

**REGULAR CITY COUNCIL MEETING
MONDAY, JULY 13, 2015 – 7:00 PM
COUNCIL CHAMBERS, CITY HALL**

Mayor Connors called the meeting to order at 7:00 p.m.

The Pledge of Allegiance was led by Alderman Chappell.

Roll Call. Present: Mayor Connors, Aldermen Chappell, Wall, Kordus, Hill, Gelting, Kupsik, Hedlund, Howell. Also Present: City Administrator Oborn, City Attorney Draper, Assistant City Clerk Gunderson.

Awards, Presentations, and Proclamations.

City Administrator Oborn gave a presentation on the Municipal Facts 14 Finance and Demographics from the Wisconsin Taxpayers Alliance Report.

Re-consider business from previous meeting. None.

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.

Mike Frazier, 444 Eugene Dr, spoke on behalf of the Lake Geneva Symphony Orchestra. Mr. Frazier requested the city waive the fees for their application on the agenda.

Acknowledgement of Correspondence. None.

Approval of Minutes

Kordus/Hedlund motion to approve Regular City Council Meeting minutes of June 22, 2015, as prepared and distributed. Unanimously carried.

Consent Agenda

Park Reservation Permit application filed by Frank Staab for a graduation party at Cobb Park on July 18, 2015 from 11:00 am to 7:00 pm (*recommended by the Board of Park Commissioners on July 1, 2015*)

Request for Temporary Extension of Licensed Premises filed by Chad Bittner on behalf of Next Door Pub & Pizzeria, 411 Interchange North, to include parking lot area behind the restaurant during the “Next Door Pub & Pizzeria 10 Year Anniversary Party” on Saturday, September 12, 2015 from 10:00 am to midnight

Renewal “Class A”/Class “A” Liquor & Fermented Malt Beverage License application filed by New World Wine Inc d/b/a New World Wine Shop, 830 W. Main St, Unit I, Jerry Sibbing, Agent, contingent upon payment of all outstanding liabilities and delinquencies with the City of Lake Geneva and wholesaler invoices, and clearance of any Department of Revenue holds

Original Class “B” / “Class C” Fermented Malt Beverage and Wine License application filed by Good Vibes LLC d/b/a Good Vibes, 234 Broad Street, Samantha Strenger, Agent, contingent upon payment of all outstanding liabilities and delinquencies with the City of Lake Geneva and wholesaler invoices, and clearance of any Department of Revenue holds

Alcohol License Premises Extension application filed by Good Vibes LLC d/b/a Good Vibes, 234 Broad Street, Samantha Strenger, Agent, for sidewalk café area

Original 2015-2016 Operator’s (Bartender) License application filed by Robyn Smith, Hayden Yakes, Riley Oman, Jeanette Cecce, and Misty Jurs

Renewal 2015-2016 Operator's (Bartender) License applications filed by Christine Boelkow-Meye, Andrew Wisnowski, Jacquelyn Corpus, Scot Effenheim, and Lynette Bychowski, Morgan Tisa, Shannon McDonoug, Jessica Tesch, Ryan Lasch, and Athena Lorono

Renewal of Massage Establishment application filed by The Therapeutic Touch LLC, 601 W. Main Street

Kupsik/Kordus motion to approve. Unanimously carried.

Items removed from the Consent Agenda

Park Reservation Permit application filed by Mike Frazier on behalf of the Lake Geneva Symphony Orchestra to use Flat Iron Park and the Brunk Pavilion for a concert on August 2, 2015 from 1:30 pm to 4:30 pm (recommended by the Board of Park Commissioners on July 1, 2015)

Kordus/Howell motion to approve charging only the \$25.00 application fee, \$40.00 parking stall blocking fee, and the \$100 refundable security deposit. Alderman Kordus stated the symphony is an asset to the City of Lake Geneva and is open to the public as well as nonprofit. Alderman Hill feels there has been a lot of headway made recently in regards to the fees and does not recall the council coming to a conclusion of charging everybody. Although, the reality is there are some exceptions which make it difficult. Ms. Hill said the fees are a standard cost of business. She questioned where they are at as a council on this issue and would like to speak about it at Committee of the Whole to get the Council on the same page as to what will or will not be charged.

Mayor Connors stated he agrees with Ms. Hill that they need to track what events serve public purpose. He added they could do a resolution so the issue is not discussed every year. Mr. Kupsik stated Mr. Frazier only asked for the pavilion and park fee be waived. Mr. Connors stated he assumes the \$100 security deposit would still be collected, which Mr. Kordus confirmed as it would be refundable. Alderman Wall asked if the Council votes to waive the fees for the orchestra, will it be done for all nonprofit organizations. He noted they recently told the Park Board to start charging all fees and now feels the Council is back pedaling by eliminating the charges. Mr. Connors explained one of the metrics the Park Board uses is deciphering if the group is a local nonprofit organization and if the event is for a fundraising purpose. In this case, it is mainly to share the music with the public. Ms. Hill pointed out this would imply the Park Board is considering the application, which further implies the application has been submitted to the clerk's office. Staff is being told to collect fees in full with the application. She stated Council and staff need to be on the same page and if accounting is a hassle, it will need to be looked at further.

