

**FINANCE, LICENSE & REGULATION COMMITTEE**  
**MONDAY, SEPTEMBER 26, 2011 - 6:00PM**  
**COUNCIL CHAMBERS, CITY HALL**

Chairman Krause called the meeting to order at 6:00pm.

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

Marsala/Hartz motion to approve Finance, License and Regulation Committee minutes of September 12, 2011, 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.

Barbara Philipps, 1600 Evergreen Lane, addressed the committee to express support for the design and construction of a new skate park at Dunn Field, as recommended by the Board of Park Commissioners. She stated that this new facility would serve as a tourist attraction, which would bring additional people into Lake Geneva and consequently increase commercial traffic for local merchants.

Penny Roehrer, 951 S. Lake Shore Drive, addressed the committee on behalf of the residents of Victorian Square, commenting on the Public Works Committee recommendation to direct the City Administrator to notify property owners abutting private drives that the City would be discontinuing certain services to those properties unless the drives were brought up to standards and dedicated to the City. She stated that the residents did not understand why they were faced with the prospect of having garbage collection discontinued, given that the association had agreed some years ago to hold the disposal company harmless for any damages incurred from the trucks traveling on the drives. She noted that there were unanswered questions as to options for the property owners, particularly should these private drives not be dedicated to the City. Ms. Roehrer also questioned whether the taxes for affected neighborhoods would be adjusted accordingly in the event City services were discontinued. Given these and other questions, she suggested that the Council lacked sufficient information to be able to take action on this recommendation at the current meeting. She added that, if any action was proposed to be taken by the Council, affected property owners and associations should be given more information in advance so they would be able to comment on the proposal.

**ORDINANCES**

**First Reading of Ordinance 11-27, amending Chapter 90, Waterways, of the Lake Geneva Municipal Code regarding the appointment of alternate representatives to the Geneva Lake Law Enforcement Agency**  
*(requested by Mayor Connors)*

Mayor Connors explained that the Board of Directors of the Geneva Lake Law Enforcement Agency consists of four voting members, which include the town chairs, village presidents, and mayors of the respective jurisdictions. The proposed ordinance would authorize the mayor to appoint another elected official from the City to serve as an alternate to the GLLEA Board in his absence. He noted that the other member jurisdictions had already approved similar ordinances.

Marsala/Hartz motion to waive the full reading of Ordinance 11-27, and to read by title only. Unanimously carried.

**First Reading of Ordinance 11-28, amending Chapter 2, Administration, of the Lake Geneva Municipal Code to provide for readings of ordinances by title only**  
*(requested by Mayor Connors)*

Mayor Connors stated that the Municipal Code currently provides that all ordinances are to be read in their entirety at two consecutive meetings of the Council, unless the full reading is otherwise waived by a majority vote of the Council. The proposed ordinance would amend the code to allow for the routine readings of ordinances by title only, unless the majority of the Council votes to read a particular ordinance in full. He suggested that this change would simplify the process, adding that copies of proposed ordinances would always be available to the public in advance of meetings either through the City website or by contacting the City Clerk’s office.

City Attorney Draper also clarified that the rules on readings of ordinances applied only to the Council; therefore, there was no need for committees to waive full readings on ordinances under their consideration.

## LICENSES & PERMITS

**Temporary “Class B” Retail License application filed by JAD Foundation – Walworth County Resource Center & Food Pantry, for the sale of wine during “Inspiration Evening” event at 234 Broad Street, Lake Geneva, on October 15, 2011, from 5:00pm to 8:30pm**

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

**Schedule for Change of Agent application filed by Geneva Lakes Convenience Corp., 728 Williams Street, Lake Geneva, to Cindy Todd, 3153 Lockwood Blvd., Lake Geneva, WI**

Hartz/O’Neill motion to forward to Council with recommendation for approval. Unanimously carried.

**Original Operator License applications filed by Andrew Smith, Kimberly Link, Shari Cruz, Chelsea Elvin, Aaron Rathbone, Brian Olsen, Eric Wolff, and Joseph Wolkomir**

Marsala/O’Neill motion to forward to Council with recommendation for approval. Unanimously carried.

