

**SPECIAL REGULAR CITY COUNCIL MEETING  
WEDNESDAY, DECEMBER 30, 2015 – 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 Kordus.

**Roll Call.** Present: Mayor Connors, Aldermen Chappell, Wall, Kordus, Hill, Kupsik, Hedlund, Howell. Absent: Alderman Gelting. Also Present: City Attorney Draper, City Administrator Oborn 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.** On Dec. 21, 2015 the City received Gary Ahnert's resignation from the Geneva Lake Environmental Agency. The City received emails from James Good, Joanne Williams and Tanya Martinez expressing an interest in the City creating a committee and a study analyzing future use of the Hillmoor property.

**Approval of Minutes.** Kordus/Kupsik motion to approve the Regular City Council Meeting minutes of December 14, 2015, and Special Joint City Council and Planning and Zoning Commissioners minutes of August 17, 2015, October 19, 2015 and November 30, 2015, as prepared and distributed. Motion carried 7 to 0.

**Consent Agenda**

**Original Class "A"/"Class A" Intoxicating Liquor and Fermented Malt Beverage License application filed by Gaur Enterprises Inc d/b/a GT66, 605 Williams Street, Lake Geneva, E. Thomas Kaczmarek, Agent, contingent upon payment of all outstanding liabilities and delinquencies with the City of Lake Geneva and wholesaler invoices, clearance of any Department of Revenue holds by all parties, and contingent upon Geneva Country Store surrendering their license**

**Original 2015-2016 Operator's (Bartender) License applications filed by Emily Bailey, Rebecca Gritzuk, Ashley Key, and Kevin Smith**

Kupsik/Wall motion to approve. Motion carried 7 to 0.

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

**Finance, License and Regulation Committee Recommendations – Alderman Kupsik**

**Kupsik/Hill motion to approve Resolution 15-R60, a resolution to write off Accounts Receivable deemed uncollectible to Breakaway Event Productions in the amount of \$6,366.17 and William McCarron in the amount of \$19,911.80.** Alderman Kupsik stated this was discussed at FLR, and the two items have no collectable assets. Alderman Hill commented it is standard operating procedure to charge off debt. She commended staff for putting measurers in place to avoid this moving forward.

Roll Call: Chappell, Wall, Kordus, Hill, Kupsik, Howell voting "yes." Motion carried 6 to 0 with Alderman Hedlund "abstaining."

**Kupsik/Wall motion to approve Resolution 15-R61, a resolution implementing position pay increases including effective date of City Administrator and amending Comptroller salary per contract**

Roll Call: Chappell, Wall, Kordus, Hill, Kupsik, Hedlund, Howell voting “yes.” Motion carried 7 to 0.

**Kupsik/Wall motion to approve Resolution 15-R62, a resolution amending the City’s Schedule of Fees to increase resident and non-resident boat launch fees (*recommended Dec. 14, 2015 by Piers, Harbors & Lakefront*)**

Roll Call: Chappell, Wall, Kordus, Hill, Kupsik, Hedlund, Howell voting “yes.” Motion carried 7 to 0.

**Discussion/Action on upgrading parking enforcement handheld equipment with United Public Safety in the amount of \$14,005 for capital and annual costs of \$8,967 funded by the Parking Fund**

Kupsik/Kordus motion to approve funding by the parking fund. The current handheld equipment is about 10 years old and used prior to the Luke system. This will upgrade the system from 2G to 4G and will integrate with the current accounting system. The handhelds are used to issue parking tickets and keep data on permits. Ms. Hill asked if there have been issues with cell receptors and how it relates. Parking Manager Mullally replied the service has been spotty with T-Mobile and the upgrade to the 4G system would be with Verizon. Luke does not make its own compatible handheld unit. This unit has been tested out and can integrate with MSI. It should last 5 to 7 years. Currently if a parking permit is issued, the information is entered into a spreadsheet at the front counter. The system will now be able to integrate. She received 5 quotes; this came in the lowest and is comparable to what we have but fits our needs better.

Roll Call: Chappell, Wall, Kordus, Hill, Kupsik, Hedlund, Howell voting “yes.” Motion carried 7 to 0.

Alderman Kordus left the meeting at 7:21pm with a quorum of 6 aldermen remaining.

**Discussion/Action on Shoreline Rip-Rap repair funding for South Lakeshore Drive along Big Foot State Park (*recommended Dec. 10, 2015 by Public Works Committee*)**

Kupsik/Howell motion to approve authorizing staff to go out for bid funded from capital. Mr. Kupsik explained Director of Public Works Winkler gave an estimate \$150,000. Mr. Kupsik would like to cap it at \$150,000. Mayor Connors stated there is over a million dollars available out of the borrowing.

