

**REGULAR CITY COUNCIL MEETING
MONDAY, JANUARY 25, 2016 – 7:00 PM
COUNCIL CHAMBERS, CITY HALL**

Mayor Connors called the meeting to order at 7:01 p.m.

The Pledge of Allegiance was led by Mayor Connors.

Roll Call. Present: Mayor Connors, Aldermen Chappell, Wall, Kordus, Hill, Gelting, Kupsik, Hedlund, Howell. Absent (excused): City Attorney Draper. Also Present: City Administrator Oborn, Director of Public Works Winkler and City Clerk Waswo.

Awards, Presentations, and Proclamations. Mayor Connors noted there is a section on the City’s website regarding the Public Service Commission’s hearing scheduled for February 11 at 2:00pm. A person may testify in this proceeding without becoming a party and without attorney representation. A person may submit this testimony in only 1 of the following ways: web comments which must be received the day prior to the hearing, oral comments, appear and submit written comment or may do it by mail.

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.

Darien Schafer, Visit Lake Geneva, 527 Center St, requested the Council’s support in waiving the fees for the 2016 Restaurant Week banner permit application as was done in 2015.

Terry O’Neill, 954 George St, commented on the closing of TIF. The agenda item is poorly listed for Resolution 16-R2. It does not properly inform the public that it eliminates the \$400,000 White River TIF project and adds an additional \$1.5 million dollar road widening project to the TIF list. He requested the item be removed from the agenda.

Acknowledgement of Correspondence. On January 22, 2016 the City received a letter from Ken Etten urging the Council’s support and assistance in reopening the Geneva Theater.

Approval of Minutes. Wall/Hill motion to approve the Regular City Council Meeting minutes of January 11, 2016, as prepared and distributed. Unanimously carried.

Consent Agenda

Temporary Class “B”/“Class B” License application for the sale of fermented malt beverages and wine at St. Francis de Sales Church, 148 W. Main Street, Lake Geneva, for Italian Fest on February 6, 2016

Temporary Operator License application filed by Carole Nevin on behalf of St. Francis de Sales Church for Italian Fest on February 6, 2016

Temporary “Class B”/Class “B” Wine and Fermented Malt Beverage License application filed by the Lake Geneva Symphony Orchestra Inc for the sale of fermented malt beverages and wine at the Riviera Ballroom, 812 Wrigley Drive, Lake Geneva for the Lake Geneva Symphony Orchestra “Evening in Paris” Gala on February 13, 2016, 6:30pm to 11:30pm

Temporary Operator License application filed by Jennifer Hansen on behalf of the Lake Geneva Symphony Orchestra for the Lake Geneva Symphony Orchestra “Evening in Paris” Gala on February 13, 2016

Original 2015-2016 Operator's (Bartender) License applications filed by Kimberly Blink, Monojeet Ghosh, Nadine Giller, Teresa Schneider, Laurel Streich, Alok Sharma and Angela Williams

Gelting/Wall motion to approve. Unanimously carried.

Items removed from the Consent Agenda.

Banner Permit application filed by Visit Lake Geneva for use of 11 banner poles May 2 – June 12, 2016 for Restaurant Week and request to waive all fees

Hill/Gelting motion to approve including waiver of fees.

Roll Call: Chappell, Wall, Kordus, Hill, Gelting, Kupsik, Hedlund, Howell voting "yes." Unanimously carried.

Finance, License and Regulation Committee Recommendations – Alderman Kupsik

Discussion/Action to authorize payment of tax overages pertaining to assessor's palpable error of \$1,862.91 on tax key ZLM 00003 and \$4,164.17 on tax key ZTT 00002 (continued from January 11, 2016 Council meeting)

Kupsik/Kordus motion to approve to pursue collection of the City's portion with Accurate Appraisal and hold them fully accountable. The amounts were \$542.85 and \$1,124.02. They are disputing the \$542.85. The total of the City's portion on both bills is \$1,626.87. Alderman Howell questioned the process and why the City would negotiate with Accurate. He does not feel the City should pay for any of it. Mr. Kupsik said his impression from Mr. Oborn is that he could negotiate with them to get that percentage back.

Roll Call: Chappell, Wall, Kordus, Hill, Gelting, Kupsik, Hedlund, Howell voting "yes." Unanimously carried.