**Discussion/Recommendation on RFP for professional auditing services** *(continued from 9/12/11)*

Administrator Jordan stated that the City had received four responses to the request for proposals. The most favorable price had been offered by Baker Tilly, which he subsequently recommended for approval. Alderman Hartz noted that the committee had previously discussed the variation in manpower hours proposed among the bidding firms, with the total work hours proposed by Baker Tilly coming in significantly less than its three competitors. Comptroller Pollitt stated that she had contacted the partner at Baker Tilly to verify that the proposal was all-inclusive, adding that the partner had responded that she understood the concerns of the committee and wanted to reassure the City that Baker Tilly concentrates on government auditing and therefore has the resources available to serve the City efficiently and effectively. Alderman Hartz commented that he sensed that the proposal offered by Schenck – while the highest of the four – was the best overall proposal. He noted that Schenck had provided a listing of thirty-four client municipalities in Wisconsin and was also familiar with the City of Lake Geneva, having completed its internal controls audit. Chairman Krause also mentioned that Schenck offers ongoing legal updates and training opportunities to its clients. Administrator Jordan pointed out that Baker Tilly was a well-established firm that had also handled audits for many units of government in Wisconsin.

Hartz/Krohn motion to forward to Council with recommendation to approve proposal for three-year agreement with Schenck, for a total of \$71,150.00. Motion carried by vote of 3 to 2, Aldermen O’Neill and Marsala opposed.

**Discussion/Recommendation on renewal of M&I Bank CD in the amount of \$456,104.70, maturing September 29, 2011**

Comptroller Pollitt distributed information displaying the most current rates offered by various local financial institutions, noting that Walworth State Bank was providing the most favorable interest rates on CDs. It was recommended that any investment of the CD funds be approved for another six-month term.

Krause/Marsala motion to forward to Council with recommendation to approve investing funds in CD through Walworth State Bank for a term of six months at 0.65 percent interest. Unanimously carried.

**Discussion/Recommendation on renewal of liability, property, and workman’s compensation insurance policies**

Administrator Jordan reported that the City had received its annual renewal proposal from the League of Wisconsin Municipalities Mutual Insurance (LWMMI). While there was no increase proposed on rates for the 2011-2012 year, the City’s premium would see an approximately \$35,000.00 increase due to increases in valuation of vehicles and buildings and a high amount of workman’s compensation claims. He added that member municipalities insured through LWMMI could expect a five percent overall increase for the 2012-2013 policy year, which would commence October 1, 2012. This increase would need to be figured into the upcoming budget for 2012.

Hartz/Marsala motion to forward to Council with recommendation to approve renewal of policies through the League of Wisconsin Municipalities Mutual Insurance (LWMMI) for the term of October 1, 2011 through September 30, 2012, with a total premium of \$277,000.00. Unanimously carried.

**Discussion/Recommendation on design of new skate park and authorization to solicit bids** *(recommended by Board of Park Commissioners on 9/7/11)*

DPW Winkler reported that the Board of Park Commissioners had recommended that the Council approve of the preliminary design of the proposed new park and authorize solicitation of bids for the construction portion of the project. He noted that Mike McIntyre of ASD was to attend the Council meeting to present the designs created by his firm.

Krause/Marsala motion to forward to Council without recommendation. Unanimously carried.

**Discussion/Recommendation on award of bid for downtown streetlight and sign pole painting** *(recommended by Public Works Committee on 9/20/11)*

DPW Winkler reported that six bids had been received for the cleaning, priming and painting of 185 light and sign poles throughout the downtown area, including an alternate for priming and painting of railings along the upper dam. The committee had recommended awarding the base bid, plus alternate, to Ruffalo Painting of Kenosha for the total amount of \$36,366.00, which was to be funded from TIF.

Marsala/Hartz motion to forward to Council with recommendation to authorize the award of bid to Ruffalo Painting in the amount of \$36,366.00, including alternate, to be funded from TID. Unanimously carried.

**Discussion/Recommendation on purchase of 24 hand dryers to replace paper towel dispensers in City restroom facilities, to be funded from TIF#4** *(recommended by Public Works Committee on 9/20/11)*

DPW Winkler stated that the Public Works Committee had discussed the possibility of replacing the existing paper towel dispensers with electric hand dryer units as a means of savings paper products and garbage handling time. A price of \$208.00 per unit had been obtained, with the committee recommending the purchase of 24 units for placement in the park restroom areas. Chairman Krause stated that he had found a listing on eBay for higher velocity Excel hand dryers, with the vendor selling a lot of 25 at a unit price he recalled as being \$106.00. He wondered if it might be worthwhile to investigate the purchase of those units, as they would generally retail for around \$600.00 each. Alderman O'Neill asked about installation costs for the dryer units, to which DPW Winkler responded that an average estimate of \$300.00 to \$350.00 per unit had been provided by an electrician.

Marsala/Hartz motion to continue to the next regular meeting. Motion failed by vote of 1 to 4, Aldermen Krohn, O'Neill, Hartz, and Krause opposed.

