municipal boundary information for the 2016 calendar year.

(2) BOUNDARY, STATUS, NAME CHANGES. The treatment of sections 60.05 (4), 60.065, 61.187 (2) (d), 61.189 (2), 62.02, 62.075 (5), 62.26 (7), 66.0203 (7) (a), 66.0211 (5), 66.0213 (4) (a) and (6), 66.0215 (5), 66.0216 (5) and (6), 66.0217 (9) (a) and (b), 66.0219 (7), 66.0221 (1), 66.0223 (1), 66.0227 (5), 66.0231, 66.0301 (6) (e), and 66.0307 (10) of the statutes first applies to a document that is filed, recorded, supplied, provided, forwarded, or issued, or to a fact that is certified, on the effective date of this subsection.

(3c) LOCAL LEVY LIMIT; COVERED SERVICE. The treatment of section 66.0602 (2m) (b) 1. of the statutes first applies to a levy that is imposed in December 2015.

(3f) LOCAL ROOM TAX. The treatment of section 66.0615 (1m) (a), (d) 1. and 2., and (dm) of the statutes first applies to taxes collected and expenditures made on January 1, 2017.

(3u) DRAINAGE DISTRICTS. The creation of section 88.81 (5) of the statutes first applies to a petition for suspension of operation for which no final order has been issued on the effective date of this subsection.

SECTION 9332. Initial applicability; Natural Resources.

(1) SNOWMOBILE REGISTRATION. The treatment of section 350.12 (3) (b) 1. of the statutes first applies to snowmobile registration certificates issued on the effective date of this subsection.

(2u) FOREST PRODUCTION AREAS. The treatment of section 28.04 (3) (am) of the statutes first applies to a plan prepared, amended, or revised or for which a variance is approved on the effective date of this subsection.

SECTION 9333. Initial applicability; Public Defender Board.

(1) INTEREST ON PAYMENTS FOR LEGAL REPRESENTATION. The treatment of section 16.528 (3) (f) (with respect to public defender contracts) of the statutes first applies to contracts entered into, or modified, renewed, or extended, on the effective date of this subsection.

SECTION 9334. Initial applicability; Public Instruction.

(1) CHARTER SCHOOL CONTRACTS. The treatment of section 118.40 (2r) (b) 2. and (c), (3) (e) and (g), and (4) (d) of the statutes first applies to a contract for the establishment of a charter school that is entered into, renewed, or modified on the effective date of this subsection.

(2) APPLICATIONS TO PARTICIPATE IN A PARENTAL CHOICE PROGRAM. The treatment of sections 118.60 (3) (a) (intro.) 1., (intro.), a. to c., 1m, 2., 2m., 3., 4., and 5. and 119.23 (3) (a) (intro.), 1., 2., 3., 4., and 5. of the statutes first applies to applications to participate in a program under section 118.60 of the statutes or section 119.23 of the statutes in the 2016–17 school year.

(2d) OPEN ENROLLMENT APPLICATIONS; PUPILS RECEIVING SPECIAL EDUCATION SERVICES. The treatment of section 118.51 (3) (a) 4., (3m) (d) (intro.), 1., and 2., (9), and (12) (a), (am), and (b) of the statutes first applies to applications to attend a public school in a nonresident school district under section 118.51 of the statutes in the 2016–17 school year.

(3) FINANCIAL AUDITS FOR PRIVATE SCHOOLS PARTICIPATING IN PARENTAL CHOICE PROGRAMS. The treatment of sections 118.60 (7) (am) and 119.23 (7) (am) of the statutes first applies to a financial audit of the 2015–16 school year.

(3c) TUITION FOR PUPILS ATTENDING A PUBLIC SCHOOL OUTSIDE DISTRICT OF RESIDENCE. The treatment of section 121.78 (1) (a) of the statutes first applies to the payment of tuition for pupils attending a public school outside the pupil's school district of residence in the 2015–16 school year.

(3d) TRANSPORTATION OF PUPILS ENROLLED IN OUT-OF-STATE PUBLIC SCHOOLS. The treatment of section 121.78 (1) (b) of the statutes first applies to the transportation of pupils attending a public school in the 2015–16 school year.

(3j) LETTER OF INTEREST TO PURCHASE ELIGIBLE SCHOOL BUILDINGS IN THE CITY OF MILWAUKEE. The treatment of section 119.61 (4) (e) of the statutes first applies to a school building that qualifies as an eligible school

WISCONSIN LEGISLATIVE COUNCIL
INFORMATION MEMORANDUM

2015-17 Biennial Budget Revisions to Municipal Room Tax

A municipality may impose a "room tax" on entities such as hotels, motels, and other establishments that rent short-term lodging. State law controls municipal room tax collection, as well as the use of room tax revenues. 2015 Wisconsin Act 55 (Act 55), the 2015-17 Biennial Budget, modified state law regarding the collection and use of a municipal room tax. This Information Memorandum provides a brief overview of the municipal room tax, including a description of prior law, and summarizes the changes made by Act 55. Gubernatorial partial vetoes that modify the budget language as originally proposed by the Legislature are noted where applicable.

BACKGROUND AND PRIOR LAW

Generally, under Wisconsin law, a municipality may impose a tax on short-term lodging (a "room tax") on entities such as hotels, motels, and other establishments that rent lodging for periods of less than one month. Additionally, two or more municipalities may impose a room tax in a "zone," defined as "an area made up of 2 or more municipalities that, those municipalities agree, is a single destination as perceived by the traveling public." [s. 66.0615 (1) (h), Stats.]

ROOM TAX PURPOSE AND USE

Wisconsin law requires that certain percentages of room tax revenues, as discussed below, must be spent on tourism promotion and tourism development. "Tourism promotion and tourism development" is defined to mean any of the following, if significantly used by transient tourists and reasonably likely to generate paid overnight stays in multiple establishments within a municipality: (1) marketing projects; (2) "transient tourist informational services;" and (3) "tangible municipal development, including a convention center." The establishments that benefit from the promotional services must be establishments upon which a room tax is imposed, and they must be owned by different people, unless a municipality has only one qualifying establishment. [s. 66.0615 (1) (fm), Stats.] Therefore, a marketing campaign advertising a single hotel in a municipality with multiple hotels, motels, or other short-term lodging establishments would not qualify as tourism promotion or tourism development.

Prior to Act 55, a municipality could directly spend room tax revenues on tourism promotion or tourism development or could forward the room tax revenues to a tourism entity or to a commission to be spent for those purposes.

Prior to Act 55, a tourism entity was defined as "a nonprofit organization that came into existence before January 1, 1992, and that provides staff, development or promotional services for the tourism industry in a municipality." [s. 66.0615 (1) (f), 2013-14 Stats.] As discussed below, Act

55 modified the definition of a tourism entity. However, tourism entities, as defined under both current and prior law, may receive room tax revenues that they must spend on tourism promotion and tourism development.

A municipality that imposes a room tax may create a commission, defined as an entity "to coordinate tourism promotion and tourism development." [s. 66.0615 (1) (a), Stats.] If two or more municipalities in a zone impose a room tax, they must create a commission. Under current and prior law, a commission must contract with an organization that performs the functions of a tourism entity if a tourism entity does not exist in a municipality or within a zone. Although not explicitly stated, this implies that a commission must work with a tourism entity as it uses room tax revenues to coordinate tourism promotion and tourism development.

Current and prior law both provide that a commission must report annually to each municipality from which it receives room tax revenues the purposes for which it spends the revenues.

ROOM TAX RATES AND EXPENDITURE LEVELS

For municipalities that adopted a room tax after May 13, 1994, the room tax rate may be no higher than 8%, and at least 70% of the room tax collections must be dedicated to expenditures related to tourism promotion and development. Therefore, up to 30% of room tax collections may be directed to general municipal expenditures.

The permitted rates and division of room taxes in municipalities that collected room taxes on or before May 13, 1994 are more complex. Subject to certain exemptions of limited applicability,[1] a municipality that collected a room tax on May 13, 1994, was required to reduce its room tax rate to 8% under 1993 Wisconsin Act 467. However, Act 467 also specified that a municipality that collected a room tax on May 13, 1994, could retain for its general revenues not more than the same percentage of the total room tax revenues collected that it retained on May 13, 1994, as an exception to the 70% threshold for expenditures related to tourism promotion and development (this exception is commonly referred to as the 1994 grandfather clause). If a municipality that collected a room tax on May 1, 1994, increased its room tax after May 1, 1994, the municipality may retain not more than the same percentage of the room tax that it retained

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[1] "A municipality that imposes a room tax under par. (a) is not subject to the limit on the maximum amount of tax that may be imposed under that paragraph if any of the following apply:

1. The municipality is located in a county with a population of at least 380,000 and a convention center is being constructed or renovated within that county.

2. The municipality intends to use at least 60% of the revenue collected from its room tax, of any room tax that is greater than 7%, to fund all or part of the construction or renovation of a convention center that is located in a county with a population of at least 380,000.

3. The municipality is located in a county with a population of less than 380,000 and that county is not adjacent to a county with a population of at least 380,000, and the municipality is constructing a convention center or making improvements to an existing convention center.

4. The municipality has any long–term debt outstanding with which it financed any part of the construction or renovation of a convention center." [s. 66.0615 (1m) (am), Stats.]

on May 1, 1994, except that the municipality must spend at least 70% of the increased amount of room tax that it began collecting after May 1, 1994, on tourism promotion and development. [2]

[s. 66.0615, Stats.]

2015 WISCONSIN ACT 55

2015 Senate Bill 21 (SB 21) was passed by the Legislature, modified by the Governor's partial veto, and enacted as Act 55. Act 55 made several changes to the collection and use of a municipal room tax, each of which is discussed below. Gubernatorial partial vetoes that modify the language passed by the Legislature are noted where applicable. Specifically, Act 55 does all of the following:

EXPENDITURE OF ROOM TAX REVENUE

- Specifies that the required percentage of room tax revenues must be spent on tourism promotion or **tourism** development, not municipal development generally. Under prior law, the revenues had to be spent on "tourism promotion and development."[3]
- Eliminates a municipality's authority to directly spend the room tax revenues that must be spent on tourism promotion and tourism development. Under Act 55, a municipality must forward those room tax revenues to a commission, if one exists for the municipality, or to a tourism entity.

RETENTION OF ROOM TAX REVENUE

- Modifies the 1994 grandfather clause, which generally permitted municipalities that had imposed a room tax prior to May 13, 1994, to retain more than 30% of room tax revenues if they had been doing so as of that date. Beginning with the room taxes collected on January 1, 2017, Act 55 creates a cap on the amount of room tax revenues that a municipality subject to the 1994 grandfather clause may retain for purposes other than tourism promotion and tourism development. The cap will be gradually reduced over a period of five years, such that, by fiscal year 2021, an affected municipality will be able to retain only the same dollar amount of the room tax that it retained in fiscal year 2010 or 30% of its current year room tax revenues, whichever is greater.

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[2] Although the grandfather clause is commonly understood to permit a municipality to retain more than 30% of collected room tax revenues for purposes other than tourism promotion and tourism development if it was doing so as of May 13, 1994, the clause also requires a municipality to continue to retain less than 30% of collected room tax revenues if it was doing so as of May 13, 1994.

[3] Act 55 did not, however, modify the required aspects of tourism promotion and tourism development. See, for example, the continued allowance for "tangible municipal development, including a convention center" in both current and prior law. [s. 66.0615 (1) (fm), Stats.; s. 66.0615 (1) (fm), 2013-14 Stats.] It appears that under both current and prior law, tangible municipal development may qualify as tourism promotion or tourism development if it meets the definition's requirement that it is significantly used by transient tourists and is reasonably likely to generate overnight stays in multiple establishments within a municipality that are subject to a room tax and are owned by different people. However, municipal development that does not satisfy these qualifications would not be considered tourism promotion or tourism development with regard to expenditure of room tax revenues.

Governor's Veto

Under SB 21, as enrolled, a municipality that would otherwise be subject to the room tax retention reduction schedule, could have delayed implementation of the reduction schedule if the municipality had entered into a contract before January 1, 2016, that depended upon room tax revenues to satisfy its terms. The Governor vetoed this provision. Therefore, under Act 55, all municipalities that had imposed a room tax as of May 13, 1994, and had retained more than 30% of room tax revenues, pursuant to the 1994 grandfather clause, will be subject to the room tax revenue retention reduction schedule beginning with the room tax collected on January 1, 2017.

TOURISM ENTITIES

- Specifies that a tourism entity's governing body must include at least one owner or operator of a lodging facility that collects the room tax and is located within the municipality for which the room tax is collected. Prior law did not address the composition of a tourism entity's governing body.
- Modifies the definition of "tourism entity." Under Act 55, a tourism entity is an organization that: (1) is a nonprofit organization; (2) existed before January 1, 1992; (3) spends at least 51% of its revenues on tourism promotion and tourism development; and (4) provides destination marketing staff and services for the tourism industry in a municipality. Under prior law, a tourism entity was a nonprofit organization that existed before January 1, 1992, and provided staff, development, or promotional services for the tourism industry in a municipality.
- Permits a municipality to contract with an organization that did not exist prior to January 1, 1992, under certain circumstances. If on January 1, 2016, no organization within a municipality qualifies as a tourism entity, as described above, the municipality may contract with an organization that: (1) is a nonprofit organization; (2) was created within the municipality; (3) spends at least 51% of its revenues on tourism promotion and tourism development; and (4) provides destination marketing staff and services for the tourism industry in the municipality. Prior law did not allow for the creation of a tourism entity after January 1, 1992, although, if no tourism entity existed in a municipality, a tourism commission was required to contract with another organization to perform the functions of a tourism entity.

Governor's Veto

Among other changes to the definition of "tourism entity," SB 21 changed the date by which a nonprofit organization must have existed in order to be recognized as a tourism entity from January 1, 1992, to January 1, 2016. The Governor vetoed the date modification, restoring the provision under prior law that a nonprofit organization must have existed prior to January 1, 1992, to be recognized as a tourism entity. The Governor did not veto the modified provision permitting a municipality to contract with an alternative organization created within the municipality, if no fully qualified organization exists within the municipality on January 1, 2016.

REPORTING REQUIREMENTS

- Specifies that a tourism entity must annually report to each municipality from which it receives room tax revenues the purposes for which the revenues were spent. Under prior law, this reporting requirement applied only to tourism commissions.[4]
- Creates a new reporting requirement applicable to municipalities. Beginning in 2017, all municipalities that impose a room tax must submit an annual report to the Department of Revenue, on or before May 1 of each year. Among other information, the reports must include the amount of room tax revenue collected and the rate imposed the previous year; an accounting of the amounts forwarded to tourism entities or commissions in the previous year; and a list of the members of the commission or governing body of the tourism entity to which revenue was forwarded in the previous year.

This memorandum is not a policy statement of the Joint Legislative Council or its staff.

This memorandum was prepared by Scott Grosz, Principal Attorney, and Rachel E. Snyder, Staff Attorney on August 12, 2015.

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[4] As discussed above, if no tourism entity exists within a municipality as of January 1, 2016, a municipality may contract with an organization that meets the definition of a tourism entity except that it did not exist prior to January 1, 1992. Although not explicitly stated, it appears logical that such an organization would also be considered a tourism entity and would, therefore, be subject to the reporting requirements.

Wisconsin ROOM TAX SERIES

provided by the Wisconsin Hotel & Lodging Association

Tourism Entity Overview

Beginning in July, 2015 with the adoption of WI. Act 55 revising the state Room Tax Statute 66.0615, a municipality imposing a room tax now has two choices with the portion of Room Tax revenue that must be allocated to tourism promotion and tourism development: this portion must be given to either a tourism "commission" or a "tourism entity". There are specific requirements relating to each of these, with WH&LA's *"Tourism Commission Overview"* covered separately in the *Wisconsin Room Tax Series* resources, and this composition providing an overview for the Tourism Entity.

Statutory Definition of Tourism Entity

> *(f) "Tourism entity" means a nonprofit organization that came into existence before January 1, 1992, spends at least 51 percent of its revenues on tourism promotion and tourism development, and provides destination marketing staff and services for the tourism industry in a municipality, except that if no such organization exists in a municipality on January 1, 2016, a municipality may contract with such an organization if one is created in the municipality.*

To provide clarity to this definition, we will address three types of organizations that could be eligible to provide tourism promotion and tourism development services for a municipality, within the parameters outlined.

1. **Current Tourism Entity**
   An existing entity that fits the definition of "tourism entity" must have achieved all of the following:
   - Official classification by the IRS as a non-profit organization by January 1, 1992 (Note: governmental agencies have a different classification)
   - Expend a minimum of 51% of the entity's revenue on tourism promotion and tourism development (as per the statutory definition)
   - Provide destination marketing staff and services for the municipality's tourism industry
2. **Eligible for Tourism Entity Designation in 2016**
   An entity that will fit the definition of "tourism entity" as of January 1, 2016 would need to achieve the following first:
   - No "tourism entity" exists in the municipality on January 1, 2016
   - Official classification by the IRS as a non profit organization
   - Expend a minimum of 51% of the entity's revenue on tourism promotion and tourism development (as per the statutory definition)
   - Provide destination marketing staff and services for the municipality's tourism industry

3. Other Organization

If there is no "tourism entity" servicing a municipality, the municipality must forward the portion of room tax revenue required to go to tourism promotion and tourism development to a Tourism Commission with separately outlined requirements. This Commission "shall contract with another organization to perform the functions of a tourism entity if no tourism entity exists in that municipality". Thus, in an area without a Tourism Entity, the Commission could contract with a Chamber of Commerce (as "another organization") or a nearby Tourism Entity to perform the specified tourism services.

