

REGULAR CITY COUNCIL MEETING
MONDAY, AUGUST 25, 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 Hill.

Roll Call. Present: Mayor Connors, Aldermen Chappell, Wall, Kordus, Hill, Kehoe, Kupsik, and Lyon. Absent (excused): Alderman Taggart. Also present: City Administrator Jordan, City Attorney Draper, Director of Public Works Dan 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.

Terry O’Neill, 954 George Street, Lake Geneva, stated he is concerned with the draft ordinance 14-05 and that he is against the splitting of the Deputy Clerk/Treasurer position.

Mary Jo Fesenmaier, 955 George Street, Lake Geneva, spoke of her concern for splitting the Deputy Clerk/Treasurer position and her disapproval of draft ordinance 14-05.

Acknowledgement of Correspondence.

City Clerk Waswo acknowledged a letter from Ed Yaeger dated August 15, 2014 regarding the parking structure and TIF district.

Approval of Minutes

Wall/Kordus motion to approve the Regular City Council Meeting minutes of August 11, 2014, as prepared and distributed. Motion carried 7 to 0.

Consent Agenda

- a. Street Use Permit Application filed by Russ Tronsen on behalf of Badger High School for the Homecoming Parade on Friday, October 3rd, 2014 from 4:30 p.m. to 5:00 p.m.
- b. Original 2014-2015 Operator’s (Bartender) License applications filed by Joseph Riley, Robert Fish, Megan Eling, Freda Pryga, James Behrens, Toni Grandt, Linzie Grunt, Charles Phinisee, Cherlyn Steadman, Cindy Gale, Samantha Sojka, and Jasmin Garcia.
- c. Renewal of 2014-2015 Operator’s (Bartender) license applications filed by Casey Coulter and Nancy Cherney.

Kupsik/Lyon motion to approve the consent agenda. Motion carried 7 to 0.

Items Removed from the Consent Agenda. None.

Plan Committee Recommendations – Alderman Kupsik

First reading of Ordinance 14-04, amending the Zoning Map of the City of Lake Geneva, Walworth County, Wisconsin, from Rural Holding (RH) to Planned Office (PO) for a certain property in the City (700 Bloomfield Road).

Kupsik/Lyon motion to suspend to the rules and proceed to a second reading.

Roll Call: Chappell, Wall, Kordus, Hill, Kehoe, Kupsik, and Lyon voted “yes.” Motion carried 7 to 0.

Second reading of Ordinance 14-04. Kupsik/Kehoe motion to approve. Alderman Kupsik stated the property is planned for a daycare center and meets all the requirements. Mayor Connors further stated that the property is Immanuel Lutheran Church and would require this zoning change to allow for a daycare center in the existing facility.

Roll Call: Chappell, Wall, Kordus, Hill, Kehoe, Kupsik, and Lyon voted “yes.” Motion carried 7 to 0.

Resolution 14-R41, authorizing the issuance of a Conditional Use Permit filed by and to Gerald Sommers, 930 Maytag Road, Lake Geneva, WI 53147 to construct an addition to a Single Family Residence on an existing lot using the SR-4 Zoning requirements in an Estate Residential Zoning District (ER-1) located at 930 Maytag Road, Tax Key No. ZCE 00006 with all staff recommendations and fact finding on staff report dated August 18, 2014.

Kupsik/Hill motion to approve, with all staff recommendations and fact finding on staff report dated August 18, 2014.

Roll Call: Chappell, Wall, Kordus, Hill, Kehoe, Kupsik, and Lyon voted “yes.” Motion carried 7 to 0.

Resolution 14-R42, authorizing the issuance of a Conditional Use Permit filed by and to Immanuel Lutheran Church, 700 Bloomfield Road, Lake Geneva, WI 53147, Tax Key No. ZA433000001 to operate a Group Day Care Center (9+ Children) in a Planned Office (PO) Zoning District with fact finding on staff report dated August 18, 2014, and contingent on receiving State of Wisconsin approval.

Kupsik/Kehoe motion to approve, contingent on receiving State of Wisconsin approval.

