

**REGULAR CITY COUNCIL MEETING  
MONDAY, NOVEMBER 27, 2017 – 6:00 PM  
COUNCIL CHAMBERS, CITY HALL**

Mayor Kupsik called the meeting to order at 6:00 p.m.

The Pledge of Allegiance was led by Alderman Kordus.

Mayor Kupsik welcomed the new City Clerk, Lana Kropf, to the Council meeting.

Roll Call Present: Mayor Kupsik, Alderpersons Chappell, Skates, Kordus, Flower, Hedlund, Howell, Halverson, and Straube. Absent: None. Also Present: City Administrator Oborn, City Attorney Draper, Clerk Kropf, and Assistant Clerk Elder.

Awards, Presentations, and Proclamations

Mayor Kupsik announced that on Saturday, December 2, 2017 the City will host its annual Christmas Parade at 5:00 p.m. He also noted that the Friends of Lakeland School will be having a waffle breakfast on Saturday, December 9, 2017 from 7:30a.m. to 11:00a.m. Kupsik announced that the lighting of the Christmas Tree at the Pavilion will take place on Friday, December 1, 2017 at 5:00 p.m.

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 be limited to 5 minutes.

Mary Jo Fesenmaier; 1085 Lake Shore Drive; Spoke to the White River Acquisition Grant and requested that more information be available in the future.

Doug McMan; 2066 St. Johns Avenue, Island Park, IL; Spoke on behalf of White River Holdings and spoke on behalf of the owners in the opposition of the White River Acquisition Grant extension.

Dick Malmin; N1991 S Lakeshore Drive; Spoke in opposition of the creation of a full time Fire Department for the City.

Acknowledgement of Correspondence

Clerk Kropf indicated that there was no correspondence to report.

Approve Regular City Council Meeting minutes of November 13, 2017, as prepared and distributed

Motion by Kordus, to approve the November 13, 2017 City Council minutes as prepared and distributed, second by Skates. Motion carried 8-0.

**CONSENT AGENDA** – *Recommended by Finance, License and Regulation on November 21, 2017* Any item listed on the consent agenda may be removed at the request of any member of the Council. The request requires no second, is not discussed, and is not voted upon.

- a. Amend “Class “B”/Class “C” Fermented Malt Beverage & Wine License to extend premises to include service of alcohol in all building interior areas including auditoriums, lobby, event rooms, walkways, and stage, for Plaza Media LLC d/b/a Geneva Theater, 244 Broad St., Shad Branen
- b. Original 2017-2018 Operator’s (Bartender) License applications filed by Leah Ellen Selby, James Gray, Varsha K. Shah, Jake M. Meredith, and Sabrena Renee Dukes

Motion by Kordus, to approve the consent agenda, second by Chappell. Motion carried 8-0.

Item(s) removed from the Consent Agenda

None

**Public hearing and adoption of the 2018 operating and capital budget for the City of Lake Geneva**

Mayor Kupsik closed the regular meeting of the Council and opened the Public Hearing at 6:09 p.m.

No persons wished to speak at the Public Hearing.

Mayor Kupsik closed the Public Hearing and reopened the Council meeting at 6:10 p.m.

**Discussion/Action on Resolution 17-R60, a resolution approving and adopting the 2018 operating and capital budgets for the City of Lake Geneva**

Motion by Kordus, to approve 17-R60, second by Helund. Motion carried 8-0.

**Discussion/Action on Resolution 17-R61, a resolution approving the 2017 tax levy for the City of Lake Geneva**

Motion by Kordus, to approve 17-R61, second by Helund. Motion carried 8-0.

**Items Vetoed by the Mayor**

1. Resolution No. 17-R56 for Inclusion Under the Wisconsin Public Employers' Group Health Insurance Program with participation in the Deductible HMO-Standard PPO W/O Dental, P14 Program Option effective January 1, 2018  
Clerk Kropf read the Mayor's letter of intent to veto. Council did not take action on this item.
2. Cottingham & Butler Compensation Agreement for health & welfare services for two years  
Clerk Kropf read the Mayor's letter of intent to veto. Council did not take action on this item.

