

**REGULAR CITY COUNCIL MEETING
MONDAY, AUGUST 24, 2015 – 7:00 PM
COUNCIL CHAMBERS, CITY HALL**

Mayor Connors called the meeting to order at 7:01 p.m.

The Pledge of Allegiance was led by Alderman Hill.

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

Awards, Presentations, and Proclamations.

Mayor Connors thanked the Lake Geneva Emergency Government, Police, Fire and Street Departments for all their efforts with recent tornado.

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 be limited to 5 minutes.

Mary Jo Fesenmaier, 955 George Street, commented on the notice regarding the Hillmoor property. She thanked the Plan Commission and Council for noticing the public within 300 feet. She commented on item 12b; stating it is not within the comprehensive plan, and changing is not in harmony with the neighborhood. If the historic nature of the house is in question, she requested the least they can do is make a motion to continue to fully examine all the alternatives and historic nature before a decision is made.

Terry O'Neill, 954 George Street, thought the timing of placement of the agenda items had been done deliberately. He said not one parent spoke in favor of the parking lot. He felt the Plan Commission ignored the citizens' wishes and requested the Council put an end to this issue. If Council approves, Mr. O'Neill stated he will do whatever he can to require an approved vote of the City's electorate to change, alter or amend the City's comprehensive plan to enable the City's residents to determine the City's future, not an out of control city government.

Penny Roherer, 951 South Lakeshore Drive, spoke on items 12a, b and f. She noted the vote on the change by the Plan Commission was close, with a divided vote. She urged the Council to do the right thing and overturn the vote. There will be less green space with a parking lot. She felt the safety of the children will not be resolved with a parking lot. Ms. Roherer stated all the neighbors at the Plan Commission stated the owner said the school district came to him and the owner was beginning to remodel the first floor so he could live there. She questioned why the owner would suddenly stop and thought it was because he received an offer he could not refuse. She felt the school district is not listening to its neighbors and should withdraw their request.

Ed Yeager, Water Street, as former Plan Commissioner, Alderman and Council President, said he is deeply concerned with this administration's actions and their determination to change the character of the City. He felt the agenda featured troubling and controversial items. Once the history and character is destroyed, it cannot be brought back. Mr. Yeager also commented on the TIF district and thought the report's cover letter sounded like a disclaimer. He questioned if anyone will suggest closing TIF 4. Everyone has been apprised that a 9.3 million fund balance far exceeds project proposals, and by state statute requires termination. He feels this administration has little concern for the taxpayers and the law. The discretionary funding line item shows 2.8 million already spent with a suggestion that 1.4 million is still available for projects being proposed. He feels discretionary funding is used for non-eligible or possible levy cap issues.

Sypro Condos, 1760 Hillcrest Drive, stated a comprehensive plan is a guideline. It's put together because they never stay intact; they are amended as society changes. The needs of government and the school administration's rules and regulations change as needed. The Council will amend this as society changes. Laws are changed just like our comprehensive plan. Schools have to change with safety, as there are a lot of issues today that are different than 5 or 10 years ago. He stated there is an excellent architect to make it esthetically pleasing. Along with the school comes parking. Just like along with businesses comes parking. He stated our schools are doing an excellent job with

upgrading and safety. Mr. Condos is in favor of the parking lot, and said if one child can be saved by adding a parking lot, it's worth it.

Becky Bueller, Principal at Central Denison Elementary, explained schools are constantly trying to find ways to make things better children and families. As a building, Central-Denison has a concern for safety for the children and the convenience for families. The parking proposal is an opportunity that could go a long way in trying to help with those concerns. It would provide fewer cars on the street and more opportunities for parents to attend. She thanked the Council for taking the time for this issue.

David C. Williams, 1629 Evergreen Lane, heard that no one who is not connected with the school voted in favor of this proposal. Mr. Williams read a letter he sent to the Council. He noted he purchased a residence in the area in 1998. He put a lot of time and effort into restoring the residence which now operates as a bed and breakfast. He noted not every residence that is old and located in the historic district is worth saving. He requested the Council vote in favor of the change. He noticed there is a shortage of parking for parents who drop off or pick up children. The additional parking can be utilized on the weekend and in the summer when tourist parking is at a maximum. He stated this should be approved as it is reasonable.

