



City of Lake Geneva, 626 Geneva St, Lake Geneva, WI 53147- 262.248.3673- www.cityoflakegeneva.com

CITY OF LAKE GENEVA SPECIAL COMMON COUNCIL

THURSDAY, MAY 28, 2020 6:00 P.M.

LAKE GENEVA CITY HALL; COUNCIL CHAMBERS (MAIN LEVEL)

Members:

Mayor Charlene Klein, Council President, Rich Hedlund, Council Vice President, John Halverson,
Alderspersons: Tim Dunn, Mary Jo Fesenmaier, Cindy Flower, Ken Howell, Shari Straube, and Joan Yunker

THE CITY OF LAKE GENEVA IS HOLDING ALL MEETINGS VIRTUALLY TO HELP PROTECT OUR COMMUNITY FROM THE CORONAVIRUS (COVID-19) PANDEMIC. YOU CAN CALL-IN OR WATCH THE MEETING IN SEVERAL WAYS:

1. Livestream at the City of Lake Geneva Vimeo Channel found here www.vimeo.com/lakegeneva
2. Television: Watch live broadcast of the meeting on Spectrum Cable Channel 25
3. Listen to audio via phone: (602) 333-2017 (Long distance rates may apply) (888) 204-5987 (Toll Free)
Access Code: 9746153
4. You can provide public comment on agenda items by emailing your comments to the City Clerk at cityclerk@cityoflakegeneva.com or you may deliver your written comments to the City of Lake Geneva City Hall, 626 Geneva Street, Lake Geneva, WI 53147. All written comments must be provided to the City Clerk by 5:00 P.M. on the date of the meeting. All written comments will be read aloud during the agenda item when public comments are allowed during the meeting.

CITY HALL WILL NOT BE OPEN TO THE PUBLIC DURING THE MEETING. YOU CAN OBSERVE THE MEETING VIA THE ABOVE LISTED COMMUNICATIONS.

AGENDA

1. Mayor Klein call the meeting to order
2. Roll Call
3. 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
4. Acknowledgement of Correspondence
5. Discussion/Action regarding a Certified Survey Map (CSM) for Salvatore J. Dimiceli Sr. Trust, 101 Broad St. to create a new 60,076 Single Lot CSM in the Town of Geneva as identified on the certified survey generated by surveyor Mark Miritz and dated Feb 20, 2020 and revised April 15, 2020 Project #18.1108, Tax Key No. JA361000001
6. Discussion/Action regarding conducting Council meetings via Zoom
7. Discussion/Action regarding the City of Lake Geneva Ninth Amended State of Emergency Proclamation and City of Lake Geneva Bounce Back Plan relating to the COVID-19 Pandemic
8. **Adjournment**

Requests from persons with disabilities, who need assistance to participate in this meeting or hearing, should be made to the City Clerk's office in advance so the appropriate accommodations can be made.

STAFF REPORT
To Lake Geneva Plan Commission
Meeting Date: May 18, 2020

Agenda Item: 6

Applicant:

Salvatore J. Dimiceli Sr. Trust
101 Broad St.
Lake Geneva, WI 53147

Request: CSM review in the Town of Geneva
creating 1 additional lot from Tax Key No.
JA00000001

Description:

This request is to approve a Certified Survey Map (CSM) by creating 1 buildable lot located in the Town of Geneva at Tax Key No. JA00000001.

This request is to approve the proposed Certified Survey Map dated 2/20/20 and revised 4/15/20 for the property located on Krueger Rd. The land separation will create an additional buildable lot with this request.

The newly created lot will have an area of 60,070 square feet (1.38 acres).
This request has already been approved by the Town of Geneva.

The parcel included in this request does not currently have any buildings on the property.

Action by the Plan Commission:

Recommendation to the Common Council on the proposed (CSM)

As part of the consideration of the requested CSM, the Plan Commission is required to:

- Provide the Common Council with a *recommendation* regarding the proposed CSM review.

Staff Recommendation on the proposed

1. Staff recommends that the Plan Commission recommend *approval* of the Certified Survey Map (CSM): as submitted, subject to approval Walworth County Land Use Zoning.