Alderman Kordus said these are on a case by case basis. They do not need to discuss what happens at the clerk's office, just that they need to collect the fees and it is up to the Park Board and Council to make any decisions on waivers. He does not want anything being waived by city staff. Ms. Hill stated that is exactly her point. There are events that have not paid for 30 years and now have to pay. Mayor Connors stated the conversation will be continued at a later time.

Roll Call: Kordus, Hill, Gelting, Kupsik, Hedlund, Howell voted "yes." Motion carried 6 to 2 with Aldermen Chappell and Wall voting "no."

Park Reservation Permit application filed by Jesus and Andrea Sanchez to use Flat Iron Park and the Brunk Pavilion for a wedding ceremony on August 15, 2015 from 7:00 am to 5:00 pm (recommended by the Board of Park Commissioners on July 1, 2015)

Kordus/Kupsik motion to approve. Alderman Hill pointed out the application is a slippery slope with regard to private events. Originally the applicant requested more benches than the city had in stock; and further requests the Street Department to set up the benches in a particular manner. She does not agree with the city providing this service as the city is not a wedding planner. She questioned if it is a good idea to reserve prime parking stalls in front of the Riviera for private events. Ms. Hill is very concerned with this application as to where it takes the city with regard to private events. Mayor Connors explained the applicant has since rented chairs from a private company and has been approved for a reduced number of parking spaces. Alderman Chappell asked why it matters if a private event purchases the parking. Ms. Hill stated it is discouraging to day trippers and residents. Mr. Connors commented it would not be to the benefit of everyone in the city. Alderman Wall asked if they are using the whole park or a portion of it. Mr. Connors confirmed it was only a portion of the park. Alderman Kupsik added requesting parking spaces on a weekend is not a precedent he would like to set. He also feels a request for that many benches and amenities is excessive; and suggested a rental company would be the proper way to move forward in the future. He stated perhaps the Park Board should set a

precedent with regard to the number of amenities that can be reserved. Alderman Gelting stated the spaces requested were odd and the Parking Supervisor is doing what is expected to remedy the issue.

Roll Call: Chappell, Wall, Kordus, Gelting, Kupsik, Hedlund, Howell voted “yes.” Motion carried 7 to 1 with Alderman Hill voting “no.”

Finance, License and Regulation Committee Recommendations – Alderman Kupsik

Discussion/Action on contract with Labyrinth HealthCare Group for the PatientCare health benefit including the incentive program (recommended by the Personnel Committee on July 2, 2015)

Kupsik/Howell motion to approve. Alderman Kupsik stated if you refer back to the minutes from the Personnel meeting, the Council spoke favorably of this particular plan. If approved, the program would start August 1. The consultants have recommended they also adopt the incentive portion that rewards employees who choose cheaper alternatives. The employee would recoup 20% of the savings per event as taxable income on their paycheck. The company is a health advocate and gives the employee someone to turn to for help in finding a doctor, making appointments and providing assistance when a claim is not being paid. The cost is \$4.50 per employee with about 75 covered employees and retirees on the plan. The company data shows the program pays for itself. City Administrator Oborn stated this is one of the 3 steps in the education component of the health changes. Alderman Hedlund was impressed with the presentation the company did about 3 months ago; and feels it goes hand in hand with the changes the city is trying to make to keep costs down. Alderman Hill agreed. She thanked the employee task force for all of their work; and asked if they would be meeting again. Mr. Oborn stated there is a meeting scheduled with the task force and consultants.

Roll Call: Chappell, Wall, Kordus, Hill, Gelting, Kupsik, Hedlund, Howell voted “yes.” Unanimously carried.

Discussion/Action on payment in the amount of \$9,250 for services rendered by Springsted Inc (recommended by the Personnel Committee on July 2, 2015)

Kupsik/Gelting motion to approve. Alderman Kupsik said there was a lengthy conversation during FLR on this topic. There are services completed but a number of outstanding items. He feels the city does owe the company something and can always hold back on final payment until all services have been rendered. Alderman Kordus stated this is half of the bill. There was a commitment made by Springsted that they would look at reducing the cost. The discount shown is the credit for all of the participating municipalities, not for the city’s dissatisfaction with the workmanship or the timeliness of the report. He does not think this is a fair payment for the work received. Alderman Hill stated Alderman Gelting made a critical point that this is intellectual property. She does not feel it is right for the city to use the intellectual property provided by Springsted without any payment. She is very displeased with the timeframe and quality of work but the city does owe them something. Ms. Hill noted if the city is considering signing another contract with them, they will not do anything without payment on this bill. She asked Mr. Oborn what the timeline is for full completion minus the Utility Commission. Mr. Oborn stated he is hoping to have everything by the 2016 budget cycle with an end date of November 2015. Mayor Connors is in support of paying this portion. Ms. Hill stated the adjustment is a group rate which does not satisfy or cover the level of service that has been provided. Mr. Kordus stated he was not suggesting paying them nothing for the services rendered, just holding payment until renegotiating a final amount. Work was done but he objects to the amount. Alderman Wall stated in November it will be 2 years since the original request was made. He agrees with giving them something but is against rewarding them with another contract for the Utility Commission. Mr. Connors feels there is responsibility on both ends. Alderman Hedlund stated the city did not even make a deposit. In the contract, there is not a penalty for late delivery and feels the money is owed. The city should just pay and move on. Mr. Oborn stated this was in the 2014 budget but was not rolled forward so it will come from the 2015 contingency fund.

