

FINANCE, LICENSE & REGULATION COMMITTEE

MONDAY, JANUARY 26, 2015 - 6:00 PM

COUNCIL CHAMBERS, CITY HALL

Chairperson Lyon called the meeting to order at 6:02 p.m.

Roll Call. Present: Aldermen Lyon, Kordus, Kehoe, Kupsik and Wall. Also Present: City Administrator Jordan, Director of Public Works Winkler, Comptroller Pollitt, and City Clerk Waswo.

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, 955 George Street, stated she had questions on a pre-paid bill that references a 2012 audit. She requested clarification on when the expense actually occurred and wanted to know what account the overpayment will be taken from.

Approval of Minutes

Wall/Kehoe motion to approve the Finance, License and Regulation Committee Meeting minutes of January 12, 2015, as prepared and distributed. Unanimously carried.

LICENSES & PERMITS

Change of Agent Application filed by Target Corporation d/b/a Target Store T-2348, 660 N Edwards Boulevard, Lake Geneva, to Nicholas Schmidt, 1400 Hunters Ridge Drive, Apt 15, Genoa City, WI

Kupsik/Wall motion to recommend approval. Unanimously carried.

Change of Agent Application filed by Oakfire LLC d/b/a Oakfire Pizzeria and Restaurant, 831 Wrigley Drive, Lake Geneva, to David R. Scotney, 1335 Edgewood Drive, Lake Geneva, WI

Wall/Kehoe motion to recommend approval. Unanimously carried.

Renewal of Massage Establishment License filed by Clear Waters Salon and Spa, 734 Main St, Lake Geneva, WI

Kupsik/Kordus motion to recommend approval. Unanimously carried.

Temporary “Class B”/Class “B” Wine and Fermented Malt Beverage License application filed by Susan Tumminello on behalf of the Lake Geneva Symphony Orchestra for the sale of fermented malt beverages and wine at the Riviera Ballroom, 812 Wrigley Drive, Lake Geneva WI for the Lake Geneva Symphony Orchestra “Love is in the Air” Valentine Gala on February 14, 2015, 6:30pm to 11:00pm.

Kupsik/Kehoe motion to recommend approval. Unanimously carried.

Temporary Operator License application filed by Jennifer Hansen on behalf of the Lake Geneva Symphony Orchestra for the “Love is in the Air” Valentine Gala on February 14, 2015, contingent upon providing proof of having taken a Responsible Beverage Server’s Course.

Kupsik/Wall motion to recommend approval. Alderman Kupsik questioned who would follow up on obtaining proof of the Responsible Beverage Course. City Clerk Waswo confirmed she would. Unanimously carried.

Temporary “Class B”/Class “B” Wine and Fermented Malt Beverage License application filed by Melissa Bochniak on behalf of Badger High School for the sale of fermented malt beverages and wine at the Geneva Lake Museum, 255 Mill Street, Lake Geneva WI for a Casino Night Fundraiser event on February 7, 2015, 6:00pm to 9:00pm.

Wall/Kordus motion to recommend approval. Unanimously carried.

Temporary Operator License applications filed by John Stefaniak, Patty Stefaniak, Kimberly Heyward, and Kevin Polheber on behalf of Badger High School for a Casino Night Fundraiser event on February 7,* 2015, contingent upon providing proof of having taken a Responsible Beverage Server’s Course.

**Clerk's Note – The date was listed incorrectly on the agenda as February 14, 2015, however, it was listed correctly in the application submitted to the council of February 7, 2015.*

Kordus/Wall motion to recommend approval. Unanimously carried.

First Reading of Ordinance 15-01, an Ordinance Amending Chapter 6, Alcohol and Beverages, to establish a Demerit Point System for Liquor License Establishments.

First reading only; no action taken.

First Reading of Ordinance 15-02, an Ordinance Amending Chapter 74, Traffic and Vehicles, Sections 74-210, 74-221, and 74-234.

Kupsik/Kordus motion to postpone the first reading of Ordinance 15-02 indefinitely. Unanimously carried.

Discussion/Recommendation on creating a Post-Issuance Compliance Policy for Tax-Exempt and Tax-Advantaged Obligations and Continuing Disclosure for the Promissory Note.

Kordus/Wall motion to recommend approval. Administrator Jordan stated this was recommended by our bond council in order to comply with tracking and auditing purposes. He noted that in the event of an audit, the city would receive more favorable treatment if the policy is in place. Alderman Lyon noted that according to the policy, it stipulates the Comptroller would be the compliance officer. Mr. Lyon questioned if this would impose any significant requirements to the Comptroller's job. Comptroller Pollitt stated the policy will help make the city in compliance, and would involve only using the money for tax free governmental purposes, involving a checklist and monitoring. She commented that she already does this tracking in an unofficial capacity, but this policy would make it official. Alderman Kordus stated this is not regulatory, but is good practice. Unanimously carried.

Resolution 15-R02, authorizing a step increase for Data Entry Clerk Holly Povish.

Kupsik/Kehoe motion to recommend approval. There was further discussion on what type of performance evaluation had been done and how would this item relate to act 10. Administrator Jordan stated this individual was hired under the union contract with these step increases and the PFC is recommending that this same practice continue. Alderman Kupsik questioned why this should be approved since it was part of the union packet and Act 10 eliminated the benefit of these increases.

