

**REGULAR CITY COUNCIL MEETING
MONDAY, OCTOBER 27, 2014 – 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 Lyon.

Roll Call. Present: Mayor Connors, Aldermen Chappell, Wall, Kordus, Hill, Kehoe, Hedlund, Kupsik, and Lyon. Also present: City Administrator Jordan, City Attorney Draper, Public Works Director Winkler and City Clerk Waswo.

Awards, Presentations, and Proclamations. None.

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. None.

Acknowledgement of Correspondence.

City Clerk Waswo announced the City received correspondence from the Lake Geneva Jaycees on October 21, 2014, thanking Mayor Connors and the City Council for their continued support of the Lake Geneva Jaycees and Venetian Festival. Ms. Waswo further stated the City received correspondence from Terry O’Neill on October 27, 2014 regarding an open records request.

Approval of Minutes

Kupsik/Kordus motion to approve the Regular City Council Meeting minutes of October 13, 2014, Joint City Council and Planning Commission Meeting minutes of October 20, 2014 and Special City Council Meeting minutes of October 22, 2014, as prepared and distributed. Unanimously approved.

Consent Agenda

Original 2014-2015 Operator’s (Bartender) License applications filed by Madison Conley, Catherine Petrassi and Melissa Slagle.

Renewal of 2014-2015 Operator’s (Bartender) license applications filed by John Abraham Renko

Kupsik/Lyon motion to approve the consent agenda. Unanimously approved.

Items Removed from the Consent Agenda. None.

Finance, License and Regulation Committee Recommendations – Alderman Lyon

Discussion/Action on award of bid to Westenn Mechanical Contractors, Inc of Elkhorn, WI for the Shop Ventilation Project located at the Street Department Main Building, 1065 Carey Street in the amount of \$23,185.00 funded by the Capital Projects Fund.

Lyon/Wall motion to approve. Alderman Lyon stated this was as planned in the Capital Fund and the award came in below the original estimate.

Roll Call: Chappell, Wall, Kordus, Hill, Kehoe, Hedlund, Kupsik, and Lyon voted “yes.” Unanimously approved.

Discussion/Action on award of bid to Humphrey's Contracting of Lake Geneva, WI for the Siding and Insulations Project at the Street Department, 1070 Carey Street in the amount of \$51,350.00 funded by the Capital Projects Fund.

Lyon/Kupsik motion to approve. Alderman Lyon stated this was planned in the Capital Projects Fund. Alderman Wall asked what was budgeted for this item. DPW Winkler stated around \$150,000 was budget, but that number also includes the roofing and gutters. Mayor Connors noted the project would be done in phases, with the roof and gutters as different projects than the siding.

Roll Call: Chappell, Wall, Kordus, Hill, Kehoe, Hedlund, Kupsik, and Lyon voted "yes." Unanimously approved.

Discussion/Action on Renewal of Agreement for Full-Value Maintenance Services with Accurate Appraisal LLC.

Lyon/Kupsik motion to approve. Alderman Lyon stated they have performed the service satisfactorily for the last three years and was recommended for approval at FLR. Mayor Connors noted this is a reduction of \$3,500 per year.

Roll Call: Chappell, Wall, Kordus, Hill, Kehoe, Hedlund, Kupsik, and Lyon voted "yes." Unanimously approved.

Discussion/Action on Renewal of Contract with John's Disposal Service, Inc.

Lyon/Kehoe motion to approve. Alderman Lyon stated John's Disposal has submitted an offer to the city for a 4 year contract extension. The contract would include no increase for 2015 and increases in subsequent years only to the extent of the consumer price index. Based upon those terms and their past performance, FLR felt very comfortable recommending approval of this contract renewal. Administrator Jordan noted Burlington is paying over \$15 per residence, which was put out for bid and they will be paying the same as the city with John's Disposal. Mr. Jordan also stated the City of Elkhorn is paying a little over \$17.00 per residence. However, Elkhorn subsidizes the amount to \$16.00 per unit for the residence.

Roll Call: Chappell, Wall, Kordus, Hill, Kehoe, Hedlund, Kupsik, and Lyon voted "yes." Unanimously approved.