What Requirements Must a Tourism Entity Follow?

Under the state statutes, a Tourism Entity must:

- Expend all of the room tax revenue received on tourism promotion and tourism development (as defined in statute)
- Include in their governing body at least one owner or operator of a lodging facility collecting room tax that is located in the municipality for which the room tax is collected.
- Provide an annual report on the purposes for which the room tax revenues were spent, to each municipality it receives room tax revenue from.

Definition of "tourism promotion and tourism development":

(fm) "Tourism promotion and tourism development" means any of the following that are significantly used by transient tourists and reasonably likely to generate paid overnight stays at more than one establishment on which a tax under sub. (1m) (a) may be imposed, that are owned by different persons and located within a municipality in which a tax under this section is in effect; or, if the municipality has only one such establishment, reasonably likely to generate paid overnight stays in that establishment:

1. Marketing projects, including advertising media buys, creation and distribution of printed or electronic promotional tourist materials, or efforts to recruit conventions, sporting events, or motorcoach groups.
2. Transient tourist informational services.
3. Tangible municipal development, including a convention center.

Provided as a service of the **Wisconsin Hotel & Lodging Association,** with review by Legal Counsel. This is not intended, however, to replace individually retained legal advice by a qualified attorney.

For further Wisconsin Room Tax resources visit www.WisconsinLodging.org/roomtax

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10/27/15

Wisconsin ROOM TAX SERIES

provided by the Wisconsin Hotel & Lodging Association

Tourism Commission Overview

The following is a basic overview of the components of WI. Room Tax Statute 66.0615 specifically relating to tourism commissions.

Definition of "Commission": An entity created by one municipality or by 2 or more municipalities in a zone, to coordinate tourism promotion and tourism development for the zone.

Tourism Commission FOR A SINGLE MUNICIPALITY

Composition: 4-6 members. One of the members shall represent the Wisconsin hotel and motel industry.

Appointed by: The principal elected official in the municipality, with confirmation required by a majority vote of the members of the municipality's governing body present when the vote is taken.

Terms: One year, at the pleasure of the appointing official. They may be re-appointed.

Required Actions:

1. It shall contract with another organization to perform the functions of a tourism entity if no tourism entity exists in that municipality.
2. It shall meet regularly, and shall elect a chairperson, vice chairperson, and secretary from its members.
3. It shall use the room tax revenue that it receives from a municipality for tourism promotion and tourism development (as defined in the statute) in the municipality.
4. It shall report annually to the municipality providing the room tax revenue, the purposes for which the revenues were spent.
5. It shall report any delinquencies or inaccurate reporting to the municipality.
6. It shall not use any of the room tax revenue to construct or develop a lodging facility.
7. If a municipality issued debt or bond anticipation notes before January 1, 2005, to finance the construction of a municipally owned convention or conference center, nothing in this section may prevent the municipality from meeting all of the terms of its obligation.

Tourism Commission FOR A TOURISM ZONE

("Zone" is defined in 66.0615 as "an area made up of 2 or more municipalities that, those municipalities agree, is a single destination as perceived by the traveling public")

Composition: 3 members from each municipality in which annual room tax collections exceed $1 million. 2 members from each municipality in which

annual room tax collections are more than $300,000, but less than $1 million. One member from each municipality in which annual room tax collections are $300,000 or less. Two additional members representing the Wisconsin hotel and motel industry shall also be appointed.

Appointed by: the municipality representatives shall be appointed by the principal elected official in the municipality, with confirmation required by a majority vote of the members of the municipality's governing body present when the vote is taken. The two hotel and motel industry representatives shall be appointed by the Chairperson of the Commission.

Terms: One year term, at the pleasure of the appointing official, and they may be reappointed.

Required Actions:

1. The municipalities shall enter into a contract to create a commission.
2. It shall meet regularly, and from among its members, shall elect a chairperson, vice chairperson, and secretary.
3. Each municipality in the zone shall levy the same percentage of tax. If they are unable to agree on the percentage of tax for the zone, the commission shall set the percentage
4. It shall contract with one tourism entity from the municipalities in the zone to obtain staff, support services and assistance in developing and implementing programs to promote the zone to visitors.
5. If no tourism entity exists in any of the municipalities in the zone that have formed a commission, the commission shall contract with another organization in the zone to perform the functions of the tourism entity.
6. It shall use the room tax revenue that it receives from a municipality for tourism promotion and tourism development (as defined in the statute) in the zone or in the municipality.
7. It shall report annually to each municipality from which it receives room tax revenue the purposes for which the revenues were spent.
8. It shall not use any of the room tax revenue to construct or develop a lodging facility.
9. It shall monitor the collection of room taxes from each municipality in the zone that has a room tax.
10. It shall report any delinquencies or inaccurate reporting to the municipality that is due the tax.
11. If a municipality issued debt or bond anticipation notes before January 1, 2005, to finance the construction of a municipally owned convention or conference center, nothing in this section may prevent the municipality from meeting all of the terms of its obligation.

Local Room Tax

(sec. 66.0615, Wis. Stats.)

Wisconsin Department of Revenue

2015 Wisconsin Act 55

Within the 2015-2017 budget (2015 Wisconsin Act 55), the state modified sec. 66.0615, Wis. Stats.

Summary of Changes

- *"Tourism promotion and development"* is replaced with *"tourism promotion and tourism development"*
- Effective with taxes collected and expenditures made on January 1, 2017:
  - » A municipality must forward to a tourism entity or commission, any room tax revenue exceeding the amount the municipality may retain. This room tax revenue must be spent on tourism promotion and tourism development. It cannot be spent directly by the municipality.
  - » A municipality that collected room tax on May 13, 1994 and retained more than 30% for purposes other than tourism promotion and development, may continue to retain the greater of either 30% of its current year room tax revenues, ***or***:

For Fiscal Year	Room Tax Amount Retained in Fiscal Year
FY2017	FY2014
FY2018	FY2013
FY2019	FY2012
FY2020	FY2011
FY2021 and forward	FY2010

- A tourism entity's governing body must include at least one owner or operator of a lodging facility that collects room tax and is located within the municipality

Definitions

- **Tourism Entity –** a nonprofit organization that came into existence before January 1, 1992, spends at least 51% of its revenues on tourism promotion and tourism development, and provides destination marketing staff and services for the tourism industry in a municipality. **Exception:** If no such organization exists in a municipality on January 1, 2016, a municipality may contract with such an organization if one is created in the municipality.
- **Commission –** an entity created by one municipality (or by two or more municipalities in a zone) to coordinate tourism promotion and tourism development for the zone
- **Tourism Promotion and Tourism Development –** any of the items listed below that are significantly used by transient tourists and reasonably likely to generate paid overnight stays at more than one establishment where a tax may be imposed, that are owned by different persons and located within the municipality where a tax is in effect. **Note:** If the municipality has only one such establishment, it must be reasonably likely to generate paid overnight stays in that establishment.

  Tourism promotion and tourism development includes:
  - » Marketing projects, including: advertising media buys; creation and distribution of printed or electronic promotional tourist materials; or efforts to recruit conventions, sporting events, or motor coach groups
  - » Transient tourist informational services
  - » Tangible municipal development, including a convention center

New Reporting Requirements in 2017

Starting in 2017, every municipality that imposes room tax must file an annual report with the Wisconsin Department of Revenue (DOR). The form reporting 2016 activity is due May 1, 2017.

The following information from the previous year (2016) must be reported:

- Amount of room tax collected
- Room tax rate imposed
- Detailed accounting of:
  - » Amounts forwarded to a tourism entity or commission
  - » Expenditures of $1,000 or more made by the tourism entity or commission
- For each tourism entity or commission that received room tax revenues in the previous year, a list of the commission's or tourism entity's governing body members, and the name of the business entity each member owns, operates, or is employed by (if any)
- For 2017 only, if a municipality collected room tax on May 13, 1994, the municipality must also attach:
  - » The room tax ordinance that was in effect on May 13, 1994
  - » A copy of the municipality's financial statement that was completed nearest to May 13, 1994 showing the percentage of room tax revenues the municipality retained for purposes other than tourism promotion and development

Common Questions

1. **What is local room tax?**
   A municipality (town, village, or city) may impose room tax on the privilege of furnishing at retail (except sales for resale), rooms or lodging to transients by hotelkeepers, motel operators and other persons furnishing accommodations that are available to the public. The tax may not exceed 8%, unless exempt under sec. 66.0615(1m)(am), Wis. Stats.
2. **How does a municipality submit its annual room tax report?**
   DOR will provide an electronic form with instructions including how to complete and submit the annual room tax report.
3. **Will annual room tax reports be available to the public?**
   Yes. Annual room tax reports will be available on the DOR website.
4. **What does a municipality do if it cannot provide the room tax ordinance in effect on May 13, 1994?**
   The municipality should still complete and submit the annual room tax report. The municipality should still attach the financial statement that was completed nearest in time to May 13, 1994, which shows the percentage of room tax revenues retained by the municipality for purposes other than tourism promotion and development.
5. **The annual room tax report requires a municipality to detail expenditures made by a tourism commission or tourism entity of $1,000 or more. How should "Payroll" expenditures be recorded in the annual room tax report?**
   On the DOR e-file form, a municipality will be allowed to report 'Payroll' as one expenditure.
6. **What happens if a municipality does not file the required annual room tax report?**
   If a municipality does not file the required annual report, DOR may impose a penalty of up to $3,000.

Wisconsin Room Tax Statute including changes made by Act 55, some of which don't take effect until 1-1-2017

66.0615 Room tax; forfeitures.

(1) In this section:

(a) "Commission" means an entity created by one municipality or by 2 or more municipalities in a zone, to coordinate tourism promotion and tourism development for the zone.

(am) "District" has the meaning given in s. 229.41 (4m).

(b) "Hotel" has the meaning given in s. 77.52 (2) (a) 1.

(c) "Motel" has the meaning given in s. 77.52 (2) (a) 1.

(d) "Municipality" means any city, village or town.

(dm) "Sponsoring municipality" means a city, village or town that creates a district either separately or in combination with another city, village, town or county.

(e) "Tourism" means travel for recreational, business or educational purposes.

(f) "Tourism entity" means a nonprofit organization that came into existence before January 1, 1992, spends at least 51 percent of its revenues on tourism promotion and tourism development, and provides destination marketing staff and services for the tourism industry in a municipality, except that if no such organization exists in a municipality on January 1, 2016, a municipality may contract with such an organization if one is created in the municipality.

(fm) "Tourism promotion and tourism development" means any of the following that are significantly used by transient tourists and reasonably likely to generate paid overnight stays at more than one establishment on which a tax under sub. (1m) (a) may be imposed, that are owned by different persons and located within a municipality in which a tax under this section is in effect; or, if the municipality has only one such establishment, reasonably likely to generate paid overnight stays in that establishment:

1. Marketing projects, including advertising media buys, creation and distribution of printed or electronic promotional tourist materials, or efforts to recruit conventions, sporting events, or motorcoach groups.

2. Transient tourist informational services.

3. Tangible municipal development, including a convention center.

(g) "Transient" has the meaning given in s. 77.52 (2) (a) 1.

(h) "Zone" means an area made up of 2 or more municipalities that, those municipalities agree, is a single destination as perceived by the traveling public.

(1m)

(a) The governing body of a municipality may enact an ordinance, and a district, under par. (e), may adopt a resolution, imposing a tax on the privilege of furnishing, at retail, except sales for resale, rooms or lodging to transients by hotelkeepers, motel operators and other persons furnishing accommodations that are available to the public, irrespective of whether membership is required for use of the accommodations. A tax imposed under this paragraph may be collected from the consumer or user, but may not be imposed on sales to the federal government and persons listed under s. 77.54 (9a). A tax

imposed under this paragraph by a municipality shall be paid to the municipality and, with regard to any tax revenue that may not be retained by the municipality, shall be forwarded to a tourism entity or a commission if one is created under par. (c), as provided in par. (d). Except as provided in par. (am), a tax imposed under this paragraph by a municipality may not exceed 8%. Except as provided in par. (am), if a tax greater than 8% under this paragraph is in effect on May 13, 1994, the municipality imposing the tax shall reduce the tax to 8%, effective on June 1, 1994.

(am) A municipality that imposes a room tax under par. (a) is not subject to the limit on the maximum amount of tax that may be imposed under that paragraph if any of the following apply:

1. The municipality is located in a county with a population of at least 380,000 and a convention center is being constructed or renovated within that county.

2. The municipality intends to use at least 60% of the revenue collected from its room tax, of any room tax that is greater than 7%, to fund all or part of the construction or renovation of a convention center that is located in a county with a population of at least 380,000.

3. The municipality is located in a county with a population of less than 380,000 and that county is not adjacent to a county with a population of at least 380,000, and the municipality is constructing a convention center or making improvements to an existing convention center.

4. The municipality has any long-term debt outstanding with which it financed any part of the construction or renovation of a convention center.

(b)

1. If a single municipality imposes a room tax under par. (a), the municipality may create a commission under par. (c). The commission shall contract with another organization to perform the functions of a tourism entity if no tourism entity exists in that municipality.

2. If 2 or more municipalities in a zone impose a room tax under par. (a), the municipalities shall enter into a contract under s. 66.0301 to create a commission under par. (c). If no tourism entity exists in any of the municipalities in the zone that have formed a commission, the commission shall contract with another organization in the zone to perform the functions of the tourism entity. Each municipality in a single zone that imposes a room tax shall levy the same percentage of tax. If the municipalities are unable to agree on the percentage of tax for the zone, the commission shall set the percentage.

3. A commission shall monitor the collection of room taxes from each municipality in a zone that has a room tax.

4. A commission shall contract with one tourism entity from the municipalities in the zone to obtain staff, support services and assistance in developing and implementing programs to promote the zone to visitors.

(c)

1. If a commission is created by a single municipality, the commission shall consist of 4 to 6 members. One of the commission members shall represent the Wisconsin hotel and motel industry. Members shall be appointed under subd. 3.

2.

a. If the commission is created by more than one municipality in a zone, the commission shall consist of 3 members from each municipality in which annual tax collections exceed $1,000,000, 2 members from each municipality in which annual tax collections exceed $300,000 but are not more than

$1,000,000 and one member from each municipality in which annual tax collections are $300,000 or less. Except as provided in subd. 2. b., members shall be appointed under subd. 3.

b. Two additional members, who represent the Wisconsin hotel and motel industry, shall be appointed to the commission by the chairperson of the commission, shall serve for a one-year term at the pleasure of the chairperson and may be reappointed.

3. Members of the commission shall be appointed by the principal elected official in the municipality and shall be confirmed by a majority vote of the members of the municipality's governing body who are present when the vote is taken. Commissioners shall serve for a one-year term, at the pleasure of the appointing official, and may be reappointed.

4. The commission shall meet regularly, and, from among its members, it shall elect a chairperson, vice chairperson and secretary.

5. The commission shall report any delinquencies or inaccurate reporting to the municipality that is due the tax.

(d)

1. A municipality that first imposes a room tax under par. (a) after May 13, 1994, shall spend at least 70% of the amount collected on tourism promotion and tourism development. Any amount of room tax collected that must be spent on tourism promotion and tourism development shall either be forwarded to the commission for its municipality or zone if the municipality has created a commission, or forwarded to a tourism entity.

2. Subject to par. (dm), if a municipality collects a room tax on May 13, 1994, it may retain not more than the same percentage of the room tax that it retains on May 13, 1994. If a municipality that collects a room tax on May 1, 1994, increases its room tax after May 1, 1994, the municipality may retain not more than the same percentage of the room tax that it retains on May 1, 1994, except that if the municipality is not exempt under par. (am) from the maximum tax that may be imposed under par. (a), the municipality shall spend at least 70% of the increased amount of room tax that it begins collecting after May 1, 1994, on tourism promotion and development. Any amount of room tax collected that must be spent on tourism promotion and tourism development shall either be forwarded to the commission for its municipality or zone if the municipality has created a commission, or forwarded to a tourism entity.

3. A commission shall use the room tax revenue that it receives from a municipality for tourism promotion and tourism development in the zone or in the municipality.

4. The commission shall report annually to each municipality from which it receives room tax revenue the purposes for which the revenues were spent.

5. The commission may not use any of the room tax revenue to construct or develop a lodging facility.

6. If a municipality issued debt or bond anticipation notes before January 1, 2005, to finance the construction of a municipally owned convention center or conference center, nothing in this section may prevent the municipality from meeting all of the terms of its obligation.

7. Notwithstanding the provisions of subds. 1. and 2., any amount of room tax revenue that a municipality described under s. 77.994 (3) is required to spend on tourism promotion and tourism development shall be forwarded to, and spent by, the municipality's tourism entity, unless the municipality creates a commission and forwards the revenue to the commission.

