

**REGULAR CITY COUNCIL MEETING
MONDAY, MARCH 23, 2015 – 7:00 PM
COUNCIL CHAMBERS, CITY HALL**

Mayor Connors called the meeting to order at 7:00 p.m.

The Pledge of Allegiance was led by Alderman Hedlund.

Roll Call. Present: Mayor Connors, Aldermen Chappell, Wall, Kordus, Hill, Kehoe, Kupsik, Hedlund and Lyon. Also present: City Administrator Jordan, City Attorney Draper, Vandewalle & Associates Representative Scott Harrington and City Clerk Waswo.

Awards, Presentations, and Proclamations.

City Clerk Waswo stated the Spring Election will be held on Tuesday, April 7, 2015. Polls will be open from 7am to 8pm. Districts 1 & 2 vote at City Hall in the Council Chambers and Districts 3 & 4 vote at the Fire Station on Marshall Street.

Mayor Connors read a proclamation designating April and May as "Arbor Day Months" in the City of Lake Geneva and further encouraged all citizens to support efforts to protect and promote the growth of trees and woodland areas. There will be an Arbor Day celebration that will be publicized where all are welcome to attend.

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.

Penny Roehrer, 951 South Lake Shore Drive, Lake Geneva, stated she was in favor of closing the TIF six years ago and thanked Mr. Wall for supporting the TIF being closed. She would like to see two projects on her list completed, burying of the power lines on Main Street and finishing the White River Trail. Ms. Roehrer did not think the City would get locked in bids before May 15th. She noted there have been a lot of improvements made at Big Foot State Park and questioned if the City will move towards saving the lake instead of endangering it.

Jim Weikel, N1754 Linn Pier Road, Town of Linn, presented over 309 petitions against the reroute of South Lake Shore Drive. He said 2/3 live within 10 miles of this address and nearly 120 are residents of Lake Geneva. Mr. Weikel asked the Council to accept the petitions and consider the overwhelming opposition against the reroute of South Lake Shore Drive. He urged the City to not add this project to TIF #4.

Cheryl Ryan, 795 S Curtis Street, Lake Geneva, stated she is against the Big Foot State Beach reroute and wants the TIF closed. Due to the economy, she stated only emergency projects should be added. She felt the City was currently doing a great job to maintain the erosion and stated the DNR should hold the funds in case of an emergency. She noted concerns over the new visitor's center at the park and the small size of the beach. She believes moving the boat launch would be a revenue loss for the downtown businesses. She stated the urgency of this matter is driven by the desire to modify Seminary Park boat trailer parking to vehicle parking only. She suggested partnering with the DNR to fix the erosion, hire efficient boat launch attendants, and table the idea for another ten years.

Henry Sibbing, 1031 West Main Street, Lake Geneva, stated the TIF financing has been very successful over the years. As prior City Attorney he assisted with implementing the first TIF. The council members had a vision for Lake Geneva and believed by utilizing the TIF as a financing tool it could assist Lake Geneva in remaining a vibrant and desirable place to live or start a business. The appeal of owning property in Lake Geneva coupled with stable values provides an essential starting point for a successful TIF. He noted TIF 4 has been the most successful with an 8 to 10 million dollar surplus. The City has the opportunity to put these funds to good use by making even more important improvements to the district. He believes Hillmoor would be the perfect project for TIF 4 expenditures as it satisfies the "but for" test and fits the definition of blight by the state statute. The abandonment of Hillmoor by the developer has resulted in decreased tax revenue to the City. He feels the Joint Board would be more likely to approve this project as it enhances Lake Geneva and surrounding communities. The City only needs to pay fair market value to

purchase the land and stated operating it as a golf course could potentially provide a \$600,000 revenue increase. Mr. Sibbing asked the Council to not forget the 65% of citizens who are in favor of the City purchasing Hillmoor and operating it as a municipally owned golf course.

Chuck Ebling, W5150 County B, Walworth Township, said he drives across South Lake Shore Drive almost every day and his photo of the sunset has been published 3 times in the last 3 weeks by the Regional News. He believes the real agenda is to move the boat launch. He noted communities have fought to protect scenic and environmental views all over the country. He urged the council to do the right thing for all of the daily motorists and not just the privileged few who pay admission to the park or who live near enough to walk along the shore.