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City of Lake Geneva

APPLICATION FOR LAND DIVISION REVIEW

CERTIFIED SURVEY MAP or

SUBDIVISION PLAT

NAME AND ADDRESS OF CURRENT OWNER:

Salvatore J. Dimiceli Sr Trust

101 Broad Street

Lake Geneva, WI 53147

TELEPHONE NUMBER OF CURRENT OWNER: (262) 249-3000

EMAIL ADDRESS: sal@sal21.com

PROJECT ADDRESS Krueger Road TAX KEY NUMBER: JA361000001

NAME AND ADDRESS OF ~~XXXXXX~~ AGENT:

Richard W. Torhorst

500 Commercial Court

Lake Geneva, WI 53147

TELEPHONE NUMBER OF APPLICANT: (262) 248-3333

EMAIL ADDRESS: torhorstlaw@genevaonline.com

NAME AND ADDRESS OF SURVEYOR:

Mark L. Miritz

N9330 Knuteson Drive

Whitewater, WI 53190

TELEPHONE NUMBER OF SURVEYOR: (262) 949-1239

SHORT STATEMENT DESCRIBING PURPOSE OF APPLICATION:

To create a single lot on Krueger Road as a fill-in lot. Remnant parcel 29.52 acres.

No rezoning required. The Town of Geneva has approved.

SUBMITTAL CHECKLIST

- LOCATION MAP SHOWING LOCATION OF PARCELS TO BE DIVIDED OR PARTIALLY DIVIDED WITH TOWN OR TOWNS, AND PARCELS WITHIN 1,000-FT OF BOUNDARY OF SUBJECT PROPERTY.
- SKETCH MAP TO APPROXIMATE SCALE SHOWING ENTIRE PARCELS TO BE DIVIDED OR PARTIALLY DIVIDED, AND SHOWING THE APPROXIMATE CONFIGURATION OF PROPOSED LOTS AND ROADS WITHIN THOSE PARCELS.
- CITY OF LAKE GENEVA SIGNATURE BLOCK ON FACE OF CSM OR PLAT, PER STATE STATUTES.
- PROVIDE ²⁰5 FULL SETS AND 20 - 11" X 17" COPIES OF CSM OR PLAT PRIOR TO PLACEMENT ON PLAN COMMISSION AGENDA.
- PROVIDE AN ELECTRONIC COPY OF THE FULL APPLICATION PACKET TO THE LAKE GENEVA BUILDING AND ZONING DEPARTMENT AT BZADMIN@CITYOFLAKEGENEVA.COM OR BZCLERK@CITYOFLAKEGENEVA.COM

I AM AWARE THAT THE CITY OF LAKE GENEVA IS ACTIVELY ENGAGED IN THE REVIEW, APPROVAL OR DENIAL OF LAND DIVISIONS WITHIN ITS EXTRATERRITORIAL LAND DIVISION REVIEW AREA.

I UNDERSTAND THAT THE CITY OF LAKE GENEVA LAND DIVISION ORDINANCE REQUIRES THE CITY TO DENY LAND DIVISIONS WHICH CREATE NEW, BUILDABLE PARCELS OR LOTS WITHIN THE EXTRATERRITORIAL AREA WITH OVERALL DENSITY THAT EXCEEDS MORE THAN ONE DWELLING UNIT PER THIRTY-FIVE ACRES UNLESS THE CITY DETERMINES THAT THE LAND DIVISION CONSTITUTES INFILL DEVELOPMENT.