8. The governing body of a tourism entity shall include at least one owner or operator of a lodging facility that collects the room tax described in this section and that is located in the municipality for which the room tax is collected. Subdivision 4., as it applies to a commission, applies to a tourism entity.

(dm) Beginning with the room tax collected on January 1, 2017, by a municipality that collected a room tax on May 13, 1994, as described in par. (d) 2., and retained more than 30 percent of the room tax collected for purposes other than tourism promotion and tourism development, such a municipality may continue to retain, each year, the greater of either 30 percent of its current year revenues or one of the following amounts:

1. For fiscal year 2017, the same dollar amount of the room tax retained as the municipality retained in its 2014 fiscal year.

2. For fiscal year 2018, the same dollar amount of the room tax retained as the municipality retained in its 2013 fiscal year.

3. For fiscal year 2019, the same dollar amount of the room tax retained as the municipality retained in its 2012 fiscal year.

4. For fiscal year 2020, the same dollar amount of the room tax retained as the municipality retained in its 2011 fiscal year.

5. For fiscal year 2021 and thereafter, the same dollar amount of the room tax retained as the municipality retained in its 2010 fiscal year.

(e)

1. Subject to subd. 2., a district may adopt a resolution imposing a room tax under par. (a) in an amount not to exceed 3% of total room charges. A majority of the authorized members of the district's board may vote that, if the balance in a special debt service reserve fund of the district is less than the requirement under s. 229.50 (5), the room tax imposed by the district under this subdivision is 3% of total room charges beginning on the next January 1, April 1, July 1 or October 1 after the payment and this tax is irrepealable if any bonds issued by the district and secured by the special debt service reserve fund are outstanding. A room tax imposed by a district under this subdivision applies within the district's jurisdiction, as specified in s. 229.43, and the proceeds of the tax may be used only for the district's debt service on its bond obligations. If a district stops imposing and collecting a room tax, the district's sponsoring municipality may impose and collect a room tax under par. (a) on the date on which the district stops imposing and collecting its room tax.

2. In addition to the room tax that a district may impose under subd. 1., if the district's only sponsoring municipality is a 1st class city, the district may adopt a resolution imposing an additional room tax. The additional percentage of room tax under this subdivision shall be equal to the percentage of room tax imposed by the sponsoring municipality on the date on which the sponsoring municipality agrees to stop imposing and collecting its room tax, as described under s. 229.44 (15). A district shall begin collecting the additional room tax imposed under this subdivision on the date on which the sponsoring municipality stops imposing and collecting its room tax. A room tax imposed by a district under this subdivision applies only within the borders of the sponsoring municipality and may be used for any lawful purpose of the district.

3. A district adopting a resolution to impose the taxes under subd. 1. or 2. shall deliver a certified copy of the resolution to the secretary of revenue at least 120 days before its effective date.

(f)

1. The department of revenue shall administer the tax that is imposed under par. (a) by a district and may take any action, conduct any proceeding and impose interest and penalties.

2. Sections 77.51 (12m), (14), (14g), (15a), and (15b), 77.52 (3), (13), (14), (18), and (19), 77.522, 77.58 (1) to (5), (6m), and (7), 77.585, 77.59, 77.60, 77.61 (2), (3m), (5), (8), (9), (12) to (15), and (19m), and 77.62, as they apply to the taxes under subch. III of ch. 77, apply to the tax described under subd. 1.

3. From the appropriation under s. 20.835 (4) (gg), the department of revenue shall distribute 97.45% of the taxes collected under this paragraph for each district to that district and shall indicate to the district the taxes reported by each taxpayer in that district, no later than the end of the month following the end of the calendar quarter in which the amounts were collected. The taxes distributed shall be increased or decreased to reflect subsequent refunds, audit adjustments and all other adjustments. Interest paid on refunds of the tax under this paragraph shall be paid from the appropriation under s. 20.835 (4) (gg) at the rate under s. 77.60 (1) (a). Any district that receives a report along with a payment under this subdivision or subd. 2. is subject to the duties of confidentiality to which the department of revenue is subject under s. 77.61 (5).

5. Persons who are subject to the tax under this subsection, if that tax is administered by the department of revenue, shall register with the department. Any person who is required to register, including any person authorized to act on behalf of a person who is required to register, who fails to do so is guilty of a misdemeanor.

(2) As a means of enforcing the collection of any room tax imposed by a municipality or a district under sub. (1m), the municipality or district may exchange audit and other information with the department of revenue and may do any of the following:

(a) If a municipality or district has probable cause to believe that the correct amount of room tax has not been assessed or that the tax return is not correct, inspect and audit the financial records of any person subject to sub. (1m) pertaining to the furnishing of accommodations to determine whether the correct amount of room tax is assessed and whether any room tax return is correct.

(b) Enact a schedule of forfeitures, not to exceed 5% of the tax under sub. (1m) or par. (c), to be imposed on any person subject to sub. (1m) who fails to comply with a request to inspect and audit the person's financial records under par. (a).

(c) Determine the tax under sub. (1m) according to its best judgment if a person required to make a return fails, neglects or refuses to do so for the amount, in the manner and form and within the time prescribed by the municipality or district.

(d) Require each person who is subject to par. (c) to pay an amount of taxes that the municipality or district determines to be due under par. (c) plus interest at the rate of 1% per month on the unpaid balance. No refund or modification of the payment determined may be granted until the person files a correct room tax return and permits the municipality or district to inspect and audit his or her financial records under par. (a).

(e) Enact a schedule of forfeitures, not to exceed 25% of the room tax due for the previous year under sub. (1m) or par. (c) or $5,000, whichever is less, to be imposed for failure to pay the tax under sub. (1m).

(3) The municipality shall provide by ordinance and the district shall provide by resolution for the confidentiality of information obtained under sub. (2) but shall provide exceptions for persons using the

information in the discharge of duties imposed by law or of the duties of their office or by order of a court. The municipality or district may provide for the publishing of statistics classified so as not to disclose the identity of particular returns. The municipality or district shall provide that persons violating ordinances or resolutions enacted under this subsection may be required to forfeit not less than $100 nor more than $500.

(4)

(a) Annually, on or before May 1, on a form created and provided by the department of revenue, every municipality that imposes a tax under sub. (1m) shall certify and report to the department, beginning in 2017, all of the following:

1. The amount of room tax revenue collected, and the room tax rate imposed, by the municipality in the previous year.

2. A detailed accounting of the amounts of such revenue that were forwarded in the previous year for tourism promotion and tourism development, specifying the commission or tourism entity that received the revenue. The detailed accounting shall include expenditures of at least $1,000 made by a commission or a tourism entity.

3. A list of each member of the commission and each member of the governing body of a tourism entity to which the municipality forwarded room tax revenue in the previous year, and the name of the business entity the member owns, operates, or is employed by, if any.

(b) The department of revenue shall collect the reports described in par. (a) and shall make them available to the public.

(c) The department of revenue may impose a penalty of not more than $3,000 on a municipality that does not submit to the department the reports described in par. (a). A municipality may not use room tax revenue to pay a penalty imposed under this paragraph. The penalty shall be paid to the department of revenue.

History: 1983 a. 189, 514; 1993 a. 263, 467, 491; 1999 a. 9; 1999 a. 150 ss. 565 to 567; Stats. 1999 s. 66.0615; 2003 a. 203; 2005 a. 135; 2007 a. 20; 2009 a. 2; 2011 a. 18, 32; 2013 a. 20; 2015 a. 55, 60.

A city was authorized to enact a room tax. The gross receipts method was a fair and reasonable way of calculating the tax. Blue Top Motel, Inc. v. City of Stevens Point, 107 Wis. 2d 392, 320 N.W.2d 172 (1982).

Under sub. (1m) (am), this section favors expenditures to construct or improve convention facilities. However, sub. (1m) (am), only addresses when a municipality may impose a room tax rate of greater than 8% and is irrelevant when the city has not exceeded that maximum. The only restrictions the rest of the statute places on the use of room tax monies are found in sub. (1m) (d), which directs a municipality to spend a certain percentage on "tourism promotion and development, which means the promotion and development of travel for recreational, business, or educational purposes. English Manor Bed and Breakfast v. City of Sheboygan, 2006 WI App 91, 292 Wis. 2d 762, 716 N.W.2d 531, 05-1358.

City of Lake Geneva
Room Tax Analysis
3/7/2016

History:	2010	2011	2012	2013	2014	2015	2016	Projected 2016
Room Tax Revenue Budgeted	420,000	407,000	400,000	400,000	420,000		500,000	
Room Tax Revenue Received	457,377	437,521	492,494	470,679	522,821	596,169		596,169
Local tourism commission payment	95,000	95,000	95,000	95,000	100,000			
Local tourism commission Budget						100,000	100,000	149,042
Balanced Retained by the City	362,377	342,521	397,494	375,679	422,821	496,169	400,000	447,127

2016 Budget Bill:	2017	2018	2019	2020	2021	
Limit to 30% on Estimate of $500,000	150,000	150,000	150,000	150,000	150,000	
OR						
Limit Tied by Year	2014	2013	2012	2011	2010	
Amount Retained Limit	422,821	375,679	397,494	342,521	362,377	2011 is lowest

Budget Bill Impact:

Loss of General Fund Revenue						
Using 2016 Budget $400,000	-	24,321	2,506	57,479	37,623	Assuming strong economy
Using 2015 Actual $496,169	73,348	120,490	98,675	153,648	133,792	Loosing Windfall

2016 Budget Formula

Chamber receives payment of $100,000
Plus 25% of amount over $400,000

Joint Uniform Lake Ordinance 2016 Proposed Joint Uniform Lake Law Ordinance

Negligent operation. No person may operate or use any boat, or manipulate any water skis, aquaplane or similar device upon the waters of Geneva Lake in a careless, negligent or reckless manner so as to endanger that person's life, property or person or the life, property or person of another.

NOTE: This mirrors the state law, with the exception of the words “Geneva Lake” replaces the words “this state”

From: Geneva Lake Police [gllea@sbcglobal.net]
Sent: Friday, March 04, 2016 2:38 PM
To: 'Arivd Petersen'; 'GLLEA'; Jim Connors; 'Jim Weiss'; 'John Marra'; "Mark Cates"; 'Martin, Dennis'; "Michael Rasmussen"; 'Olson, Steve'; Peg Pollitt; City Clerk; 'Sue Polyock'; 'Theresa Linneman'; 'Tom HAUSNER'; wbpd@williamsbaypolice.us
Subject: Proposed Joint Uniform Lake Ord

Greetings,

I have attached a copy of the reworded proposed ordinance. It mirrors the state statute. We have been advised by Warden Roberts that the DNR would approve the ordinance since it mirrors the state statute.

In the event your board members may ask the reason for this addition. The Court (Judge) brought to our attention that any citation written under Wisconsin SS Chapter 30.68 require revocation/suspension of the boat safety certification. The court is required to notify the defendant and the defendant is required to then notify courts they have complied with the court order to complete the boating safety course. We as an agency write a very large number of citations under this section. It caused the courts a drastic increase in their paperwork and in turn costing us as those funding the court a potential increase in court fees. This was not adhered to by the prior court (Judge). By adapting this ordinance, we can eliminate the mandate to revoke/suspend and our revenue would increase as we retain a larger portion of ordinance citation bonds.

Thank you for your consideration.

Tom Hausner – Commander
Geneva Lake Law Enforcement Agency
PO Box 1003
Williams Bay, WI 53191
262-245-9824 262-245-9834 fax
gllea@sbcglobal.net
glleacommander@gmail.com

FW: GLLEA Proposed Joint Lake Law Ordinance

Geneva Lake Police [gllea@sbcglobal.net]

Sent: Wednesday, March 02, 2016 9:54 AM

To: Arivd Petersen [arvidpete@gmail.com]; GLLEA [gllea@sbcglobal.net]; Jim Connors; Jim Weiss [jweiss@townoflinn.com]; John Marra [jmarra.president@gmail.com]; Mark Cates [Chief@Townoflinn.com]; Martin, Dennis [Dennis@VillageofFontana.com]; Michael Rasmussen [mrasmussen@genevaonline.com]; Olson, Steve [Chief.Olson@VillageofFontana.com]; Peg Pollitt; City Clerk; Sue Polyock [linnclerk@charter.net]; Theresa Linneman [Theresa@villageoffontana.com]; Tom HAUSNER [glleacommander@gmail.com]; wbpd@williamsbaypolice.us

Attachments: image001.jpg (3 KB)

Here is response from DNR ref the proposed Ord. It appears we can proceed with it as written.

Tom Hausner – Commander
Geneva Lake Law Enforcement Agency
PO Box 1003
Williams Bay, WI 53191
262-245-9824 262-245-9834 fax
gllea@sbcglobal.net
glleacommander@gmail.com

-----Original Message-----
From: Roberts, Jason J - DNR [mailto:Jason.Roberts@wisconsin.gov]
Sent: Monday, February 29, 2016 2:29 PM
To: Hausner, Tom - Geneva Lake LE Agency
Subject: RE: GLLEA Proposed Joint Lake Law Ordinance

That ordinance would be fine as it nearly mirrors state law.

.68 Prohibited operation.
30.68(2)<http://docs.legis.wisconsin.gov/document/statutes/30.68(2)> (2) Negligent operation. No person may operate or use any boat, or manipulate any water skis, aquaplane or similar device upon the waters of this state in a careless, negligent or reckless manner so as to endanger that person's life, property or person or the life, property or person of another.

We are committed to service excellence.
Visit our survey at http://dnr.wi.gov/customersurvey to evaluate how I did.

JASON ROBERTS
Phone: 262-574-2169
JASON.ROBERTS@WISCONSIN.GOV<mailto:JASON.ROBERTS@WISCONSIN.GOV>

From: Geneva Lake Police [mailto:gllea@sbcglobal.net]
Sent: Friday, February 19, 2016 11:23 AM
To: Roberts, Jason J - DNR
Cc: 'Arivd Petersen'; Hausner, Tom - Geneva Lake LE Agency; 'Jim Connors'; 'Jim Weiss'; 'John Marra'; ''Mark Cates''; dennis dennis; ''Michael Rasmussen''; 'Olson, Steve'; 'Peg Pollitt'; Sabrina WASWO; Linn Clerk; 'Theresa Linneman'; 'Tom HAUSNER'; wbpd@williamsbaypolice.us
Subject: GLLEA Proposed Joint Lake Law Ordinance

Jason,

Here is the proposed GLLEA Lake Ordinance we spoke about on the phone Wednesday. GLLEA Board of Directors approved it to take to their respective Boards and we will wait on

DNR for final approval. We hope to have this adopted ASAP to allow us time to reprint our ordinance cards.

Thank you.

Tom Hausner – Commander
Geneva Lake Law Enforcement Agency
PO Box 1003
Williams Bay, WI 53191
262-245-9824 262-245-9834 fax
gllea@sbcglobal.net<mailto:gllea@sbcglobal.net>
glleacommander@gmail.com<mailto:glleacommander@gmail.com>
[th]

FINANCE, LICENSE & REGULATION COMMITTEE
MONDAY, FEBRUARY 8, 2016 – 6:00 PM
COUNCIL CHAMBERS, CITY HALL

Chairperson Kupsik called the meeting to order at 6:05 p.m.

Roll Call. Present: Aldermen Howell, Kupsik, Kordus and Wall. Absent: Alderman Gelting. Also Present: City Administrator Oborn, Director of Public Works Winkler and City Clerk Waswo.

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 to be limited to 5 minutes.

Ken Etten, 1109 Wisconsin Street, spoke in support of the TIF theater redevelopment proposal. He believes this is the best use of the property. This is the exact type of project TIF was intended to for. He strongly encouraged the City Council and City Administration to work with Shad Branen to make the Geneva Theatre a reality.

Sal Dimiceli Jr., 101 Broad Street, read a letter from his father, Sal Dimiceli Sr., who requested the Council support the Geneva Theatre project with TIF funds.

Carol Smith, 930 Bonnie Brae Lane, spoke regarding the Park Reservation Permit filed by the Geneva Lake Arts Foundation. She asked for the same fees to be charged as last year and waive the fees for the Brunk pavilion.

Patrick Quinn, 512 Maxwell Street, a member of the Lake Geneva Historic Preservation Commission and Friends of the Geneva Theater, spoke on Shad Branen's proven track record as a theater owner. The events Mr. Branen's theater in Burlington features, in addition to regular movies, makes it a community arts center. He urged the Council, Mayor and City Administrator to support the restoration of the Geneva Theater.

Approval of Minutes. Wall/Kordus motion to approve the Finance, License and Regulation Committee Meeting minutes of January 25, 2016, as prepared and distributed. Motion carried 4 to 0.

