

**FINANCE, LICENSE & REGULATION COMMITTEE**  
**MONDAY, MAY 9, 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, Comptroller Pollitt, and City Clerk Reale.

Marsala/Krohn motion to approve Finance, License and Regulation Committee minutes of April 25, 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.

Richard Peterson, 308 Walnut Street, Burlington, addressed the Committee on the subject of the skateboard park design agreement. He stated that he had looked at the current park, noting that it was in serious need of repairs in order to be usable for children and young adults. He was concerned about potential safety issues that might confront the City if the skate park continued to operate in its present condition. Mr. Peterson also stated that he was not in favor of the City incurring such a significant expense to design a new skateboard park.

Bill Huntress, 1015 Pleasant Street, also spoke on the topic of the skateboard park. He reiterated several of the concerns he had previously raised during the May 2, 2011 Committee of the Whole meeting regarding the condition of the current park and the possible safety and liability issues. He further questioned the fact that the City had \$500,000.00 available for a redesigned park at the same time it was planning to borrow \$1 million to fund street repairs. He stressed that the Council members should be responsive to the wishes of the citizens they were elected to represent rather than to the lobbyists seeking to spend the City's money.

Ryan Harris, N2655 Woodlane Road, addressed the Committee to discuss the Lake Geneva skateboard park and his experiences with skate parks around the Midwest. He spoke in favor of the proposed new park, noting that it was important to have a usable facility so skateboarders would be kept off of the streets and other public areas.

**RESOLUTIONS**

**Resolution 11-R38, amending the budget to transfer \$14,695.00 from the Contingency Account to the Capital Projects Fund for the purchase of a Police Department repeater**

Chief Rasmussen had distributed copies of three bids for the repeater prior to the meeting. Chairman Krause reported that the main repeater was down and the department was presently using loaned equipment. It was being proposed to authorize the purchase of a new repeater through General Communications for the amount of \$10,209.00, which was the most favorable price from among the quotes.

Hartz/O'Neill motion to suspend the rules to permit Chief Rasmussen to address the Committee. Unanimously carried. Chief Rasmussen stated that the main repeater had gone down approximately one month earlier and was no longer able to be repaired. He noted that this item had been included in the capital request submitted by the department, as it had been for several successive years. He told the Committee that the Harris model repeater offered by General Communications was comparable to the department's current equipment.

Marsala/Hartz motion to forward to Council with recommendation for approval of Resolution 11-R38 in the amount of \$10,209.00, contingent upon approval of the purchase of the repeater. Unanimously carried.

**ORDINANCES**

**First Reading of Ordinance 11-15, amending Chapter 74, Traffic and Vehicles, of the Lake Geneva Municipal Code regarding parking meters and parking stickers**

City Clerk Reale explained that Ordinance 11-15 addressed a discrepancy between the language of the code and the parking enforcement practices utilized by City personnel. As written, Chapter 74 specified that parking stickers entitled vehicles to two hours of free parking at any stall. The proposed ordinance would clarify that parking stickers were not applicable at the specialty twelve-minute and thirty-minute meters, and that all vehicle operators parking in such stalls would be responsible for depositing coin and subject to the time limits.

**First Reading of Ordinance 11-16, amending Chapter 2, Administration, of the Lake Geneva Municipal Code regarding the Parking Commission**

Chairman Krause stated that Mayor Connors had proposed the subject ordinance, which would clarify the membership of the Commission and require the body to meet on a quarterly, rather than semi-annual, basis. Ordinance 11-16 specified that the Parking Commission would be comprised of five voting members and one non-voting member. The voting members would include one alderman and four citizens appointed by the Mayor, with the director of the Geneva Lake Area Chamber of Commerce serving as the permanent non-voting member of the Commission.