Maureen Marks, 834 Dodge Street, requested the Council vote no to the comprehensive plan change. She noted if the parking lot was truly a safety issue, parents would have attended the meeting in mass numbers. She felt this is setting a precedent to the owners in the Maple Park district to not maintain their homes so that the school will buy them at a premium. She suggested changing the direction of the streets to one way Monday through Friday during the school year in lieu of the parking lot. There are 6 designated spots on the outside of the proposed parking lot. Parents have those 6 spots with a 1 hour limit. People still have to cross Cook Street to use these designated spots or the proposed parking lot. She noted there will be major drainage and water pooling problems on Cook Street and in the alley on the north side of the proposed lot as the land is extremely pitched. She questioned if the City will be forced to reconstruct the alley. She also believes there will be a loss of sunlight at 827 Wisconsin Street. She questioned who will enforce the traffic flow.

Bee Dale, 955 Mobile Street, stated she lived in the area her entire life. She went from having children in school to serving on the City Council and listening to all of the complaints and suggestions to solve this problem. She was the Mayor and heard a lot of complaints about the parking. She wished people would talk about a building that is old, not historic. Times change, conditions must change. She drove for the bus company for 18 years going in and out of that school. She was there in a private car taking timing and watching conditions and feels there needs to be a solution. We talk about what Chicago does and then say we don't want to be them. Let us be ourselves, and do what is best for us.

Melanie Brady, 225 Ridge Road, was a teacher and stated they have systems in place regarding drop off with staff members assisting children. Part of what is attractive to residents and tourists is the certain charm of the historic downtown. If the rules are changed, she is concerned about what happens when the next one falls and there is a domino effect. She does not know if offsetting the charm of the downtown and gaining 30 parking spots will balance. She questioned why more parking has to be added now if the school population has not expanded.

Mark Immer, 821 Wisconsin Street, received a copy of the community report written by Dr. James Gottinger, Superintendent of Schools. Mr. Immer stated the purchase price of the house is \$170,000, a demolition contractor is \$35,000 and \$50,000 for a paving contractor. The house was built in the late 1800s with stucco that possibly contains asbestos, which would cost even more to remove that when demolishing. He noted the architect did not include drainage. He stated the sidewalk at the alley is two inches lower than the sidewalk at Wisconsin Street, so water will not flow to Wisconsin Street. This could potentially cost \$15-\$20,000 to put in a drain. What started out at \$255,000 could be up to \$295,000. He explained this would be \$10,000 per space. Mr. Immer urged the Council to vote no.

Ken Etten, 1109 Wisconsin Street, has lived there for 30 years and is the President of the Historic Preservation Commission. He expressed the Commission's opposition to the comp plan change. The house at 833 Wisconsin Street predates the school and is a contributing structure to the historic district. In the past the Historic Preservation Commission was notified of any demolition or major changes. However, recently they have not been notified and are curious of the procedure change. He does not want to see the City setting this precedent without following the historic preservation procedures. He feels this is a twofold problem; it is addressing the parking for teachers and the safety of

children. He referred to the chaos on Cook Street and is concerned how wedging a 30 car parking lot would make it safer for children. Mr. Etten suggested the City and school board look at a more definitive parking and traffic flow study.

Charlene Klein, 817 Wisconsin Street, felt it is a very short time to study this proposal. Up until the public hearing, residents had limited time to speak with the Aldermen. She questioned what will be gained and what will be lost. The City will gain 30 stalls but it is not enough for all the teachers and not enough to address the safety problems. The City will lose tax revenue, utility revenue, and a quarter of a million dollars of publicly funded school revenue. As there are already timed designated spaces, perhaps the time should be limited further from an hour to 15 minutes. Since the lot will not be metered, there will be no revenue generated. The value of the surrounding properties will drop by placement of a public parking lot. The loss of protection of citizens and essence of the city will also be lost. This will cause a loss of the contributing structure to the National Maple Park Historic District. She feels the municipality does not recognize the historic district as a landmark district. She spoke with an attorney from the State Preservation Office who indicated the residence is listed on the State and National Register of Historic Places as a contributing property within the Maple Park Historic District. Being listed as a contributing property in no way diminishes that property's general status as listed on the State or National Register. She also received correspondence from Congressman Ryan.