LICENSES & PERMITS

Kordus/Kupsik motion to approve Park Reservation Permit application filed by Geneva Lake Arts Foundation for the annual "Art in the Park" event at Flat Iron Park including rental of the Brunk Pavilion, from 10 am to 5 pm on Saturday, August 13 and 10 am to 4 pm on Sunday, August 14, 2016 ***(recommended by Board of Park Commissioners on Feb. 3, 2016 with same fees as last year).***
Mr. Kordus would like to reduce the charge for the parking stalls for 94 stalls over 2 days to $10.00 per day for a total of $1,880 and waive the $500 fee for the Brunk pavilion which would create a new total of $1,975.
Alderman Wall asked if the Geneva Lake Arts Foundation was a non-profit organization and what the Park Board suggested. Mr. Kupsik answered the Park Board agreed to pay the same fees as last year. Mr. Kordus reiterated the fees for last year were $1,973.30. His suggestion goes up only a few dollars but coincides with the current fee schedule. Mr. Wall stated there is no consistency with which groups have fees waive and which do not. He doesn't feel it is fair. Mr. Kordus pointed out when the fee schedule was set up for the Brunk pavilion, it was stated that the fee would be waived for Venetian Fest and Art in the Park. City Clerk Waswo noted the fee schedule has changed since last year's application. Motion carried 3 to 1 with Alderman Wall voting "no."

Kordus/Kupsik motion to approve Street Use Permit application filed by Geneva Lake Arts Foundation to close Center Street from Main to Wrigley Drive on Saturday, August 13 from 6 am to 9 am and Sunday, August 14, 2016 from 6 am to 9 am and 4 pm to 6 pm for the annual "Art in the Park" event (*recommended by Board of Park Commissioners on Feb. 3, 2016*). Motion carried 4 to 0.

Wall/Kordus motion to approve Riviera Beach Use application filed by Troy Nottestad for the Duffy Nottestad Fishing Derby on the beach and ice held on Saturday, February 27, 2016 from 9am to 2pm with setup on Friday evening ***(recommended by Piers, Harbors and Lakefront on Feb. 3, 2016).*** Motion carried 4 to 0.

Kordus/Wall motion to approve Park Reservation Permit application filed by Sheree Carlson for the Tenny-Wachsmuth Wedding held in Flat Iron park including rental of the Gazebo from 3 pm to 5:30 pm on Saturday, July 16, 2016 ***(recommended by Board of Park Commissioners on Feb. 3, 2016).*** Motion carried 4 to 0.

Kordus/Howell motion to approve Park Reservation Permit application submitted by Lake Geneva Jaycees to use Seminary Park for the annual Jaycees Easter Egg Hunt on Saturday, March 26, 2016 from 7 am to 2 pm ***(recommended by the Board of Park Commissioners on Feb. 3, 2016).*** Motion carried 4 to 0.

Kupsik/Kordus motion to approve Park Reservation Permit application filed by the Lake Geneva Jaycees to use Seminary and Flat Iron parks including Brunk Pavilion for the Venetian Festival on August 15 – 22, 2016 with balance of fees waived ***(recommended by the Board of Park Commissioners on Feb. 3, 2016).*** Motion carried 4 to 0.

Kordus/Kupsik motion to approve Park Reservation Permit application filed by the Lake Geneva Jaycees to use Library Park on August 20 – 21, 2016 for the annual Arts and Crafts Fair with balance of fees waived ***(recommended by the Board of Park Commissioners on Feb. 3, 2016).*** Motion carried 4 to 0.

Kordus/Howell motion to approve Street Use Permit application filed by the Lake Geneva Jaycees for the use and closure of Wrigley Dr. from Center St. to Broad St. for Venetian Festival on August 15 – 22, 2016. Motion carried 4 to 0.

Howell/Kordus motion to approve Riviera Beach Reservation Permit application filed by the Lake Geneva Jaycees for the use and closure of the Riviera Beach on Sunday, August 21, 2016 for the water ski show, boat parade and fireworks display. Motion carried 4 to 0.

Kordus/Kupsik motion to approve Fireworks Permit application filed by the Lake Geneva Jaycees to be held on Sunday, August 21, 2016. Motion carried 4 to 0.

Kordus/Howell motion to approve Temporary Class "B" License application submitted by the Lake Geneva Jaycees for the sale of fermented malt beverages at Flat Iron parking lot, 100 block of Center St., Lake Geneva, for Venetian Festival on August 16 – 22, 2016. Motion carried 4 to 0.

Wall/Kordus motion to approve Original 2015-2016 Operator's (Bartender) License applications filed by Linda Diamond, Dusha Lowrey, Dawn Monroe, Eileen Sorensen. Motion carried 4 to 0.

Discussion/Recommendation on <u>Resolution 16-R3</u>, a wage resolution implementing pay scale grades and wage increases for part-time employees ***(recommended by the Personnel Committee on Jan. 28, 2016)***
City Administrator Oborn gave an overview of the resolution for part-time employees.
Kordus/Wall motion to approve as presented. Motion carried 4 to 0.

Discussion/Recommendation on awarding 2016 Riviera East (Elmer's) Pier Replacement Project Alternate Bid to Gage Marine for $54,185 ***(recommended by Piers, Harbors and Lakefront on Feb. 3, 2016)***
City Administrator Oborn stated there are some issues with the application. It is still pending because the alternate is going out 4 extra feet and requires a DNR permit. He recommended approving the higher amount with the alternate bid as that is in the budget. The foot print of the pier remains the same, but the angle would change making the approach and departure from the pier safer. It will be parallel to the rest of the piers.
Kupsik/Howell motion to approve. Motion carried 4 to 0.

Discussion/Recommendation on awarding 2016-2018 Pier & Buoy Service Project to Gage Marine ***(recommended by Piers, Harbors and Lakefront on Feb. 3, 2016).*** Mr. Oborn clarified the painting would be a separate contract.
Kordus/Kupsik motion to approve. Motion carried 4 to 0.

Discussion/Action on awarding bid to Vorpagel for emergency furnace replacement at the Museum in the amount of $9,000 funded from contingency

Mr. Kordus questioned if the maintenance and repairs budget covered the $5,300. He wondered if part was coming from the maintenance and repair budget or is the entire $9,000 coming from contingency. Mr. Oborn stated to take the entire amount since it is so early in the year. The $5,300 is for general repairs and maintenance.
Kordus/Wall motion to approve. Motion carried 4 to 0.

Discussion/Recommendation on consideration of proposal for TIF theater redevelopment grant and authorize City Administrator and City Attorney to negotiate with Mr. Branen on a development agreement with a site development incentive (grant) for the revitalization of the Geneva Theater
Kupsik/Kordus motion to send to City Council without recommendation. Motion carried 4 to 0.

Presentation of Accounts – Alderman Kupsik
Purchase Orders. None.

Kupsik/Kordus motion to recommend approval of Prepaid Bills in the amount of $7,152.64. Motion carried 4 to 0.

Kupsik/Kordus motion to recommend approval of Regular Bills in the amount of $157,900.93. Mr. Oborn clarified the total is $154,775.93.
Kupsik/Wall motion to approve the amended amount of $154,775.93. Motion carried 4 to 0.

Adjournment
Kordus/Kupsik motion to adjourn at 6:48 p.m. Motion carried 4 to 0.

/s/ Sabrina Waswo, City Clerk

THESE MINUTES ARE NOT OFFICIAL UNTIL APPROVED BY THE FINANCE, LICENSE & REGULATION COMMITTEE

FINANCE, LICENSE & REGULATION COMMITTEE
MONDAY, FEBRUARY 22, 2016 – 6:00 PM
COUNCIL CHAMBERS, CITY HALL

Chairperson Kupsik called the meeting to order at 6:00 p.m.

Roll Call. Present: Aldermen Howell, Gelting, Kupsik, Kordus and Wall. Also Present: City Administrator Oborn, Comptroller Pollitt and City Clerk Waswo.

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 to be limited to 5 minutes.

Maureen Marks, 834 Dodge Street, lives in the first district and spoke in favor of the Hillmoor feasibility study.

Mary Jo Fesenmaier, 955 George Street, applauded the alderman who put the Hillmoor feasibility study on the agenda. She was happy Vandewalle was included as they know the public and private aspects of the community. She encouraged the council to vote yes on the item.

Approval of Minutes. Wall/Gelting motion to approve the Finance, License and Regulation Committee Meeting minutes of February 8, 2016, as prepared and distributed. Unanimously carried.

LICENSES & PERMITS

Gelting/Wall motion to recommend approval of the Temporary "Class B"/Class "B" Wine and Fermented Malt Beverage License application filed by Melissa Bochniak on behalf of Badger High School for the sale of fermented malt beverages and wine at the Geneva Lake Museum, 255 Mill Street, Lake Geneva for a Casino Night Fundraiser event on March 19, 2016, 5:00pm to 10:00pm. Unanimously carried.

Gelting/Kordus motion to recommend approval of the Temporary Operator License application filed by Kevin Polheber on behalf of Badger High School for a Casino Night Fundraiser event on March 19, 2016. Unanimously carried.

Wall/Gelting motion to recommend approval of the Original 2015-2016 Operator's (Bartender) License applications filed by Damon Highland and Amber Wampole. Unanimously carried.

Kordus/Wall motion to recommend approval of the purchase of 1999 pick-up truck from Utility Commission for $1,000 funded from the Cemetery fund budget and declare present vehicle surplus for disposal *(Public Works recommended on Feb. 11, 2016).* Alderman Kordus said the existing vehicle has only scrap value and is not street legal. The truck being purchased is from the Utility Department. They were going to surplus the vehicle but are giving it to the City for the low end of the Kelly Blue Book value. Alderman Gelting and Wall feel this is a really good solution. Alderman Kupsik noted the truck is in pretty good shape and will serve the Cemetery well. Unanimously carried.

Discussion/Recommendation on the following parking ordinance changes:

- **Eliminate limited time zone for angled parking stalls on east side of Cook Street, north of curbline of Wisconsin Street**
- **Change existing (5) marked parking stalls on west side of Cook Street from south curbline of Wisconsin Street to Maximum 1 hour parking 8:00am to 4:00pm on school days only**
- **Change existing (5) marked parked stalls on east side of Madison Street from south curbline of Wisconsin Street to Maximum 1 hour parking 8:00am to 4:00pm on school days only**
- **Eliminate no parking zone from 8:00am to 5:00pm on school days for marked stalls on west side of Madison Street, north of curbline of Wisconsin Street**
- **Create no parking zone from 8:00am to 4:00pm on school days only on south side of Dodge Street from curbline of Madison Street to Cook Street**

- **Curb cut at schools expense on East side of Madison Street from north curbline of Wisconsin Street to alley**
- **Eliminate two parking stalls on Main Street between Center and Mill Street for street reconfiguration**

(recommended by the Parking Commission on Dec. 17, 2015 and Public Works on Feb. 11, 2016)

Kordus/Gelting motion to recommend approval with the addition of the curb cut at schools expense on East side of Madison Street from north curbline of Wisconsin Street to alley to be supervised and approved by city staff. City Administrator Oborn stated in preliminary negotiations with the school, the intent was to have the City complete the work. It would be a City project with some commitment from them for the funds. Alderman Kordus disagreed stating public works approved giving the school permission to go ahead and contract for it and do it on their own and it would be supervised by City staff. Alderman Gelting thought the intent was to approve them to do it and the City would adjust the ordinance to allow for it to be done. The minutes from Public Works state Alderman Gelting recommended for approval of the proposed cutout as funded by the school district if they felt they wanted to do it.

Mayor Connors said the school district is willing to pay for the expense but asked that the City contract it. The City is going to see about adding it onto the street improvement program to get the unit prices and work done for the curb and gutter. The school district would then reimburse the City for that.

Kordus motion to remove amendment. Alderman Gelting agreed.

Kordus/Gelting motion to approve. Unanimously carried.

Discussion/Recommendation on motion to conduct $15,000 Hillmoor property feasibility study by Vanderwalle and Associates with funding from TIF#4 contingency *(requested by Alderman Chappell and Alderman Howell)*
Kordus/Wall motion to send to council without recommendation. Motion carried 4 to 1 with Alderman Howell voting "no."

Gelting/Kordus motion to recommend approval of Nielsen Madsen & Barber SC for design review services agreement for Symphony Bay development funded by developer *(Plan Commission recommended on Feb. 15, 2016).* Plan Commission had concerns as our own City Engineer did the design services and wanted a second opinion. This company has been recruited and has already started doing the services. The costs will be passed onto the developer; the City does not bear any of these costs. Mr. Oborn feels there was value in having the second opinion as they have made some good suggestions. The services are for the storm water and street. City ordinance states the City Engineer will do the sewer which does not get reviewed. It was pointed out the City Engineer we currently have was not the City Engineer when the original plan was submitted, which is why it's being reviewed. Unanimously carried.

Discussion/Recommendation on TIF#4 advance to Lake Geneva Joint 1 School District for $1,861,043.91 and Lake Geneva-Genoa City Union School District for $1,297,717.22 subject to an acceptable agreement between the parties for the same. Kordus/Gelting motion to send to council without recommendation. Unanimously carried.

Presentation of Accounts – Alderman Kupsik

Purchase Orders. None.

Gelting/Wall motion to recommend approval of Prepaid Bills in the amount of $62,615.80. Unanimously carried.

Gelting/Kordus motion to recommend approval of Regular Bills in the amount of $112,184.21. Unanimously carried.

Wall/Kordus motion to recommend approval of Treasurer's Report for October 2015. Alderman Gelting presumed that any money they have invested in the Government Investment Pool is immediately liquid, which Comptroller Pollitt confirmed. Unanimously carried.

Adjournment
Kordus/Gelting motion to adjourn at 6:21 p.m. Unanimously carried.

/s/ Sabrina Waswo, City Clerk

PERSONNEL COMMITTEE MINUTES
THURSDAY, FEBRUARY 25, 2016 – 4:00 P.M.
CITY HALL, CONFERENCE ROOM 2A

Meeting was called to order by Alderman Hedlund at 4:00 p.m.

Roll Call. Present: Alderman Hedlund, Hill, Chappell, Wall and Kupsik. Also Present: City Administrator Oborn, City Clerk Waswo, and Parking Manager Mullally.

Comments from the public limited to 5 minutes. None.

Kupsik/Chappell motion to approve Personnel Committee minutes for January 28, 2016, as prepared and distributed. Motion carried unanimously.

Discussion/Recommendation on establishing an employee evaluation process including Department Heads, City Administrator, City Attorney, Municipal Judge, Director of Public Works/Utilities, Police Chief and Fire Chief
City Administrator Oborn stated he sent an email out to all Department Heads mandating that evaluations are completed by March 31st. The regular staff will be reviewed by their supervisor. Since we have some autonomous or semi-autonomous commissions in the City, it makes it a little more challenging. We are also unique in that we have elected officials that are Department Heads. Mr. Oborn explained the regular Department Heads, which would be the City Clerk, Comptroller, Harbormaster, Parking Manger and Building & Zoning Administrator, are positions clearly under the City Administrator. His recommendation would be to allow the initial review with them and then hold a meeting to go over it with the Personnel Committee and Mayor for input. It would be the committee's discretion if they would like to include the staff member in said meeting. Ms. Hill would like them included and feels Department Heads should be given an opportunity to speak to their evaluation.

Mr. Oborn recommended the Mayor initially complete the review for the City Administrator position and then with the Personnel Committee to discuss and finalize. Mr. Oborn noted in regard to the City Attorney and Municipal Judge on the County level, the elected officials voluntarily allow themselves to get an evaluation and then negotiate. His assumption is no evaluation, no compensation increase. Ms. Chappell asked what will be done in regard to other elected officials. Mr. Oborn explained Alderman would only get a cost of living raise when an Ordinance is approved; however, it would not take effect until the next term because they can't raise their own wages. There was discussion on salaries and evaluations for elected officials. Mr. Hedlund felt a review isn't necessary for the City Attorney and Municipal Judge. Mr. Oborn would like to keep the salary competitive. As these positions were put in a grade, the easiest way would be to give cost of living adjustments every time the staff got a raise. Mr. Kupsik added it would need to be discussed during budget time.

Mr. Oborn discussed the Director of Public Works/Utilities position. It is a position that could be divided out. He estimated that 1/3 of this position's time is related to Public Works and parks. His recommendation is to evaluate him for his Public Works position as he doesn't have any authority over his Utility component. There is no control over his wages as long as there is a separate Utility Commission. An ordinance is still being worked on. Mr. Hedlund questioned if the Utility Commission decides on a raise, if the City has to come up with a 1/3 of the increase. Mr. Oborn said yes. If it were to get too expensive, we can replace that position ourselves. Mr. Kupsik noted at some point the City will need to hire someone to be the Public Works Director. Ms. Hill added she doesn't know how the Utility Commission will justify how they pay for a Public Works Director with the water rate increase. Mr. Oborn explained in the short term, he recommends evaluating Mr. Winkler and then bringing him to Personnel as he would with any other Department Head for his Public Works duties.

It was noted the Police and Fire Commission would have to do evaluations as there would not be any pay increases without them. The City still has an administrative obligation to the PFC. They can do the day to day operation, but when you get into evaluation and personnel matters they can't be the "prosecutor" as they are already the "judge". The City also controls all of their financing. The committee doesn't have direct review but they have salaried review. The non-union Dispatchers would be evaluated like everyone else by the Lieutenant.

Hill/Chappell motion to instruct staff to move forward with establishing an employee evaluation process as outlined by the memo from the City Administrator on February 24, 2016 to include the Administrator evaluating all Department Heads and bringing them back to the Personnel Committee, the Mayor evaluating the City Administrator with review to the Personnel Committee, exempting the City Attorney and Municipal Judge from performance evaluations as they will be cost of living adjustments only, the Administrator will perform the Public Works evaluation for that portion of the job, and PFC still remains over the Chief but encourage evaluations. Motion carried unanimously.