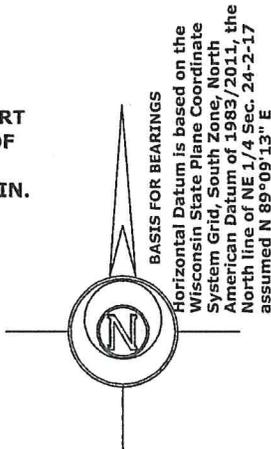
4/15/2020
DATE


SIGNATURE OF APPLICANT

CERTIFIED SURVEY MAP NO. _____

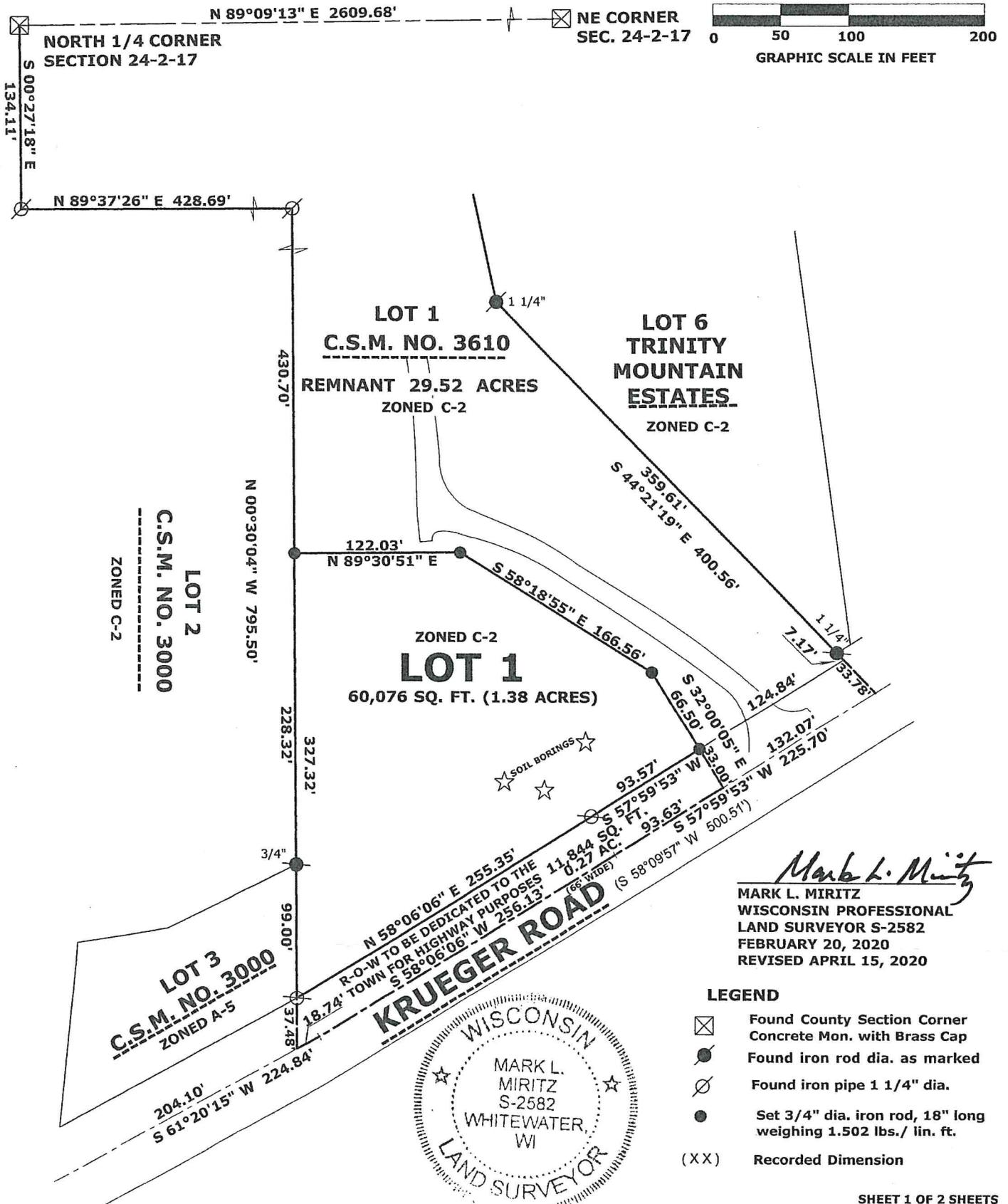
A CERTIFIED SURVEY MAP OF PART OF CERTIFIED SURVEY MAP NO. 3610, RECORDED IN VOLUME 21 OF WALWORTH COUNTY CERTIFIED SURVEYS, PAGE 208, DOCUMENT NO. 577441, LOCATED IN PART OF THE NORTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 24, TOWN 2 NORTH, RANGE 17 EAST, TOWN OF GENEVA, WALWORTH COUNTY, WISCONSIN.