Kupsik/Gelting motion to award bid to Web Cemeteries in the amount of \$16,986 for data entry services from fund balance in the Cemetery fund (recommended by the Cemetery Board on January 13, 2016)

In 2015 the City Council approved the cemetery GIS project for \$8,100 and Pontem Software for \$12,000. The two projects did not get completed in 2015 and the cemetery fund capital equipment line item ended with a balance of \$16,221. The 2015 projects were not anticipated in the 2016 budget. Alderman Gelting assumed staff would not be able to handle task of the data entry. Mr. Kordus said they did some rough numbers and it came close to this anyway. It is easier to bring them in as they understand the software and don't need training. Comptroller Pollitt will most likely be the staff member assigned to the software. The changes will be when a plot is sold or when there is an interment. Currently the Sexton is maintaining the records. Ms. Hill asked if the initial payment was to automate the database. Mr. Oborn explained Kapur is going to do the GIS and all the mapping. Pontem is replacing the card system and building the database. The next phase will be putting it on the web, which won't happen until next year.

Roll Call: Chappell, Wall, Kordus, Hill, Gelting, Kupsik, Hedlund, Howell voting "yes." Unanimously carried.

Discussion/Action on approval of equipment purchase of \$10,000 for commercial mower.

Kupsik/Howell motion to approve. With the transition from a Cemetery Commission to the Street Department, cemetery equipment was not included on the equipment replacement list, which is why it was not budgeted. This will be pursued in next year's budget. The funds will be from the cemetery fund. Due to a timing issue with GIS and the software, they held off pending a decision on the data entry. They did not spend all budgeted money, so there would be sufficient funding. It was explained \$155,000 of the levy gets put into the fund; although it is not self sufficient. A portion of the burial funds goes into a perpetual fund and part into the general fund. Mr. Oborn noted since it is in its own fund, it has a capital replacement component to it; whereas the general fund does not. The fund could be dissolved. Mr. Wall doesn't understand why it was not mentioned last fall during budget; now \$10,000 is being spent out of capital rather than a budget item. Mr. Oborn noted it's coming out of the surplus of the fund balance in that fund. Mr. Kupsik stated since it has been incorporated with the Street Department, he feels the cemetery's needs should be in the Street Department's budget. Mr. Gelting agreed and expects a more robust cost analysis.

Roll Call: Kordus, Hill, Kupsik, Howell voting "yes." Alderman Chappell, Wall, Gelting, Hedlund voting "no." Tie Breaker vote with Mayor Connors voting "yes". Motion carried 5 to 4.

Discussion/Action on approval of equipment purchases \$11,000 for ½ ton 4x4 pickup from fund balance in the Cemetery fund (recommended by the Cemetery Board on January 13, 2016)

Kordus/Hill motion to refer this item back to the Public Works committee. Unanimously carried.

Kupsik/Kordus motion to award bid to Payne and Dolan, Waukesha, WI the for 2015 street maintenance program in the amount of \$361,967.47 funded from capital projects fund (recommended by the Public Works Committee on January 14, 2016)

Director of Public Works Winkler explained bids were opened on Dec. 10, 2015 for the street program which would start construction spring of 2016. It was continued at Public Works in December to look at the supplementary bid prices which include curb and gutter replacement and base repair. There was concern if there was a large number, the second low bidder may have been the low bid. That wasn't the case. We weren't going to approve very much curb and gutter or the need for base work at this time. It is in the budget through capital borrowing.

Roll Call: Chappell, Wall, Kordus, Hill, Gelting, Kupsik, Hedlund, Howell voting "yes." Unanimously carried.

Kupsik/Hill to approve contract with Kapur & Associates, Inc. for downtown signage engineering services in the amount of \$22,756 funded by TIF 4 (recommended by the Public Works Committee on January 14, 2016)

This is part of the \$200,000 sign budget in the TIF budget. Ms. Hill asked who is working with Kapur to come with an end resolution on a fast track schedule given our committee structure. Mr. Winkler stated Mr. Schafer has been in touch with Kapur and is well aware his input is going to be central to the signage as the signage doesn't benefit staff, it benefits the businesses downtown and that is what he represents. The information should be back to the Public Works Committee for the March meeting. The project can then be bid out in March and awarded in April. Mr. Kordus stated he is confident they will meet the time proposal. Ms. Chappell was in favor of consistency. Mr. Oborn will also work on getting the Business Improvement District's input.

