

**REGULAR CITY COUNCIL MEETING
MONDAY, MAY 22, 2017 – 6:00 PM
COUNCIL CHAMBERS, CITY HALL**

Mayor Kupsik called the meeting to order at 6:00 p.m.

The Pledge of Allegiance was led by Alderman Skates

Roll Call. Present: Aldermen Chappell, Skates, Kordus, Straube, Halverson, Hedlund, Howell. Absent: Ald. Flower. Also Present: City Attorney Draper, City Administrator Oborn and City Clerk Waswo.

Awards, Presentations, and Proclamations.

Mayor Kupsik introduced the new Building and Zoning Administrator, Fred Walling.

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.

Dick Malmin, N1991 South Lakeshore Drive, thanked Chris Jensen for cancelling the scheduled race. Mr. Jensen was impressed by the passion of the Lake Geneva community. Mr. Malmin explained the path is not there to be abused. Lakeshore residents are singularly unique as they sacrifice their right for private property so that other people can enjoy the lake. The GLA has rules that acknowledge it's a walking path. At some point the number of people walking the path is an abuse. The rules on the path acknowledge these people are given permission but with conditions. People have to stay on the path and observe the rules. The wellbeing of the land owner must be respected. Mr. Malmin stated he is a spokesman for these people.

Nan Elder, VISIT Lake Geneva, 527 Center Street, appeared on behalf of the Concerts in the Park event. They are in their 24th year of the program. There are 7 concerts offered on Thursdays at 6:00pm, starting July 6th through August 24th, and is free to the public. They work with several sponsors to put the program together and appreciate the support of the City of Lake Geneva. They are asking to pay the \$25.00 permitting fee.

Darien Schaefer, VISIT Lake Geneva, 527 Center Street, stated this is his last meeting and thanked the council. He feels the positive changes have grown and expanded the events to provide a better experience for our residents and visitors. He hopes the City Council continues to see the value of their strong partnership that has been in place for decades.

Bill Huntress, 1050 Pleasant Street, does not see any benefit to renting out the parks. Any time there's a camp, such as the cheerleading camp, someone is making money. He resents people coming here and making money in our parks. There is no benefit to the city besides bringing people here. The city spends about \$174,000 a year taking care of our parks. He believes they should have a menu of fees to residents and nonresidents. He feels having a hot dog stand in Flat Iron Park is laughable. Parks are for the tourists, not for people making money.

Pam Jensen, spoke on behalf of Christian Jensen as he was unable to attend. Her son started the My Team Triumph organization in Green Bay that includes handicapped and disabled people in marathons and races. It's a real worthy organization. She stated everyone that was in the event was getting a medal; it was not a race, no strollers, only athletes. They will not be serving liquor. This was a relay with 150 people involved and only around 40 of them would be on the path at one time. Christian agreed with whoever was against it. We cancelled it so that the organization will retain its good reputation.

Acknowledgement of Correspondence.

The city received an email from the Geneva Lake Conservancy opposing the Muck Suck event and the use of the shore path for any large group sport activities.

Approval of Minutes. Kordus/Skates motion to approve the Regular City Council Meeting minutes of May 8, 2017, as prepared and distributed. Motion carried 7 to 0.

Consent Agenda – *Recommended by Finance, License and Regulation on May 16, 2017*