Alderman Kupsik stated the group daycare center is consistent with the Comprehensive Plan to provide for community services and will be utilizing the existing classrooms that are already present in the facility. It would provide no further impact on the City and its resources.

Roll Call: Chappell, Wall, Kordus, Hill, Kehoe, Kupsik, and Lyon voted “yes.” Motion carried 7 to 0.

Personnel Committee Recommendations – Alderman Kupsik

Discussion/Recommendation on acceptance of City Administrator’s letter of retirement and direct staff to prepare an RFP to hire a search firm to fill the City Administrator position.

Hill/Kupsik to instruct staff to solicit request for proposals to hire a search firm to hire an Administrator. Alderman Hill stated due to the importance of this position, she is in favor of finding an exceptionally well-qualified candidate and agrees with paying for a professional service to assist in creating a job description and finding a good pool of candidates. Alderman Lyon stated he is in favor of spending the money to hire a search firm as they are able to find candidates who are capable, have a record of competence and may not necessarily be looking for a job. He stated it would be unreasonable to expect the council and personnel committee to find this type of candidate and agrees with spending the money to bring in experts on the issue.

Alderman Kordus stated he finds search firms very effective but questioned if the city would exclusively use the search firm and exclude walk-in candidates. Administrator Jordan replied, the search firm would provide

mailings to candidates who meet the criteria, they would accept applications that are sent in as well as walk-in candidates. The firm would filter out the candidates and provide them to the City for approval. Alderman Kordus clarified that the city would be looking for an RFP for the search firm as well as pre-qualified candidates to be presented to the council. There was further discussion on the types of search firms, services offered and options of payment. Alderman Hill recommended this go back to Personnel for further clarification on staff direction.

Hill/Kupsik motion an amendment to have staff draft a search firm RFP to be sent to Personnel Committee for final approval. Motion carried 7 to 0.

Roll Call: Chappell, Wall, Kordus, Hill, Kehoe, Kupsik, and Lyon voted “yes.” Motion carried 7 to 0.

Alderman Kupsik noted the item will be put on the agenda for the next Personnel Committee meeting scheduled for September 25, 2014.

Discussion/Recommendation of draft Ordinance 14-05 on proposed change to Ordinance 2-49(3) amending responsibilities of the personnel committee.

Alderman Kupsik stated that back in 2010 the ordinance was changed to reflect that the Personnel Committee be responsible to hire all city staff. However, the Personnel Committee feels that department heads should be responsible for hiring office staff and street department laborers. The committee will continue to oversee the hiring of exempt employees, such as the City Administrator, City Comptroller, Parking, Zoning and any of those department heads under the City’s organization.

Hill/Wall motion to bring the draft ordinance 14-05 back as a first reading at the next meeting. Alderman Kordus stated he thinks this is the proper thing and noted that in most private sector organizations, the CEO of the company does not hire the mailroom clerk. Attorney Draper stated with the passage of Act 10 it shifted a lot of union contracts into personal contracts with individual employees and eliminated a lot of collective bargaining that a personnel committee would normally be involved in. Act 10 has changed government to look more like a private sector company rather than government as it has existed before. He noted that one of the requirements of Act 10 was that the City adopt a handbook and grievance procedure. Alderman Kehoe questioned if department heads will have the ability to change job descriptions once someone is hired. Mayor Connors stated that department heads do have the ability to change slight duties as they see fit. He noted in the past, qualified candidates have been lost to other communities because of the lengthy process. Alderman Hill stated her approach on the personnel committee is to see the city run more like a business than a political entity and this item would give department heads authority over their staff with the personnel committee’s job to manage the upper level. Ms. Hill referenced the August 15th personnel meeting where Ms. Hill sat through 3½ hours of interviews for street department laborers. She noted that this is an important function of the city; however, she feels the personnel committee should not have to manage at this level and agreed with Mr. Kordus. Motion carried 7 to 0.

Discussion/Recommendation to direct City Attorney to prepare an Ordinance relating to the Deputy Clerk/Treasurer position.