Roll Call: Chappell, Hill, Gelting, Kupsik, Hedlund, Howell voted “yes.” Motion carried 6 to 2 with Aldermen Wall and Kordus voting “no.”

Discussion/Action on a 2% increase of the 2016 pay scale (recommended by the Personnel Committee on July 2, 2015)

Kupsik/Hill motion to approve. Mr. Oborn explained this is not a pay increase, but more of a cost of living adjustment. As the scale was done in 2014, this is an adjustment to bring up the lower end of the pay scale. Without adjusting, there are 13 people above the current projected maximum. With the adjustment, the 13 above would drop to 6. Alderman Hill stated the information was already stale by the time it was received. This is not a pay adjustment; it just gives the

Administrator direction for where the city is looking to be as a performance based evaluation is phased in. Alderman Gelting noted the data was called stale due to the lag in receiving the data. He does not know how it could be expected to be more up to date as it would not be available until the end of this year. Ms. Hill commented it does not account for the 1.5% increase that was already approved. Alderman Kordus added he was confused as to why the 1.5% pay increase was tied in to a table as one has nothing to do with the other. When a range is set, it is revisited every few years. He hopes it is not an idea to adjust the scale each time a raise is given. Ms. Hill felt the 1.5% got the employees current. The 2% will earmark as a placeholder for the lowest possible consideration of what might be a cost of living adjustment. Mr. Gelting said this is a compensation study not just of Lake Geneva. The city does not know what increases, reductions, and restructurings took place. Alderman Hedlund believes a baseline is being set where they can build from. Mr. Gelting asked if the company built into the study that the data will be stale by the time it is implemented. Mr. Oborn stated Springsted brought it to his attention and recommended a cost of living adjustment of 2% to 4%.

Roll Call: Chappell, Wall, Kordus, Hill, Gelting, Kupsik, Hedlund, Howell voted “yes.” Unanimously carried.

Discussion/Action on installation of two additional non-motorized racks at the west end pier *(recommended by Piers, Harbors and Lakefront Committee on June 25, 2015)*

Kupsik/Wall motion to approve. Alderman Kupsik stated there is a need with 18 people currently on the waiting list. The racks will be built and installed by the Street Department.

Roll Call: Chappell, Wall, Kordus, Hill, Gelting, Kupsik, Hedlund, Howell voted “yes.” Unanimously carried.

Discussion/Action regarding proposed zoning change and conditional use permit at Potter’s Self Storage, W2309 Townline Road, Lake Geneva, Wisconsin

Kordus/Hill motion to return to Plan Commission. City Attorney Draper stated the city received a notice from the Town of Bloomfield stating they were rezoning the property and asking for conditional use. The city was not sure whether they had zoning powers or not which is why it was put on the agenda. It has now been realized they are going to be coming back for plat approval at Plan Commission. Alderman Kupsik asked if it is in the Town of Bloomfield. City Administrator Oborn stated half is in city and half is not. Mr. Kupsik asked if it is treated as a normal conditional use application or extraterritorial and who has the rights to make the approval. Mr. Draper stated it is an extraterritorial plat approval with the same process as any other extraterritorial plat approvals the city receives. It goes through the Town of Bloomfield, and to the County, who will not allow the plat to be approved until the city approves it.

Roll Call: Chappell, Wall, Kordus, Hill, Gelting, Kupsik, Hedlund, Howell voted “yes.” Unanimously carried.

Presentation of Accounts – Alderman Kupsik

Purchase Orders. None.

Kupsik/Hedlund motion to approve Prepaid Bills in the amount of \$25,401.20.

Roll Call: Chappell, Wall, Kordus, Hill, Gelting, Kupsik, Hedlund, Howell voted “yes.” Unanimously carried.

Kupsik/Gelting motion to approve Regular Bills in the amount of \$651,871.30. Alderman Hill questioned the Lake Geneva Regional News bill. She does not feel the city should be running ads for people to book the Riviera. She does not want to be in the advertising or wedding business. Alderman Kupsik questioned the GAI consultants bill. He wondered that since there are 2 engineering companies on staff, how much longer GAI has on their contract. Mayor Connors stated that they are finishing up the street improvement program for this year so there is continuity with the project. All new projects are going to the new company.

Roll Call: Chappell, Wall, Kordus, Hill, Gelting, Kupsik, Hedlund, Howell voted “yes.” Unanimously carried.

Mayoral Appointments. None.

Adjournment

Kordus/Gelting motion to adjourn at 8:04 p.m. Unanimously carried.

/s/ Stephanie Gunderson, Assistant City Clerk

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