

**FINANCE, LICENSE & REGULATION COMMITTEE**  
**MONDAY, APRIL 11, 2011 - 6:00PM**  
**COUNCIL CHAMBERS, CITY HALL**

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

Roll Call. Present: Aldermen Krohn, Hartz, Marsala, Fesenmaier, and Krause. Also Present: Administrator Jordan, Comptroller Pollitt, and City Clerk Reale.

Marsala/Krohn motion to approve Finance, License and Regulation Committee minutes of March 28, 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.

Rod Brenner, representing Ro-Della, Inc., addressed the Committee with respect to Item No. 10 on the proposal for operation of the concessions at Veterans Park. He stated that he would be available to address any questions that the members of the Committee might have regarding the company or its proposal. He noted that Ro-Della, Inc. was providing a \$2 million liability insurance policy, which was double the amount required by the City in its Request for Proposals. Mr. Brenner explained that Ro-Della, Inc. had been in business for twenty-five years, adding that he looked forward to working with the City and the YMCA as the concessionaire for Veterans Park.

Terry O'Neill, 954 George Street, addressed the Committee on the subject of Resolution 11-R31. He stated that the totaling of surpluses and shortfalls demonstrated an approximately \$132,000.00 shortfall for budget year 2010. While he acknowledged that the resolution was necessary to balance the budget, he expressed concern about the language of the resolution with respect to transfers within the General Fund. He questioned whether this resolution would have the affect then of authorizing the transfer of the \$132,000.00 from the reserved fund balance.

**RESOLUTIONS**

**Resolution 11-R17, authorizing the transfer of monies from the unreserved fund balance to the designated fund balance for police department uniform allowances (*continued 3/14/11*)**

Comptroller Pollitt stated that this resolution would carry forward \$165.61 to adjust the balance for police department uniform allowances, as provided by contract. This item had been approved by the Police and Fire Commission at its April 7, 2011 meeting.

Marsala/Hartz motion to forward to Council with recommendation for approval of Resolution 11-R17. Unanimously carried.

**Resolution 11-R24, a resolution to carry forward from the 2010 Capital Budget to the 2011 Capital Budget the amount of \$17,149.00 to the following capital accounts: \$1,000.00 to PD Covert Cameras; \$13,500.00 to PD Squad Cameras; and \$2,649.00 to PD ProPhoenix System**

Marsala/Hartz motion to forward to Council with recommendation for approval of Resolution 11-R24. Unanimously carried.

**Resolution 11-R25, a resolution to carry forward from the 2010 Capital Budget to the 2011 Capital Budget the amount of \$8,000.00 to the capital account for Fire Department Protective Fire Clothing**

Hartz/Marsala motion to forward to Council with recommendation for approval of Resolution 11-R25. Unanimously carried.

**Resolution 11-R26, a resolution amending the 2010 Budget to allow for a carryforward of 2009 funds in the amount of \$10,000.00 to fund the sidewalk grinding project in budget year 2010**

Marsala/Krohn motion to forward to Council with recommendation for approval of Resolution 11-R26. Unanimously carried.

**Resolution 11-R27, a resolution approving the write off of \$39,595.77 in various old account balances in fiscal year 2010**

Comptroller Pollitt explained that this resolution was part of the accounting cleanup associated with the year-end audit. It was recommended that the Council authorize the write off of a series of old account balances that did not tie into any current accounts, which would have the ultimate effect of making all City accounts completely reconciled and up-to-date. She noted that none of the account balances proposed to be written off were more current than 2008, with some dating as far back as the 1990s. Alderman Hartz inquired about the worst case scenario of writing these balances off, in the event something was missed. Comptroller Pollitt responded that the only unexplained account on the list was the City Attorney Trust-Shoplifters account, which had a balance of \$400.00. There were no problems anticipated with writing off any of the other account balances.

Hartz/Marsala motion to forward to Council with recommendation for approval of Resolution 11-R27. Unanimously carried.

**Resolution 11-R28, a resolution authorizing the transfer of funds in the amount of \$11,250.00 from the Contingency account to the Police Department Grant Purchases account, for the City's match for a federal grant to purchase P25 compliant radios**

It was explained that this item was to cover the City's matching portion of the \$75,000.00 federal grant, which was to be considered for acceptance under Agenda Item No. 7.

Marsala/Hartz motion to forward to Council with recommendation for approval of Resolution 11-R28, contingent upon the acceptance of the federal grant under Item No. 7. Unanimously carried.