Sean Payne, 127 Sumner Street, Genoa City, commented on Hillmoor. He believes obtaining eminent domain would be promising as it would serve the city well if there was an affordable place to play golf along with a driving range for the high school. He is in favor of the City purchasing and running the golf course and said it would be affordable and profitable for the City.

Doug Skates, 1133 Bonnie Brae Lane, Lake Geneva, stated he appreciates all the conversation here and around town. He is involved in the parks, but spoke as a resident. As a former member of the golf course, he really misses it. He believes timing is most important and wants a common sense look at the projects the Council is entertaining. He thinks the TIF should be closed, but only after careful consideration of expenditures for existing unfinished projects as well as new projects that the Council deems TIF worthy. He would understand the negative views if the City were underwater, however total property values have increased within the TIF district. Mr. Skates requested that the Council not sacrifice the 5-10 million dollars to received 2.37 million when it closes. He noted the County would receive 1.83 million, the City would receive 2.37 million, Badger High school would receive 2.19 million, Joint 1 would receive 2.96 million and Gateway would receive \$650,000. Mr. Skates asked the council to consider the dollar amount and would like them to take their time, but hurry up.

Darien Schaefer, speaking on behalf of the Lake Geneva Chamber of Commerce, stated he supports the use of TIF funds to invest in infrastructure to attract new business and help rebuild blighted areas. He stated the ultimate beneficiary is the residents of the city who enjoy a better quality of life. He noted a TIF does not reduce property tax revenues for the schools, county or City of Lake Geneva. He requested the council make certain they have done what they can do to ensure a successful and sustainable economic environment that will improve the quality of life for the residents as well as produce benefits that ripple across the entire county.

Dave Schuester, Town of Linn, felt that the Hillmoor project is a no brainer. He went through the whole business plan and noted municipal loans are cheap as the market is very good right now. He thinks it could be a positive investment for the City. Mr. Schuester stated as far as the park goes; he wants the whole road removed entirely.

Ken Etten, 1109 Wisconsin Street, Lake Geneva, said lived here over 33 years and has a business in the city. Mr. Etten is also a member of the Friends of the Lake Geneva Theater and would like the Council to give serious consideration to purchasing the Theater. Mr. Etten stated that given the condition of the theater, it fits the requirements to enhance the downtown and eliminate blight. He asked the City to contribute to the purchase of the building. He noted they are not asking the City to do the restoration work. The Friends of the Lake Geneva Theater have concluded that their efforts warrant a more creative and innovative approach and contacted Gregory Marcus of the Marcus Corporation. He responded the project would be given consideration; however they only meet once a year, late in the year. Mr. Etten said the theatre could meet the needs of a wide variety of city residents, students and attract tourists by offering things such as theatrical productions and chamber music by the Lake Geneva Symphony. Mr. Etten urged the City Council to show leadership in keeping the TIF district open.

Pete Peterson, 1601 Evergreen Lane, Lake Geneva, said the City has about 10 million dollars. He stated he does not trust the Council with these funds. Mr. Peterson believes the Riviera and Lakefront are businesses that do not need TIF funds. He felt the Council wasted his money on the skateboard park and does not believe the people using the park are City residents. He was opposed to the \$1,000,000 cost to build a concession stand and opposes anything to do with South Lake Shore Drive. Mr. Peterson said the Theater and the Golf Course can be done privately by entrepreneurs. He does not want those projects done with Lake Geneva tax funds. He stated there is not one project he is in favor of doing. He said he only trusts himself with his money and wants the TIF closed as soon as possible.

Dick Malmin, N1991 South Lake Shore Drive, stated he believes there was incorrect information given on the maintenance of South Lake Shore Drive. He noted in an open records request, Mr. Winkler said the City has not spent any money on that section of the road. He thinks Mr. Winkler approached the DNR to reroute South Lake Shore Drive through the park in exchange for the City's boat launch. He stated the boat launch earns \$33,000 for the City each year and felt that tourists would be encouraged to use the State Park's free beach. He questioned if funding for the DNR parking lot complex would all come from state park conservancy funds. He stated the DNR's Plan C clearly shows 2 parking lots of 120 spaces each, with an area to hold 30 cars and 30 boat trailers. Mr. Malmin feels a beautiful park will be cut in half and asked the city to say no to the reroute.