**First reading of Ordinance 17-17, amending Sec. 30-122 Annual Fire Prevention Inspection Fees to allow fee changes via resolution**

Motion by Kordus, to suspend the Council rules to allow for the first and second reading to be conducted at the same meeting, second by Hedlund. Motion carried 8-0.

Motion by Kordus, to approve Ordinance 17-17, second by Hedlund. Kordus noted that the fees had not been reviewed in over ten years and that by allowing the fee schedule to be changed in resolution form, instead of ordinance would make it easier for staff to amend if necessary. Motion carried 8-0.

**Finance, License and Regulation Committee Recommendations of November 21, 2017 – Ald. Kordus Discussion/Action on awarding the 2017 White River Disc Golf Course Pedestrian Bridge Project to Sonrise Construction in an amount not to exceed \$45,716.00**

Motion by Kordus to approve, second by Skates. Motion carried 8-0.

**Discussion/Action on the Kapur & Associates TIF Escrow Draw Request No. 6 in the amount of \$17,868.42 for the Main Street Widening Project – Engineering Contract**

Motion by Kordus to approve, second by Hedlund. Kordus noted that this would be the final payment for the project, excluding the change order below. Motion carried 8-0.

**Discussion/Action on Kapur Main Street Widening Change Order No. 1 and payment request in the amount of \$2,847.08 to be funded from 2017 Street Improvement Project**

Motion by Kordus to approve, second by Hedlund. Motion carried 8-0.

**Discussion/Action of awarding the Additions & Alterations to the Existing Lake Geneva / Flat Iron Park Visitors' Center Building Project to Glen Fern Construction, LLC for \$156,000 with the City cost not to exceed \$115,993.74 for the Public Restrooms Additions & Alterations from the 2017 Capital Projects Fund and the Visit Lake Geneva cost not to exceed \$40,006.26 for the Visitors Center Additions & Alterations**

Motion by Kordus to approve, second by Hedlund. Motion carried 8-0.

**Discussion/Action on Glen Fern Construction, LLC Change Order No. 1 in the amount of \$1,907.00 with the City cost not to exceed \$1,700.00 from the 2017 Capital Projects Fund and the Visit Lake Geneva cost not to exceed \$207.00**

Motion by Kordus to approve, second by Skates. Kordus noted that this change order came from initial items that were missed and needed to be amended to adhere to code compliance. Motion carried 8-0.

**Discussion/Action on renewal of Annual Maintenance Agreement with Automated Parking Technologies LLC in an amount not to exceed \$62,900.00**

Motion by Kordus to approve, second by Hedlund. Kordus noted that this is the annual maintenance agreement for the parking meters. Motion carried 8-0.

**Discussion/Action on Lake Geneva Tourism Commission Request to Amend Room Tax Reporting Form to include optional reporting of number of room nights rented in month**

Motion by Kordus to approve, second by Hedlund. Kordus noted that this change would allow the form to record the number of room nights rented in a month. This information would be solely for the City and would only show a percentage for potential grant applicants. Motion carried 7-1, with Chappell voting noe.

**Discussion/Action of City Hall Office Changes not to exceed \$7,000 for projector/screen and office furniture from 2017 Capital Projects Fund**

Motion by Kordus to approve, second by Halverson. Kordus noted that these funds would allow for additional projectors and furniture to be chosen by the City Administrator. Motion carried 8-0.

**Discussion/Action of Building & Zoning Office Kyocera Printer for 5-Year lease at \$118.74 per month from Rhyme Business Products**

Motion by Kordus to approve, second by Howell. Kordus explained that this would be second printer for the Planning and Zoning Department as they currently use the City's. Motion carried 8-0.