Discussion/Recommendation on classification, compensation and performance policy
Ms. Chappell questioned how the evaluation carries over into the grade and compensation. Mr. Oborn stated typically what most cities do is use a score system. Ms. Hill explained she is aware that the City's personnel is its best asset. This is a total departure from what they are used to. She questions if it will be successful to just force this and if it will upset a lot of employees. They are going down the right path but would like to be very careful about pulling the trigger on an entirely performance based compensation package. Mr. Kupsik feels a ground rule needs to be set regarding how the City will compensate its employees. Mr. Hedlund noted it was his understanding that if the City was going to do a cost of living adjustment as well as a performance incentive, everyone across the board would get the cost of living adjustment. The evaluation would go above and beyond the cost of living adjustment. Mr. Oborn said the managers would set the goals and objectives. He recommends second review as he would like to be included in the process. The County does not go out of their way to publish everyone's wages. It can be done as a public record. The consensus was to continue to implement and develop this.

Discussion/Recommendation on assignment changes for Parking Manager and Harbormaster regarding beach seasonal
Mr. Oborn explained this would be taking a function out of the Harbormaster's position, the beach, and giving it to the Parking Manager. The Beach Attendants and the two Leads would be moved from under the Harbormaster to under the Parking Manager. The beach does not have a lot of supervision right now but they already use the kiosks for payment. Ms. Hill asked if these individuals would be cross-trained. Mr. Oborn said he hopes it will lead to that.

Hill/Kupsik motion to recommend moving oversight of the beach seasonal employees from the Harbormaster to the Parking Manager. Unanimously carried.

Discussion/Recommendation on updating organizational chart
Mr. Oborn noted the organizational chart was changed to show the Beach Seasonals under the Parking Manger rather than under the Harbormaster. There were a number of job title changes but they were all in the resolutions that were already done. The Seasonal Office Assistant position was added as well. It is in the budget.

Hill/Chappell motion to recommend updating the organizational chart as presented.
Mr. Kupsik questioned how difficult it would be to put the boat ramp under a machine rather than a person collecting money. Mr. Oborn said giving out change would be a problem. The DNR caps on what can be charged for boat launch fees, and if we don't have an Attendant present, it is a lower rate. Motion carried unanimously.

Wall/Hill motion to adjourn at 4:50pm. Unanimously carried.

/s/ Stephanie Gunderson, Assistant City Clerk

THESE MINUTES ARE NOT OFFICIAL UNTIL APPROVED BY THE PERSONNEL COMMITTEE

Public Works Committee

Alderman Bob Kordus Chairman

Alderman Chris Gelting — Alderman Al Kupsik
Alderman Ken Howell — Alderman Sarah Hill

Director of Public Works Daniel S. Winkler, P.E.
Assistant Director of Public Works Tom Earle

City of Lake Geneva 626 Geneva Street Lake Geneva, WI 53147-1914
www.cityoflakegeneva.com **Phone: (262) 248-3673**

February 11, 2016 Meeting Minutes

DATE: February 12, 2016

MEMORANDUM

TO: Chairman Bob Kordus & Members of the Public Works Committee

FROM: Daniel S. Winkler, P.E. __DSW__
Director of Public Works & Utilities

SUBJECT: February 11, 2016 Public Works Committee Meeting Minutes

The Public Works Committee is scheduled to meet at **5:05 PM** at City Hall.

Members in attendance:		**Staff Present:**	
Chairman Bob Kordus	___X____	City Administrator Blaine Oborn	___X___
Alderman Chris Gelting	___X____	Director Daniel Winkler (DPW)	___X___
Alderman Sarah Hill	_____	Mayor Jim Connors	___X___
Alderman Al Kupsik	___X____	Assistant DPW Tom Earle	___X___
Alderman Ken Howell	___X____	Street Foreman Neil Waswo	_____

Other: _____Ms. Sylvia Mullally, Parking Enforcement_____

Public in attendance:____Chris Schultz_____

Approval of the Minutes of the Prior (January) Meeting:
Motion to approve the minutes of the prior meeting by Ald. Gelting and seconded by Ald. Kupsik. The motion passed 5-0.

Public Comments:
None.

Communications:

Agenda Items:

1. **Dennison School Perimeter Parking Discussion (Sylvia Mullally).**
2. **Cemetery Pick-up Truck.**

Public Works Projects Update
DPW Winkler went through the project schedule
.

1. Dennison School Perimeter Parking Discussion (Sylvia Mullally).

Ms. Mullally presented various parking and drop off alternatives for the areas around the school and as far away as on Dodge Street. After discussion it was moved by Ald. Hill and seconded by Ald. Kupsik to approve Alternatives Nos. 1, 2, 3, 5, and 6 as presented. The motion passed 5-0. It was moved by Ald. Hill and seconded by Ald. Gelting to recommend for approval of the proposed cut out, Alternative No. 4 as funded by the School District if they felt they wanted it. The discussion was that the construction would be inspected by the City. The motion passed 5-0.

(This item needs to go to the Council for a referral to the City Attorney to draft an ordinance. Ms. Mullally will be providing the alternatives for the meeting packet.)

2. Pick-up Truck -Cemetery.

DPW Winkler and Assistant DPW Earle provided pictures of both the existing vehicle at the cemetery and a surplus pick-up truck at the Utility Commission available to the Cemetery. There was discussion regarding the Cemetery budget and CIP. The general consensus is that Public Works was to continue to work with Administration and the cemetery staff to oversee the entire operation much closer. It was moved by Ald. Hill and seconded by Ald. Gelting to compensate the Utility Commission $1,000 for the 1999 pick-up truck. Under discussion, Administrator Oborn said funding would come from the cemetery budget. The motion passed 5-0. It was moved by Ald. Hill and seconded by Ald. Gelting to declare the present vehicle at the cemetery as surplus for disposal/auctioning off. That motion passed 5-0.

(This item needs to go to the FLJ and Council for action).

Motion to Adjourn:

Motion to adjourn by Ald. Hill and seconded by Ald. Gelting. The motion passed 5-0 and the meeting was adjourned at 5:55 PM.

Cc: Mayor Jim Connors/Blaine Oborn/Sabrina Waswo/Common Council Members not on Committee/File

PIERS, HARBORS & LAKEFRONT COMMITTEE
WEDNESDAY, FEBRUARY 25, 2016 AT 5:00 P.M.
CITY HALL, CONFERENCE ROOM 2A

The meeting was called to order by Chairman Wall at 5:00 p.m.

Roll Call. Present: Aldermen Hedlund, Wall, Kordus, Kupsik, Hill and Chappell. Also Present: City Administrator Oborn and Harbormaster Gray. Others in Attendance: Kent Martzke

Hedlund/Kordus motion to approve Minutes from February 3, 2016 as prepared and distributed. Motion carried unanimously.

Comments from the public limited to 5 minutes. None.

Harbormaster's Report
Harbormasater Gray stated the buoy and slip leases will be going out tomorrow. The due date will be April 1st. There are plenty of people on the waiting list if there is any turnover. There may be some pier crib damage from the vehicles going through the ice earlier in the month.

Discussion/Recommendation on Riviera Ballroom advertising
City Administrator Oborn stated there was $3,300 in the current year budget for publications and promotions, which is the budget line item for advertising. In the past, they did not advertise but then the City allocated money and told the Harbormaster to advertise. The three main papers are At the Lake, Lake Geneva Regional News and Southern Lakes. Harbormaster Gray has held off on advertising since this issue has come up. He noted we do get some free advertising from a few catering websites. The Riviera does have its own website and is also linked to the City's website. Alderman Chappell asked if an increase in business has been noticed due to the advertising. Alderman Kordus asked how far out the Riviera is booked. Mr. Gray stated we are currently booking 2017. When he started the City was doing about 65 events per year and now it is about 90 a year. Ms. Hill said she does not see the need for paid print advertising for the Riviera. Mr. Kordus said the only one he feels is advantageous is the Lake Geneva Regional News Bridal Guide because it is annual and localized. Ms. Chappell added the money generated from the Riviera is well over $3,000 so it may be worth advertising.

Wall/Hill motion to not spend any money this year on advertising. Mr. Hedlund asked about the website since that is advertising. Mr. Wall said he meant advertising in At the Lake, Lake Geneva Regional News and Southern Lakes. The website and white envelopes were not included. Ms. Hill agreed with that. Mr. Kordus said he feels it is important to keep our name out there. Mr. Hedlund asked who runs the ads. Mr. Gray answered there is a template that they use. Mr. Hedlund asked if off days are advertised. Mr. Gray noted the ad already does. Mr. Kupsik added we don't advertise the parks and yet they book up. Unanimously carried.

Discussion/Recommendation on status of Riviera Concourse Leases and extended hours
City Administrator Oborn noted there is still one outstanding lease but it is expected that they will sign and return. All the other lessees have been signed. The City Clerk has already called that individual and has left a message. Mr. Hedlund asked if there was a drop date. Mr. Oborn said there was not. Mr. Kordus said there should be something like that on there. He said a drop date can be added if they would like. He noted they will continue to follow up on this. Mr. Kordus asked if there is a change to the lease that is required to extend the hours. Mr. Oborn explained in a provision in the contract it notes if you provide a request the City will give you a written decision. He to be allowed to let them know that they have the authority to stay open as long as they need to and he will adjust the lease in 2 years and probably put midnight on there. There really isn't any problem on staying open later as there isn't any extra expense and the guard is already there to lock the doors. He will give them an exemption letter stating they can stay open as long as they need to. The consensus was to allow Mr. Oborn to proceed as discussed.

Discussion/Recommendation on 2016 Riviera East (Elmer's) Pier Replacement Project, DNR permit and Lake Geneva Boat Line pier lease

Mr. Oborn started with the DNR application and since enough ground is being moved, they qualify under the US Army Corp Engineers. We also found out there is a ship named Atlantis that sunk in the lagoon around1887 so they have a big circle around that area as historic. This area is outside of that so there doesn't seem to be any problem. It doesn't look like the US Army Corp Engineers permit is going to be an issue. It will probably be delivered within a week and finalized. The DNR application requires a 30 day comment period. The starting date of the posting was February 18th and will close 30 days from there. Mr. Oborn will have to provide all the public notice and other things before they do it. His guess the earliest will be April 1st. In talking with Scott from Gage Marine, there will be interruptions but thinks he can keep Lake Geneva Boat Line open and can build the pier in sections. Mr. Oborn didn't have a firm timeframe but would guess around 30 days as there is diving involved and rocks need to be moved around. The other alternative is to go through the whole season with this pier and start in the fall. If Mr. Martzke is willing to give the City a letter according to the City Attorney, that should be fine. He is essentially giving us allowance around the contract language. We do not have any problem coordinating with him and making sure his business is kept open without severely impacting the business.

Discussion/Recommendation on assignment changes for Parking Manager and Harbormaster regarding beach. Alderman Hill asked Harbormaster Gray if he would be ok with this. Mr. Gray said he is ok with it.

Hill/Hedlund motion to recommend moving oversight of beach seasonal employees from the Harbormaster to the Parking Manager. Motion carried unanimously.

Agenda items for next meeting

Mr. Oborn will continue to update the committee on Elmer's pier. Alderman Hill said it doesn't need to be an agenda item but can be given during the Harbormaster's report. Mr. Hedlund asked that they be updated if the outstanding Riviera Concourse lease ever comes back. Mr. Oborn said he would update on that as well.

Adjournment

Kordus/Hedlund motion to adjourn at 5:27pm. Motion carried unanimously.

/s/ Stephanie Gunderson, Assistant City Clerk

THESE MINUTES ARE NOT OFFICIAL UNTIL APPROVED BY THE PIERS, HARBORS AND LAKEFRONT COMMITTEE

LAKE GENEVA POLICE AND FIRE COMMISSION
MEETING MINUTES
THURSDAY FEBRUARY 4, 2016, AT 7:00 P.M.

This meeting was held in the City Council Chambers, City Hall, 626 Geneva Street, Lake Geneva, Wisconsin, 53147.

1. Call meeting to order
The meeting was called to order by Commissioner Hartz at 7:06 p.m.

2. Pledge of Allegiance
The Pledge of Allegiance was led by Commissioner Jordan

3. Roll call
Commissioners Bittner, Gramm, Pollard, Jordan and Hartz were present. Fire Department Liaison Mumford was present. Police and Fire Liaison Gelting was not present.

4. Comments from the Public reference agenda items only. Comments are limited to a maximum of five minutes - NONE

5. Acknowledge correspondence - NONE

6. Approval of regular meeting minutes January 7, 2016.
Bittner motioned to approve the January 7, 2016 minutes. Pollard seconded. Motion carried 5-0.

7. Joint Elm Street Fire Report
Chief Connelly from the Fire Department and Lieutenant Gritzner from the Police Department each gave a brief report about the Elm Street Fire. Both departments stated it was a great cooperative effort by the two departments as well as the other local agencies involved. They both thanked the officers and the civilian who helped rescue a baby and two adults from the roof.
The Commission members praised each department for their efforts, selfless acts and dedication.

8. Resolution 15-R61 - Information only
Resolution 15-R59 – Information only
Part-time Positions by Grade 2016 Pay Increase Proposal 1-27-16 – Information only
The resolutions were presented to the Police and Fire Commission for information only. Administrator Oborn explained there were wage freezes on two positions otherwise everyone received a 2% pay increase. Part time positions will also get a 2% wage increase. Page ranges have been set up with a 6% difference between ranges. Administrator Oborn would like to move forward with the merit program within two months to set up guidelines so that it may be implemented for raises in 2017.

9. Fire Department Business
a. Approval of bills for the Month of December 2015, operating in the amount of $4,361.99, Capital in the amount of $4,837.34, for a total of $9,199.33.
Approval of bills for the month of January 2016, operating in the amount of $50,051.81, Capital in the amount of $740.80, for a total of $50,792.61.
Jordan motioned to approve the bills for the month of December 2015 and for the month of January 2016, Pollard seconded. Roll call: Bittner-Y, Gramm-Y, Pollard –Y, Jordan-Y, Hartz- Y. Motion carried 5-0.
The Fire Hydrant Rental Category is still showing on the Fire Department Expenditure Report. Administrator Oborn noted that it will show up on the expenditure report but it will be paid through the contingency fund. The city is waiting to put the Fire Protection Fee into effect at the same time of the water increase. Commissioner Hartz was pleased that the Fire/EMS billing revenue account 11-22-00-

4624 was at 138% budget for the month of December. He was also noted Outside Billing Services account 11-22-5214 was also over but he thought it got charged against the revenues. Chief Connelly said that the difference in the overage was that they made more money than anticipated.

b. Consider and/or take action on Resolution Encouraging and Supporting the Undertaking of a Study by Walworth County on Alternative Long-Term Service Delivery Options Relative to Fire and/or Emergency Medical (EMS) Services
Gramm motioned to support the Resolution for Encouraging and Supporting the Undertaking of a Study on Alternative Long-Term Service Delivery Options Relative to Fire and/or Emergency Medical (EMS) Services to be taken on by Walworth County Board. Bittner seconded. Motion carried 5-0.
The resolution came about by a meeting with Mayors and City Administrators in the four cities, Whitewater, Elkhorn, Delavan and Lake Geneva to begin a feasibility study of consolidating fire departments throughout the county. The resolution requests Walworth County to head the study and they would like to prepare it for the 2017 budget. The Commission members were happy with this agreement and agreed that it falls within the 10 year program that has already been laid out for the Lake Geneva Fire Department.

c. Water Tower Agreement
The Water Tower Agreement has been approved by the water commission. Administrator Oborn will submit it to the City Council for signatures. The Agreement will become a resolution and will be maintained at City Hall.

d. Emergency Services Billing and Revenue Questions/Answers
Chief Connelly went through the answers from Eric Keifer at EMS Medical Billing Associates with regard to questions asked by Commissioner Hartz. Jordan wondered what we were getting back on commercial payback. He felt this would be helpful at budget time. Chief Connelly noted that Eric Keiffer would be happy to come to a meeting and answer questions. Eric Keifer responded to the questions regarding mailing status reports to each client as to the status of their incident. Eric Keifer felt this would be costly. Fire Officer Cho said the Fire Department could submit a document to the patient at the time of incident if it was possible. Chief Connelly noted there is a document to present to the patient about how services are paid but it is often inappropriate to give a statement at the scene.

e. New hiring, testing, selection guidelines
Hartz motioned to approve the Department staffing levels and permit the hiring process to begin and a list to be developed for Police and Fire Commission approval. Jordan seconded. Motioned carried 5-0.
Firefighter Cho is the Chairman of the hiring committee along with Assistant Chief Heindl and three other members. The committee prepared documents regarding staffing targets regarding POP and POP staffing side. The committee also prepared a document regarding the hiring process outline and created the document to create a good fit with the Fire Department with regard to goals and work ethic. Further discussion was made regarding the interview process, the recruitment process, and the participation requirement. Chief Connelly noted that POP staffing is often hard to retain because those employees are looking for a career in firefighting.

f. Pro-phoenix payroll changes
The Comptroller has requested some changes to the payroll system. If Pro-Phoenix feels it is a viable change for all Pro-Phoenix users then Pro-Phoenix will not charge the Fire Department. If Pro-Phoenix determines they are customary changes then the charges will be figured into the price.

g. Airboat damage and repairs
The airboat damages incurred some damage while providing mutual aid to East Troy Fire for body recovery. The airboat should be back in service within two to three weeks. In the meantime, Town of Delavan, Fox Lake and Wonder Lake will be able to help if ice rescue is needed.

h. Staff injuries, light duty, and notification of PFC
Two staffing injuries occurred at East Troy when assisting at Mill Lake. Hartz felt that the Commission should be notified of all personnel injuries. Chief Connelly noted that a policy is being set up for injury notification.

i. Monthly EMS Medical Billing/Stark Report/Charge Detail Report
The EMS billing from 60-90 days is at 11.3%. Hartz did not feel comfortable with that rate, although EMS has noted in the past that 13% is the average for 60-90 days. There was a discrepancy with the charges of Date of Services and Hartz asked for clarification on the report.

j. Monthly Fire Department Activity Report/EMS reports
The Fire Department is transporting half of the calls.

k. Monthly Paratech Report
The report indicates that Paratech wasn't available four times. In those cases, the Fire Department crews are called out to transport.

l. Thank you cards/letters

- To all mutual-aid departments for Elm Street fire
- Thank you from Spring Grove Fire
- Thank you notes from Alderman Wall and Gelting on Elm Street fire
- Thank you cards to customers

Chief Connelly told the Commission that after every service call, the Fire Department sends a thank you note to the families.

m. Items to be forwarded to city council
Monthly reports, airboat repair, Countywide Resolution.