Hartz/Marsala motion to forward to Council with recommendation to authorize the purchase of 24 "high velocity" Excel hand dryer units through eBay for a total not to exceed \$2,750.00, to be funded from TIF#4. Unanimously carried.

**Discussion/Recommendation on directing the City Administrator to notify property owners abutting private drives that the City will no longer be providing snow plowing, street sweeping, pavement maintenance, leaf and brush collection, or garbage collection services on private drives unless they are brought up to City standards and dedicated to the City** *(recommended by Public Works Committee on 9/20/11)*

Administrator Jordan stated that the City had begun looking into this issue a couple years earlier. At that time, seven of thirteen affected neighborhood associations had indicated they would sign hold harmless agreements with the City for the private drives. He also stated that he had spoken with a representative from John's Disposal, who had informed him that a prior city business administrator had put together forms of agreements with the associations in the mid-1990s. He therefore requested that this item be continued while staff continued to research the history of the issue. Alderman Hartz noted that there needed to be some clarification as to the exact number of private drives in questions and some parameters established in terms of the City's maintenance on any of these drives. He also suggested that it would be helpful if additional information was provided to affected property owners with respect to the dedication process and any options that might be available to them.

Krause/Krohn motion to continue to the next regular meeting. Unanimously carried.

**Discussion/Recommendation on having the Street Department shovel delinquent snow-covered sidewalks** *(recommended by Public Works Committee on 9/20/11)*

Administrator Jordan noted that the City had contracted with an outside service to handle these responsibilities in prior years; however, there had been some issues with the contractor during the last winter. Street Superintendent

Carstensen had asked to be granted some flexibility to use temporary employees on an on-call basis to shovel delinquent snow-covered walks, for which the City would then bill the property owners. DPW Winkler added that staff felt that less time and cost would be involved if these walks were addressed in a more timely fashion, rather than being allowed to continue snow-packed and ice-covered for any length of time while awaiting a response from the outside contractor. Chairman Krause expressed some concern about the fact that the City had discontinued summer brush collection due to budgetary constraints, yet was now proposing an additional service of shoveling delinquent sidewalks. He suggested that police department or code enforcement personnel should be monitoring this issue, rather than taking time away from the other responsibilities of street department employees. Alderman Marsala noted that Street Superintendent Carstensen had indicated to the Public Works Committee that he did not foresee any problems with handling the issue internally instead of utilizing an outside contractor. Alderman Hartz added that the property owners would be billed, thereby ensuring that the City would be compensated for the personnel time devoted to clearing the walks. During subsequent discussion, the committee members expressed a desire for additional information on the costs of having City personnel provide this service, including labor and insurance, and any liability issues.

Hartz/Marsala motion to continue to the next regular meeting. Unanimously carried.

**Discussion/Recommendation on approving the removal of the Riviera flag poles to the top of the wood base and to flash over them** (*recommended by Public Works Committee on 9/20/11*)

DPW Winkler reported that photographs of the existing wooden poles atop the building had been distributed to the committee showing their state of deterioration. The Public Works Committee had recommended sawing the poles level with the wooden base and then flashing over them. The roofing contractor working at the Riviera had estimated a cost of \$700.00 to \$800.00; however, DPW Winkler stated that if the Council was interested in proceeding with the removal, he believed he could obtain a better price. Alderman Marsala commented that he favored preserving the architecture of the Riviera; however, the existing poles presented an ongoing set of maintenance problems due to their relative inaccessibility and replacement costs had been figured at \$7,000.00 to \$8,000.00. By leaving the bases intact, he noted that the City would be able to add new poles if desired at some point in the future.

Marsala/Hartz motion to forward to Council with recommendation for approval for an amount not to exceed \$1,000.00, to be funded from TIF#4. Unanimously carried.

**Presentation of Accounts, Alderman Krause.**

Marsala/Krohn motion to recommend approval of Purchase Order in the amount of \$16,741.73. Unanimously carried.

Hartz/Marsala motion to recommend approval of Prepaid Bills in the amount of \$954.99. Unanimously carried.

Hartz/Marsala motion to recommend approval of Regular Bills in the amount of \$269,086.82. Unanimously carried.

Marsala/Krohn motion to accept the report of the City Treasurer for the month ending August 31, 2011. Unanimously carried.

**Adjournment**

Marsala/Krohn motion to adjourn at 7:12pm. Unanimously Carried.

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/s/ Jeremy A. Reale, City Clerk

**THESE MINUTES ARE NOT OFFICIAL UNTIL APPROVED  
BY THE FINANCE, LICENSE & REGULATION COMMITTEE**