Jim Gottinger, Superintendent of Schools, thanked the Council members for considering their request. Mr. Gottinger asked them to consider the parking lot and appreciates the time taken. It is a one issue item for them, which is child safety. He believes they have done a good job to make the school an enhancement to the historical district. He stated safety has always been an issue. He noted the school does have more kids now than 15 years ago, but not more than it did 10 years ago. It will probably never house more children because it cannot hold more. The school district has made the three buildings look good in the downtown district. He hopes the Council will vote yes.

Barbara Dinen, 500 South Edwards Blvd #59, expressed concern about the proposal and urged the Council to vote for it. She taught the children of many of the people in attendance. She feels the house is blight and if she thought it should be preserved, she would say so.

Demetric Condu, 101 Summerhaven Lane, said she is a kindergarten teacher in the district and a full time resident of Lake Geneva. The lot will move teachers' cars off the streets and give families more proximal parking to the school. They would gain visibility to the Cook and Wisconsin Street intersection. She noted the school has over 700 students. Open enrollment increases the amount in the school district. If the district wants to be considered as a desirable open enrollment option, they have to be accessible for pickup and drop off. Growth within the schools means growth in the community. Standards of care and responsibility have changed. She encouraged the Council to vote yes.

Bill Henry, Architect with Kehoe, Henry & Associates, spoke on behalf of the school district. He stated the comp plan has already changed. It has been amended over time from single family use. The bed & breakfast is zoned planned development. The property at 816 Wisconsin Street is zoned neighborhood business and has a commercial operation. There are two contemporary apartment buildings across the street from the property in question, and the multifamily use is not permitted in either the comprehensive plan or the SR4 District. The 833 Wisconsin building is currently used as a 3 unit which is also nonconforming. He said later in the meeting the Council will be voting on another bed and breakfast that will potentially be moving into the district. That area will continue to be commercial and multifamily as businesses push back. Mr. Henry noted this will not solve all the problems, but it is a start. He explained that the cross gable style of the house is not unique to the historic district. All but one or two are occupied by their Lake Geneva resident owners. The school will work with the Parking Commission as the project moves forward. He noted one condition is the City Engineer needs to approve the drainage plan. The teachers arrive before the busses and parents arrive, so that minimizes the amount of traffic at those particular times. They also leave at various times well after classes are dismissed. In regard to the historic value of that structure, it is identified as a contributing building but to give that structure the same status as Stone Manor is not appropriate. As mentioned earlier, there are other properties that are better examples of the cross gable style.

Warren Flitcroft, Business Manager for Lake Geneva Schools, has been with the school district for 27 years. Over the years they have looked at all the properties behind the school. When this property came available, documentation was given to the Mayor stating the owner came to the school. This board and boards before have looked at it over and

over. This site will be used for many years. He stated it is needed and the school is not going away. The school building will be there for at least another 40 years. He encouraged the Council to vote for this proposal.

Acknowledgement of Correspondence.

City Clerk Waswo stated the City received an email from Lou Kagan on August 21 proposing the teachers park at Eastview Elementary School with a shuttle to Central Denison. The City received an email from Debbie Massion on August 2, and an email from Kathy Waldeck on August 23 both opposing the parking lot. The City received a letter from Casey Schiche on behalf of Care for Lake Geneva on August 24 requesting the Council respect the voices of Lake Geneva citizens and vote against changing the comprehensive plan. City Clerk Waswo received a protest petition from Virgil & Sharon Wuttke and David Shlensky on August 24, opposing the amendment to the comprehensive plan. On August 24, the City received a letter from Maureen Marks requesting a no vote to change the comprehensive plan. Ms. Waswo stated she received a copy of an email on August 24, sent to Alderman Gelting requesting he oppose the rezoning for a parking lot.

Approval of Minutes

Kupsik/Gelting motion to approve Special City Council Meeting minutes of July 24, 2015 and Regular City Council Meeting minutes of August 10, 2015, as prepared and distributed. Unanimously carried.