OWNER:
SALVATORE J. DIMICELI SR. TRUST
 101 BROAD STREET, UNIT C3
 LAKE GENEVA, WI 53147



SCALE 1" = 100 FEET

reserved for Walworth County register of Deeds



Mark L. Miritz
MARK L. MIRITZ
 WISCONSIN PROFESSIONAL
 LAND SURVEYOR S-2582
 FEBRUARY 20, 2020
 REVISED APRIL 15, 2020

LEGEND

- ☒ Found County Section Corner Concrete Mon. with Brass Cap
- Found iron rod dia. as marked
- ⊘ Found iron pipe 1 1/4" dia.
- Set 3/4" dia. iron rod, 18" long weighing 1.502 lbs./ lin. ft.
- (XX) Recorded Dimension



SHEET 1 OF 2 SHEETS
 PROJECT NO. 18.1108

Ninth Amended Proclamation of State of Emergency

WHEREAS, a novel strain of the coronavirus, named COVID-19 has spread throughout numerous countries including the United States; and

WHEREAS, the World Health Organization has declared a Public Health Emergency of International Concern; and

WHEREAS, on March 12, 2020, Wisconsin Governor, Tony Evers issued an Executive Order declaring a Public Health Emergency in Response to the COVID19 Coronavirus; and

WHEREAS, as of March 18, 2020, there were 90 confirmed cases of COVID-19 in the state of Wisconsin, including in the counties of Fond du Lac, Milwaukee, Dane, Pierce, Racine, Sheboygan, Walworth, Waukesha and Winnebago; and

WHEREAS, the CDC expects that widespread transmission of COVID-19 in the United States will occur, and that in the coming months, most of the U.S. population will be exposed to this virus; and

WHEREAS, the CDC anticipates that widespread transmission of COVID-19 could translate into large numbers of people needing medical care at the same time, causing public health and healthcare systems to become overloaded, and affecting other critical infrastructure, such as law enforcement, emergency medical services, and sectors of the transportation industry; and

WHEREAS, there is currently no vaccine to protect against COVID-19 and no medications approved to treat it; instead the best way to prevent infection is to avoid being exposed to the virus, which also delays the spread of the virus and reduces the impact of disease; and

WHEREAS, the City of Lake Geneva is focused on protecting the health, safety, welfare, and good order of the Lake Geneva community, including those members at highest risk; and

WHEREAS, the conditions created by these public health emergencies pose a continuing and substantial threat to public order, life, health and safety of the citizens of the City of Lake Geneva; and

WHEREAS, the City of Lake Geneva, in cooperation with the local, state and federal governmental entities, desires to take action to prevent exposure to and spread of the COVID-19 coronavirus, and

WHEREAS, because of such emergency conditions, the City Council was unable to meet with promptness to address the issue immediately; and

WHEREAS, these emergency conditions require a proactive response to stop the spread of COVID-19, including providing support to implement federal, state, and county public health operations and recommendations, and

WHEREAS, because the City Council at the regular scheduled meeting of April 27, 2020 altered the Fourth Amended Proclamation of the State of Emergency dated April 10, 2020 by directing staff to start collecting parking rates and fees as soon as practical at the current rates and during the current enforcement hours, item 15 of the Fourth Amended Proclamation of the State of Emergency providing that parking rates and fees be suspended is hereby deleted, and

NOW, THEREFORE IT IS ORDERED pursuant to sections 323.11 and 323.14(4) of the *Wisconsin Statutes*, the City of Lake Geneva hereby declares a local State of Emergency for the City of Lake Geneva automatically expiring on June 30th, 2020 at 11:59 PM, unless extended. During the State of Emergency, it is hereby ordered that the City of Lake Geneva will make all resources available to adopt, implement, and support the actions and recommendations of Federal, State, and County public health agencies, **AND IT IS FURTHER ORDERED** that the following be adopted:

1. The Mayor will use her best efforts to meet with the City Administrator and City Department Heads to discuss and coordinate a City response to new CDC, Walworth County Health Department, State of Wisconsin COVID-19 information, proclamations, recommendations, and requirements to protect all City residents provided the conditions allow such meetings.
2. All City meetings will be conducted virtually. The public will be able to access and observe all meetings by the communications and technology made available and posted by the City Clerk in the agendas for such meetings. The public will not be allowed into City Hall for meetings until the State of Emergency expires, is rescinded or altered by future proclamations by state, county or municipal authorities.