Discussion/Action on Maintenance Agreement with Town of Linn.

Lyon/Wall motion to approve. DPW Winkler stated this is an agreement discussed with both Town of Linn officials and the Public Works Committee to swap Wilmot Boulevard for Willow Road from Pilgrim Church Road to the west city limits. Willow Road is a longer stretch with the north half being the city responsibility and the south half being the Town of Linn's responsibility. The town and the city discussed with the town taking Willow Road as it services and accesses the Town of Linn and the city taking Wilmot Boulevard as it is surrounded by the city. This agreement is for a 10 year period and includes the maintenance. Posting would be up to the individual community and access would not be restricted by either community. Mr. Winkler stated since the city is better equipped for tree maintenance, the city would still maintain the trees on Willow Road and the mowing would be split but the township would maintain the mowing the majority of the time.

Roll Call: Chappell, Wall, Kordus, Hill, Kehoe, Hedlund, Kupsik, and Lyon voted "yes." Unanimously approved.

Discussion/Action on the 2015 Budget and set the Public Hearing date for the Budget for Monday, November 17th at 5:00pm.

Lyon/Kupsik motion to approve. Mayor Connors noted the Public Hearing date is set for Monday, November 17th at 5:00 pm. Alderman Chappell stated she spent many hours highlighting issues she had concerns over. She stated at first the council was proposed with a budget that had a \$66,000 shortfall, however, over the weekend, the Comptroller and City Administrator came up with a balanced budget. Ms. Chappell noted with the balanced budget, the mill rate would not need to be increased. She also said several line items were adjusted as well as adding the proposal for the increase in the parking fines. She stated there were still two areas of concern. The first was the proposal of adding a \$3.00 per person fee to the resident beach pass, which would be a perceived income of \$25,000. The second concern was over the proposed wage increase for city employees of 1.5%, costing \$75,000. Ms. Chappell suggested a 1% increase for employees, which would be a \$50,000 increase. The city would then not need to add the \$3.00 per person

beach pass fee generating \$25,000. She stated this would be a win-win situation and suggested considering a few more adjustments to the budget.

Administrator Jordan stated what needs to be published in the paper is broken down into the general fund revenues, the expenditures, the debt service, capital projects, TID 4 and special revenue funds. Mr. Jordan addressed the total expenditures under the general fund, noting last year it was \$8,322,172 and this year it will be \$8,328,154, only about a \$6,000 increase. This is very good for an \$8 million dollar budget. He confirmed that the city is proposing the same mill rate. Mr. Jordan said the city still has not received the manufacturing rate and will not until around November 4th. He stated staff has given the best estimate compared to what it has been in the past.

Roll Call: Chappell, Wall, Kordus, Hill, Kehoe, Hedlund, Kupsik, and Lyon voted “yes.” Unanimously approved.

Discussion/Action on setting a Public Hearing date for the Walworth County Natural Hazards Mitigation Plan for November 24th.

Lyon/Kupsik motion to approve. Alderman Lyon stated this is a plan through FEMA that will allow the city to apply for grants relative to natural hazards and disasters. Mr. Lyon stated there is no cost to the city, but a potential cost savings.

Roll Call: Chappell, Wall, Kordus, Hill, Kehoe, Hedlund, Kupsik, and Lyon voted “yes.” Unanimously approved.

Discussion/Action on authorizing Payment of Rescinded Taxes for Tax Exempt Property.

Lyon/Kupsik motion to approve the payment of rescinded taxes with additional penalties and interest. Alderman Lyon stated in 2011, the Lake Geneva Economic Development Corporation filed their tax exempt status application but it did not get processed through the city’s administration. The county then paid the city for the taxes collected, which the city did not have any right too. Mr. Lyon stated the city owes the county the monies back plus penalties and interest according to statutory requirements. The original tax dollars is around \$6,000, with penalties and interest, the total amount due is around \$9,300. Alderman Kupsik noted the City Administrator and staff will develop a procedure to avoid this from happening in the future. Alderman Chappell if this was for land/building property or personal property. Mr. Jordan stated it is for the lots the Development Corp still owns. Mayor Connors said it was for vacant land. Alderman Hedlund asked if we attempted to get a waiver for the penalty and interest. City Attorney Draper stated he was told by the Treasurer that this amount has to be charged, however, he is still speaking with Corporation Council to see if the city can obtain a waiver on the penalty amount. Mr. Draper stated staff is asking for authorization for the payment but he will continue to work on obtaining a waiver or reduction of the penalties.