City Attorney Draper replied if a bid comes back at \$175,000, Council has the authority to accept it or reject it. Mr. Howell said the intent was not to cap the amount. Mr. Hedlund, Mr. Wall and Ms. Hill were under the impression the Street Department was going to do the repairs, and the City would provide the materials. Mayor Connors said that was never the intent. Mr. Kupsik felt the understanding was if the Street Department had time, they could do it. He questioned if they could afford to wait as a contractor would have it done in a month’s time.

Roll Call: Chappell, Wall, Hill, Kupsik, Howell voting “yes.” Motion carried 5 to 1 with Alderman Hedlund voting “no.”

#### **Plan Commission Recommendations – Alderman Kupsik**

**Kupsik/Hill motion to approve Resolution 15-R64, pursuant to the adopted findings of fact authorizing the issuance of a Conditional Use Application filed by Kelly C. Frazier of McCormack + Etten / Architects, LLP, 400 Broad Street, Lake Geneva, WI 53147 for Bruce & Joy Irussi, 13481 Edgewater Drive, Lakewood, OH 44107, to construct an addition to a Single Family Residence using the SR-4 Zoning requirements in an Estate Residential Zoning District (ER-1) located at 145 Lakeview Drive, Lake Geneva, WI, Tax Key No. ZLM 00074, subject to City staff comments, and with the provisions that the owner construct the drainage system as presented, approved, and inspected by the City Engineer, verify if an additional manhole cover is needed, deed the portions of storm sewer constructed in the City right of way (ROW) to the City, restore all areas constructed in the ROW to pre-existing conditions, check that storm sewer does not interfere with the ability to supply utilities to undeveloped lots on the west side of Lakeview Drive, provide a sequence of construction to the Building Inspector and City Engineer, and agreement to maintain the storm sewer inlets on the owners property in perpetuity.**

It was noted the architectural review committee had approved after the applicant put in the engineering changes.  
Roll Call: Chappell, Wall, Hill, Kupsik, Hedlund, Howell voting “yes.” Motion carried 6 to 0.

**Kupsik/Wall motion to approve a Precise Implement Plan (PIP) Amendment for additions to an existing building filed by Ken Etten of McCormack + Etten / Architects, LLP, 400 Broad Street, Lake Geneva, WI 53147 for Geneva Professional Group, 312 Center Street, Lake Geneva, WI 53147, Tax Key No. ZOP 00161 subject to any City Staff Comments.** Roll Call: Chappell, Wall, Hill, Kupsik, Hedlund, Howell voting “yes.” Motion carried 6 to 0.

**Kupsik/Hill motion to approve Resolution 15-R65, pursuant to the adopted findings of fact authorizing the issuance of a Conditional Use Application filed by Ken Etten of McCormack + Etten / Architects, LLP, 400 Broad Street, Lake Geneva, WI 53147 for Edith G. Andrew Trust for the installation of a decorative fence in excess of three feet (six feet), in the front street yard on property line and in Right of Way at 1322 W. Main Street, Lake Geneva, WI 53147, Tax Key No. ZYUP 00094L, and subject to City staff comments with the provisions that the owner obtain a right of way occupancy permit from the Public Works department, annually provide a certificate of insurance naming the City of Lake Geneva as an additional insured, and agreement that the fence be removed at the owners expense if deemed necessary by the city at some future date.**

The applicant is replacing an existing fence that lines up with the neighbors’ on both sides of the property. After the fences were erected, the State DOT went through and widened the right of way on the property on Hwy 50. In the event they ever want to widen Hwy 50 that right of way would be where the fence is, and they would have to remove the fence at their expense. In order for them to comply with the setback from the right of way, their fence would have to be indented about 10 feet in from all of their neighbors’. There is sufficient distance between the curb at the edge of the road and the fence and there are large trees as well.

Roll Call: Chappell, Wall, Hill, Kupsik, Hedlund, Howell voting “yes.” Motion carried 6 to 0.

**Kupsik/Chappell motion to approve a Precise Implement Plan (PIP) Amendment filed by Tom Howald, ALDI, Inc. Oak Creek Division, 9342 South 13th Street, Oak Creek, WI 53154 for Interra-Sky Lake Geneva LLC, 2400 Augusta Drive, Suite 330, Houston TX, 77057 for the building at 200 N Edwards Blvd., Lake Geneva, WI 53147 to modify the entrance over an existing tenant space and add a loading dock to rear of building, Tax Key No. ZA196100001, subject to City staff comments and with the provision that staff approve brick colors to match existing units.** Roll Call: Chappell, Wall, Hill, Kupsik, Hedlund, Howell voting “yes.” Motion carried 6 to 0.