3. Recommend that whenever in person staff meetings are required, there be created a “socialization distance” of 6 feet, however staff is encouraged to utilize the technology available to conduct such meetings virtually.
4. Recommend that all standing committees and the boards and commissions set forth below conduct meetings virtually and utilized all the technology and equipment available in the City Hall Council Chambers.
5. All City meetings except for City Council, Plan Commission, Utility Commission, Police & Fire Commission and City of Lake Geneva Standing Committees be postponed.
6. Recommend that Department Heads adopt procedures to limit employees' direct contact with the public.
7. Encourage all residents of the City of Lake Geneva comply with Federal and State guidelines and recommendations formaintainingpersonal and occupational health.
8. Release the Security Deposits of all scheduled private and public events at the Riviera that are cancelled because they will exceed GovernorEvers' public gathering limit of 10 people or any other limits imposed by future emergency orders.
9. Authorize emergency purchases of goods and materials.
10. Authorizeemergencypurchasesofservices.
11. Authorize emergency costs to the labor force.
12. Authorize the Mayor to take any further necessary actions to protect the health, safety and public welfare of the citizens of the City of Lake Geneva in those instances the City Council is unable to meet with promptness to address any issues requiring immediate attention.
13. City Hall will be closed to the public for all walk-in city business. The City Clerk will provide means for the public and any vendors to conduct business through the mail,electronically, or by phone. If face to face business is required, appointments must be

made with appropriate City personnel. I direct that the City Administrator of Lake Geneva to work with leadership staff of the City of Lake Geneva Departments to identify and carry out best practices (in accordance with guidelines by the CDC, Walworth County Health Department and the Wisconsin Economic Development Corporation) to operate city departments and city facilities in an efficient manner and in a manner to protect the health and welfare of employees and the public and develop a plan to eventually open city buildings and facilities in a responsible manner and time frame using best practices outlined above.

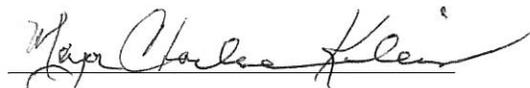
14. The Lake Geneva Fire Department located at 730 Marshall Street will be closed April 7, 2020 as a polling placeto protect the health of our first responders. City Hall located at 626 Geneva Street will be the sole polling place for Aldermanic Districts I, II, III, and IV for future elections until this emergency proclamation expires or is rescinded by the City Council.

15. Playground equipment in city parks will remain closed until an effective means is available to sanitize the equipment.

16. Because of the economic effects of various emergency orders put in place since, March 12th, 2020, and to provide economic relief for our downtown businesses during the pendency of this Ninth Amended Proclamation of State of Emergency (until it expires, is amended or is rescinded), the provisions of Section 98-206(8)(f) of the City of Lake Geneva Zoning Code are relaxed to allow the placement of merchandise for sale in those areas designated for "Sidewalk Furnishings" as set forth in Section 62-67(9), of the Municipal Code of the City of Lake Geneva, Wisconsin.

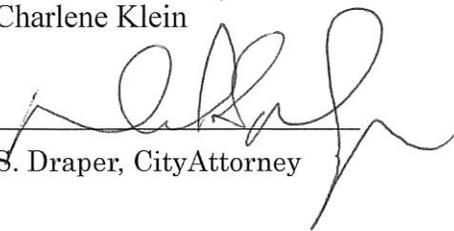
This Proclamation shall take effect immediately and shall continue in effect until June 30th, 2020 at 11:59 p.m. or such earlier time as a quorum of the Governing Body convenes and rescinds or alters the Proclamation.

Dated this 26th day of May, 2020



Mayor Charlene Klein

Attest:



Daniel S. Draper, City Attorney

INITIAL OBSERVATIONS:

The City of Lake Geneva is not in a position to create its own “Bounce Back Plan”. Closings and other restrictions that were implemented were the prerogative of “higher” governments such as the State of Wisconsin and the Federal government. The fact of the matter is the City of Lake Geneva is currently wide open for business and there are very few legal restrictions left to address, unless the City decided to adopt additional regulations.

At this moment there is currently no enforceable law on the books that permits Lake Geneva to require people to wear a mask, social distance, or stay out of the City of Lake Geneva all together.