**LICENSES & PERMITS**

**Original Taxi Company License application filed by Skippers Cab**

Marsala/Krause motion to forward to Council with recommendation for approval of original Taxi Company License application filed by Skippers Cab, W1044 Evergreen Road, Pell Lake, WI, Richard and Ronald Skipper, owners. Alderman Hartz noted that the applicant had not yet purchased the vehicles proposed for the taxi service. City Clerk Reale responded that he had consulted with the City Attorney, who had advised that it would not be unreasonable for the Council to grant conditional approval to an application if the applicant provided information about the vehicles proposed for purchase.

Hartz/O'Neill motion to amend to make issuance of the license contingent upon the vehicles described being purchased and passing the required inspections. Unanimously carried. The main motion, as then amended, unanimously carried.

**Temporary Class "B" Retail License application filed by Friends of Big Foot Beach State Park**

Hartz/Marsala motion to table Temporary Class "B" Retail License application filed by Friends of Big Foot Beach State Park for sale of fermented malt beverages during Big Foot Triathlon at Big Foot Beach State Park, 1550 S. Lake Shore Drive, Lake Geneva, on June 26, 2011, from 7:00am to 1:00pm. Unanimously carried.

**Street Use Permit application filed by Geneva Area Foundation/Horticultural Hall**

Hartz/Krohn motion to forward to Council with recommendation for approval of Street Use Permit application filed by Geneva Area Foundation/Horticultural Hall, for Farmers Market on Thursdays from 7:00am to 1:30pm, May 5, 2011 through October 27, 2011, including waiver of application fee. Alderman Marsala stated that he was uncomfortable approving the fee waiver because, although the applicant was a non-profit organization, there would be several vendors on site who would be making money on the event. He further noted that the issue of bagging parking meters needed to be investigated as well.

Marsala/Krohn motion to suspend the rules to permit applicant Charlene Klein, President of the Geneva Area Foundation, to address the Committee. Unanimously carried. With respect to the parking issue, Ms. Klein estimated that the event would involve the bagging of six to eight meters, adding that the organizers were simply trying to provide the community with ease of access to the market. She further stated that the vendors have certain requirements that must be met in order to participate in the farmers market, though she acknowledged that there would be a handful of vendors inside selling craft items. Alderman Hartz noted that the parking areas used by market vendors were primarily used when the meters were not being enforced, as most of the unloading of wares occurred around the 4:00am hour. Alderman O'Neill noted that the majority of customers were only on site for a short time period during the farmers market, and he was therefore skeptical that the City would make significantly more money if the meters were enforced. He also remarked on the fact that the farmers market had actually begun during the prior week. City Clerk Reale stated that the approved street use application had been received too late to include the item on the agenda for the previous meeting. With respect to the parking meter issue, Chairman Krause stressed that City personnel should be responsible for bagging any meters. Upon the agreement of the maker of the motion and the seconder, this provision was included in the main motion.

Motion carried by vote of 4 to 1, with Alderman Marsala opposed.

**Street Use Permit application filed by Badger High School**

Marsala/Krohn motion to forward to Council with recommendation for approval of Street Use Permit application filed by Badger High School for closure of section of Wells Street during graduation ceremony on June 5, 2011, from 12:30pm to 3:30pm. Unanimously carried.

**Park Permit application filed by Clear Water Outdoor**

Marsala/O'Neill motion to forward to Council with recommendation for approval of Park Permit application filed by Clear Water Outdoor, for Stand-Up Paddle Board event at Library Park and Riviera Beach on July 16, 2011, from 7:00am to 4:00pm. Alderman Marsala discussed the event, stating that the issues raised by the Piers, Harbors and Lakefront Committee had been addressed through the proper channels and that the organizers had put into place measures to protect the safety of participants. Unanimously carried.

**Park Permit application filed by Honor the Fire Keepers**

Hartz/Marsala motion to forward to Council with recommendation for approval of Park Permit application filed by Honor the Fire Keepers, for Native American Pow Wow at Dunn Field, June 16 through June 19, 2011, from 9:00am to 4:00pm. Alderman Marsala noted that the applicant had attached a letter requesting a waiver of fees.