Consent Agenda

Temporary Class “B” Retailer’s License application filed by Geneva Lake Arts Foundation for the sale of fermented malt beverages during the Art Exhibit Opening Reception at 647 W. Main Street on August 28, 2015 from 6:00pm to 8:00pm

Temporary Operator License application filed by Linda McLean on behalf of the Geneva Lake Arts Foundation for the Art Exhibit Opening Reception at 647 W. Main Street on August 28, 2015

Original Class “A”/“Class A” Intoxicating Liquor and Fermented Malt Beverage License application filed by Hare Krishna Liquor Inc d/b/a Geneva Liquor, 797 Wells Street, Lake Geneva, Devdatt Patel, Agent, contingent upon payment of all outstanding liabilities and delinquencies with the City of Lake Geneva and wholesaler invoices, clearance of any Department of Revenue holds by all parties, and contingent upon H&P Enterprises LLC d/b/a Geneva Liquors surrendering their license

Original Class “A”/“Class A” Intoxicating Liquor and Fermented Malt Beverage License application filed by SA Enterprises LLC d/b/a QuickNSave, 1231 Grant Street, Lake Geneva, Amrik Singh, Agent, contingent upon payment of all outstanding liabilities and delinquencies with the City of Lake Geneva and wholesaler invoices, clearance of any Department of Revenue holds by all parties, and contingent upon QuickNSave LLC d/b/a QuickNSave surrendering their license

Original 2015-2016 Operator’s (Bartender) License applications filed by Melissa Froemming and Alyssa Olsen

Renewal 2015-2016 Operator’s (Bartender) License applications filed by Justin Davis, Jay McNulty, Melissa Reiherzer, Gail Rempert, Judith Tapson and Andrew Wesolowski

Original Taxi Driver License application filed by Brandon Frank (Approved by Police Chief; informational only)

Hill/Wall motion to approve. Unanimously carried.

Items removed from the Consent Agenda

Temporary Class “B”/Class “B” Retailer’s License application for the sale of fermented malt beverages and wine filed by the Lake Geneva Business Improvement District for Taste of Lake Geneva on September 12, 2015 from 10:00am to 5:00pm in Flat Iron Park

Kupsik/Kordus motion to approve with time change from 10:00am to 6:00pm. Unanimously carried.

Finance, License and Regulation Committee Recommendations – Alderman Kupsik

Discussion/Action on approval of 2016 Budget timeline and goals

City Administrator Oborn stated there was a suggestion to amend the Friday, October 2 meeting time.

Kupsik/Wall motion to approve budget timeline with change of time for the October 2 meeting to 3:00pm - 5:00pm. Unanimously carried.

Kupsik/Gelting motion to approve the goals of the budget process. Alderman Hill noted she was concerned saying yes to all these goals when they are subject to change, specifically #8 and the compensation study. Mr. Oborn stated he is used to budgeting raises at the beginning and noted there are a lot of variables involved with the compensation study. Ms. Hill asked Mr. Draper what the motion actually does. Mr. Draper stated Mr. Oborn is setting aside goals that are not necessarily binding and noted the Council is not holding themselves to anything. Alderman Kordus was in agreement with Ms. Hill.

Kordus/Hill motion to amend budget goals item #8 to state budget for employee pay increases. Alderman Wall felt nothing is set in stone. It is great to have goals and would like to leave it as it is. Alderman Gelting agreed with Mr. Wall and said they could do that with each of the contingencies. The document is viewed as guidance for the City Administrator. Alderman Kupsik does not feel there is anything binding to it. Mr. Oborn stated if they want to give direction now, he could load it in at the beginning, otherwise he will say 0%. Alderman Kordus stated this could be listed as a conversation starter, however, it would be seen as a level of expectation.

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

Roll Call on Main Motion with Amendment: Chappell, Wall, Kordus, Hill, Gelting, Kupsik, Hedlund, Howell voted “yes.” Unanimously carried.

Discussion/Action on renewal of CD in the amount of \$463,302.57 plus interest, maturing on August 30, 2015 from BMO Harris Bank

Kupsik/Gelting motion to approve renewal with BMO Harris Bank at 0.50% at a 13 month term.