Discussion/Action of iWorQ Building Inspection & Zoning Software for \$7,000 from the Equipment Replacement Fund

Motion by Kordus to approve, second by Hedlund. Kordus explained that this upgrade is greatly needed and would allow for a more comprehensive and involved access to records to streamline the process. Motion carried 8-0.

**Plan Commission Recommendations of November 20, 2017 – Ald. Skates**

Discussion/Action of a CSM Lot Division filed by Paul Van Henkelum, Cardinal Engineering, on behalf of Mark Larkin, 500 Stone Ridge Drive, Lake Geneva, WI 53147, to divide a 6 acre parcel into 4 lots on the north side of Dodge Street, Tax Key No. ZYUP00053

Skates explained that the applicant has withdrawn this application and would not need to be considered by Council at this time.

Discussion/Action of a CSM Lot Combination filed by Paul Van Henkelum, Cardinal Engineering, on behalf of Chris Law, Geneva Lakes Christian Church, W2906 Willow Road, Lake Geneva, WI 53147, to combine 2 parcels at the SE corner of Bloomfield Road & Harmony Drive, Tax Key Nos. ZSF00232 and ZSF00231

Motion by Skates to approve, second by Kordus. Skates noted that the project for this has been approved and this would allow for the combination of two parcels. Motion carried 8-0.

Discussion/Action of a CSM Lot Combination filed by Paul Van Henkelum, Cardinal Engineering, on behalf of Golden Years, to combine 2 parcels on the SW corner of Bloomfield Road & Harmony Drive, Tax Key Nos. ZSF00074 & ZSF00085

Motion by Skates to approve, second by Kordus. Skates explained that this is also a lot combination. Motion carried 8-0.

Discussion/Action of an Extraterritorial Jurisdiction (ETJ) CSM Lot Division in the Town of Geneva, filed by Douglas Olson, Olson Land Surveying, LLC, on behalf of Millard Properties, LLC, W6362 Dunham School Road, Elkhorn, WI, to divide a parcel at W2970 Springfield Road, Tax Key No. JG 1400001

Motion by Skates to approve, second by Kordus. Skates noted that this is a division of an existing lot in the extraterritorial jurisdiction. Motion carried 8-0.

Discussion/Action on **Resolution 17-R58** for an amendment to an existing Conditional Use Permit (CUP) filed by Alan & Kathi Bosworth, 23 Windsor Drive, Elmhurst, IL, 60126 to add a landscape retaining wall at 1224 Main Street, Tax Key No. ZYUP 00094A

Motion by Skates to approve 17-R58, second by Kordus. Skates explained that staff needed to review some things further, but the Planning Commission recommended approval. Motion carried 8-0.

Discussion/Action of the General Development Plan (GDP) filed by Steve Bieda, Mau & Associates, LLP, 400 Security Blvd, Green Bay, WI 54313, on behalf of Himansu Dhyani/Northern Management, to construct (4) four (8) eight unit multi-family buildings at 1150 Wells Street, Tax Key No. ZYUP00142B

Motion by Skates to approve, second by Kordus. Skates noted that this plan offers an improvement to the south side and the applicants have taken direction from staff on this project. Motion carried 8-0.

Discussion/Action on **Resolution 17-R59** for Zoning Map Amendment from zoning classification Planned Business Park (PBP) to zoning classification Planned Business (PB), filed by Core Commercial Inc., for the property located at 753 Geneva Parkway to construct 2 Commercial structures, Tax Key Nos. ZGBC 0001A & ZLGBP 00002

Motion by Skates to approve 17-R59, second by Kordus. Skates noted that this is only a zoning map change. Flower stated that she is not in favor of this change. Motion carried 5-3, with Flower, Halverson, and Straube voting no.