**Resolution 11-R29, a resolution amending the budget to reverse the transfer from the General Fund to the 2010 Capital Projects Fund for Police Department Dictaphone in the amount of \$14,316.00**

Comptroller Pollitt stated that the Council had previously approved Resolution 11-R23, which had authorized the appropriation of Contingency funds for the purchase of a new Dictaphone. Subsequently, it had been determined that there was funding left in the 2010 Capital Projects Fund that could be carried forward to cover \$14,316.00 of the purchase price. This resolution would therefore reverse the previous transfer and return the \$14,316.00 to the Contingency account.

Marsala/Krohn motion to forward to Council with recommendation for approval of Resolution 11-R29. Unanimously carried.

**Resolution 11-R30, a resolution to carry forward from the 2010 Capital Projects Budget to the 2011 Capital Projects Budget in the amount of \$22,025.00 to the capital account for New Court Computer Software**

Hartz/Marsala motion to forward to Council with recommendation for approval of Resolution 11-R30. Unanimously carried.

**Resolution 11-R31, a resolution amending the 2010 Budget to authorize transfers within the General Fund to fund expense shortfalls in the departmental budgets for Municipal Court, Legal, Emergency Management, Parks, Traffic Control, and Fire**

Comptroller Pollitt explained that the departments listed had overspent their budgets, adding that this resolution would move monies around within the General Fund to cover those shortfalls. She stressed that no fund balance was being used to cover any budget shortfalls, as these transfers were simply adjusting departmental budget accounts within the General Fund.

Hartz/Marsala motion to forward to Council with recommendation for approval of Resolution 11-R31. Unanimously carried.

## LICENSES & PERMITS

Marsala/Hartz motion to forward to Council with recommendation for approval of Park Permit application filed by the Geneva Lake Area Chamber of Commerce for “Concerts in the Park” at Flat Iron Park, between 6:00pm and 8:00pm, on the following dates in 2011: July 7, 14, 21, 28, and August 4, 11, and 25. Unanimously carried.

Hartz/Krohn motion to forward to Council with recommendation for approval of Park Permit application filed by the Geneva Lake Area Chamber of Commerce for Winterfest 2012 at Riviera Park, from January 30 through February 5, 2012. Unanimously carried.

Marsala/Hartz motion to forward to Council with recommendation for approval of Street Use Permit application filed by the Geneva Lake Area Chamber of Commerce for Oktoberfest, utilizing downtown area streets and alleys and closing the 200 block of Broad Street, from 10:00am to 6:00pm on October 8 and 9, 2011. Unanimously carried.

Marsala/Krohn motion to forward to Council with recommendation for approval of Street Use Permit application filed by the Geneva Lake Area Chamber of Commerce for Children’s Christmas Parade on December 3, 2011. Unanimously carried.

Marsala/Hartz motion to forward to Council with recommendation for approval of Original Operator License applications for David Stinebrink, Cindy Todd, Janet Haley, and Brian Cik. Unanimously carried.

### **Discussion/Recommendation on approving federal grant in the amount of \$75,000.00 for the purchase of P25 compliant radios for the Police Department**

Administrator Jordan reported that the Police Department had applied for this grant to cover the purchase of upgraded portable and mobile radio units. This was an approximately 87/13 grant, which would require a contribution from the City in the amount of \$11,250.00. Chief Rasmussen noted that P25 was a standard that the federal government had put on these radios, adding that the new units would have the capacity to store 100 channels and all mutual aid channels for the State of Wisconsin. Alderman Hartz asked if the new radios would meet new bandwidth standards. Chief Rasmussen responded that the equipment would already be narrow-banded; therefore, the City would not incur any additional expenses for upgrading the radios.

Marsala/Hartz motion to forward to Council with recommendation to accept the grant. Unanimously carried.

### **Discussion/Recommendation on disallowance of claim for injuries filed by Diana Sullivan pursuant to Wisconsin Statutes 893.80(1g)**

Administrator Jordan stated that this claim was related to bodily injuries alleged to have been sustained by the claimant from slipping on frost on the decking while going to purchase a ticket at Gage Marine. The City’s insurance provider had investigated the claim and returned with a recommendation that the City disallow the claim on the basis that it could not be verified that the injuries had been sustained on City property, and that an inspection of the decking for frost was not reasonable.