10. Police Department Business:
Approval of bills for the Month of December 2015, operating in the amount of $11,331.49, Capital in the amount of $2,562.53; for a total of $13,894.02.
Approval of the bills for the month of January 2016, operating in the amount of 230,487.33, Capital in the amount of $5,604.42, for a total of $236,091.75.
Pollard motioned to approve the bills for the month of December 2015 and bills for the month of January 2016, Jordan seconded. Roll call: Bittner-Y, Gramm-Y, Pollard –Y, Jordan-Y, Hartz- Y. Motion carried 5-0.
Chief Rasmussen noted that accounts 11-21-00-5305 Data Processing, 11-21-00-5380 Police Special Investigations, and 11-21-00-5450 Phoenix Support Contract are high because some annual bills were paid out of these accounts including the annual Lexipol Manual and Morphotrak fingerprint yearly contracts. The Phoenix Contract was paid at a higher rate than initially quoted and the Police Department will get reimbursed for that discrepancy.
2015 will close out in March. Hartz asked if the wage resolutions had already been placed in the 2016 budget. Chief Rasmussen stated they were included in the 2016 budget.
Police and Fire Commission expense account 11-21-00-5190 was over budget and Commissioner Hartz wondered why all the expenses were on the Police Department budget. They should be distributed between the Fire Department and the Police Department. Communications was also over budget because of the new carpet in the dispatch center. Hartz was interested in the process of Tuition and Books and how it was decided who gets to attend the classes. Chief Rasmussen noted that in the past officers request schooling at the beginning of the year.

b. Update on Pre-Hearing Conference for Amended Petition for Removal from Office of the City of Lake Geneva Chief of Police Michael S. Rasmussen.

Hartz said a Pre-Hearing Conference was scheduled with the Police and Fire Commission attorney, Chief Rasmussen's attorney and Officer Dyon's attorney but the meeting was postponed and it is currently scheduled for March 2, 2016 via phone.

c. Police Department Annual Report
Chief Rasmussen said this was the first time the report was prepared. Finances will be a separate report next month. Chief Rasmussen asked what the Commission wanted to do with the report and if there were any changes for next year. The Commissioners felt the report was very informative and was nicely prepared. The Commission members felt the report should be shared with the community. The annual report will be posted on the website.

d. 9-1-1 PSAP Routing Study update
The wording has been changed and the terms have been set up with the Sheriff's Office. The City of Delavan will also participate in the study and they are in the process of getting funding for the study. The study will hopefully be done within 2-3 months.

e. Reserve/Booking Officer update
Assistant Chief advised the Commission that there were 27 applicants for the reserve officer position and 22 applicants can test on February 17, 2016. Ten reserves are currently employed and nine of them would work 32 hours a week. This is not a guarantee as they can get hired elsewhere.
With regard to the booking officers, there were 14 applicants and there will be 10 interviews.
Interviews for reserve officers will take place March 7 and 9, 2016 and Booking Officer interviews will take place on March 16, 2016. Commission members are welcome to attend.

f. Reserve and Booking Officer Job Descriptions
Pollard motioned to accept the job descriptions. Bittner seconded. Motion carried 5-0.
The job descriptions were updated.

g. Rescind Leave of Absence for Reserve Officer Lindsey Schauer
Hartz motioned to continue the request to Rescind Leave of Absence for Reserve Officer Lindsey Schauer until a list of reserve candidates is established. Gramm seconded the motion. Motion carried 5-0.

h. Resignation from Reserve Officer Sergio Martini
Gramm motioned to accept resignation of Reserve Officer Sergio Martini. Bittner seconded motion. Motion carried 5-0.

i. Thank you: Lieutenant Gritzner from Town of Geneva
Sally & John Dicmas-house check – No Action/Discussion

j. Donation from Barbara Luoma--Flag
Jordan motioned to accept flag donation from Barbara Luoma. Pollard seconded. Motion carried 5-0.
Chief Rasmussen asked for approval to accept flag donation from Barbara Luoma. Her late husband, Chuck, was on the Police and Fire Commission and helped build the current police department. The flag may be hung in the training room.

k. Monthly activity reports

2016	Dispatch activity for January 2016:	Telephone calls– 2,839	911 Calls–166	Window assists– 760
2015	Dispatch activity for January 2015:	Telephone calls– 3,017	911 Calls–186	Window assists–637
2016	Patrol activity for January 2016:	Calls for service - 1,157	Arrests - 132	
2015	Patrol activity for January 2015:	Calls for service - 1,047	Arrests – 155	

NO ACTION/DISCUSSION

l. Items to forward to City Council
Reports, Annual report,
Flag donation, 911 Update

11. Motion to go into closed session under Wisconsin State Statute 19.85(1)(c), considering employment, promotion, compensation or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility and 19.85(1)(e), deliberating or negotiating the purchasing of public properties, the investing of public funds or conducting other specified public business, whenever competitive or bargaining reasons require a closed session; and Wis. Stats. 19.85 (1)(g) conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved: regarding grievances filed by Officer Dennis Dyon regarding Holiday Pay and Scheduled Vacation (City Attorney Draper).
Jordan motioned to go into closed session. Pollard seconded. Roll call: Bittner-Y, Gramm-Y, Pollard –Y, Jordan-Y, Hartz- Y. Motion carried 5-0 at 8:50 p.m.

12. Motion to return to open session per Wisconsin State Statute 19.85(2)
Gramm motioned to return to open session. Bittner seconded. Motion carried at 9:08 p.m. Roll call: Bittner-Y, Gramm-Y, Pollard –Y, Jordan-Y, Hartz- Y. Motion carried 5-0 at 9:08 p.m.

13. Discussion and action on closed session items if needed.
Bittner motioned to deny grievance 2016-1 regarding Holiday Pay to include Thanksgiving, Christmas Eve, Christmas, New Year's Eve and New Year's Day to be placed into compensatory time-off bank. Pollard seconded. Roll call: Bittner-Y, Gramm-Y, Pollard–Y, Jordan-Y, Hartz- Y. Motion carried 5-0.
Gramm motioned to deny grievance 2016-3 regarding placing 15 days vacation back into the vacation bank to be used at a later date, Jordan seconded. Roll call: Bittner-Y, Gramm-Y, Pollard–Y, Jordan-Y, Hartz-Y. Motion carried 5-0.

14. Agenda items for the next regular meeting March 10, 2016.
Reserve Officer Lindsey Schauer
Update prehearing conference
Routing study PSAP

15. Adjourn
Bittner motioned to adjourn meeting, Pollard seconded. Motion carried 5-0 at 9:12 p.m.

Respectfully submitted,

Cindy Papenfus
Administrative Assistant

c: Police Chief
Fire Chief
Commissioners-file
Commission Liaisons
City Administrator
City Clerk
City Comptroller
Council Members – Mayor

MINUTES NOT OFFICIAL UNTIL APPROVED AT THE NEXT POLICE AND FIRE COMMISSION MEETING

CITY OF LAKE GENEVA
PLAN COMMISSION MEETING
MONDAY, FEBRUARY 15, 2016 - 6:30 PM
COUNCIL CHAMBERS, CITY HALL

MINUTES

1. **Meeting called to order by Mayor Connors at 6:30 pm.**

2. **Roll Call**

Present:	Al Kupsik, Doug Skates, Cindy Flower, Tyler Frederick
Also Present:	Planner Mike Slavney, Atty. Dan Draper, Mayor Connors, Administrator Oborn, Inspector Robers and Assistant Gregoles
Not Present:	John Gibbs, Sarah Adams

3. **Approve Minutes of December 21, 2015 Plan Commission meeting as distributed.**

   MOTION #1
   Kupsik/Skates moved to approve the minutes of December 21, 2015 Plan Commission meeting as distributed.
   The motion carried unanimously.

4. **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 five (5) minutes.** - None

5. **Acknowledgment of Correspondence.** - None

6. **Downtown Design Review.**

   A. **Application by Elizabeth Chappell for Americuts, 511 Broad Street, Lake Geneva, WI 53147 for a new exterior menu board sign on the storefront at Tax Key No. ZOP 00029.**

   DISCUSSION
   Inspector Robers gave an overview of the application details and there was a brief discussion with the Commission.

   MOTION #2
   Kupsik/Flower moved to approve the application by Elizabeth Chappell for Americuts, 511 Broad Street, Lake Geneva, WI 53147 for a new exterior menu board sign on the storefront at Tax Key No. ZOP 00029.
   The motion carried unanimously.

   B. **Application by Elizabeth Chappell for Lake Geneva Art Museum, 513 Broad Street, Lake Geneva, WI 53147 for a new exterior menu board sign on the storefront at Tax Key No. ZOP 00029.**

   DISCUSSION
   Inspector Robers gave an overview of the application details and there was a brief discussion with the Commission.

   MOTION #3
   Kupsik/Flower moved to approve the application by Elizabeth Chappell for Lake Geneva Art Museum, 513 Broad Street, Lake Geneva, WI 53147 for a new exterior menu board sign on the storefront at Tax Key No. ZOP 00029.
   The motion carried unanimously.

7. **Review and Recommendation on an Application for Site Plan Review for landscape alteration filled by Dan Winkler, City of Lake Geneva, 626 Geneva Street, Lake Geneva, WI 53147 for the front lawn and fountain area at the Riviera, 812 Wrigley Drive.**

DISCUSSION
Dan Winkler/City of Lake Geneva and Jim Cruthers/Grand Geneva gave an overview of the application details and there was a brief discussion with the Commission. For the record the Mayor stated that he is a member of the Beautification Committee but the city attorney Dan Draper does not see this as a conflict of interest for voting purposes.

MOTION #4
Kupsik/ Frederick moved to approve the application for Site Plan Review for landscape alteration filled by Dan Winkler, City of Lake Geneva, 626 Geneva Street, Lake Geneva, WI 53147 for the front lawn and fountain area at the Riviera, 812 Wrigley Drive, and to include any staff recommendations. The motion carried unanimously.

8. **Public Hearing and recommendation on a Conditional Use Application filed by Liquid Capital dba Melges Car Wash, 1100 S Edwards Blvd., Lake Geneva, WI 53147, for the installation of an electronic message center on a freestanding monument sign located at 1100 S Edwards Blvd., Tax Key No. ZA456600003.**

DISCUSSION
Hans Melges owner and applicant gave an overview of the application details and there was a brief discussion with the Commission. The new sign will have the ability to be tied to the city for bad weather alerts or police amber alerts. Melges suggested that this should be a consideration for any LED lighted signs that go up in the city as it is a nice safety feature.

PUBLIC SPEAKERS – None

MOTION #5
Kupsik/Mayor Connors moved to close the public hearing. The motion carried unanimously.

MOTION #6
Kupsik/ Mayor Connors moved to approve the recommendation on a Conditional Use Application filed by Liquid Capital dba Melges Car Wash, 1100 S Edwards Blvd., Lake Geneva, WI 53147, for the installation of an electronic message center on a freestanding monument sign located at 1100 S Edwards Blvd., Tax Key No. ZA456600003 and to include any finding of facts and staff recommendations. The motion carried unanimously.

9. **Review and Recommendation on an Application for Land Division Review for a Certified Survey Map submitted by GPC Real Estate LLC, PO Box 400, Libertyville, IL 60048 for land located Wells Street and North Bloomfield Road, Lake Geneva, WI 53147, Tax Key Nos. ZGM 00001 thru ZGM 00109.**

DISCUSSION
Inspector Robers gave an overview of the application details and there was a brief discussion with the Commission.

MOTION #7
Kupsik/Skates moved to approve recommendation on the application for Land Division Review for a Certified Survey Map submitted by GPC Real Estate LLC, PO Box 400, Libertyville, IL 60048 for land located Wells Street and North Bloomfield Road, Lake Geneva, WI 53147, Tax Key Nos. ZGM 00001 thru ZGM 00109, to include all staff recommendations.
The motion carried unanimously.

10. Public Hearing and recommendation on a Planned Development (PD) for a new residential Final Plat and onsite club house/amenity center for Symphony Bay, filed by Taylor Morrison of Illinois, Inc., 1834 Walden Office Square, Suite 300, Schaumburg, Illinois 60173 for property located South of Townline Road, North of Bloomfield Road and East of Edwards Blvd. Lake Geneva, WI 53147, formally known as Southland Farms Subdivision, Tax Key No's to be assigned.

DISCUSSION

Rick Zirk of Taylor Morrison gave an overview of the application details, including a power point slide show and there was a discussion with the Commission to clarify several points of interest and concern. City Planner Slavney provided a letter dated February 15, 2016 with 8 items for review and compliance by the applicant regarding the zoning flexibility for the single family lots in Symphony Bay. Specifying that the approval of those items of zoning flexibility for the Duplex lots should wait until specific floor plans and the resulting required setbacks are submitted for City approval. Several items were discussed as conditional approvals for a final motion including but not limited to garage setbacks, further staff review of the recreation center and engineering review of steep drainage ditch slopes, etc.

PUBLIC SPEAKER #1 –Terri O'Neill, 954 George Street, LG

O'Neill voiced his density concerns with regards to the lots being too small.

PUBLIC SPEAKER #2 –? Shroeder, 1151 Townline Rd - Unit 101, LG

Shroeder voiced his concerns of what the existing Towline Road area will look like after this development goes in.
Shroeder also questioned where the construction entrances would be? (Reply – Bloomfield Rd)
In addition he brought up concerns regarding the dangers at the intersections at Townline Road and the need for a traffic light.

MOTION #8

Kupsik/Skates moved to close the public hearing. The motion carried unanimously.

MOTION #9

Kupsik/Skates moved to approve recommendation on a Planned Development (PD) for a new residential Final Plat and onsite club house/amenity center for Symphony Bay, filed by Taylor Morrison of Illinois, Inc., 1834 Walden Office Square, Suite 300, Schaumburg, Illinois 60173 for property located South of Townline Road, North of Bloomfield Road and East of Edwards Blvd. Lake Geneva, WI 53147, formally known as Southland Farms Subdivision, Tax Key No's to be assigned, including recommendations contained in letters from Nielson Madsen & Barber S.C. dated February 10, 2016, Kapur & Associates dated February 12, 2016 and Vanderwalle & Associates dated February 15, 2016, the condition that the Final Building Plans for the Club House / Amenity Center and Duplex Units be approved by the Plan Commission at a future meeting, the Subdivision entrance signs be set back from the property line a distance equal to the height of the sign, a note be added to the Plat stating that garages will be equal or set back from the building/porch front plane, and final approval from Nielson Madsen & Barber S.C. for the grading and storm water management plans. *(Letters mentioned in this motion are attached to these minutes.)*

Amendment by Mayor Connors/Flower to have both sets of engineering firms review the slope of the East West running drainage ditches and to limit all construction traffic to the entrance on Bloomfield Rd. The amendment carried unanimously.

The original motion incorporating the above amendment carried unanimously 5/0

11. Adjournment

MOTION #11

Skates/Flower moved to adjourn the meeting at 8:10 pm. The motion carried unanimously.

/s/Jackie Gregoles, B&Z Administrative Assistant

THESE MINUTES ARE NOT OFFICIAL UNTIL APPROVED BY THE PLAN COMMISSION

Nielsen Madsen & Barber S.C.
Civil Engineers and Land Surveyors

February 10, 2016

Mr. Tom Foht, City Engineer
City of Lake Geneva
626 Geneva Street.
Lake Geneva, WI 53147

RE: Symphony Bay Subdivsion
Lake Geneva, Wisconsin

Dear Mr. Foht:

We have reviewed the Site Grading, Erosion Control and Drainage plans dated January 12, 2016 along with the Stormwater Management Plan dated December 29, 2015 for the Symphony Bay Subdivision in Lake Geneva in accordance with Chapter 66 and 78 of the Lake Geneva Ordinances and the "Engineering Design Standards". Our comments are limited to the above items. We did not review the subdivision plat, the sanitary sewer or watermain plans. We were not provided project specifications or storm sewer design calculations so these items were likewise not reviewed. The following comments are based upon our review:

STORM WATER MANAGEMENT PLAN

Runoff from drainage Areas 1 and 2 should be the identical from the pre-developed to post-developed conditions.