Administrator Jordan stated it was suggested by the auditors about 3 years ago to change the Treasurer from an elected to an appointed position. He noted that out of all the towns, villages, and cities, there are only 17 municipalities that have an elected Treasurer. He said a meeting was held with the administrator, city clerk, comptroller and front office staff where they discussed the duties of the deputy clerk, accountant, front clerk A and front clerk B positions. It was agreed upon that the deputy clerk does not have much flexibility to do the treasurer duties, however the front clerk position would be able to absorb these duties. Mr. Jordan is recommending the treasurer position be taken off the deputy clerk and combined with the front clerk position as a Clerk B/Treasurer. Alderman Kehoe asked what the goal is in separating the positions. Mr. Jordan replied to make the front office more efficient by allowing employees to perform tasks in a reasonable amount of time.

Kordus/Hill motion to move forward on splitting the deputy clerk and treasurer functions into two separate jobs and have staff prepare an ordinance to bring to personnel. Alderman Kupsik stated the personnel committee had already discussed the issue.

Kordus/Hill motion an amendment to bring the item back as a first reading. Alderman Kehoe questioned where the person would sit and handle the money. Administrator Jordan stated this position would be located in the front office to help people at the counter. Ms. Kehoe asked if taxes would be taken at the front counter. Mr. Jordan stated the position will be more efficient taking payments at the front counter as all office staff would be able to receipt payments. Motion carried 7 to 0.

Presentation of Accounts – Alderman Lyon

Purchase Orders. None.

Lyon/Kupsik motion to approve Prepaid Bills in the amount of \$3,465.81.

Roll Call: Chappell, Wall, Kordus, Hill, Kehoe, Kupsik, and Lyon voted “yes.” Motion carried 7 to 0.

Lyon/Kordus motion to approve Regular Bills in the amount of \$177,497.90. Alderman Kordus noted the Arnold & O’Sheridan payment is part of the original \$55,000, which is for services rendered up to this point. Alderman Hill stated she had thought this was a flat contract amount. Mr. Kordus said it was a not to exceed amount. Ms. Hill questioned the Highway C invoice for the Skid Steer repair. Administrator Jordan stated the machine had a serious issue, however it is still structurally sound and the repair will last 5 or 6 years versus the \$30,000 cost of a new one. He noted that this is over budget for the street department and since it was not an accident, insurance would not cover the cost of repairs.

Roll Call: Chappell, Wall, Kordus, Hill, Kehoe, Kupsik, and Lyon voted “yes.” Motion carried 7 to 0.

Closed Session

Kupsik/Lyon motion to go into Closed Session pursuant to Wis. Stat. 19.85 (1)(e) for competitive bargaining reasons for Police union negotiations (Administrator Jordan) and pursuant to Wisconsin Statutes 19.85 (1) (c) considering employment, promotion, compensation or performance evaluation data of any public employee which the governmental body has jurisdiction or exercises responsibility concerning the Street Department Laborer position.

Roll Call: Chappell, Wall, Kordus, Hill, Kehoe, Kupsik, and Lyon voted “yes.” Motion carried 7 to 0.

The Council entered into Closed Session at 7:58 p.m.

Return to Open Session

Hill/Kupsik motion to return to open session pursuant to Wisconsin Statutes 19.85 (2) and take action on any items discussed in closed session.

Roll Call: Chappell, Wall, Kordus, Hill, Kehoe, Kupsik, and Lyon voted “yes.” Motion carried 7 to 0.

The Council reconvened in open session at 8:42 pm.

Kordus/Lyon motion to direct staff to negotiation with the police union as discussed in closed session. Motion carried 7 to 0.

Kupsik/Kordus motion to hire Daniel Hall at a rate of pay of \$19.00 per hour with an increase to scale upon a six month favorable review. Motion carried 7 to 0.

Roll Call: Chappell, Wall, Kordus, Hill, Kehoe, Kupsik, and Lyon voted “yes.” Motion carried 7 to 0.

Adjournment

Kordus/Chappell motion to adjourn at 8:44 p.m. Motion carried 7 to 0.

/s/ Sabrina Waswo, City Clerk

THESE ARE NOT OFFICIAL MINUTES UNTIL APPROVED BY THE COMMON COUNCIL