Hartz/Marsala motion to suspend the rules to permit Doug Skates, President of the Board of Park Commissioners, to address the Committee to discuss the recommendation from the Board. Unanimously carried. Mr. Skates stated that the Board recognized that there were costs associated with processing permits and had therefore moved away from the previous practice of waiving all fees for non-profit applicants. As such, the recommendation of the Board of Park Commissioners had been to charge the applicant a flat fee of \$130.00, in addition to the standard application fee of \$25.00. Motion carried by vote of 4 to 1, with Alderman Marsala opposed.

**Park Permit application filed by the Geneva Lake Area Chamber of Commerce**

Marsala/Hartz motion to forward to Council with recommendation for approval of Park Permit application filed by the Geneva Lake Area Chamber of Commerce to extend the dates for "Concerts in the Park" at Flat Iron Park to include June 26 and June 30, 2011. Unanimously carried.

**Original Operator License applications filed by James Fritz and Nicole Newnum**

Marsala/Krohn motion to forward to Council with recommendation for approval of original Operator License applications filed by James Fritz and Nicole Newnum. Unanimously carried.

**Renewal "Class B"/Class "B" Retail License applications for 2011-2012**

Krause/Marsala motion to forward to Council with recommendation for approval of renewal "Class B"/Class "B" Intoxicating Liquor and Fermented Malt Beverage License applications filed by the following, pending all outstanding liabilities to the City being paid and all distributor invoices and Department of Revenue holds being cleared prior to issuance of the licenses:

American Legion Post 24, 735 Henry Street, Charles J. Schlehlein, Agent  
Anagnos Enterprises, Ltd., d/b/a Popeyes Inc., 811 Wrigley Drive, Michael Anagnos, Agent  
Bar Inc. of Lake Geneva, d/b/a Fat Cats, 104 Broad Street, Thomas Samuelson, Agent  
Capitol Geneva LLC, d/b/a Sprecher's Restaurant & Pub, 111 Center Street, Stephen J. Schroeder, Agent  
GE Geneva LLC, d/b/a Gino's East, 300 Wrigley Drive, Jeff Whiteman, Agent  
Gleneagles LLC, d/b/a Sopra, 724 Main Street, Alastair M. Cumming, Agent  
Golden Oaks Mansion, 421 Baker Street, Nancy Golden Waspi, Agent  
Harry's Café and Place, Inc., d/b/a Harry's Café, 808 Main Street, James Chironis, Agent  
Hogs & Kisses, Inc., 149 Broad Street, Linda Chironis, Agent  
L & B Mainstreet, Inc., d/b/a Champs Sports Bar & Grill, 747 W. Main Street, Gregory Bush, Agent  
Medusa Grill & Bistro LLC, d/b/a Medusa Grill & Bistro, 501 Broad Street, Gregory Anagnos, Agent  
DCR Restaurant Group LLC, d/b/a The Next Door Pub, 411 Interchange North, Chad Bittner, Agent  
Samson Enterprises LLC, d/b/a Carvetti's, 642 W. Main Street, Ryan Scott Johnson, Agent  
Sandal, Inc., d/b/a Lake Geneva Lanes, 192 E. Main Street, Franklin D. Guske Sr., Agent  
Stone Soup LLC, d/b/a Baker House, 327 Wrigley Drive, Kevin Halminiak, Agent

Scuttlebutts, 831 Wrigley Drive, Steven and Emily Sundberg, Agent  
Swatek Sales Corp./SS2 Inc., d/b/a The Red Geranium Restaurant, 393 N. Edwards Blvd., Mark Swatek, Agent  
Thumbs Up, Inc., 260 Broad Street, Michael J. Appel, Agent

Alderman Hartz noted that the agent listed on the application for Stone Soup LLC was no longer employed by the applicant. City Clerk Reale responded that an application for change of agent had since been filed and would be brought forward for approval at the next regular meeting. Unanimously carried.