**Discussion/Action on Resolution 17-R62, amending the Schedule of Fees to include:**

- A \$2.00 per hour Parking Stall fee for stalls on 700 & 800 blocks of Main Street and Center Street Parking Lot and keeping all other parking fees as previously listed in the Schedule of Fees  
*(Recommended by the Finance, License and Regulation Committee on November 7, 2017)*
- An \$8 Beach Entry fee for Ages 13 to Adult with Operating Hours of 9:00 AM to 7:00 PM  
*(Recommended by the Finance, License and Regulation Committee on November 7, 2017)*
- Revised Building & Zoning Fee Schedule as Presented *(Recommended by the Finance, License and Regulation Committee on November 21, 2017)*
- Fire Prevention Inspection Fee Schedule as Presented *(Recommended by the Finance, License and Regulation Committee on November 21, 2017)*

Motion by Kordus to approve 17-R62, second by Hedlund. Kordus noted that these were all discussed in the budget process and if there are any changes that the budget would need to be reviewed again by the Finance Committee.

Flower noted that she wanted to change the fees without changing the beach times. Halverson stated that he was against the extension of the hours, as there are no lifeguards on duty after 6:00 p.m.

Amendment to the motion by Halverson, to keep the beach entry fee at \$8 person (ages 13 and older) and to change the closing time from 7:00 p.m. to 6:00 p.m., second by Flower. Motion carried 6-2, with Helund and Kordus voting no.

Original motion as amended carried 7-1, with Kordus voting no.

Oborn noted that this will have to be brought back to the Finance Committee as the amendment might change the 2018 budget projections.

**Discussion/Recommendation extension of the White River Crossing Acquisition Grant to December 31, 2018 with Modification to include Acquisition or Easement Purchase and/or Facilities Installation (Recommended by Public Works on November 21, 2017)**

Motion by Kordus, to approve, second by Skates. Oborn noted that this grant was initially received in 2012 and it was renewed last year. The City is looking to come to an agreement with the property owners on this grant. Motion carried 8-0.

**Presentation of Accounts – Ald. Kordus (Recommended by Finance, License and Regulation Committee on November 21, 2017)**

Purchase Orders (none)

Prepaid Bills in the amount of \$13,411.20

Motion by Kordus to approve, second by Skates. Motion carried 8-0.

Regular Bills in the amount of \$253,298.62

Motion by Kordus to approve, second by Skates. Motion carried 8-0.

**Mayoral Appointments**

Appointments to the Business Improvement District Board of Directors:

Kevin Fleming, Sean Payne, Steve Monticello and Tessa August for a term expiring January 1, 2020

Motion by Kordus to approve, second by Skates. Motion carried 8-0.

**Closed Session**

Motion to go into Closed Session pursuant to Wis. Stat. 19.85(1)(c) considering employment, promotion, compensation or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility for the Finance Director (Comptroller) position,

And pursuant to Wis. Stat. 19.85(1)(e) deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session with regard to:

- 1) City property at Edwards Blvd and Sheridan Springs Road
- 2) Police Officers' Union Negotiations, and
- 3) Firefighters' Union Negotiations

Motion by Kordus to convene the Council into closed session, second by Skates. Kordus requested that the City Attorney and Administrator be present during the closed session. Motion carried 8-0. The Council convened into closed session at 7:00 p.m.

**Motion to return to open session pursuant to Wisconsin Statutes 19.85 (2) and take action on any items discussed in closed session**

Motion by Kordus to reconvene into open session, second by Skates. Motion carried 8-0. The Council reconvened into open session at 7:45 p.m.

Motion by Kordus to approve the appointment of Karen Hall as the City of Lake Geneva's Finance Director (Comptroller), second by Halverson. Motion carried 8-0.

Motion by Kordus to approve the sales agreement for the City property located at Edwards Blvd and Sheridan Springs Rd with Chief Waubonsie, LLC with the changes recommended in closed session, second by Flower. Motion carried 8-0.

There was no action taken on the Police Officer's union Negotiations.

Motion by Kordus to authorize staff to negotiate as discussed in closed session, second by Flower. Motion carried 8-0.

**Adjournment**

Motion by Kordus to adjourn the meeting of City Council, second by Skates. Motion carried 8-0. The City Council adjourned at 7:50 p.m.