Acknowledgement of Correspondence.

City Clerk Waswo stated that the City received a letter from Thomas Kincaid on March 16, 2015 suggesting alternate options for the reroute of South Lake Shore Drive.

The City received a letter from Neil Schiche on March 18th addressed to the Town of Linn board and the Wisconsin DNR regarding Big Foot State Park and rerouting South Lake Shore Drive.

The City received a letter from Ed Yaeger and Casey Schiche on March 23, 2015 with a copy of an email sent to Senator Gudex to close Lake Geneva's TIF 4 and a copy of Walworth County's Resolution.

Approval of Minutes

Kordus/Kupsik motion to approve the Regular City Council Meeting minutes of March 9, 2015 and Special City Council Minutes of March 14, 2015, as prepared and distributed. Unanimously carried.

Consent Agenda

- a. Change of Agent Application filed by Capitol Geneva LLC d/b/a Sprecher's Restaurant and Pub, 111 Center Street, Lake Geneva, to Elizabeth M. Dion, 524 Orchard Street, Burlington, WI
- b. Original 2014-2015 Operator's (Bartender) License applications filed by Scott Fazel, Britta Martisse, Andrew Newcomb, and Apolonia Ramon

Kupsik/Hill motion to approve the consent agenda. Unanimously carried.

Items Removed from the Consent Agenda. None.

Finance, License and Regulation Committee Recommendations – Alderman Lyon

RESOLUTIONS

Resolution 15-R20, a budget amendment transferring \$7,935.00 for a Dictaphone Phone/Radio Recording System funded by Capital Projects Fund

Lyon/Wall motion to approve. Alderman Lyon stated this is a requirement driven by the new phone system which will be a VOIP system, and this hardware is necessary for that project.

Roll Call: Chappell, Wall, Kordus, Hill, Kehoe, Kupsik, Hedlund, Lyon voted "yes." Unanimously carried.

Resolution 15-R21, authorizing the write-off of Delinquent Personal Property Taxes in the amount of \$1,598.12

Lyon/Kordus motion to approve. Alderman Lyon stated this is a write off to conform to Generally Accepted Accounting Principles. Mr. Lyon stated the delinquent tax bills are listed with the collection agency so there is possibility that at least some of these monies may be collected.

Roll Call: Chappell, Wall, Kordus, Hill, Kehoe, Kupsik, Hedlund, Lyon voted "yes." Unanimously carried.

Resolution 15-R22, authorizing transfers from the Lakefront and Parking Lots and Meters Funds to the General Fund in the 2014 Operating Budget

Lyon/Hill motion to approve. Alderman Lyon stated this is an annual transfer of funds to the General Fund as a matter of policy. The funds in excess of face values can be transferred to the City General Fund with \$75,000 of that

excess remaining in the Lakefront and Parking Fund. The amount transferred to the General Fund from the Lakefront Fund would be \$332,912.79 and \$586,904 from Parking Lots and Meters. Alderman Hill pointed out the importance of these funds and noted it is incredibly important to continue to maintain the revenue stream.

Roll Call: Chappell, Wall, Kordus, Hill, Kehoe, Kupsik, Hedlund, Lyon voted “yes.” Unanimously carried.

Discussion/Action on disposing of the Street Department’s 1997 Chevrolet Truck on the Wisconsin Surplus Auction.

Lyon/Kehoe motion to approve. Alderman Lyon stated the truck was replaced a few years ago with a new truck but was kept on for further use. The truck is now in bad shape and the City would like to sell it.

Roll Call: Chappell, Wall, Kordus, Hill, Kehoe, Kupsik, Hedlund, Lyon voted “yes.” Unanimously carried.

Discussion/Action on an Application for Site Plan Review for a building and parking lot addition filed by Lake Geneva Animal Hospital Properties, 801 Townline Road, Lake Geneva, WI 53147 for land located at 801 Townline Road, Lake Geneva, WI 53147, Tax Key No. ZA317000001 with staff recommendations and Fire Department letter regarding alarm system and future sprinklers.

Kupsik/Wall motion to approve. Alderman Kupsik stated the Animal Hospital is taking in more business and needs more room. They are rearranging the parking lot, adding an emergency room and a few smaller rooms.