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

Resolution 15-R42, a 2015 budget resolution transferring \$30,762.00 from the Contingency Account to the City Administrator Account for the City Administrator’s salary increase per employee agreement

Kupsik/Gelting motion to approve. Mr. Oborn stated the resolution includes recruitment costs. Alderman Hill asked if it was always the intention to have the money come out of contingency. Mayor Connors stated it was budgeted that way.

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

Discussion/Action on awarding bid to Burris Equipment of Waukegan, Illinois for a Sand Star II groomer for the Veteran’s Park baseball fields in the amount of \$16,410.50 funded from Department of Public Works Equipment Replacement Fund with the YMCA to contribute half of the replacement cost

Kupsik/Wall motion to approve. Alderman Hill was concerned with how desperately the item is needed. She questioned what happened to the current groomer. In FLR Mr. Oborn stated our half of the bill is from the Equipment Replacement Fund, of which this item is not listed and not budgeted for, but there is plenty of money for it. She would like to better understand the need and urgency to purchase a piece of equipment for a baseball field that has not been budgeted. She asked why this would not be on the Equipment Replacement Fund or discussed in capital. Alderman Kupsik explained it was his understanding that the machine is due for replacement in 2015. As in the past, the Lake Geneva YMCA will be paying for half of the replacement cost. Mr. Kupsik said if it was not on the budget, it was on some list for it to be replaced as per the Street Department. A lot of money was just spent to fix up the fields at Veterans Park. They would not ask for a piece of equipment if it was not needed. Mayor Connors added this has been discussed for several years, which is why it was added to the Equipment Replacement Fund. It was slated as a 2015 replacement on the aging schedule. Ms. Hill stated there are a lot of items listed to be replaced but the City cannot afford them all. She questioned why it was not budgeted for if they knew it needed to be replaced and if it can be budgeted for in 2016. Alderman Chappell asked if the one we have broke. Mr. Kupsik said he did not have that information. Alderman Gelting asked if a specific schedule is required on all Public Works equipment list down to

every piece that is owned or is it a list with a Contingency Fund. Mayor Connors explained there is a list with each piece of equipment including its age and expected life. We replace the equipment through borrowing and the Equipment Replacement Fund. Generally they come with a recommendation at the end of the service life. Alderman Kordus noted this item was not discussed at Public Works. It was based off the letter from the Street Department and the YMCA.

Roll Call: Chappell, Wall, Kordus, Hill, Gelting, Kupsik, Hedlund, Howell voted “no.” Unanimously carried.

Kupsik/Hill motion to return the item to Public Works.

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

Discussion/Action on second amendment to the City of Lake Geneva Employee Health Care Plan regarding chiropractic care

Kupsik/Wall motion to deny the second amendment to the Employee Health Care Plan. Mr. Oborn stated this item was lumped in with the specialist care and was not carved out from the specialist fee as discussed in the employee meetings. Alderman Chappell asked what the employee input was. Mr. Oborn stated employees requested \$10 to \$25 and other specialists go from \$10 to \$50. Alderman Kupsik clarified at FLR it was denied to lower payment to \$25 as it currently is \$50. Alderman Kordus stated in the private sector this item is not covered and the City’s usage is 400% above the average. This is a taxpayer expense and that is why we recommended it stay the same. Ms. Chappell stated it may not be used because it is inexpensive but perhaps it is the type of employees using it. The City has many employees with laborious jobs and maybe it should be lowered. Mayor Connors stated last year it was a \$10 copay and this renewal would be a \$50 copay. Alderman Gelting stated the plan was changed at midyear, and there was no way of knowing the modeling and how much it would be to go back to July 1.

Roll Call: Wall, Kordus, Hill, Gelting, Kupsik, Hedlund, Howell voted “yes.” Motion carried 7 to 1 with Alderman Chappell abstaining.