The Memorial Day Weekend was a near perfect storm and unusual event created by:

- Ideal weather
- The Wisconsin Supreme Court ruling that allowed all businesses in Wisconsin to reopen.
- Continued “restrictions” within the state of Illinois that has created pent up demand for shopping, eating, recreation and other types of entertainment by its citizens. However, these same “restrictions” in Illinois did not address or stop its citizens from traveling outside their state.
- The continued popularity of Lake Geneva as a tourist / recreation destination
- Incredibly close proximity to the nation’s third largest metropolitan area (Chicago) as well as Wisconsin’s largest metropolitan area (Milwaukee).

There are three elements to the City’s attempts to disperse crowds (none of which will actually allow the City to achieve social distancing as recommended by the CDC):

- Sidewalks
- Parking / Streets
- Public Awareness / Education

SIDEWALKS:

The city government of Lake Geneva as in the past (and present) allowed a variety of objects on the sidewalk for the convenience and enjoyment of the residents and visitors. These items include:

Planters owned by BID	Tables and chairs for outside seating
Garbage cans	Outside merchandise displays
Water fountains	Parking kiosks
Benches	Directional signs for various destinations
Planters maintained by individual businesses	Trees
Individual parking stall signs (numbered)	Fire hydrants
Eleven “banner” poles (holidays, etc.)	Sandwich boards
Stanchion ropes and posts	Occasional utility boxes
(In places) grass strips between sidewalk and curb	Umbrellas behind benches
Drinking bowls for pets	

These are typical amenities in any tourist community. To gain additional “width” of sidewalks in the downtown, all of these items would need to be removed (which isn’t going to happen). Taking out only some of these items solves nothing, since people walking down the sidewalk would still run into various remaining items that forces them to move back towards the buildings (and move closer to other people)

The only location downtown that would experience the addition of a few inches of useable sidewalk width would be the south side of Wrigley Drive if the individual parking stall number signs were removed.

Any thought of “controlling” pedestrian traffic is equally unfeasible. The City does not have the personnel to monitor / regulate the walking patterns of downtown visitors. This includes requiring to walk six feet apart or everyone walk in one direction on any particular sidewalk. *A few sidewalk images of downtown are included at the end of this memo.

Possible Recommendations:

Sidewalk café permits have (and should continue) to be reviewed with the latest recommendations / best practices by the City Clerk.

Review current objects on the sidewalk and remove those deemed unnecessary. Again; this won’t ultimately help pedestrian traffic flow, but will help de-clutter the downtown.

Installation of signs concerning social distancing and use of masks where possible. Installed at a level that can be seen by pedestrians.

Review sidewalk café lay out on the north side of Wrigley Drive. Currently layout of tables is in a “zig zag” pattern between the various restaurants.

PARKING / STREETS:

There has been some discussion about eliminating parking spots to reduce congestion. It has to be acknowledged that removing parking capacity downtown is going to force visitor parking even further into the surrounding neighborhoods. I cannot say for certain but possibly the idea may be to close parking to allow overflowing sidewalks to spill into the streets, but this is opening up an entirely new set of problems.

Removal of parking along Highway 50 / Main Street would likely increase the speed of the drivers using the street while at the same time encouraging people on crowded sidewalks to possibly walk in the parking lanes. The very fact that the street is crowded with cars is helping slow traffic and minimize the severity of any resulting accidents.

Removal of parking along Wrigley Drive has been discussed several times for several scenarios. If Wrigley Drive were to be closed on exceptionally busy days, there is an issue concerning access to the various businesses. Gage's boat tours typically generate large busloads of senior citizens who need close access to the Riviera Building. Also businesses at the Riviera need to bring in supplies for their store, Bridal parties also need access.

This results in a question of who is going to control access to the Wrigley Drive and (once you let one vehicle access Wrigley) how do you physically prevent other vehicles from attempting to follow immediately behind?

Depending on where Wrigley Drive is "blocked" this possibly creates traffic concerns from vehicles using the alley and exiting on to Board Street.

Possible Recommendations:

Leave the current parking arrangement in place with the possible exception of Wrigley Drive between Main (Hwy 50) and Board Street.

If Wrigley were to be occasionally closed, the City needs to work with the local, impacted businesses AND understand the fiscal impact of such a move. Besides lost parking revenue, the City would likely have added additional personnel costs.

