

FINANCE, LICENSE & REGULATION COMMITTEE

MONDAY, JANUARY 23, 2012 - 6:00PM

COUNCIL CHAMBERS, CITY HALL

Chairman Krause called the meeting to order at 6:00

Roll Call. Present: Aldermen Krohn, O'Neill, Hartz, Marsala, and Krause. Also Present: Comptroller Pollitt, Administrator Jordan, DPW Winkler, and City Clerk Hawes.

Approval of Minutes

Marsala/Krohn motion to approve Finance, License and Regulation Committee regular meeting minutes of January 9, 2012 as distributed. Unanimously carried.

Comments from the public as allowed by Wis. Stats. §19.84(2), limited to items on this agenda except for public hearing items. Comments will be limited to 5 minutes. None.

RESOLUTIONS

Resolution 12-R02, a resolution amending the 2011 budget to transfer \$2,210.00 from the Contingency account to the PD Communication System Exp Account for the Police Dept. 911 System repairs

Marsala/Hartz motion to forward to Council for approval. Chairman Krause stated that this will fund the 911 system repairs that were needed in 2011 when the system went down. He said that the bill was nearly twice this amount and was lowered after the Police Chief negotiated with SBC. Unanimously carried.

Resolution 12-R03, adopting the 2012 Tax Increment District #4 Fund Budget for the City of Lake Geneva

Administrator Jordan said that the proposed TID budget incorporates projects that were previously prioritized by the Council. Alderman O'Neill expressed opposition for including the Flat Iron Park project, parking improvements, traffic signals, skateboard park, and discretionary fund within the budget. Administrator Jordan stated that multiple years of planning have gone into some of these projects. He also said that this budget does not guarantee that the projects will be funded. Chairman Krause stated that these projects would individually come before the Council for final approval.

Hartz/Marsala motion to forward to Council for approval. Alderman Krohn asked about the escrow for maintenance in the amount of \$1 million. Administrator Jordan said that this account is there to provide funding for future maintenance of TID projects and infrastructure. Alderman O'Neill said that he is concerned with closing the TID and asked what will happen with the remaining funds when the TID closes. Administrator Jordan said that the intention is that the projects that are listed will be funded and completed in 2012. He said that any funds that are not spent or escrowed for maintenance will be paid out to the various taxing jurisdictions upon closure of the TID. Alderman O'Neill asked what taxing jurisdictions are included in that. Administrator Jordan said that this includes the schools, County, City, Gateway Technical College and the State. Motion carried by vote of 3-2, with Aldermen Krohn and O'Neill opposed.

Resolution 12-R04, adopting the 2012 Capital Budget for the City of Lake Geneva

Administrator Jordan said that the proposed 2012 Capital Budget includes the items that were approved as part of the borrowing in 2011. He indicated this includes the continuation of previously budgeted items, such as turnout gear and hoses for the Fire Department. He said that the budget includes many Street Department items, including manhole replacements, street markings, the street improvement program, curb and gutter replacement, sidewalk grinding, and the purchase of two plow trucks. The budget also includes computers for the Police Department. Chairman Krause asked if the expenditures over \$10,000 would go out for bid. Administrator Jordan said that they would. Hartz/O'Neill motion to forward to Council for approval. Unanimously carried.

Resolution 12-R05, a resolution amending the 2012 budget to transfer \$44,800 for the purchase of a one-ton dump truck for the cemetery

Administrator Jordan said that staff was asked if there was funding available to help purchase a new truck for the cemetery. He said that staff has proposed a way to fund the truck should the Committee and Council wish to purchase it. Chairman Krause said that there were questions at the previous meeting about the condition of the cemetery's current trucks. Alderman Krohn said that she did not know if both trucks are currently being used by the cemetery. She said that the two people from the Cemetery Commission who would be involved with the bidding are currently out of town for the season. DPW Winkler said that he visited the cemetery to see the current trucks. He indicated that both trucks appear to be utilized; the older of the trucks has considerable rust. DPW Winkler said that he was not certain about how the cemetery uses the trucks and what their needs were with regards to the new truck.