Roll Call: Chappell, Wall, Kordus, Hill, Kehoe, Kupsik, Hedlund, Lyon voted “yes.” Unanimously carried.

First Reading on Ordinance 15-04, an ordinance modifying Section 98-802, Sign Permits of the Lake Geneva Zoning Code.

First reading only, no action taken.

Discussion/Action on Project Plan Amendment for TID #4

Mayor Connors noted this was continued from the Saturday workshop. City Administrator Jordan stated he made a mistake in his memo and noted “votes” instead of “mentions.” He said the Alderman contacted him by phone, email and written notes. Mr. Jordan then tallied how many times each item was mentioned.

Alderman Chappell did not believe the list accurately described what they were supposed to do. Ms. Chappell stated lower traffic congestion leads to increased interest in visiting and living in this community which creates steady property values at or above that of neighboring communities. She noted the lake is a given but the extended well rounded areas are the reasons people want to live in this city. Adding a municipal golf course and community arts center would help round out City amenities. She would like to give these projects priority as they fall within blight. She noted it has been stated that the City is not in the business of golf and community centers, but in the boat launch business, hall rental business and parking ticket business. A municipal golf course and community arts center would add revenue to the city as those other activities do. The shuttle bus was marked as an effective way to deal with traffic. At the time it was done there seemed to be 12 to 15 busy weekends, but now we are up to 20. Ms. Chappell stated Home Depot is currently used for shuttle parking; however, Hillmoor golf course would be a great place for parking and running the shuttle. It fits within the TIF district and fits within blight and traffic congestion relief. The theater would help increase tourism and revenue. The theater is certainly a blighted property as property taxes decreased which shows a direct relation to its blighted appearance. Ms. Chappell stated moving the boat launch will relieve downtown congestion and removing the boat trailer parking would add more parking stalls but felt that it does not seem like a project that fits in with the TIF district. Ms. Chappell feels that burying the lines and the White River is not really blight.

Alderman Kehoe felt the number one project on her list is the Traver Hotel. She stated it is a hazardous place and should be demolished. She appreciates Ms. Chappell’s idea to bring people down from the golf course. Ms. Kehoe also suggested bringing a trolley for drop off in front of the library. She stated she would like to change the angled parking on large city streets and would like the power lines buried. Ms. Kehoe felt the addition of the second floor to the museum does not fit a TIF project. She would like the train passage removed on Geneva Street. She noted the large stones on the beach are not necessary and would like to be level with the water along with additional lighting. She would like something more accommodating for people such as purchasing Hillmoor as a golf course.

Alderman Wall stated he is in favor of the White River Trail. He would especially like money set aside for maintenance on past TIF projects so the taxpayer would not have to pay in the future. Mr. Wall does not want the city to be in the entertainment business which includes Hillmoor and the movie theater. He felt that if the State wants to change Big Foot Beach, to let them pay for it. And stated it is not worth \$2 million dollars to move the boat launch. He stated a seawall should be installed to stop South Shore Drive from washing away. Mr. Wall felt the proposed beach would take away from the downtown beach. He noted the median household income from 2009-2013 for the City of Lake Geneva was \$43,205. Mr. Wall stated he did his own informal survey on TID and found 2 people were in favor of keeping it open and 13 were in favor of closing it. He believes that if this was put on the ballot, it would be voted down.

Alderman Kordus stated it really is a moot point to discuss what we would or would not like on the TIF until it is determined if it will be kept open or not. Mr. Kordus stated he heard that it was not the parking garage that people were against, but the location. He thinks it would be worth talking about again. The South Lake Shore Drive improvements and boat launch are two separate projects in his opinion. He stated he heard discussion that moving a boat launch would not accomplish anything. Mr. Kordus stated that perhaps they could look at moving South Lake Shore Drive and leaving the 30 parking trailer spaces out of the park enhancement. Or perhaps leave the lagoon as it is and still enhance the beach and everything else in the State Park. Mr. Kordus noted he would also like to bury the power lines on Hwy 50.