Krause/Marsala motion to forward to Council with recommendation for denial of renewal “Class B”/Class “B” Intoxicating Liquor and Fermented Malt Beverage License applications filed by the following:  
LG Hospitality Group LLC, d/b/a Ryan Braun’s Tavern & Grill, 430 N. Broad Street, Ann Gram, Agent  
Pop More Corks, Inc., 615-617 Main Street, David Biegemann, Agent

It was noted that both applicants had outstanding delinquencies, which provided cause for the City to deny issuing the licenses. City Clerk Reale questioned whether the Committee wanted to take action to deny the applications or simply continue the items until such time that the delinquencies could be cleared before the June 30 expiration. He noted that, if denied, the applicants would be required to submit new applications and pay additional publication fees. City Attorney Draper had additionally advised that a denial would trigger an appeal process for the applicants as well. Mayor Connors suggested that the Committee continue the applications so the businesses could have an opportunity to clear any delinquencies without the need to reapply. Aldermen Krohn and O’Neill stated that they favored denying the applications and requiring the businesses to reapply. Following discussion, Alderman Krause withdrew the motion and Alderman Marsala withdrew the second.

Krause/Marsala motion to continue. Motion carried by vote of 4 to 1, with Alderman Krohn opposed.

**Renewal Reserve “Class B”/Class “B” Retail License applications for 2011-2012**

Krause/Marsala motion to forward to Council with recommendation for approval of renewal Reserve “Class B”/Class “B” Intoxicating Liquor and Fermented Malt Beverage License applications filed by the following, pending all outstanding liabilities to the City being paid and all distributor invoices and Department of Revenue holds being cleared prior to issuance of the licenses:

Lake Aire Restaurant, 804 Main Street, George Argiropoulos, Agent  
Meridien Bella Vista Suites Hotel LLC, 335 Wrigley Drive, Theodore M. Harig, Agent  
Harborside Pub & Grill, 100 Broad Street, Spyro and Patricia Condos, Agent  
Su Wings Corporation, d/b/a Su Wings Chinese Restaurant, 743 North Street, Siu Wing Leung, Agent  
Tempura House, 306 Center Street, Wang Mei Bao, Agent  
Unanimously carried.

Krause/Hartz motion to continue renewal Reserve “Class B”/Class “B” Intoxicating Liquor and Fermented Malt Beverage License application filed by Cove Condominium Association, d/b/a The Cove of Lake Geneva, 111 Center Street, Sal Sardina, Agent. Unanimously carried.

**Renewal Class “B” and “Class C” Retail License applications for 2011-2012**

Krause/Marsala motion to forward to Council with recommendation for approval of renewal Class “B” Fermented Malt Beverage and “Class C” Wine License applications filed by the following, pending all outstanding liabilities to the City being paid and all distributor invoices and Department of Revenue holds being cleared prior to issuance of the licenses:

Bistro 220, 220 Cook Street, Ken Wenz, Agent  
Happy Restaurant, Inc., 526 Wells Street, Min Ting Zhong, Agent  
Pizza Co. of Lake Geneva, d/b/a Original Chicago Pizza Co., 150 Center Street, John Regester, Agent  
PH Hospitality Group LLC, d/b/a Pizza Hut, 801 Williams Street, Butch Nocek, Agent  
Unanimously carried.

Alderman Hartz recused himself from the proceedings.

Krause/Marsala motion to forward to Council with recommendation for approval of renewal Class “B” Fermented Malt Beverage and “Class C” Wine License application filed by the following, pending all outstanding liabilities to the City being paid and all distributor invoices and Department of Revenue holds being cleared prior to issuance of the license:

Simple Café LLC, d/b/a Simple Café, 525 Broad Street, Thomas Hartz, Agent

Unanimously carried, with Alderman Hartz recused. Alderman Hartz then returned to the meeting.