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

### **Discussion/Recommendation on Change Order No. 4 for Riviera remodeling project, resulting in a net deduction of \$32,870.08**

Administrator Jordan stated that this change order was related to the City’s agreement to purchase project materials through Scherrer Direct. Alderman Fesenmaier inquired about the contractor adjustment being left off of the change order. Administrator Jordan responded that the City was awaiting clarification from the contractor on that. Alderman Hartz asked for some specific information to be provided as to the materials being purchased by the City. Comptroller Pollitt noted that the purchase order contained very general descriptions of the materials. The consensus of the Committee was that this item and the related purchase order should be continued until such time that the City could receive additional information about the materials purchased and an explanation on the contractor fee.

Hartz/Marsala motion to continue to the April 25, 2011 regular meeting. Unanimously carried.

**Discussion/Recommendation on approving proposal for operation of concessions at Veterans Park from Ro-Della, Inc. (recommended for approval by Board of Park Commissioners 4/6/11)**

Hartz/Marsala motion to suspend the rules to permit the vendor to address questions from the Committee.

Unanimously carried. Alderman Hartz asked about the nature of “permanent on-site improvements” referenced in the proposal. Mr. Brenner stated that Ro-Della would provide additional park benches and umbrellas if there was not a sufficient amount available; however, no permanent improvements to the site would be done without the consent of the City. Marcia Fox, partner in Ro-Della, Inc., noted that the provisions in the proposal reflected the requirements that had been given to the contractor by the City. She added that Ro-Della was in agreement with operating under substantially the same terms as the previous concessionaire. Alderman Hartz asked about proposed days and hours of operation. Ms. Fox responded that the contractor planned to continue the same hours of operation as the previous concession operator, adding that Ro-Della would be working with the YMCA on its schedule to ensure that the concessionaire would be present for any events at the park.

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

**Discussion/Recommendation on approving amount to borrow for promissory note and directing staff to begin the borrowing process for capital projects and equipment**

Administrator Jordan stated that he had contacted financial advisors and bond counsel for potential options available to the City with respect to borrowing. He noted that Joe Murray from Springsted would be present at the Council meeting to provide information on the process and the possible options for borrowing.

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

**Presentation of Accounts, Alderman Krause**

Hartz/Marsala motion to continue Purchase Order in the amount of \$32,870.08 to the April 25, 2011 regular meeting. Unanimously carried.

Marsala/Hartz motion to recommend approval of Prepaid Bills in the amount of \$10,366.57. Alderman Hartz questioned the bill for the purchase of taser equipment, asking if the price of the purchase would be coming from the amount proposed to be included in the capital borrowing. Administrator Jordan responded that the Police Department had purchased this equipment to be used for training purposes, and would be purchasing additional tasers for use in the field. Chief Rasmussen stated that the Police and Fire Commission had directed him to purchase two tasers and temporarily take monies for the purchase from the vehicle fund until the borrowing was formally approved. It had been the desire of the Commission to have officers trained in the use of taser equipment before the upcoming summer. Administrator Jordan noted that this purchase amount would need to be subtracted from the promissory note, as the City would be legally prohibited from using borrowed funds for purchases already made. Motion carried by vote of 4 to 1, with Alderman Fesenmaier opposed.

Hartz/Marsala motion to recommend approval of Regular Bills in the amount of \$210,769.76. Alderman Marsala noted the bill from the Milwaukee sheriff’s office related to assistance during the school district bomb threat, asking if that money might possibly be recovered by the City. Chief Rasmussen stated that he had applied for restitution of that amount, though it was uncertain whether or not the City would receive it. Alderman Hartz inquired as to whether the City would be reimbursed for the bill from United Services by Permaco, Inc. for the boarding-up of the property at 323 Broad Street. Administrator Jordan responded that the Fire Department had ordered that the building needed to be secured, and the City had obtained permission from a representative of the property owner to have the former hotel structure boarded up. He stated that the City would pay the contractor, and then begin billing the property owner for the charges. Alderman Hartz also questioned the invoice from the Utility Commission for water usage at Flat Iron Park. Comptroller Pollitt noted that there was a minimum billing fee for utilities, even if there is no usage. It was suggested that some water services might have been used by contractors working on the Wrigley Bridge project, although that would need to be verified. Unanimously carried.

**Adjournment**

Marsala/Krohn motion to adjourn at 6:52pm. 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**