Roll Call: Chappell, Wall, Kordus, Hill, Gelting, Kupsik, Hedlund, Howell voting "yes." Unanimously carried.

Alderman Kupsik stated items f. g. h. i. were sent to City Council without recommendation

Discussion/Action on adding Main Street (Curtis to Wells) Lighting project for \$100,000 to TIF 4 2016 plan (recommended by the Public Works Committee on January 14, 2016)

DPW Winkler stated in removing the poles, the electrical, telephone, cable and street lights are also removed. The Public Works Committee selected poles to match the Broad Street poles. The poles were pretty pricey at \$55,000-\$60,000. We are looking at 13-14 poles at this point. Ms. Chappell asked what the reasoning was for not matching up with what is on Main Street. Mr. Winkler explained it was the same reason they went with a different style outside the heart of the downtown. It was to give it its own identity. Also, the poles were concrete so they would never have to be painted. The light heads were more affordable as well. Mr. Kordus said the choice was to put wooden poles back up or sue the ornamental poles. To be consistent they went with the ornamental poles.

Kordus/Hill motion to approve adding the lighting project for \$100,000 from TIF 4.

Roll Call: Chappell, Wall, Kordus, Hill, Gelting, Kupsik, Hedlund, Howell voting "yes." Unanimously carried.

Kordus/Hill motion to approve adding Main Street (Curtis to Wells) Widening project for \$500,000 to TIF 4 2016 plan (recommended by the Public Works Committee on January 14, 2016)

DPW Winkler stated the impediment to doing anything with Main Street was the overhead electric, telephone, and cable because it was so close to the curb. When buried, it is almost up to the sidewalk. The large terrace makes the area available to consider widening it enough for a continuous left turn lane or left turn lane at the intersection. The recommendation was to consider a left turn lane and still have a clean flow of traffic. To accomplish that, the street would have to be widened about 8 to 10 feet. There would be new curb and gutter all the way down from between Curtis Street and East Street as the road is plenty wide at Curtis but then starts to narrow. Most of the work can be done in the terrace, working off road, even under traffic. There is also only one driveway, which is the Water Utility driveway, no residential. One casualty will be the trees. The trees would come down, and we would be planting replacements with the TIF tree fund. There is a lot of integration in all of these projects.

Mr. Kordus stated this certainly is an item that fits in with the TIF and the "but for" category. Ms. Chappell asked why this hadn't come up earlier. Mayor Connors stated as the discussions came about with the utilities and burying the poles,

this idea came about. Ms. Chappell asked if this could be put off. Mr. Kupsik feels this is an opportunity since we are eliminating the poles, there was a need for lighting and again another opportunity to upgrade that area. It's an opportunity, and that's what TIF is designed for. Mr. Gelting felt it is a great opportunity to utilize TIF funds. There are numerous projects that have line items for that this falls under. We have committed to saying we will not spend more than this amount of money before we close it. It was indicated at that time we may be sliding these funds around. For instance demolishing the Traver is half the cost we expected it to be. He is comfortable with it and feels it falls within it perfectly. Ms. Hill thinks it is a creative way without taking real estate to alleviate challenges. Mr. Wall stated it's a great idea but he just heard about it within the last week. He's not sure the public has heard about it and now the residents have no input. He wonders if this is it or are we doing something with the theater and the \$800,000. He asked if the \$3 million dollars will be sent back to the taxpayers and school districts.

Mr. Oborn guarantee as there is talk and possible movement on the theater. There wasn't any talk on moving forward on the allocation on the White River trail. This is an evolution process. Ms. Chappell asked what happened to the White River trail acquisition and requested more time to possibly rework the idea. Mayor Connors stated in order for the White River Trail to proceed, they need a willing seller which they don't have. If something would happen between now and the closing of the TIF, it could be reconsidered. It's a placeholder budget, if there is not a willing seller, that money is just sitting there. All standing committees make recommendations to the Council, this was a unanimous recommendation from the Public Works Committee. Mr. Howell believes they have an opportunity now to solve one of the biggest traffic problems in Lake Geneva. If this will make it safer and faster, they have to do it.