Include the Tc information on the proposed conditions storm water drainage exhibit (SWMP 2).

Provide the retention basin routing calculations for the 100-year plugged conditions through the emergency overflow.

a. Verify that the Class 1, Type B Coconut Mat meets the overflow discharge velocity.

The proposed retention basin design has a high water fluctuation (8.3') with little freeboard (0.2'). Recommend reducing the fluctuation as allowable and increase the freeboard to a minimum of one foot (1.0') from the 100-year storm event to the invert elevation of the emergency overflow.

1458 Horizon Blvd, Suite 200, Racine, WI 53406
Ph: (262) 634-5588 * Fax: (262) 634-5024
www.nmbsc.net

The retention basin outlet velocities are very high (>12 fps) and the outlet is very close to the subdivision's easterly property line (±20') and an offsite wetland / pond area. Recommend reconfiguring the discharge location to dissipate energy prior to leaving the property.

Provide rip rap sizing calculations for the 36" diameter retention basin discharge pipe.

Because the retention berm is constructed mostly from fill, ensure that the retention basin berm is able to withstand the high water elevation.

Provide a minimum of one foot (1.0') of depth from the bottom deck of the retention basin outlet control structure to the 100-year storm elevation.

Recommend tie bolting together the last three (3) pipe sections for all outlet storm sewers. Provide tie bolt detail.

Provide the sedimentation basin calculations for the initial grading phase of the site.

SUBDIVISION PLANS ("TD" SHEETS) General Comments

Provide typical details for all types of storm sewer catch basins and storm manholes.

SHEET TD-1

- Benchmarks are listed. Indicate location on an overall plan (perhaps PH-1).

SHEET TD-2

- Underdrains are listed as unperforated. Details on TD-9 indicate both perforated and unperforated underdrains. Please clarify.

SHEETS TD-3 thru TD-8

- No Comments

SHEET TD-9

- Details indicate both perforated and unperforated underdrains. Please clarify.

SHEET TD-10 and TD-11

- No Comments

SHEET TD-12

- Pond slopes below the safety shelf are 3:1. The maximum allowable slope is 4:1 (at least to a depth of six feet (6.0') below normal water level).
- The "back" slope of the pond is shown at 3:1. The maximum allowable is 4:1.

SHEET IN-1 and PH-1

- No Comments

GRADING PLANS ("GP" SHEETS) General Comments

It appears that the lowest adjacent grades for lot lines from the finished yard grade are intended to be 0.5 feet. There are numerous instances where the lowest adjacent yard grade is approximately an inch lower than 0.5 feet. The yard grades should be adjusted to 0.5 feet or the standard adjusted to 0.4 feet below finished yard grade.

The designation of "L/O" and "W/O" should be in a legend (4.0 feet for L/O and 9.0 feet for W/O) or simply add the additional grade to each lot pad. This way there is no confusion when it comes time to build and permits are being submitted.

Many references to match lines are missing or erroneous (i.e. G-5 instead of GP-5).

SHEET GP-1

- The lot grade for Lot 18 is higher than Lot 17 even though Lot 18 is at the low point of the road.
- The slopes on the ditch behind Lots 1 - 5 exceed 4:1.
- The slopes on the ditch behind Lots 24 - 26 exceed 4:1.
- There is a swale in the back yard of Lots 287 - 288. It is generally preferred to keep the swales on the lot lines so that owners do not fill them in.
- The slopes for the "hole" behind Lots 189 - 190 exceed 4:1.
- Verify intersection grades at the southeast corner of Bowling Way and Capella Way and the southeast corner of Capella Way and Gallant Drive. They appear to be too flat (< 0.5%).
- Storm sewer on Lots 81 - 85 may not be within the easement as it is not following or parallel to the lot lines.

SHEET GP-2

- The slopes on the ditch behind Lots 176 - 178 and 187 exceed 4:1.
- There is over 300 feet between inlets on Ballad Drive and Rossini Drive. Provide calculations indicating these inlets are "capturing" enough of the drainage and not bypassing too much to the next downstream inlet.

- The slopes on the ditch, to the Endwall, behind Lots 315 and 330 exceeds 4:1.
- Verify intersection grades at the northeast corner of Ballad Drive and Harmony Way (West intersection) and the northwest corner of Ballad Drive and Harmony Way (East intersection) and the "cul-de-sac" of Harmony Way. They appear to be too flat (< 0.5%).

SHEET GP-3

- The slopes for both ponds exceed 4:1.
- The back slopes outside the proposed trail system exceed 4:1.
- Add the High Water Elevation to the pond.
- Raise the lot grades for Lots 166 and 167 so that the basement elevation will be two feet (2.0') above the high water elevation (per Design Standards).
- Verify there is a minimum one percent (1%) slope on the North side of Lot 167.

SHEET GP-4

- The slopes behind Lots 25 and 26 exceed 4:1.
- There is over 300 feet between inlets on Bowling Way. Provide calculations indicating these inlets are "capturing" enough of the drainage and not bypassing too much to the next downstream inlet.
- The spot grades between Lots 261 and 262 are missing.
- The FYG and TOW grades are missing from Lot 273.
- Verify intersection grades at the northwest corner of Bowling Way and Gallant Drive, the southeast corner of Cadence Circle and Soprano Drive and the northeast corner of Debussy Drive and Soprano Drive. They appear to be too flat (< 0.5%).

SHEET GP-5

- Verify there is a minimum one percent (1%) slope South of Lot 225 and that this drainage is intended to drain from the back of curb down the rear lot line.
- Verify intersection grades at the northeast corner of Harmony Way and Cadence Circle, the northeast corner of Rossini Drive and Harmony Way, the northeast corner of Beethoven Drive and Sonata Way and the northwest corner of Sonata Way and Harmony Way. They appear to be too flat (< 0.5%).

SHEET GP-6

- The slopes South and East of the Recreation / Amenity Center site and Lift Station exceed 4:1.
- Verify intersection grades at the southeast corner of Cadence Circle and Canon Drive. They appear to be too flat (< 0.5%).

SHEET GP-7

- Verify the drainage between Lots 225 and 53 is intended to drain from the back of curb down the rear lot lines.

SHEET GP-8

- The slopes South and East of the Recreation / Amenity Center site and Lift Station exceed 4:1.

SHEET GP-9

- The spot grade between Lots 155 and 156 is higher than the FYG for Lot 156.

ROAD AND STORM SEWER PLANS ("RS" SHEETS) General Comments

The storm sewer system cannot be reviewed at this time as calculations were not provided.

Indicate the location of detectable warning fields in the sidewalk at all road crossings.

The vertical curve "K" values need to be adjusted to meet the City of Lake Geneva's minimum requirements for either minor or collector streets.

Please contact me if there any questions or concerns.

Very truly yours,

Mark R. Madsen, P.E., P.L.S.

MRM/alj

Cc: Daniel M. Janke, Kapur & Associates
Paul VanHenkelum, Kapur & Associates
Gregory L. Governatori, Kapur & Associates

File 2016 docs/2016.0011.01/Correspondence/ Review Letter to KAPUR(2-10-2016)

February 12th, 2016

Mr. Ken Robers
Building & Zoning Administrator
City of Lake Geneva
626 Geneva Street
Lake Geneva, WI 53182

RE: **Symphony Bay Subdivision**
Lake Geneva, Wisconsin

Dear Mr. Robers:

Kapur & Associates, Inc. has received the review comments from Nielsen Madsen & Barber S.C. for Symphony Bay Subdivision and we have the following responses to those comments. The Construction Plans and Storm Water Management Plan will be revised accordingly and resubmitted for final approval. The comments from the letter have been reproduced in their original format with our responses to each comment written below.

STORM WATER MANAGEMENT PLAN

Runoff from drainage Areas 1 and 2 should be the identical from the pre-developed to post-developed conditions.
While the overall drainage area and runoff curve numbers are identical for both sub-catchments in the proposed and existing conditions, the routing through the proposed development is included in the time of concentration calculations, resulting in an increased peak runoff rate in the proposed condition.

Include the Tc information on the proposed conditions storm water drainage exhibit (SWMP 2).
The Tc information has been added to the proposed conditions exhibit SWMP 2.

Provide the retention basin routing calculations for the 100-year plugged conditions through the emergency overflow.

a. Verify that the Class 1, Type B Coconut Mat meets the overflow discharge velocity.

With a plugged condition, the spillway has a discharge rate of 49.75 cfs at a velocity of 1.94 fps and a depth of flow of 0.51'. This correlates to a shear stress of 7.9 lbs/sf. The Class III Type D currently specified will function at the spillway, however heavy duty rip rap will be added to the the back side of the berm to protect the slope.

The proposed retention basin design has a high water fluctuation (8.3') with little freeboard (0.2'). Recommend reducing the fluctuation as allowable and increase the freeboard to a minimum of one foot (1.0') from the 100-year storm event to the invert elevation of the emergency overflow.
The concrete weir in the outlet control structure has been lowered 1' to allow for a little over 1' of freeboard between the 100 year peak elevation and the emergency spillway elevation.

The retention basin outlet velocities are very high (>12 fps) and the outlet is very close to the subdivision's easterly property line (±20') and an offsite wetland / pond area. Recommend reconfiguring the discharge location to dissipate energy prior to leaving the property.
The discharge pipe angle will be adjusted to allow for adequate energy dissipation.

Provide rip rap sizing calculations for the 36" diameter retention basin discharge pipe.
Rip Rap sizing calculations will be provided.

Because the retention berm is constructed mostly from fill, ensure that the retention basin berm is able to withstand the high water elevation.
Embankment is to be placed in compacted lifts per the State Standard Specifications. A Clay liner is required up to the 100 year peak elevation and a clay anti-seep collar is required at the outlet pipe trench.

Provide a minimum of one foot (1.0') of depth from the bottom deck of the retention basin outlet control structure to the 100-year storm elevation.
The bottom of the concrete deck will be 875.00 and the 100 year peak elevation with the revised outlet structure will be 873.97 allowing for 1.03' of separation.

Recommend tie bolting together the last three (3) pipe sections for all outlet storm sewers. Provide tie bolt detail.
A Tie Bolt Detail will be added to the plans.

Provide the sedimentation basin calculations for the initial grading phase of the site.
Sedimentation Basin calculations have been completed per Technical Standard 1064 and will be provided.

SUBDIVISION PLANS ("TD" SHEETS) General Comments

Provide typical details for all types of storm sewer catch basins and storm manholes.
These details were already provided on sheets TD-9 and TD-10.

SHEET TD-1

- Benchmarks are listed. Indicate location on an overall plan (perhaps PH-1).
  Locations of project benchmarks will be added to the Index Sheet IN-1.

SHEET TD-2

- Underdrains are listed as unperforated. Details on TD-9 indicate both perforated and unperforated underdrains. Please clarify.
  The notes on the details have been revised to indicate only unperforated underdrains. There are no perforated underdrain proposed.

SHEETS TD-3 thru TD-8

- No Comments

SHEET TD-9

- Details indicate both perforated and unperforated underdrains. Please clarify.
  The notes on the details have been revised to indicate only unperforated underdrains. There are no perforated underdrain proposed.

SHEET TD-10 and TD-11

- No Comments

SHEET TD-12

- Pond slopes below the safety shelf are 3:1. The maximum allowable slope is 4:1 (at least to a depth of six feet (6.0') below normal water level).
  Flatter slopes beneath the spillway will result in warmer water temperatures and increased algae growth. The DNR Technical Standard 1001 states that the maximum allowable slope is 2:1.
- The "back" slope of the pond is shown at 3:1. The maximum allowable is 4:1.
  The maximum allowable slope for the back of berm is 2:1 per DNR Technical Standard 1001. A 3:1 slope was used in some areas to minimize the impacts to the existing trees along the eastern property line.

SHEET IN-1 and PH-1

- No Comments

GRADING PLANS ("GP" SHEETS) General Comments

It appears that the lowest adjacent grades for lot lines from the finished yard grade are intended to be 0.5 feet. There are numerous instances where the lowest adjacent yard grade is approximately an inch lower than 0.5 feet. The yard grades should be adjusted to 0.5 feet or the standard adjusted to 0.4 feet below finished yard grade.
The standard is 0.5 feet. The discrepancies are likely due to the rounding of the FYG to the nearest tenth of a foot. We will adjust any FYG's that are less than 0.5' above the sideyard.

The designation of "L/O" and "W/O" should be in a legend (4.0 feet for L/O and 9.0 feet for W/O) or simply add the additional grade to each lot pad. This way there is no confusion when it comes time to build and permits are being submitted.
The legend has been revised accordingly.

Many references to match lines are missing or erroneous (i.e. G-5 instead of GP-5).
Match lines have been revised accordingly.

SHEET GP-1

- The lot grade for Lot 18 is higher than Lot 17 even though Lot 18 is at the low point of the road.
  The FYG for lot 18 is revised to 895.6.
- The slopes on the ditch behind Lots 1 - 5 exceed 4:1.
  The back slope of the ditch is at 3:1 to avoid additional tree removal. Slope is 4:1 within the lot area.
- The slopes on the ditch behind Lots 24 - 26 exceed 4:1.
  Slopes are adjusted to 4:1.
- There is a swale in the back yard of Lots 287 - 288. It is generally preferred to keep the swales on the lot lines so that owners do not fill them in.
  The swale will be shifted to the rear of the lots.
- The slopes for the "hole" behind Lots 189 - 190 exceed 4:1.
  The back slope is at 3:1 to avoid wetland impacts.
- Verify intersection grades at the southeast corner of Bowling Way and Capella Way and the southeast corner of Capella Way and Gallant Drive. They appear to be too flat (< 0.5%).
  The curb grades will be adjusted to assure a minimum of 0.5%.
- Storm sewer on Lots 81 - 85 may not be within the easement as it is not following or parallel to the lot lines.
  The storm sewer is within the easement area. It does not fall directly on the lotline as we are trying to reduce the amount of structures needed.

SHEET GP-2

- The slopes on the ditch behind Lots 176 - 178 and 187 exceed 4:1.
  Slopes are adjusted to 4:1.
- There is over 300 feet between inlets on Ballad Drive and Rossini Drive. Provide calculations indicating these inlets are "capturing" enough of the drainage and not bypassing too much to the next downstream inlet.
  Under the design event, less than ½ of the lane is inundated. Bypass flows to sag points on Rossini and Ballad provide less than ½ of the lane inundation.
- The slopes on the ditch, to the Endwall, behind Lots 315 and 330 exceeds 4:1.
  Steeper slopes are required here to allow for adequate cover over the concrete flared end section. We will flatten the slope down to the top of end section.
- Verify intersection grades at the northeast corner of Ballad Drive and Harmony Way (West intersection) and the northwest corner of Ballad Drive and Harmony Way (East intersection) and the "cul-de-sac" of Harmony Way. They appear to be too flat (< 0.5%).
  The curb grades will be adjusted to assure a minimum of 0.5%.

SHEET GP-3

- The slopes for both ponds exceed 4:1.
  The interior pond slopes are 4:1 with the exception of the area beneath the safety shelf as discussed in previous response.

- The back slopes outside the proposed trail system exceed 4:1.
  A maximum of 3:1 slope was used to minimize impacts to the trees along the property line. Per the DNR Technical Standard a slope of 2:1 can be utilized on the back slope of the berm. Slopes will be matted appropriately.
- Add the High Water Elevation to the pond.
  The 100 year elevation has been noted on the plan sheet.
- Raise the lot grades for Lots 166 and 167 so that the basement elevation will be two feet (2.0') above the high water elevation (per Design Standards).
  Lot grades will be raised to 785.00 minimum.
- Verify there is a minimum one percent (1%) slope on the North side of Lot 167.
  Side yard will drain directly North down to the pond.

SHEET GP-4

- The slopes behind Lots 25 and 26 exceed 4:1.
  Slopes are adjusted to 4:1.
- There is over 300 feet between inlets on Bowling Way. Provide calculations indicating these inlets are "capturing" enough of the drainage and not bypassing too much to the next downstream inlet.
  There is a high point at station 93+97.31 and the inlets are within 200' of this point.
- The spot grades between Lots 261 and 262 are missing.
  Spot Grades have been added between the lots.
- The FYG and TOW grades are missing from Lot 273.
  Missing FYG and TOW elevations have been added to lot 273.
- Verify intersection grades at the northwest corner of Bowling Way and Gallant Drive, the southeast corner of Cadence Circle and Soprano Drive and the northeast corner of Debussy Drive and Soprano Drive. They appear to be too flat (< 0.5%). *The curb grades will be adjusted to assure a minimum of 0.5%.*

SHEET GP-5

- Verify there is a minimum one percent (1%) slope South of Lot 225 and that this drainage is intended to drain from the back of curb down the rear lot line.
  The drainage is correct as shown. This is the overland flow path for the low point in the road, in the event that the inlets should ever plug or there is a larger storm than the design event.
- Verify intersection grades at the northeast corner of Harmony Way and Cadence Circle, the northeast corner of Rossini Drive and Harmony Way, the northeast corner of Beethoven Drive and Sonata Way and the northwest corner of Sonata Way and Harmony Way. They appear to be too flat (< 0.5%).
  The curb grades will be adjusted to assure a minimum of 0.5%.

