

**REGULAR CITY COUNCIL MEETING  
MONDAY, SEPTEMBER 8, 2014 – 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 Kehoe.

Mayor Connors led a moment of silence in remembrance of Alderman Sturges Taggart who passed away on Saturday, September 6.

**Roll Call.** Present: Mayor Connors, Aldermen Chappell, Wall, Kordus, Hill, Kehoe, Kupsik, and Lyon. Absent: Alderman Taggart. Also present: City Administrator Jordan, City Attorney Draper and City Clerk Waswo.

**Awards, Presentations, and Proclamations.**

Mayor Connors presented a proclamation declaring the month of September 2014 as Spinal Cord Injury Awareness Month in the City of Lake Geneva.

Mayor Connors presented a proclamation declaring the week of September 7-13, 2014 as “National Assisted Living Week – The Magic of Music” in the City of Lake Geneva.

**Attendance at the 2015 League of Wisconsin Municipalities Annual Conference**

Administrator Jordan stated that if any Alderman are planning on attending the 2015 League of Wisconsin Municipalities Annual Conference to contact the clerk.

**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 audit and the timeframe it took to the complete the city audit. He also noted his concern with the wording of the draft ordinance, along with giving authority to nonelected personnel. He recommended council vote down ordinance 14-05.

**Acknowledgement of Correspondence.**

City Clerk Waswo stated the City had received letters on September 3, 4, and 5 from Dean Athans, Paul Blount, Victoria Blount, Bonnie Deutsch, Bill Grunow, Robert Hillier, Brittney Jeters, Barbara Liebovich, Sherri Mitchell, Barbara Moretti, Ronald Moretti, Patrick Rosbo, Shawn Strathmann, Rebecca Carper Swangstu, Ivyk Thillemann and Laurie Weed in regards to the color restriction in the business district.

City Clerk Waswo stated the City received a letter from Alliant Energy dated August 22, 2014 stating that they will be trimming limbs around the power lines for the next 12 weeks. The Clerk noted that this information has been posted to the website and is available in the clerk’s office.

Mayor Connors noted that the Walworth County Clean Sweep Program would be on October 3 and 4. Information can be obtained from the city website.

**Approval of Minutes**

Lyon/Kupsik motion to approve the Regular City Council Meeting minutes of August 25, 2014 and Special City Council minutes of August 28, 2014, as prepared and distributed.

### **Consent Agenda**

- a. Fireworks Permit Application filed by Badger High School and J & M Displays for the use of fireworks on the Badger High School soccer field, 220 South St., on October 3, 2014 from 9:15 p.m. to 9:30 p.m. *(recommended for approval by the Fire Chief and Police Chief)*
- b. Street Use Permit Application and request for waiver of fees filed by Russ Tronsen on behalf of Badger High School for the Fireworks Display on Friday, October 3, 2014 from 9:00 p.m. to 10:00 p.m.
- c. Temporary Class “B”/Class “B” Retailer’s License application for the Lake Geneva Chamber of Commerce for the Taste of Lake Geneva on September 13, 2014 in Flat Iron Park with Amended Map. *(Original application approved on May 27, 2014 Regular Council Meeting)*
- d. Temporary Class “B”/Class “B” Retailer’s License application for the sale of fermented malt beverages and wine at St. Francis de Sales Church, 148 W. Main Street, Lake Geneva, for Fall Festival on September 26 and September 27, 2014.
- e. Temporary Operator License application filed by Mary Ferrini on behalf of St. Francis de Sales Church for the 2014 Fall Festival on September 26 and September 27, 2014.
- f. Park Permit Application filed by Sherm Lindsey on behalf of Midwest Action Cycle and Club Scoot Jockeys, 251 Host Dr., Lake Geneva, to use Flat Iron Park for “Skootoberfest” on Saturday, October 11, 2014, from 10 a.m. to 10 p.m. *(recommended by Board of Park Commissioners on 9/3/14)*
- g. Park Permit Application filed by Richard Vance for a Family Picnic using Seminary Park on Saturday, August 2, 2015 from 10:00 a.m. to 7:00 p.m. *(recommended by Board of Park Commissioners on 9/3/14)*
- h. Original 2014-2015 Operator’s (Bartender) License applications filed by Jane Aylward, Candida Christman, Sheldon Eby, Jenna Gough, Kristyna Kuen, Ladislao Sanchez Hernandez, Denise Whitehead, and Tim Wirtala.
- i. Renewal of 2014-2015 Operator’s (Bartender) license applications filed by Shannon McDonough.

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

**Items Removed from the Consent Agenda.** None.

### **Finance, License and Regulation Committee Recommendations – Alderman Lyon**

#### **Discussion/Acceptance of 2013 Financial Audit, as provided by Schenck SC**

Alderman Lyon stated this was discussed at FLR and forwarded to Council without recommendation.

Lyon/Kordus motion to accept. Mayor Connors stated there was a minor change with discussion between the Utility Commission auditors and the City’s auditors regarding how tax payments were presented. The extra time was allowed for the two auditors to come to an agreement and correct the numbers; however, there was no material difference.