Alderman Kupsik stated he is in favor of closing the TIF but not before we decide to bury the power lines on Main Street and not before we decide what will happen with the Traver Hotel. He feels it should be bought and demolished. Mr. Kupsik is in favor of the White River Trail. He does not think the City should be a theater owner, but there should be some discussion on whether the City can help purchase the building. He feels the theater would be a bonus to the downtown area and stated it will give people something else to do in the evening besides sit at a bar or restaurant. He stated Hillmoor belongs to the residents of Lake Geneva and believes there should be a discussion on it. Mr. Kupsik questioned if it would be viable for the city and worth investing in. He stated it is questionable if it would be profitable as it was in the past and stated the City could discuss this with a developer. Mr. Kupsik addressed comments about tax dollars and said we all pay taxes like everyone else does and believes a lot of the items done have benefited the residents in the city. He feels it would be a big hit to the taxpayers if the city does not do these items. He reiterated he is in favor of closing the TIF but not until a decision is made about the projects he mentioned.

Alderman Hedlund said he believes the Traver Hotel was ugly 30 years ago and believes it is getting uglier every day. He stated he would vote and lobby for buying the Traver Hotel and tearing it down. He also wants to bury the power lines, as it is blight. The White River Trail is started and should be completed. It's already approved by the Joint Commission so the project just needs to be finished. Mr. Hedlund stated the current boat launch is uncomfortable and stated it is the epitome of traffic congestion. Mr. Hedlund is not sure what to do with the boat launch but moving it to Big Foot is fine with him. He stated the alleys should be finished as those projects have already been approved. As far as parking, he stated the council should consider building a museum in the parking lot of the proposed parking structure, tearing down the old power and light building and making it into a two-story parking garage. He thinks all of these projects could enhance the city. Mr. Hedlund is not in favor of closing the TIF until they find good quality projects that fit the parameters of the TIF district.

Alderman Hill stated she agrees with everything Mr. Hedlund said. She is in favor of keeping TIF #4 open. She was confused as to why the agenda items weren't switched as Mr. Kordus stated. She said the beach and White River canal district were on the top of her list as well as the White River trail. She believed one list indicated signage and believes that this is a huge issue. She stated that city signage is terrible and would like to see consistency and quality signage throughout the community. This would be inexpensive and a good use of TIF funds. Ms. Hill stated that the Traver Hotel is the definition of blight. She also said that she likes Alderman Hedlund's idea about the museum in the parking garage location. She likes Mr. Etten's letter and would be in favor of a partnership, as this is blight and is adversely affecting our downtown. Ms. Hill concluded by stated that she is in favor of keeping the TIF open.

Alderman Lyon stated he thinks projects should be looked at on their own merit and scrutiny needs to be applied. If something that meets the standards of the TIF, is of value by itself, and is a good investment of funds, then it should be done. Mr. Lyon stated a top project is the Traver Hotel and noted the theatre will be Traver #2 in 10 years if the city does nothing. By saying, let the private sector do something, is seeing Traver #2 in 10 years. There are details to be worked out, but something should be done. He stated Hillmoor is also a big problem. Whether or not it can be

restored to it is original golf course/club house is something that needs to be studied more carefully. He feels Hillmoor needs to get a fair hearing about what the options are, which needs a more detailed study. Mr. Lyon would like to see something on Hillmoor more than just cutting projects. He believes it would be ill advised to close the TIF as it has two years left. He stated it would be the equivalent to punting on the 5 yard line. He said, why be hasty about it. At the end of 2017, the extent of the unused funds would be flushed back. Mr. Lyon wants the Council to be business-like, study the projects carefully and not function under the time pressure to close the TIF.

Mayor Connors asked Mr. Harrington if it would be possible to finish these projects before a May 15th closing date. Mr. Harrington stated that for a project plan amendment, the City would need to draw up specific language they would intend to include in the TIF document. This would include specific projects, anticipated costs and timeframes for those projects. The document would go to a public hearing before the Plan Commission. It would require a class 2 notice with a plan commission hearing after the second notice. The Joint Review Board would need to be notified and have an organizational meeting with them prior to the public hearing. At a minimum they would pick a Chairman and appoint a member at large. After the Plan Commission held the hearing, they would act on a resolution and then forward that to the Council for action. If the council approves it, the Joint Review Board would be reconvened to pass a resolution of their own and take final action on the amendment. He noted it is a lot to do in a short amount of time. It seems highly doubtful that all or many of them would have the funds expended before the May 15th date. The issue is not rushing to get the plan amendment done, but how would you be able to spend money on these projects and have them encumbered prior to closing it on May 15th.