Discussion/Action on Cemetery mapping project proposals

Kupsik/Howell motion to approve with City Attorney review of the contract. Alderman Kupsik noted this will put our cemetery records in a program that will be user friendly and more adaptable to what we have now. Alderman Kordus explained the money was budgeted to the Cemetery Commission for this year. This moves the City into the 20th century, but there still is significant data entry to be done. There is balancing with how much back information should be put into the system. Alderman Hill questioned if people can go online, and where they would go. City Administrator Oborn explained Pontem would house the software with a link from the City website to their website. Mr. Kordus stated they looked at getting estimates at bringing in an intern or using temp services for 2016 and have eliminated piecing it out to current staff or hiring a part time employee. Alderman Kupsik questioned the need for internet access and a computer at the cemetery when no one is there. Mr. Kordus said in order to run the software, they will have to link to that site. If anyone is there, they will need access to look up this information. Mr. Oborn stated the computer is still being evaluated. Mr. Kupsik stated he thought all of this was supposed to be brought into City Hall. Mr. Kordus said it very well could be. Mayor Connors noted Pontem includes two concurrent user licenses.

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

Discussion/Action on acceptance of City of Lake Geneva Tax Incremental District No. 4 Financial Statements through June 30, 2015 and distribution of report to taxing jurisdictions

City Administrator Oborn stated this is not a full audit so there are disclaimers. This is a significant review by experts and provides a lot of direction and advice. The feeling was all the money according to the plan was spent but upon review, the auditors feel we counted 3 million dollars twice as the borrowing is not included. The expenditures were overestimated and the availability of funds, with the complexity of the way amendment 3 was done, used an estimated amount that they knew of expenditures at that time at 10 million through the end of 2009. He thinks the intent was to use the actual expenditures even though they showed 7 million, it was actually 10 million. Those two items showed around 6 million dollars of budget authority or plan amendment authority to spend in this TIF through the end of 2017. The financial statements of the City of Lake Geneva are intended to present the financial position of the change in position of this district. The expenditures through the end of the first two amendments were 10.7 million. The report showed 7 million. Instead of just amending the plan, they basically said here are the expenditures through this date and we want authority for 16 million on top of it. He read a footnote from the auditor that stated as part of the

amendment of 3, the City reported projects costs of \$7,566,046 through April 2009. Based on our analysis, actual project costs including interest and debt issuance cost total \$10,747,504. As the intent of the 2009 amendment, the actual cost as of December 31, 2008 plus amended project costs of \$16,454,200 were used in the district project plan. The recommendation of our auditors is to use it at 27 million. The report does a good job at looking at all of our projects and shows there is around 6,071,981 million of budget spending authority. Overall project costs are under the project plan. Mr. Oborn noted a lot of administrative costs could be pushed out of other funds into this fund and we have not done that. If the plan and the recommendation of the auditor are accepted, the spending authority would be \$6,071,981.

Kordus/Kupsik motion to accept City of Lake Geneva Tax Incremental District No. 4 Financial Statements through June 30, 2015 and distribute reports to other taxing jurisdictions. Alderman Chappell questioned the status of the project plan amendment. Mayor Connors explained they wanted to see where they were at and if they needed to do a project plan amendment. Mr. Oborn said the benefit is when they close it, they have all of the accounting and all of the review. The auditors stamp gives it a lot of validity and answers questions from other jurisdictions and public. Alderman Wall wanted clarification there is 9.3 million in the account now. Mr. Oborn noted it does not include the second installment from the County in August. Mr. Wall asked if the 2.6 million that is projected to be spent encompasses all of the projects we have so far. Mr. Oborn stated there were additional discussions. Mayor Connors stated all the projects need to be under contract before the TIF can be closed.

Alderman Hill felt they were very ill prepared to have the multiple meetings and conversations about amending the project plan and coming up with a list of desired projects. It concerns her that so much time was spent. Every single meeting discussed needing approval from the Joint Review Board. Mayor Connors stated the last audit was done in 2005 and the City has been frugal by not hiring an auditor. Alderman Chappell felt it may be an accounting formality but they had the TIF expert telling them everything they had to do. Now this report is saying something different. She asked if they are sure this person knows what really needs to be done. Mayor Connors explained the City hired the accounting firm that does our audit and they took a look at it and determined that there was \$3 million that was initially misreported. The City borrowed money and we counted the repayment of that borrowing and the expense. The auditor also noted there was a misstatement in amendment 3 where the math was done wrong. There are conflicting numbers in amendment 3. The auditor dissected it and this is what he is telling us. Mr. Connors said the Comptroller thought we were within 5 figures of what we could spend. The auditor went through and found this. Alderman Kupsik stated this audit tells us exactly what we have now, before we had no idea. He asked if providing a financial report to the jurisdictions is a state statute. Mr. Oborn stated annually by state statute. Mayor Connors clarified we have always been required to do the report but staff was attempting to do it on their own. Most municipalities hire their auditor and pay them to do it. Mr. Kupsik asked if this report will go to the jurisdictions every year. Mayor Connors said the auditor can do it every year and take it off staff's hands if they would like. Alderman Hill felt they should have had the information before the meetings. Alderman Kordus stated at the time, we thought we were working with final numbers. Ms. Chappell questioned what they are going to do with the report. Mayor Connors stated it will be brought back and see if the projects we approved are eligible items. If we keep adding to the list they are not going to be attainable.