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

**Discussion/Action on approval of 2015 Budget Timeline**

Lyon/Kupsik motion to approve. Alderman Lyon stated the timeline commences tonight with review and approval and finalizes on November 17<sup>th</sup> with a public hearing for the 2015 city budget. Alderman Hill questioned how the budget was going to be prepared without having the monthly Treasurer’s report up-to-date. Administrator Jordan stated the data is on file and available to department heads and alderman. There was further discussion on obtaining the financial reports. Motion carried 7 to 0.

**Discussion/Action on approval of Maintenance Contract with Mared Mechanical Contractors Corporation**

Lyon/Kupsik motion to approve. Alderman Kupsik stated there might be some benefit to incorporate the library, fire department, museum and city hall buildings into one contract. Alderman Wall stated he feels this should go out for bid to give local businesses a chance to bid on the contract. Administrator Jordan stated that when it went out for bid the last time, there were no local businesses that submitted a bid.

Roll Call: Chappell, Wall, Kordus, Hill, Kehoe, Kupsik, and Lyon voted “yes.” Motion carried 6 to 1 with Alderman Wall voting “no”.

**Discussion/Action on request from GAI to amend the Townline Trails Agreement**

Lyon/Kupsik motion to approve. Attorney Draper stated there was additional road work that needed to be done and a meeting was held with Howard Basso who agreed to finish the work. Mr. Draper stated this cost is a pass through that is charged back to the developer.

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

**Plan Commission Recommendations – Alderman Kupsik**

**Discussion/Action to set a joint public hearing with the Plan Commission for all Comprehensive Plan Amendments for calendar year 2014.**

Alderman Kupsik stated this was in regards to the Basso project.

Kupsik/Hill motion to schedule the joint public hearing for all the Comprehensive Plan Amendments on Monday, October 20, 2014 at 5:30 p.m. Motion carried 7 to 0.

**Personnel Committee Recommendations – Alderman Kupsik**

**First Reading of Ordinance 14-05, to amend Section 2-49(3)f pertaining to the personnel committee responsibilities.**

Alderman Kupsik stated this is the first reading of ordinance 14-05.

**Discussion/Action on Reassignment of Arnold & O’Sheridan contract to R.A. Smith.**

Administrator Jordan said the city received a letter from Mr. Roloff stating R.A. Smith National (RASN) had purchased portions of Arnold and O’Sheridan and are asking if the City would approve transferring the contract to R.A. Smith National.

Hill/Lyon motion to approve. Alderman Kordus noted he did some research on RASN and stated he is comfortable switching the contract. Mr. Wall asked if the city had any knowledge that Arnold & O’Sheridan was going to be sold when the city entered into the contract. Mayor Connors stated there was no indication.

Kordus/Hill motion to suspend the rules to have representatives from R.A. Smith National address the council. Motion carried 7 to 0.

Steve Roloff with RASN addressed the council. Mr. Roloff stated he was formerly with Arnold & O'Sheridan as the lead engineer on the project and is now with R.A. Smith National in the same position. He noted the prior employees involved in the project will also be involved going forward. He said Arnold & O'Sheridan had suffered financial stress from the recession and fortunately, RASN stepped in and purchased assets of Arnold & O'Sheridan. RASN asked the entire structural group to join them and bring the vertical portion of the structural engineering to RASN, which has been primarily a civil engineering firm. Mr. Roloff requested to substitute R.A. Smith National for any civil work in lieu of Jenkins Survey and Design.

Alderman Hill questioned if there will be any other contractual or language changes. Mr. Draper stated the original contract requires the city to approve any assignment of the contract. Since the contract is being reassigned from Arnold & O'Sheridan to R.A. Smith National, they still have to request the approval of the change to the city; however, the contract will remain the same and is still a binding contract.

Chuck Stevens, the marketing director with R.A. Smith National, addressed the council. He stated RASN is a national firm that was founded in 1978 and is a multidiscipline civil engineering firm along with a structural engineering group. Mr. Stevens noted the motivation to purchase the assets of Arnold & O'Sheridan was to bring in a great deal of capability to RASN. He stated RASN is well recognized as an employer of choice with 170 employees.

Mayor Connors noted that as part of the reassignment, Attorney Draper will draft a change form.

Hill/Lyon motion to approve the reassignment of Arnold & O'Sheridan's contract to R.A. Smith and have the attorney draft a change notice.

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

### **Presentation of Accounts – Alderman Lyon**

Purchase Orders. None.

Lyon/Hill motion to approve Prepaid Bills in the amount of \$1,870.71.

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 \$159,610.56. There was further discussion on invoices from Digital Payment Technologies, GAI, the Chamber of Commerce and Humphrey's Contracting.

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

Lyon/Kehoe motion to accept Monthly Treasurer's Report for April 2014

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).

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

The Council entered into Closed Session at 7:48 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 9:04 p.m.

No action taken in closed session.

**Adjournment**

Kordus/Kehoe motion to adjourn at 9:05 p.m. Motion carried 7 to 0.

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/s/ Sabrina Waswo, City Clerk

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