Mayor Connors asked if there is a requirement to have the project plan amendment done by May 15th. Mr. Harrington stated that was correct. Mr. Harrington stated that he was told that there was about \$300,000 left of approved expenditure. Those funds could be spent on any of the projects that are currently enumerated in the plan. If any additional plans are to be added, they would need to do a project plan amendment.

Mayor Connors asked if maintenance escrow accounts are allowable. Mr. Harrington stated it was in the original plan, so the Joint Review Board did approve that before as an acceptable expense. City Attorney Draper stated that the maintenance funds are not a perpetual fund. The maintenance funds were within the idea of a 22 or 25 year TID, but would hesitate to claim that the city could spend the money beyond the closing of the TID.

Alderman Chappell asked if some of these were already approved. Mr. Harrington stated that with the last amendment approved, there was an explicit list with expenditures and a cap put on those. Once the last \$300,000 is spent, that is really it, without amending the plan. Mr. Harrington stated the city could keep the same projects, but either way they would have to do an amendment. He stated there is not enough funds authorized to finish the projects, there is plenty of cash on hand, but the issue is a big part of a TIF is the spending plan where you itemize what your intended costs are and then what those costs are. As part of the last amendment in 2010, the discussion with the Joint Review Board, the funds became very specific. There was a finite limit put on how much the city could spend and the City is almost at that limit.

Alderman Hill stated she didn't speak to the Hillmoor project or possibility. Ms. Hill contended that she does not want to be in the golf business. She stated it would require a referendum vote and asked if the residents have been formally asked if they want the City to purchase Hillmoor? Mr. Jordan stated no, council has not gotten to that point. Mr. Jordan stated that you could but that would take you past the May 15th point, and the TIF would be kept open. Ms. Hill stated it certainly is not likely to get all the projects through the JRB with committed contracts by May 15th. Ms. Hill stated she is stressed about Hillmoor and would like to hear what the residents would like. She stated she agrees with Alderman Wall and would like the maintenance going as well. As for the boat launch, some of the comments have given her pause for concern on the project. She stated she does not feel this would happen any time soon either and does not see the reality of the city ultimately using TIF funds for that project given the way the State operates and timing.

Mayor Connors stated he is a proponent of having Traver, the theatre and Hillmoor either repaired or raised but is against the City owning those properties. He asked if there is a process where grants could be appropriated to try to encourage redevelopment of those. Mr. Harrington stated yes, as part of a TIF grant that would be admissible. There could be a public/private partnership. Mr. Harrington stated that the city does not have to generate increment to receive tax increment. The project eligibility is determined by State Statute in terms of what types of activities are TIF eligible. A nonprofit entity could be the recipient of TIF funds for certain eligible activities. There are a lot of

different permutations of how the City could provide assistance well short of the City having to take title or ownership through a grant. The only stipulation is that it would require a development agreement, which is something the Council would act on. Mayor Connors asked if there is some way to establish a grant pool and allow the TIF to be closed. Mr. Harrington stated that the plan could be general in terms of exactly how those funds would be provided to the project. If the question is, could the plan be amended to adopt a development agreement to provide a cash grant to complete that agreement, theoretically, yes, that could be done. Those agreements take a bit of time to write up. Mayor Connors noted the City does not have a CDA, and asked if there is any other way it could be done. Mr. Harrington stated that the entity that received the grant could really be anything.

Alderman Kupsik said it sounds to him that we could not lump them all together, each individual item would have to come under three separate agreements. Mr. Harrington stated that you could not lump them under one agreement and that there needs to be three separate developer's agreements.

Alderman Kehoe requested an explanation regarding providing funds. Mr. Harrington stated that you could provide funds to another entity. In the case of the theater, you could buy the theater or provide funds for someone else to buy the theater and fix it up. Whatever it is would need to be captured in a development agreement. Ms. Kehoe asked if the Joint Review Board would still have to review it. Mr. Harrington responded that they only review the amendment but not the development agreement.

Alderman Hedlund asked if the Council could do an amendment to put \$5 million towards a grant or future development agreement to eliminate blight in the downtown area; and would it go to the Joint Review Board? Mr. Harrington stated that would be problematic as the funds need to be encumbered. Mr. Harrington said that generally the development agreement would be under contract. Mr. Hedlund asked if the three projects could be in a redevelopment pool. Mr. Harrington stated yes. As there are certain projects and funds identified, they could reallocate in between those line items as long as the bottom line spending is not exceeded.