DPW Winkler explained the idea came from Public Works when deciding to bury the electrical. The question became what is the vision for the corridor. It made sense if that is the vision coming in to town from the North, it would be the same coming from the East. That is when the discussion on the lighting came up and the discussion on the traffic congestion. Because the poles are being moved, the opportunity arose to address the traffic congestion. This type of improvement will alleviate congestion and accidents. In addition, a little piece of sidewalk will be added to alleviate pedestrian congestion. It also gets people to the Hillmoor site which will connect to the city sidewalk system directly.

Roll Call: Chappell, Wall, Kordus, Hill, Gelting, Kupsik, Hedlund, Howell voting "yes." Unanimously carried.

Hill/Kupsik motion to approve contract with Kapur & Associates, Inc. for street widening contract services in the amount of \$45,676 funded by TIF 4 contingent on approve of Resolution 16-R2 (recommended by the Public Works Committee on January 14, 2016)

Roll Call: Chappell, Wall, Kordus, Hill, Gelting, Kupsik, Hedlund, Howell voting "yes." Unanimously carried.

Hill/Wall motion to approve Resolution 16-R2, a budget amendment for approved TIF projects and closing plan

Roll Call: Chappell, Wall, Kordus, Hill, Gelting, Kupsik, Hedlund, Howell voting "yes." Unanimously carried.

Mr. Oborn gave an update on the closing plan.

Kupsik/Gelting motion to approve bid to Humphrey's Contracting, Lake Geneva in the amount of \$4,875 for roof repairs to the Street Department building funded from capital borrowing (recommended by the Public Works Committee on January 14, 2016)

Ms. Hill mentioned budgeting and capital. She questioned why there isn't a maintenance program for our building facilities. DPW Winkler replied there isn't a maintenance program for roofs City-wide. It is an investment. Ms. Hill stated we don't have a plan for any of our facilities, heaters, roofs, concretes, foundation; all of these things can be put on a schedule and allocated in a budget. Mayor Connors stated it becomes a balancing act, without raising the levy.

Roll Call: Chappell, Wall, Kordus, Hill, Gelting, Kupsik, Hedlund, Howell voting "yes." Unanimously carried.

Presentation of Accounts – Alderman Kupsik

Purchase Orders. None.

Kupsik/Gelting motion to approve Prepaid Bills in the amount of \$6,092.91

Roll Call: Chappell, Wall, Kordus, Hill, Gelting, Kupsik, Hedlund, Howell voting "yes." Unanimously carried.

Kupsik/Gelting motion to approve Regular Bills in the amount of \$213,699.28. Mr. Kupsik noted Century Fence will be reimbursed by insurance.

Roll Call: Chappell, Wall, Kordus, Hill, Gelting, Kupsik, Hedlund, Howell voting “yes.” Unanimously carried.

Kupsik/Gelting motion to approve Treasurer’s Report for September 2015

Roll Call: Chappell, Wall, Kordus, Hill, Gelting, Kupsik, Hedlund, Howell voting “yes.” Unanimously carried.

Mayoral Appointments. None.

Closed Session

Kupsik/Kordus 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 and Fire Union Negotiations (City Administrator Oborn)

Roll Call: Chappell, Wall, Kordus, Hill, Gelting, Kupsik, Hedlund, Howell voting “yes.” Unanimously carried.

The Council entered into closed session at 8:37 pm.

Return to Open Session

Hill/Gelting 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, Kordus, Hill, Gelting, Kupsik, Hedlund, Howell voting “yes.” Unanimously carried.

The Council reconvened in open session at 8:45 p.m.

Kordus/Hill motion to accept the labor association contract between the Lake Geneva Professional Policeman’s Association and the City of Lake Geneva effective January 1, 2015 through December 31, 2015 as presented in closed session.

Roll Call: Chappell, Wall, Kordus, Hill, Gelting, Kupsik, Hedlund, Howell voting “yes.” Unanimously carried.

Adjournment. Kordus/Gelting motion to adjourn at 8:46 p.m. Unanimously carried.

/s/ Sabrina Waswo, City Clerk

THESE ARE NOT OFFICIAL MINUTES UNTIL APPROVED BY THE COMMON COUNCIL