Public Awareness / Education

As stated previously, the City of Lake Geneva cannot legally force anyone to follow the recommended guidelines published by the CDC without (possibly) adopting additional local legislation. However, there are reasonable, rational options for the City to consider:

Post relevant, up to date “best practices” posters and signs in a concise, readable format and post at various city owned locations around downtown (Riviera, public restrooms, parks).

Encourage local businesses to also post best practices for the downtown area as well as best practices for their individual businesses.

Continue and increase “posts” on the City’s various social media outlets related to CDC’s most current recommendations and encourage local businesses to do likewise on their websites.

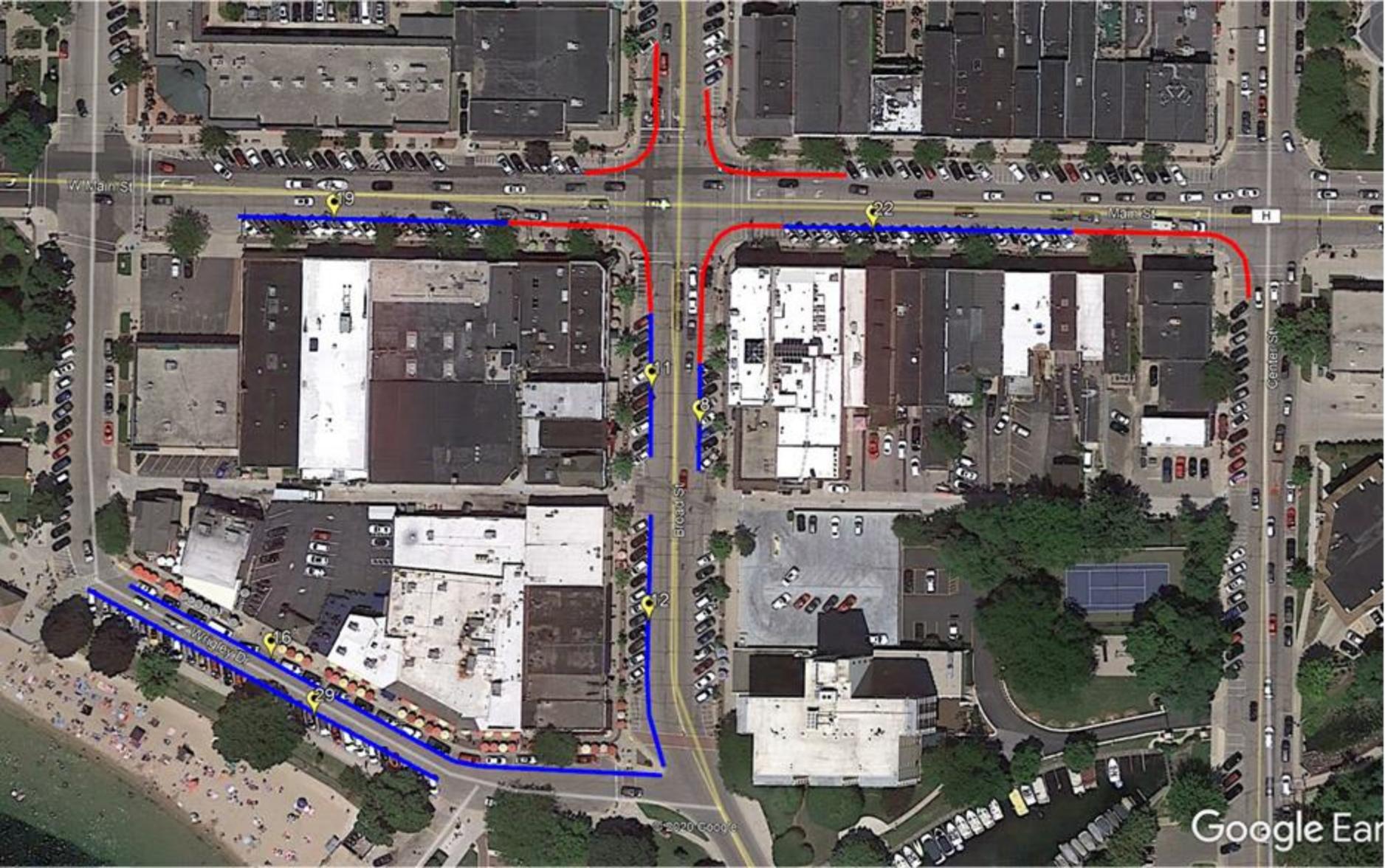
Conclusion:

Bottom line, the City Council needs to give thoughtful consideration of what it is they wish to accomplish. Expectations need to be clearly and concisely stated by the Council so that staff and the City Attorney can research the topics and report back their findings.