Hartz/Marsala motion to continue to the next Finance, License and Regulation Committee meeting on February 13, 2012. Administrator Jordan said that the cemetery staff can be contacted before the next meeting to find out more details about the funding request. Alderman Hartz said that it would be prudent to further investigate the request. Unanimously carried.

ORDINANCES

First reading of Ordinance 12-03, amending Chapter 50, Offenses and Miscellaneous Provisions, relating to advertising display utilizing vehicles

Chairman Krause said that Ordinance 12-03 is a follow-up to the Street Use Permit approved at the last meeting for the Genoa City Lions Club. The ordinance would allow holders of a valid street use permit to display signage. The current ordinance only allows advertising signage to be displayed for holders of a valid parade permit. Chairman Krause said that, if approved, the Genoa City Lions Club would be permitted to use signage as part of their 2012 raffle event. If the ordinance does not get approved, Genoa City Lions Club would still be granted their permit but would not be allowed to use advertising signage. Alderman O'Neill said that by approving the ordinance, the Council still has discretion to allow or disallow signage as part of each street permit application. First reading only; no action taken.

LICENSES & PERMITS

Park Permit application filed by Midwest Action Cycle/Vespa Club of America for "Amerivespa Motor Scooter Rally" event at Flat Iron Park, from 11:00 a.m. to 10:00 p.m. on June 22, 2012 and from 9:00 a.m. to 10:00 p.m. on June 23, 2012 (recommended by Board of Park Commissioners 1/4/12)

Krause said that the applicant asked for this item to be continued to the next meeting because they are still making arrangements for the event. Krause/Hartz motion to continue to the next Finance, License and Regulation Committee meeting on February 13, 2012. Unanimously carried.

Original Operator License applications filed by Thomas Yanke, Brittany Carlson, Nicholas Tripoli and Alexis Jansen (recommended for approval by the Police Chief)

Hartz/Marsala motion to forward to Council for approval. Unanimously carried.

Discussion/Recommendation on funding for limited-term employee for the Police Department (continued 1/9/12)

Chairman Krause stated that that the circumstances regarding the funding request have changed since Police Chief Rasmussen wrote his original memo to the Committee in December. Marsala/Krohn motion to suspend the rules to allow Police Chief Rasmussen to address the Council. Unanimously carried. Police Chief Rasmussen indicated that the original request was to fund limited-term employment while two officers were on light-duty and medical leave. He said that one of the officers will now not take medical leave until 2013. As such, the funding request is \$13,689 to fund limited-term employment during the one officer's light-duty. Chief Rasmussen indicated that the funding for the other officer's medical leave in 2013 can be addressed during next year's budget preparation. Alderman Hartz asked if the Police and Fire Commission had a recommendation on where the funds would come from. Police Chief Rasmussen indicated that there were no funds available within the Police Department's budget.

Marsala/O'Neill motion to fund limited-term employment in the amount not to exceed \$13,689 from the contingency fund. Alderman Krohn asked if the limited-term employee would be an individual currently working in the department. Police Chief Rasmussen indicated that it would be a reserve officer currently working in the department who will be paid the reserve amount. Comptroller Pollitt indicated that the funding request would include the cost of social security and

retirement for the limited-term employee. Alderman Hartz asked if there were any unused contingency funds from 2011 available. Comptroller Pollitt said that the City does not historically carry over operating funds from the prior year. Police Chief Rasmussen said that if the employee returns from light duty earlier than expected that the excess funds will be returned to the contingency fund. Chairman Krause indicated that, if approved, the Comptroller will bring this item back in the form of a budget resolution at the next meeting. Unanimously carried.

Discussion/Recommendation on Change Order 1 for the 2010 Street Improvement Program

DPW Winkler said that it has taken some additional time to close out the 2010 Street Improvement Program because it was a large project and there was some additional work done on Main Street. He said that Change Order #1 includes a decrease of \$6,150.75 in the project due to the adjusted cost of materials used.

Hartz/Marsala motion to forward to Council for approval. Alderman O'Neill asked if the change order should have been approved prior to the work being completed. DPW Winkler said that in some cases the actual quantity of materials is not known until the work is completed. Unanimously carried.