SHEET GP-6

- The slopes South and East of the Recreation / Amenity Center site and Lift Station exceed 4:1.

The back slope of the ditch is at 3:1 to minimize impacts to the existing trees. Slopes will be matted appropriately.

- Verify intersection grades at the southeast corner of Cadence Circle and Canon Drive. They appear to be too flat (< 0.5%). *The curb grades will be adjusted to assure a minimum of 0.5%.*

SHEET GP-7

- Verify the drainage between Lots 225 and 53 is intended to drain from the back of curb down the rear lot lines.
  The drainage is correct as shown. The intent is to assure positive drainage in the back yard of lot 52.

SHEET GP-8

- The slopes South and East of the Recreation / Amenity Center site and Lift Station exceed 4:1.
  The back slope of the ditch is at 3:1 to minimize impacts to the existing trees. Slopes will be matted appropriately.

SHEET GP-9

- The spot grade between Lots 155 and 156 is higher than the FYG for Lot 156.
  The spot grade is correct, however the FYG for lot 156 is revised to 897.2.

ROAD AND STORM SEWER PLANS ("RS" SHEETS) General Comments

The storm sewer system cannot be reviewed at this time as calculations were not provided.
Storm sewer calculation have been completed and will be submitted with the revised plans.

Indicate the location of detectable warning fields in the sidewalk at all road crossings.
Detectable warning fields will be installed per the detail on sheet TD-6. Station and offset notes will be added to the plan sheets to indicate location.

The vertical curve "K" values need to be adjusted to meet the City of Lake Geneva's minimum requirements for either minor or collector streets.
Per the WisDOT Facilities Development Manual, we utilized minimum "K" values for collector streets as 49 for sag curves and 48 for crest curves assuming a 35 mph design speed. Similarly for minor streets, assuming a 30 mph design speed we utilized a minimum of 37 for sag curves and 31 for crest curves. All of the vertical curves either meet or exceed these "K" values. There are a few curves that have flatter tangents and the vertical curves can actually be shortened to reduce the flatness in the curve while maintaining the minimum "K" value.

If you have any questions regarding the comments or responses provided, please feel free to contact me in the office at (262) 758-6014 or by email at djanke@kapurinc.com.

Sincerely,

KAPUR & ASSOCIATES, INC.

Daniel M. Janke, P.E.
Project Engineer

C: Dan Winkler, City of Lake Geneva
Mark R. Madsen, P.E., P.L.S., Nielsen Madsen & Barber S.C.

VANDEWALLE & ASSOCIATES INC.

To: City of Lake Geneva

From: City Planner, Michael A. Slavney, FAICP

Date: 15 February 2016

Re: List of Zoning Flexibilities for the Single Family lots in the Symphony Bay Planned Development

---

The Planned Development should enable the following items of zoning flexibility for the Single-Family Lots in Symphony Bay:

1. A reduction of minimum lot size for the single-family lots from 9,000 square feet in SR-4 to 6,000 square feet in Symphony Bay.
2. A reduction of minimum lot width for the single-family lots from 75 feet in SR-4 to 50 feet in Symphony Bay.
3. A reduction of minimum street frontage for the single-family lots from 50 feet in SR-4 to 35 feet in Symphony Bay.
4. A reduction of minimum side yard setbacks for the single-family lots from 6 feet in SR-4 to 5 feet in Symphony Bay for the 50 feet wide lots.
5. A reduction of minimum combined side yard setbacks for the 50 foot wide single-family lots from 15 feet in SR-4 to 10 feet in Symphony Bay.
6. A reduction of minimum combined side yard setbacks for the 50 foot wide single-family lots from 15 feet in SR-4 to 10 feet in Symphony Bay.
7. A reduction of minimum dwelling unit separation setbacks for the single-family lots from 12 feet in SR-4 to 10 feet in Symphony Bay.
8. Establish a maximum height for entry features of twenty feet.

Approval of items of zoning flexibility for the Duplex Lots in Symphony Bay should wait until specific floor plans, and the resulting required setbacks, are submitted for City approval.

120 East Lakeside Street • Madison, Wisconsin 53715 • 608.255.3988 • 608.255.0814 Fax
342 North Water Street • Milwaukee, Wisconsin 53202 • 414.421.2001 • 414.732.2035 Fax
www.vandewalle.com

Shaping places, shaping change

SYMPHONY BAY

MONDAY FEBRUARY 15, 2016
PLANNING COMMISSION MEETING

FOR AGENDA ITEM # 10 SYMPHONY BAY

SEE SEPARATE WHITE BINDER WITH EXTENSIVE DETAILS

1 IS FILED WITH THE ANNUAL ORIGINAL COPY BINDERS

AND

1 IS FILED WITH THE TAX KEY FOLDER FOR THE PROPERTY.

Board of Park Commissioners

Doug Skates - President

Alderman Al Kupsik | Lynn Hassler | Barb Hartigan
Brian Olsen | Peggy Schneider | Dave Quickel
John Swanson | Mayor Jim Connors

Director of Public Works Daniel S. Winkler, P.E., Secretary

City of Lake Geneva 626 Geneva Street Lake Geneva, WI 53147-1914
www.cityoflakegeneva.com **Phone: (262) 248-3673**

MINUTES OF THE 6:00 PM FEBRUARY 3, 2016 MEETING

City Hall 2nd Floor Room 2A

Call to Order:

The Board of Park Commissioners meeting was called to order by President Skates at 6:00 PM. Secretary Winkler read the roll.

Roll Call:

President Doug Skates ___exc__, Lynn Hassler __X ___, Barb Hartigan _exc__, Peggy Schneider __X __, Dave Quickel ___late__, John Swanson ___X __, Ald. Al Kupsik ___X __, Brian Olsen ___X ____, Mayor Jim Connors ___X__. (6 then 7 Total).

Staff & Aldermen Present:

DPW Daniel Winkler __X___, _____ Street Foreman Neil Waswo, Administrator Blaine Oborn ___X___.

Public Present:

Chris Schultz, Andy Kerwin, Ryan Steltzer.

Approve the Minutes of the Prior Meeting:

It was moved by Mayor Connors to approve the minutes of the prior meeting, and seconded by Commissioner Swanson. The motion passed 6-0.

Public Input:

None.

Permits & Park Donations:

DATE 03/26/16 LOCATION Seminary Park USE Easter Egg Hunt

Acting Chair Kupsik read the permit. It was moved by Mayor Connors to approve, and seconded by Commissioner Swanson. The motion passed 7-0.

DATE 8/13 thru 8/14/16 LOCATION Flat Iron Park USE Art in the Park

Acting Chair Kupsik read the permit. It was moved by Mayor Connors to approve, and seconded by Commissioner Quickel. The discussion was the same fees as charged in the past and extra trash cans will continue. The motion passed 7-0.

DATE 8/16 thru 8/22/16 LOCATION Library Park, Flat Iron Park, Seminary Park USE Venetian Festival

Acting Chair Kupsik read the permit. It was moved by Chair Kupsik to approve, and seconded by Commissioner Swanson. The discussion was that the fees as already paid will be charged with the balance waived. Mr. Stelzer mentioned that the fees charged in the past did vary. The motion to include waiver of most fees passed 7-0.

DATE 07/16/16 LOCATION Flat Iron Park-Small Gazebo USE Tienny-Carlson Wedding 3:00 to 5:30 PM

Acting Chair Kupsik read the permit. It was moved by Chair Kupsik to approve, and seconded by Commissioner Olsen. The discussion was the applicant pay all the fees. The motion passed 7-0.

DATE 9/17/16 LOCATION Library Park USE Alzheimer's Walk

Acting Chair Kupsik read the permit. It was moved by Mayor Connors to reserve the date as the application had just shown up with no time for City staff review. The motion was seconded by Chair Kupsik. The motion to reserve the date passed 7-0.

Park Assignments/Repair Update/Maintenance:

Commissioner Quickel brought up the dog bags at the dog park and keeping the boxes refilled.

NEW BUSINESS

Veterans Park Field #5 Pitcher's Mound Quote-Beilfuss

Chair Kupsik shared the quotation from Beilfuss, whose company is already scheduled to re-work the diamond, to build up a pitcher's mound in the amount of $1,650. Foreman Waswo mentioned the Mr. Coolidge of the YMCA indicated a need for the pitcher's mound for youth tournaments scheduled during the summer. It was moved by Commissioner Swanson to approve the request as funded from the same park funds as the rest of the infield work. The motion was seconded by Commissioner Quickel and passed 7-0.

OLD BUSINESS

None.

Future Meeting Agenda Items-March 2, 2016 Meeting.

None.

ADJOURN:

It was moved by Mayor Connors and seconded by Commissioner Hassler to adjourn.

The motion passed 7-0 and the meeting was adjourned at 6:20 PM.

Set Next Meeting Date:

The next regular meeting is scheduled for March 2, 2016.

Respectfully Submitted,

Daniel S. Winkler
Secretary

If anyone finds any inaccuracies, errors or needs to adjust the minutes please call or email me prior to the next meeting.)

Lake Geneva Public Library Board of Trustees Meetings

918 West Main Street Lake Geneva, Wisconsin 53147 (262) 249-5299

Finance Committee

Thursday, February 11, 2016 at 7:30 a.m. (Director's Office)

Present: Kundert, Lafrenz, Oppenlander; Also present: Peterson and Busch

After reviewing outstanding bills, Kundert approved a recommendation to the Library Board to approve $51,340.96 in General Funds for the month of January 2016. There were no expenditures from Donated.

Board of Trustees Meeting

Thursday, February 11, 2016 at 8:00 a.m.

Minutes

Call to order

Oppenlander called the meeting to order at 8:09 a.m.

Roll Call

Members present: Brookes, Kersten, Kundert and Oppenlander; Also present: Peterson

Adoption/Amendment of agenda

Oppenlander asked for a motion to adopt the agenda as proposed. Kundert made a motion to adopt the agenda. Kersten seconded. Motion carried unanimously.

Disposition of minutes of previous regular meeting and any intervening special meeting(s)

Oppenlander asked for a motion to approve the minutes of the January 14, 2016 meeting. Peterson recommended that under President's Report, the minutes be revised to correct the reappointment of Kundert by the Walworth County Board of Supervisors to "Bloomfield Township" instead of "Linn Township." Also, Peterson asked that the expenditures under Finance Committee minutes and Board meeting minutes both be reported the same at $67,532.10. Brookes made a motion to approve the minutes with the two amendments as proposed. Kundert seconded. Motion carried unanimously.

President's Report

Oppenlander acknowledged that the Board did not have a quorum and all motions will be re-approved at the March 10, 2016 meeting.

Oppenlander reported on the meeting of the Ad Hoc Committee on Benchmarks on February 10, 2016. Discussion followed. Oppenlander recommended a meeting with Lakeshores Library System Administrator Steve Ohs. Discussion followed. It was agreed that the Ad Hoc Committee and any other interested Board members will meet with Steve Ohs on Tuesday, February 23 at 2:00 p.m. at the Library.

Oppenlander introduced the Employee Performance Evaluation Form recently proposed by the City to move toward merit based pay increases. Discussion followed. It was suggested that the Personnel Committee (Brookes, Boilini, Jones, Oppenlander and Lafrenz) schedule a meeting before March 31, 2016 to determine the next steps for library personnel.

Oppenlander led a discussion on the first two sessions of "Short Takes for Trustees", a series of videos produced by the American Library Association. Discussion followed. Oppenlander noted that the hand-

outs to support the next two sessions which will be discussed at the March 10 meeting are included in the February packet.

Building & Grounds
Brookes reported on the work of the Friends' Ways & Means Committee to approve a contract for the magazine aisle furniture. It is anticipated that the new furniture and the restoration of the heritage furniture will be completed in time for the Annual Meeting of the Friends in April.

Peterson reported on the roof inspection by Sarnafill representative scheduled after a leak in the public internet area. It was recommended that the roof and scuppers be cleared of snow and debris on the next warm day. A more thorough inspection will be conducted at that time.

Peterson reported that patrons have complained about the ice under the snow, even though Granite Ridge plows the sidewalk along Highway 50. The Streets Department responded that citizens are concerned about the salt getting in their dogs' paws. The Streets Department provided the Library with two bags of salt for the sidewalk. Discussion followed. It was agreed that the Board will ask our maintenance staff to salt the sidewalk from Wrigley to Madison in moderation on an as needed basis.

Finance
Kundert made a motion to approve $51,340.96 in General Fund expenditure for the month of January 2016. Brookes seconded. Motion carried unanimously. There were no expenditures from Donated.

Kundert reviewed the most recent update of the Library's 2015 Operating Budget. Discussion followed.

Director's Report
Peterson reported on service statistics which reflect a typical decrease of check-outs and door count based on winter months.

Peterson reported on the resignation of a Library Assistant I and the posting of the vacancy this past week.

Peterson reported on a recent experience with a patron at the Circulation Desk who challenged Board policy.

Peterson reported that staff is working on the 2015 Annual Report due February 29, 2016.

Peterson reported on two new partnerships in the community.

Peterson reported on the upcoming Black Point Program featuring key pieces from the estate archives on February 24 at 6:30 p.m.

Adjournment
Oppenlander asked for a motion to suspend the agenda due to length of meeting. Kundert made a motion to suspend the agenda. Brookes seconded. Motion carried unanimously. Oppenlander asked for a motion to adjourn. Brookes made a motion to adjourn at 10:05 a.m. Kundert seconded. Motion carried unanimously.

Next Meeting: Thursday, March 10, 2016 Respectfully submitted, Chris Brookes, Vice President

Lake Geneva Historic Preservation Commission Meeting Minutes

February 11, 2016 6:30 p.m. at Lake Geneva City Hall

President Ken Etten called the meeting to order at 6:30 p.m. at Lake Geneva City Hall

Present: Ken Etten, Patrick Quinn, Mary Tanner, Louise Rayppy, and Jim Davis. Jackie Getzen and Elizabeth Chappell were absent. Michael Rehberg was there representing Black Point. Also Dr. Alana Platt from UW-Whitewater.

Approval of minutes of Historic Preservation Commission Meeting of January 14, 2016.

Comments from the public: None

Reports from the Geneva Lake Area Museum and the Maple Park Homeowners.
Some Maple Park homeowners suggested that the museum have some events in the evening, so they are able to attend.

"Tuesdays @ Two"

March 15th: Watch Our Garden Grow: Black Point Director Dave Desimone shares the 1901 Benson Plan being proposed to renew the spectacular gardens of this estate.

"Sitting is an Art" Chair Exhibit

April 16, 2016 thru January 16, 2017

Update on the Geneva Lake Theater Building.
On February 8th, the City Council unanimously approved a resolution to go forward with negotiations with Shad Branen, Burlington, who has a contract to buy the theater. His plans are to totally renovate the building and use it as a theater.

Review of recent bills, invoices and the current balance in the LGHPC account. The current balance as of 2/11/2016 is $6,170.25.

Update and discussion regarding content to be included in the new I-phone app version of A Historic Lake Geneva Walking Tour and a possible android version currently being created by Dr. Alana Platt and the staff at UW-Whitewater Innovation Center.
Dr. Platt attended our meeting and we had a discussion concerning what and how we are going to put together our walking tour on an app. Dr. Platt will return for our next meeting in March with a phototype of our walking tour. Jim Davis volunteered to take new colored photos of the houses that are in the walking tour booklet.

Discussion re: A Historic Lake Geneva Walking Tour booklet, including any new information regarding future walking tours from David Desimone and/or Michael Rehberg. Michael was there to provide us with his input concerning the set up of our walking tour app.

Report on the update of the Lake Geneva Historic Preservation Commission website at www.historyoflakegeneva.org. We discussed about having an e-mail address on the new I-phone app for comments, info@historyoflakegeneva.org address would apparently work and we could even forward the e-mails on. The names of our members have been updated on our website.

Update from Patrick Quinn regarding the nomination of Oak Hill Cemetery as a National and/or Local Historic Site, including any additional research information and input on Oak Hill Cemetery and H.W.S. Cleveland. No new information.

Discussion re: potential new projects and promotional ideas for the LGHPC, including updating sign on Dunn Lumber Building, future "Tales of Lake Geneva", educational programs, and updates on our website www.historyoflakegeneva.org. Dunn Lumber has no objection to the restoration of the Pillsbury sign. But they will not fund it. We will have to get estimates about restoring the sign. Will have another "Tales of Lake Geneva" after Memorial Day.

Review of recent Plaque Program applications and information from the Wisconsin Historical Society, National Trust for Historic Preservation, the Society of Architectural Historians, the Wisconsin Association of Historic Preservation Commissions and Traditional Building & Period Homes magazines. No new plaques have been issued.

Meeting adjourned at 8:00 P.M.

Respectfully submitted,

Louise Rayppy