City Attorney Draper stated under the statutes, any time a chief or subordinate is to get a raise, the council must approve it. He stated that when union employees get these step increases, they are approved when the contract is approved. This is a different situation as this individual was under the union contract and was hired under these terms and has relied on that promise. Since Act 10 came into place, suddenly she is not part of the union and does not get an automatic approval. This means that now each one of these individuals that had step raises when they were hired, must be approved by the council. Mr. Kupsik felt that once the union contract went away, this step increase also went away. He was concerned with the 6.1% increase as currently the council is struggling with granting a 2% increase in wages. Although, he commented that if this agreement was in place, as a good employer, the city should follow the agreement. Alderman Kordus did not agree as he believes the city would be setting a precedence by approving this increase. He noted that this does not have anything to do with the employee, but felt it is not equitable to gratuitously assign a 6.1% increase just because an individual has worked for the City for 2 years.

Mr. Draper stated the Police Department does performance reviews, which are probably more intense than other employee reviews. He stated that he can assure the council that if the individual is not meeting the standards for that pay, they would not be there. He noted this has been budgeted already, and they are not asking for additional monies to fund this step raise. Alderman Wall questioned how many more step increases would come before the council. Comptroller Pollitt stated there are 4 steps. Mr. Draper said that after this increase, Ms. Povish would have two more step increases. He also stated another employee would have one more step increase. Mr. Kupsik asked if these steps fell under the union contract. Mr. Draper stated yes, but it's a system that the Police and Fire Commission want to continue even for their employees who are not part of the union. Mr. Kupsik commented that the data entry clerks, dispatchers and the other employees in the police department that lost that backing now fall under the same guidelines as the office clerks and street department that are non-union employees. Mr. Kupsik agreed with Mr. Kordus that this would be setting a precedent if we allow the 6.1% increase. He felt that the union is gone and they don't fall under any union contract.

Kupsik/Kehoe withdrew their motion.

Kordus/Wall motion to move to council without recommendation. Unanimously carried.

Discussion/Recommendation on purchase of a Dictaphone System for the Police Department.

Kordus/Kupsik motion to recommend approval. Alderman Kupsik questioned the reason for the Dictaphone and if it was part of the capital. Administrator Jordan stated about 3 or 4 years ago, the police department did purchase a Dictaphone system. However, another company purchased the system and has not been maintaining the software. He stated they have offered an upgrade to the system for \$2,000, which is only good for 2 years. The company did state that if the city would go to another system, they would give a credit on the remaining 3 years of maintenance. This would bring the cost of a new system down to \$7,935. He noted that because we are purchasing a new phone system, it is imperative that we have a system in place. Mr. Jordan stated a new system would be good for at least 10 years. Alderman Kordus felt that this is something we will have to bite the bullet on even though it wasn't in the budget. Mr. Jordan noted that in two years, it may cost \$13,000 to \$14,000 by doing the upgrade as they would need to purchase a new system at that time. Unanimously carried.

Discussion/Recommendation on a 3-year extension to the Breezy Hill Landscaping Agreement. (recommended by Public Works Committee 1/15/15)

Wall/Kordus motion to recommend approval. Unanimously carried.

Discussion/Recommendation on disallowance of claim filed by Robert Drozdowski for alleged injury caused by a slip and fall at or near 300 Wrigley Drive on March 8, 2014, pursuant to Wis. Stat. 893.80(1g).

Wall/Kordus motion to recommend disallowance of the claim. Unanimously carried.

Discussion/Recommendation on renewal of CD in the amount of \$310,595.59 plus interest, maturing on February 9, 2015 from Community Bank of Delavan.

Kordus/Kupsik motion to recommend approval. Comptroller Pollitt stated she does not have the rates as the CD does not mature for another 2 weeks; however, there is not a council meeting before that date. She recommended rolling over the CD with Community Bank for a 6 month time period as based on the outcome of the TID, the money will still be liquid if necessary. Alderman Kordus asked if the dollar amount would put the city in jeopardy based on the upcoming merger of CBD and Town Bank. Ms. Pollitt stated it would not as the city does not have any money invested with Town Bank.

Kordus/Kupsik motion an amendment to include a 6 month roll over to August 9, 2015 at the prevailing rates. Unanimously carried.

Presentation of Accounts

Purchase orders. None.

Kordus/Kupsik motion to recommend approval of Prepaid Bills in the amount of \$66,800.07. Comptroller Pollitt stated the \$36,000 check written to the Utility Commission will be part of the 2014 business. The check is a repayment back to the Utility who had paid the City that amount in 2013 for a tax equivalent adjustment, per the auditors. Now the auditors have agreed that the adjustment was not necessary, which means the utility is due that money back. The transfer is between the two city entities, which get washed out on the audit. Unanimously carried.

Kupsik/Wall motion to recommend approval of Regular Bills in the amount of \$152,865.87. Alderman Kupsik asked Public Works Director Winkler if the final payment to Humphrey's Contracting was for the street department siding project. Mr. Winkler stated the payment is for siding, insulation and trim. He noted the project has been completed and turned out very well. Unanimously carried.

Adjournment

Kordus/Wall motion to adjourn at 6:42 p.m. Unanimously carried.

/s/ Sabrina Waswo, City Clerk

THESE MINUTES ARE NOT OFFICIAL UNTIL APPROVED BY THE FINANCE, LICENSE & REGULATION COMMITTEE