#### **Renewal “Class A”/Class “A” Retail License applications for 2011-2012**

Krause/Hartz motion to forward to Council with recommendation for approval of renewal “Class A”/Class “A” Intoxicating Liquor and Fermented Malt Beverage License applications filed by the following, pending all outstanding liabilities to the City being paid and all distributor invoices and Department of Revenue holds being cleared prior to issuance of the licenses:

Brutap LLC, d/b/a Bruno’s Liquors, 524 Broad Street, James Sharkus, Agent

Geneva Country Store, 605 Williams Street, Thomas Kaczmarek, Agent

Lake Geneva Brewing Emporium LLC, 640 W. Main Street, Troy Anderson, Agent

Prairie State Enterprises of Darien LLC, d/b/a Lake Geneva Mobil, 350 N. Edwards Blvd, Kenneth Kearns, Agent

Queso Corp. LLC, d/b/a The Cheese Box, 801 S. Wells Street, Leslie Schwinn, Agent

Roddy’s Liquor & Deli, 880 W. Main Street, James Roddy, Agent

433 Broad Street, Inc., d/b/a Rose’s Market, 433 Broad Street, Eric Rose, Agent

Stinebrink’s Lake Geneva Foods LLC, d/b/a Stinebrink’s Piggly Wiggly, 100 Geneva Square, Mark Stinebrink, Agent

Stop-N-Go of Madison, Inc., d/b/a Stop-N-Go #265, 896 Wells Street, Crystal Dent, Agent

Target Corporation, d/b/a Target Store T-2348, 660 N. Edwards Blvd, Donna Jeanne Bulington, Agent

Wal-Mart Stores East LP, d/b/a Wal-Mart Supercenter #910, 201 S. Edwards Blvd, Cliff Floerke, Agent

Unanimously carried.

Krause/Hartz motion to continue renewal “Class A”/Class “A” Intoxicating Liquor and Fermented Malt Beverage License application filed by Geneva Corner Market, Inc., 1231 Grant Street, Kathleen Ketterhagen, Agent.

Unanimously carried.

#### **Renewal Class “B” Retail License applications for 2011-2012**

Krause/Marsala motion to forward to Council with recommendation for approval of renewal Class “B” Fermented Malt Beverage License application filed by the following, pending all outstanding liabilities to the City being paid and all distributor invoices and Department of Revenue holds being cleared prior to issuance of the license:

Lake Geneva Hospitality Group LLC, d/b/a Comfort Suites, 300 E. Main Street, Sam Russo, Agent

Unanimously carried.

#### **Renewal “Class A” Retail License applications for 2011-2012**

Krause/Krohn motion to forward to Council with recommendation for approval of renewal “Class A” Intoxicating Liquor License application filed by the following, pending all outstanding liabilities to the City being paid and all distributor invoices and Department of Revenue holds being cleared prior to issuance of the license:

Lake Geneva School of Cooking LLC, 727 Geneva Street, John Bogan, Agent

Unanimously carried.

#### **Discussion/Recommendation on renewal of Community Bank CD in the amount of \$305,153.80, expiring May 10, 2011**

Comptroller Pollitt distributed a copy of the latest quotes, noting that interest rates continued to be poor and many of the financial institutions contacted had not even submitted quotes for the CD. She recommended renewal of the CD through Community Bank of Delavan for a 6-7 month term at 0.50 percent interest.

Hartz/Marsala motion to forward to Council with recommendation to approve renewing the CD for a term of 6-7 months at 0.50 percent interest. Unanimously carried.

**Discussion/Recommendation on disallowance of claim for sewerage backup filed by Judith Huemann, pursuant to Wisconsin Statutes 893.80 (1g)**

Hartz/Krohn motion to forward to Council without recommendation. Unanimously carried.

**Discussion/Recommendation on agreement for skateboard park design and engineering services**

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

**Discussion/Recommendation on purchase of Police Department repeater**

Marsala/Hartz motion to forward to Council with recommendation for approval of purchase from General Communications in the amount of \$10,209.00. Unanimously carried.

**Presentation of Accounts, Alderman Krause.**

Purchase Orders. None.

Hartz/Marsala motion to recommend approval of Prepaid Bills in the amount of \$5,565.25. Unanimously carried.

Hartz/Marsala motion to recommend approval of Regular Bills in the amount of \$299,463.48. Unanimously carried.

**Adjournment**

Marsala/Hartz motion to adjourn at 7:11pm. 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**