Hedlund/Howell motion to call to question. Motion carried 6 to 2 with Alderman Chappell and Gelting voting "no."

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

Plan Commission Recommendations – Alderman Kupsik

City Attorney Draper noted that his wife works at Central-Denison School but she would not be gaining anything by this. He said if anyone objections with him giving the Council advice on this topic, he would like to hear them. Mr. Draper explained the process that would be taken.

First Reading of Ordinance 15-08 to adopt an amendment to the City of Lake Geneva Comprehensive Plan

Kupsik/Kordus motion to suspend the rules and go to a second reading of Ordinance 15-08. Alderman Wall stated as much as we discussed this, he believes we should wait and do the second reading next week. Alderman Chappell stated she agrees with Alderman Wall but feels that they are on the fast track.

Motion failed 4 to 4 with Kordus, Hill, Kupsik and Howell voting “yes” and Chappell, Wall, Gelting and Hedlund voting “no.”

Discussion/Action on a Planned Development (PD) including the General Development Plan (GDP) and the Precise Implementation Plan (PIP) filed by William Henry, for the Lake Geneva Joint 1 School District, 208 South Street, Lake Geneva, WI 53147 on behalf of Michael & Kathleen Sebastian, to allow for a Parking Lot at 833 Wisconsin Street, Tax Key No. ZOP 00100 contingent on City Council changing the Comprehensive Plan with the Plan Commission requirements added to include the following: 1) Stop sign added to left turn only sign at alley exit, 2) Fence to end at alley at the extension of last parking space, 3) Detection field added at sidewalk on each side of alley on Cook Street, 4) Stop sign and cross walk sign added at North side of alley at Cook Street, 5) City Engineer to approve drainage plan, and 6) Protect trees along East property line and replace with like species if trees die

Kordus/Wall motion to continue item to the next meeting.

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

Discussion/Action on an application for Land Division Review for a Certified Survey Map submitted on behalf of Potter’s Self Storage LLC, by Farris Hansen & Associates, PO Box 437, Elkhorn, WI 53121 for land located in the extra-territorial plat review area at W2285 Townline Road, Lake Geneva, WI 53147 to include Engineers comments to fix minor items in survey

Kupsik/Hill motion to approve.

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

Resolution 15-R43, authorizing the issuance of a Conditional Use Application filed by Elizabeth & Jeffery Iverson, 365 Elm Street, Elgin, IL, to operate a Bed & Breakfast establishment at 421 Madison Street, Lake Geneva, WI 53147, Tax Key No. ZOP 00091 to include Plan Commission requirements as follows: 1) No outside storage, 2) Guest parking to use two spaces along alley and two spaces in front of garage, and 3) Findings of fact

Kupsik/Howell motion to approve. Alderman Chappell stated from the outcry of that neighborhood, they suggested they do not want any development or commercialization. It does not sound like a good fit for this neighborhood. She would have liked to see the same people who complained about the parking lot also complain about this. Alderman Hill questioned if this would become part of our lodging community and pay room tax. Mayor Connors answered they would. Ms. Hill also asked if the State inspects the property to see if it is ADA compliant and if other permits are required. City Attorney Draper stated the Fire Department reviewed it beforehand and believes there is a license they need to get. Mayor Connors stated in the past they have restricted the conditional use to the existing applicant. When there is a change in hands, they have to come back and ask for a conditional use. Alderman Kupsik stated the owners will be required to live on the property, there was adequate parking and stipulations were included.