As I’ve said in previous meetings; the Council is the policy making branch of the local government. Please advise us of your intent and we will research and report back as to the viability of what you want to accomplish.







W Main St

W Maple Dr

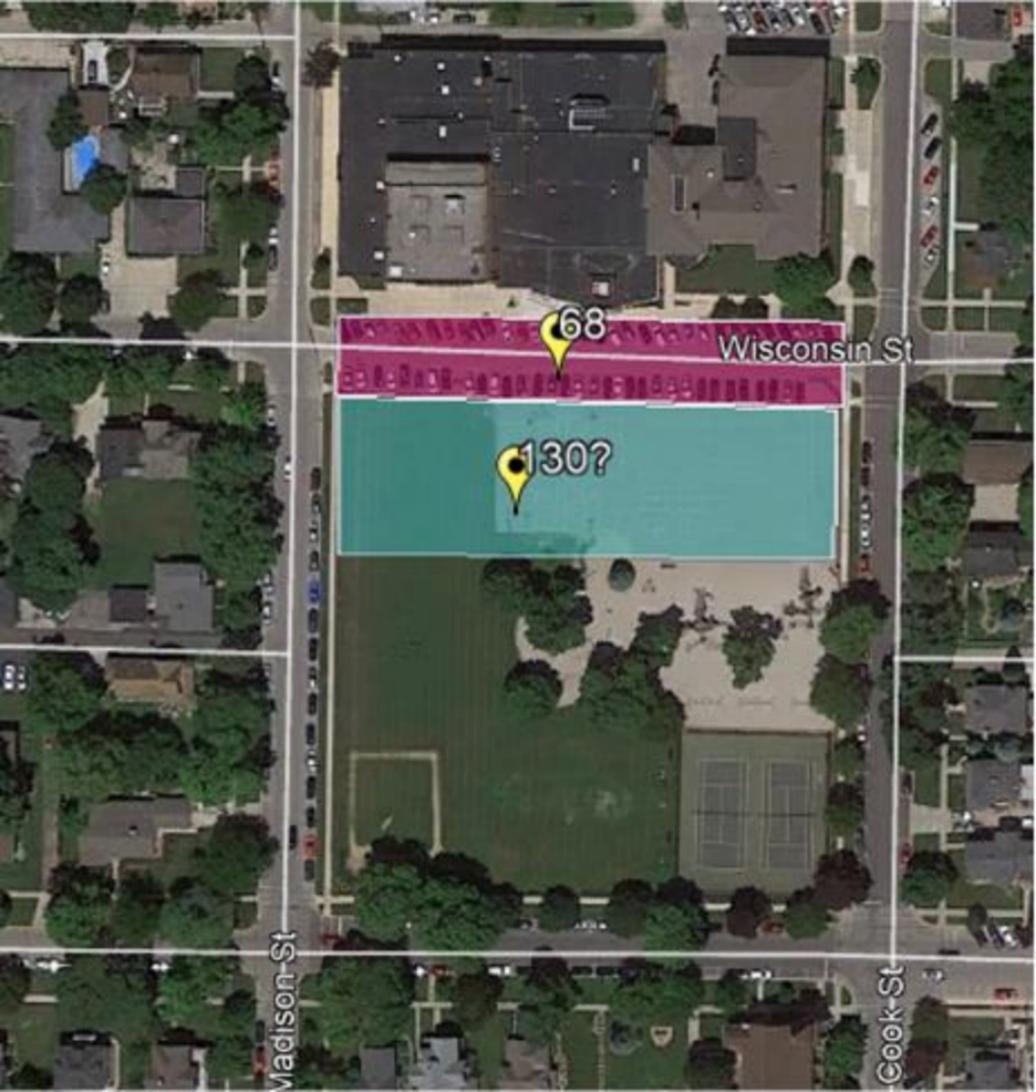
Brown St

Center St

Main St

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Google Earth



68

Wisconsin St

130?

Madison St

Cook St