Roll Call: Chappell, Wall, Kordus, Hill, Kehoe, Hedlund, Kupsik, and Lyon voted “yes.” Unanimously approved.

Discussion/Action on the 2015 Summer Season Lifeguard Services Contract with the Geneva Lake Water Safety Patrol.

Lyon/Kupsik motion to approve. Alderman Lyon clarified the Geneva Lake Water Safety Patrol services all the lakefront communities and that this contract is specific to the city.

Roll Call: Chappell, Wall, Kordus, Hill, Kehoe, Hedlund, Kupsik, and Lyon voted “yes.” Unanimously approved.

Plan Commission Recommendations – Alderman Kupsik

First Reading on Ordinance 14-07, to adopt an amendment to the City of Lake Geneva Comprehensive Plan.

First reading only; no action taken.

First Reading on Ordinance 14-09, to modify Section 98-913 regarding the Exterior Colors within the Downtown Design Overlay Zoning District.

Kupsik/Hill to suspend the rules and go to a second reading.

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

Kupsik/Lyon motion to approve Ordinance 14-09, to modify Section 98-913 regarding the Exterior Colors within the Downtown Design Overlay Zoning District. Alderman Hill stated she would like to thank the planning commission, Mayor, City Attorney and other administration to get us where we are with this ordinance. Ms. Hill stated this will help improve and maintain our historic downtown and allow for freedom of design choices and ability to attract quality projects.

Roll Call: Chappell, Wall, Kordus, Hill, Kehoe, Hedlund, Kupsik, and Lyon voted “yes.” Unanimously approved.

Discussion/Action on an Application for Land Division Review for a Certified Survey Map submitted by Richard W Torhorst, P.O. Box 1300, Lake Geneva, WI 53147 for Liquid Capital, LLC, 951-7 S Lake Shore Drive, Lake Geneva, WI 53147 to split a current parcel into three parcels. Current Tax Key Nos. ZYUP 00149D1.

Kupsik/Wall motion to approve. Alderman Kupsik stated this is request to split one lot into three. Mayor Connors noted the storm water detention easement was shown on the corrected certified survey map and is for the use of all three lots.

Roll Call: Chappell, Wall, Kordus, Hill, Kehoe, Hedlund, Kupsik, and Lyon voted “yes.” Unanimously approved.

Personnel Committee Recommendations – Alderman Kupsik

First Reading of Ordinance 14-08, abolishing Deputy Clerk/Treasurer and making it into two positions of Assistant City Clerk and Treasurer. First reading only; no action taken.

Presentation of Accounts – Alderman Lyon

Purchase Orders. None.

Lyon/Kupsik motion to approve Prepaid Bills in the amount of \$1,996.29.

Roll Call: Chappell, Wall, Kordus, Hill, Kehoe, Hedlund, Kupsik, and Lyon voted “yes.” Unanimously approved.

Lyon/Kupsik motion to approve Regular Bills in the amount of \$257,537.61.

Roll Call: Chappell, Wall, Kordus, Hill, Kehoe, Hedlund, Kupsik, and Lyon voted “yes.” Unanimously approved.

Lyon/Hill motion to accept Monthly Treasurer’s Report for July 2014.

Roll Call: Chappell, Wall, Kordus, Hill, Kehoe, Hedlund, Kupsik, and Lyon voted “yes.” Unanimously approved.

Mayoral Appointments – Mayor Connors

Hill/Lyon motion to approve the appointment of Richard Hedlund to the Personnel Committee, Public Works Committee, Piers, Harbors and Lakefront Committee, Board of Review and Utility Commission.

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

Adjournment

Kordus/Lyon motion to adjourn at 7:36 p.m. Unanimously approved.

/s/ Sabrina Waswo, City Clerk

THESE ARE NOT OFFICIAL MINUTES UNTIL APPROVED BY THE COMMON COUNCIL