Kupsik/Hill motion an amendment to restrict the conditional use to the applicant.

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

Alderman Kordus asked if there a way to restrict this with a timeframe. City Attorney Draper stated there is a way to revoke a conditional use. If it is restricted with a timeframe, it may have to go back to Planning & Zoning for further discussion.

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

Discussion/Action on an application for a Site Plan Review for landscape and parking lot alteration filed by the City of Lake Geneva, 626 Geneva Street, Lake Geneva, WI 53147 for a parking lot located at 255/275 Mill Street, Tax Key No’s ZA312100001 and ZOP 00298 with Staff recommendations

Kupsik/Hill motion to approve. Mayor Connors said by reconfiguring the lot, they gained 18 stalls. Alderman Hill asked if any exceptions were made for the City. Mayor Connors answered no, they followed all the rules.

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

Discussion/Action on setting a Public Hearing date for a Joint meeting of the Plan Commission and City Council on a Comprehensive Plan Amendment application submitted by John Michael Ford for Tempo

Development, Inc., 11921 S. Hobart Street, Palos Park, IL 60464 to change the land use for parcels located at Tax Key No's. ZOP 00001, ZYUP 00001C, ZYUP 00131, ZYUP 00153 from Private Recreation Facilities to Neighborhood Mixed Use with recommendations that hearing be set for a special meeting on October 17, 2015 and notices be sent to property owners within 300 feet of subject properties

Kupsik/Wall motion to set the public hearing date for October 19, 2015 with notices sent to property owners and including the public participation plan in the packet.

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

Resolution 15-R44, to adopt an amendment to the City of Lake Geneva Comprehensive Plan changing the land use of property located at 833 Wisconsin Street, Tax Parcel No. ZOP 00100, from Single Family Residential-Urban to Institutional and Community Services

Hill/Chappell motion to remove agenda item 12 g. City Attorney Dan Draper stated the resolution has already been adopted which is a standard public participation policy we have adopted for all others. However, on this public participation plan we have to incorporate the 300 feet notice for adjoining property owners.

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

Discussion/Action on the City of Lake Geneva joining the application by the developers of Symphony Bay development to vacate, assign, transfer, and convey to owner all of the City's right, title, and interest to all park land, walkways, alleys, and streets right-of-way within approximately 145 acres of the 171 acres under the previous plat for Southland Farms to accommodate the revised lots, park land, walkways, alleys and streets right-of-way configurations under the amended General Development Plan for Symphony Bay development, pursuant to Wis. Stats §§236.43(3) and 236.43(4)(a), and all restrictions imposed under the Plat in favor of the City, pursuant to Wis. Stats., §236.293 for property located on East Edwards Blvd., between Townline Road and Bloomfield Road in the City of Lake Geneva, WI 53147, under Tax Parcel Nos. ZSF 00001 – 00326 (City Attorney Draper)

City Attorney Draper stated at the last meeting there was a discussion approving the general development plan with the City consenting on vacating their plat. One of the difficulties is that in order to vacate park land, it requires an application by the City. They are asking us to join in the application to vacate the plat. They will pay for everything and take care of filing. We are simply joining on the application with them. The Council is authorizing the City of Lake Geneva to be named as an applicant to vacate the plat. Mayor Connors stated other than that, it is identical to what they have already approved.

Hill/Kordus motion to approve.

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

**Presentation of Accounts – Alderman Kupsik
Purchase Orders.** None.

Kupsik/Wall motion to approve Prepaid Bills in the amount of \$6,103.50.

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

Kupsik/Kordus motion to approve Regular Bills in the amount of \$129,749.84.

Mr. Oborn clarified the Down to Earth invoice is for an emergency storm sewer fix where three to four culverts were decaying and a contractor was called in. Mr. Connor noted it was a public works expense. Ms. Hill questioned the Humphrey's invoice. City Clerk Waswo stated it was a repair to a light pole damaged from a car accident.

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

Mayoral Appointments. None.

Adjournment

Kordus/Chappell motion to adjourn at 9:50 p.m. Unanimously carried.

/s/ Sabrina Waswo, City Clerk

THESE ARE NOT OFFICIAL MINUTES UNTIL APPROVED BY THE COMMON COUNCIL