Discussion/Recommendation on Notice of Final Acceptance and Correction Period to Payne & Dolan, Inc. for the 2010 Street Improvement Program

DPW Winkler indicated that the original contract price for the 2010 Street Improvement Program was \$580,284.85. As outlined in Change Order No. 1, the project has been completed at the cost of \$574,134.10.

Hartz/Marsala motion to forward to Council approval. Unanimously carried.

Discussion/Recommendation Change Order No. 2 for 2011 Street Improvement Program

DPW Winkler said that the cost for manhole repairs associated with the 2011 Street Improvement Program is higher than expected. Change Order No. 2 reflects this increase of \$1,530.00 to the project budget. He said that currently the project is tens of thousands of dollars under budget, even after this change order. Chairman Krause indicated that the Change Order document incorrectly lists the contract amounts. He said that "Contract Price prior to this Change Order" should read \$605,000.00, not \$636,682.60.

Hartz/Marsala motion to forward to Council for approval, subject to the correct contract price appearing on Change Order No. 2. Unanimously carried.

Discussion/Action on disallowance of claim filed by Derek and Tammy Straight for sewerage backup pursuant to Wis. Stats. 893.80 (1g)

Administrator Jordan said that the City received a claim filed by Derek and Tammy Straight, 522 Spring Street, for just under \$1,000.00 to cover the personal items damaged by a sewerage backup. Mr. Jordan said that the City's crews were attempting to clear a sewer main when sewerage was inadvertently pushed back to their property. DPW Winkler indicated that he spoke with the insurance adjuster and provided all of the facts about how the backup occurred. The City's insurer issued a letter recommending that the City deny the claim. City Attorney Draper approached the Committee to comment. He recommended that the Committee disallow the claim per the insurer's recommendation. He suggested that the City could be setting a dangerous precedent if it did not use the insurer recommendation.

Marsala/Hartz motion to forward to Council for approval of disallowance of claim. Motion carried by vote of 4-0, Alderman O'Neill abstained.

Discussion/Action on purchase of park restroom hand dryers (recommended by Public Works Committee 1/19/12)

DPW Winkler said that the Public Works Committee has been reviewing different types of hand dryers for the park restrooms. He said that the intent is to move away from using paper towels. The Public Works Committee has recommended the purchase of high-powered hand dryers that can dry hands in 12 minutes. After reviewing different bids, the Committee recommended the purchase of 24 ASI Turbo-Dri units at the price of \$8,104.80 from Elkhorn Chemical and Packaging. DPW Winkler said that the City Electrician would install the hand driers for \$300.00 per restroom, or \$3,000.00 for all 10 restrooms. Alderman Marsala noted that the original request was for 20 units. DPW Winkler said that

the four additional units were recommended to keep on the shelf as spares. Alderman Marsala suggested that only 22 units be purchased because they are protected by a two-year warranty.

Marsala/Krohn motion to forward to Council for approval of purchasing 22 hand dryers in the amount of \$7,429.40, and installation in the amount not to exceed \$3,000.00. Unanimously carried.

Presentation of Accounts

Hartz/Marsala motion to recommend approval of Prepaid Bills in the amount of \$5,020,191.10. Unanimously carried.

Marsala/Krohn to recommend approval of Regular Bills in the amount of \$776,202.13. Unanimously carried.

Closed Session

Marsala/Hartz motion to go into Closed Session pursuant to Wis. Stat. 19.85 (1)(b) for considering licensing of Nathaniel Holden by a board or commission or the investigation of charges against such person and the taking of formal action on any such matter.

Roll Call: Krohn, O'Neill, Hartz, Marsala, and Krause voted "yes." Unanimously carried.

The Council entered into Closed Session at 6:50pm. Also present: Administrator Jordan, City Attorney Draper, City Clerk Hawes, Police Chief Rasmussen.

Hartz/Marsala motion to return to open session pursuant to Wisconsin Statutes 19.85 (2) and take action on any items discussed in Closed Session.

Hartz/Marsala motion to recommend denial of the Operator's License Application filed by Nathaniel Holden for the reasons discussed in closed session. Unanimously carried.

Adjournment

Marasaa/Krohn motion to adjourn at 7:00pm. Unanimously Carried.

/s/ Michael D. Hawes, City Clerk