Mr. Harrington stated to be clear, there is the amendment process and then there is closing the TIF. The May 15th deadline is if the council wants to close the TIF, which means it will not collect any more money. There is nothing that has compelled the council to do that, except that once you have spent the money you have to close the TIF. Mr. Harrington stated it is a matter of closing the TIF and being done with it or doing a plan amendment to allocate the funds already collected and those that may be collected in the future.

Alderman Hill questioned what the exact goal of the agenda item is and asked how to move on. Mayor Connors stated he wanted to gage the Council's interest.

Hill/Kupsik motion to suspend the rules to move up item number 14. Alderman Kupsik stated after this discussion they should have a plan of what they want to do with TIF #4. Ms. Hill stated an agreement has not been made yet. She stated that they would have to take a vote to decide on the projects to be included. Mr. Kupsik stated closing the TIF by May 15th is never going to happen.

Roll Call: Wall, Kordus, Hill, Kehoe, Kupsik, Hedlund, Lyon voted "yes." Motion carried 7 to 1 with Alderman Chappell voting "no."

Discussion/Action on Procedure and Timeline for Closing TID #4.

Hill/Lyon motion to keep TID #4 open. Alderman Kordus stated even with keeping the most minimal projects, they do not have the time nor the funding available without going to the amendment process. He agreed with Alderman Lyon's earlier comment that it does not make sense to close it at this point.

Roll Call: Chappell, Kordus, Hill, Kehoe, Kupsik, Hedlund, Lyon voted "yes." Motion carried 7 to 1 with Alderman Wall voting "no."

Back to item #13. Alderman Chappell asked when a referendum can be done. She asked if it can be put out at any time or does it have to be attached to a ballot. City Attorney Draper stated the city could have a special election outside of that time, but it is an expense the City would have to incur on its own.

Alderman Kordus asked if this means a creation of another committee and questioned how they would determine which projects to bring forward. Mayor Connors stated in the past an ad hoc committee was appointed.

Mr. Harrington stated the council needs to keep in mind that the Plan Commission would have to approve the resolution in order for the Council to act on it. They also are allowed to make changes. Mr. Harrington stated the council should have more of a discussion or a workshop with the Joint Review Board about the projects and how they would be carried out. He suggested that the Council really look to engage them more directly as partners. Mayor Connors asked if the Joint Review Board participates in project plan amendments. Mr. Harrington stated it is good to have them involved in a discussion as they have a straight up or down vote. The Joint Review Board can suggest changes that would then come back to the council, which is what happened in the past. Mr. Harrington stated that the City could avoid that with more discussion on the front end.

Kupsik/Kehoe motion to continue the item to a future workshop. Alderman Hill is not opposed but thinks it is very important to involve other voices. Hill stated a one way communication is not a partnership and would very much like to invite the County and other interested parties into the discussion. Mr. Harrington stated he understands this is an unusual situation where the City has already collected the funds and has to decide how to use them, which rarely happens and is a tribute to how well the district has done.

Kupsik/Kehoe motion an amendment to set the date for Tuesday, April 28th at 6:00pm.

Roll Call: Chappell, Kordus, Hill, Kehoe, Kupsik, Hedlund, Lyon voted “yes.” Motion carried 7 to 1 with Alderman Wall voting “no.”

Presentation of Accounts – Alderman Kupsik

Purchase Orders. None.

Lyon/Kupsik motion to approve Prepaid Bills in the amount of \$5,252.85

Roll Call: Chappell, Wall, Kordus, Hill, Kehoe, Kupsik, Hedlund, Lyon voted “yes.” Unanimously carried.

Lyon/Hill motion to approve Regular Bills in the amount of \$298,076.74.

Roll Call: Chappell, Wall, Kordus, Hill, Kehoe, Kupsik, Hedlund, Lyon voted “yes.” Unanimously carried.

Mayoral Appointments. None.

Adjournment

Kordus/Hedlund motion to adjourn at 9:21 p.m. Unanimously carried.

/s/ Sabrina Waswo, City Clerk

THESE ARE NOT OFFICIAL MINUTES UNTIL APPROVED BY THE COMMON COUNCIL