**Kupsik/Howell motion to approve Resolution 15-R66, pursuant to the adopted findings of fact authorizing the issuance of a Conditional Use Application filed by Lake Geneva Architects, 201 Broad Street for Dean Athans, W3155 Snake Road, Lake Geneva, WI 53147 to exceed the Twenty foot wide passive recreational corridor in the Shore Yard Setback for new construction at W3155 Snake Road, Lake Geneva, WI 53147, Tax Key No. ZWIL 00004, subject to City staff comments, and with the provision that the owner use the main driveway into the property for all construction activity.**

Roll Call: Chappell, Wall, Hill, Kupsik, Hedlund, Howell voting “yes.” Motion carried 6 to 0.

**Kupsik/Hill motion to approve Resolution 15-R63, a resolution appointing Election Inspectors for the 2016 – 2017 term.** Roll Call: Chappell, Wall, Hill, Kupsik, Hedlund, Howell voting “yes.” Motion carried 6 to 0.

**Discussion/Action on request from Alderman Chappell and Alderman Hedlund to amend Zoning Ordinance Sections 98-206(b) and 98-206(p).** Alderman Chappell would like to change the ordinance to allow tattooing of permanent/cosmetic make-up. Alderman Hill stated as far as a priority list, this would rate lower. She appreciates it being brought to Council as she had seen a business offering permanent makeup. Mayor Connors noted if the desire is to just allow cosmetic tattooing at a salon, that issue could just be addressed. Ms. Chappell said as it stands, someone is already advertising it and she doesn’t feel the Council should limit businesses in what they choose to offer. She felt they should review outdated ordinances and this is one of them.

City Attorney Draper stated tattooing generally is only allowed in heavy industrial areas with a conditional use. There are no heavy industrial areas within the City. The two shops that we have were grandfathered in. The second issue is whether you want to allow cosmetic tattooing to be carved out and not included as tattooing under the statute that

prevents tattoo parlors in areas other than heavy industrial. Ms. Chappell requested they move forward to open up people's businesses and services.

Mayor Connors stated this would be moved to the Plan Commission for a public hearing and the recommendation would be forwarded back to City Council.

Chappell/Hedlund motion to refer to Plan Commission to allow salons to provide permanent makeup services.

Roll Call: Chappell, Kupsik, Hedlund, Howell voting "yes." Motion carried 4 to 2 with Alderman Wall and Hill voting "no."

**Presentation of Accounts – Alderman Kupsik**

Purchase Orders. None.

**Kupsik/Wall motion to approve Prepaid Bills in the amount of \$3,436.42.**

Roll Call: Chappell, Wall, Hill, Kupsik, Hedlund, Howell voting "yes." Motion carried 6 to 0.

**Kupsik/Hill motion to approve Regular Bills in the amount of \$108,780.94.** Alderman Hill questioned the status of the fire station roof repairs. Mr. Oborn explained it was changed from a replacement to a repair with a reduction from \$80,000 to \$13,000 coming out of capital. The repairs should be sufficient for 5 years. They have already done the work and he is recommending payment tonight. Mayor Connors noted they replaced the tower where the hoses are dried.

Roll Call: Chappell, Wall, Hill, Kupsik, Hedlund, Howell voting "yes." Motion carried 6 to 0.

**Kupsik/Wall motion to acceptance of Monthly Treasurer's Report for July and August 2015.** Alderman Hill questioned when we will be at year end on our books. Mr. Oborn stated they have to be by the full audit in March. They have taken measures to become timely in the future.

Roll Call: Chappell, Wall, Hill, Kupsik, Hedlund, Howell voting "yes." Motion carried 6 to 0.

**Mayoral Appointments.** None.

**Closed Session.** Kupsik/Hill motion to go into Closed Session pursuant to Wis. Stat. 19.85(1)(e) for purposes of conducting other specified public business, whenever competitive bargaining reasons require a closed session concerning Police Union Negotiations (City Administrator Oborn)

Roll Call: Chappell, Wall, Hill, Kupsik, Hedlund, Howell voting "yes." Motion carried 6 to 0.

The Council entered into closed session at 8:05 pm.

**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, Hill, Kupsik, Hedlund, Howell voting "yes." Motion carried 6 to 0.

The Council reconvened in open session at 8:32 p.m.

**Hill/Kupsik motion to instruct City Administrator to proceed as discussed in closed session with the changes as noted.** Roll Call: Chappell, Wall, Hill, Kupsik, Hedlund, Howell voting "yes." Motion carried 6 to 0.

**Adjournment.** Howell/Hill motion to adjourn at 8:33 p.m. Motion carried 6 to 0.

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/s/ Sabrina Waswo, City Clerk

**THESE ARE NOT OFFICIAL MINUTES UNTIL APPROVED BY THE COMMON COUNCIL**