- a. Park Reservation Permit application filed by VISIT Lake Geneva for Concerts in the Park at the Flat Iron Park gazebo and Brunk Pavilion every Thursday from July 6, 2017 through August 24, 2017 (excluding August 17) from 6:00pm to 8:00pm with request to waive all fees excluding the \$25.00 application fee
- b. Street Use Permit application filed by Cindy Forster Fueredi on behalf of the Maple Park Homeowners Association for closure of Geneva Street between Madison and Warren Street on June 24, 2017 from 4:00pm to 9:00pm for a block party
- c. Park Reservation Permit application filed by Jeffrey Siegal on behalf of Buffalo Grove High School to use Flat Iron Park June 13 - June 15, 2017 from 10:00 am to 6:00 pm for Cheerleading Camp
- d. Park Reservation Permit application filed by Parker Wade on behalf of the Universal Cheerleaders Association to use Seminary Park May 31 - June 3, 2017 from 8:00am to 9:00pm for the UCA Midwest Instructional Staff Training
- f. Change of Agent application filed by ALDI Inc Wisconsin d/b/a ALDI #56, 200 N Edwards Blvd, Lake Geneva, to Danielle Quale, 1301 Orchard Street, Racine
- g. **Renewal “Class A”/Class “A” Liquor & Fermented Malt Beverage License applications filed by the following, contingent upon payment of all outstanding liabilities and delinquencies with the City of Lake Geneva and wholesaler invoices, and clearance of any Department of Revenue holds:**
 - 1) Brutap LLC d/b/a Bruno’s Liquors, 524 Broad St, James Sharkus, Agent
 - 2) Queso Corp d/b/a The Cheese Box, 801 S Wells St, Zbigniew Borowiec, Agent
 - 3) Hare Krishna Liquor Inc d/b/a Geneva Liquor, 797 Wells St, Dixit Patel, Agent
 - 4) Prairie State Enterprises of Darien LLC d/b/a Lake Geneva Mobil, 350 N Edwards Blvd, Kenneth Kearns, Agent
 - 5) New World Wine Shop Inc d/b/a New World Wine Shop, 830 W Main St, Jerry Sibbing, Agent
 - 6) QuickNSave LLC d/b/a QuickNSave, 1231 Grant St, Jatinder Dhillon, Agent
 - 7) Stinebrink’s Lake Geneva Foods LLC d/b/a Stinebrink’s Piggly Wiggly, 100 E Geneva Sq, Mark Stinebrink, Agent
 - 8) Stop-N-Go of Madison Inc d/b/a Stop-N-Go #265, 896 Wells St, Andrew Bowman, Agent
 - 9) Target Corporation d/b/a Target Store T2348, 660 N Edwards Blvd, Nicholas Schmidt, Agent
 - 10) Wal-Mart Stores East LP d/b/a Walmart #910, 201 S Edwards Blvd., Barbara Godan, Agent
- h. **Renewal “Class A” Liquor License application filed by Lake Geneva School of Cooking LLC d/b/a Lake Geneva School of Cooking, 727 Geneva St, John Bogan, Agent, contingent upon payment of all outstanding liabilities and delinquencies with the City of Lake Geneva and wholesaler invoices, and clearance of any Department of Revenue holds**
- i. **Renewal Class “B” Fermented Malt Beverage application filed by B&B Lake Geneva LLC d/b/a Board & Brush Creative Studio Lake Geneva, 252 Center St, Julie Selby, Agent, contingent upon payment of all outstanding liabilities and delinquencies with the City of Lake Geneva and wholesaler invoices, and clearance of any Department of Revenue holds**
- j. **Renewal Class “B” Fermented Malt Beverage & “Class C” Wine License applications filed by the following, contingent upon payment of all outstanding liabilities and delinquencies with the City of Lake Geneva and wholesaler invoices, and clearance of any Department of Revenue holds:**
 - 1) Breakfast Bungalow LLC d/b/a Great Eggs, 220 Cook St, Justin Ochalek, Agent
 - 2) Happy Restaurant Inc d/b/a Happy Café, 526 Wells St, Min Ting Zhong, Agent
 - 3) Mama Ciminis d/b/a Mama Ciminis Pizzeria, 131 S Wells St, Nicolo Cimino, Agent
 - 4) Marsala’s Pizza Inc d/b/a Marsala’s Pizza, 820 Williams St, Miguel Barcena, Agent
 - 5) Martins Olympic Restaurant LLC d/b/a Olympic Restaurant, 748 W Main St, Yolanda Zavaleta, Agent
 - 6) The Noodle Shop CO – Colorado Inc d/b/a Noodles & Company, 351 Peller Rd, Michael Pittenger, Agent

7) PH Hospitality Group LLC d/b/a Pizza Hut, 801 Williams St, Kate Rath, Agent

- k. **Renewal “Class B”/Class “B” Intoxicating Liquor & Fermented Malt Beverage License (Hotel Exemption) application filed by Harbor Shores Hotel Management Inc d/b/a Harbor Shores on Lake Geneva, 300 Wrigley Dr, William Strangeway, Agent, contingent upon payment of all outstanding liabilities and delinquencies with the City of Lake Geneva and wholesaler invoices, and clearance of any Department of Revenue holds**
- l. **Renewal Reserve “Class B”/Class “B” Intoxicating Liquor & Fermented Malt Beverage License applications filed by the following, contingent upon payment of all outstanding liabilities and delinquencies with the City of Lake Geneva and wholesaler invoices, and clearance of any Department of Revenue holds:**
 - 1) Meridian Condominium Association Inc d/b/a Bella Vista Suites, 335 Wrigley Dr, Charles Lorenzi, Agent
 - 2) Su Wings Corp d/b/a Su Wings Chinese Restaurant, 743 North St, Siu Wing Leung, Agent
 - 3) The Restaurant Tempura House LLC d/b/a Tempura House, 306 Center St, Pai Tsung Wang, Agent
- m. **Renewal “Class B”/Class “B” Intoxicating Liquor & Fermented Malt Beverage License applications filed by the following, contingent upon payment of all outstanding liabilities and delinquencies with the City of Lake Geneva and wholesaler invoices, and clearance of any Department of Revenue holds:**
 - 1) Stone Soup LLC d/b/a Baker House, 327 Wrigley Dr, Charles Fritz IV, Agent
 - 2) Mercedes or Bust LLC d/b/a The Bottle Shop, 617 W Main St, Elizabeth Tumas, Agent
 - 3) Samson Enterprises LLC d/b/a Carvetti’s, 642 W Main St, Eugene Grahler, Agent
 - 4) 422 S. Wells St. LTD d/b/a Celebration on Wells, 422 S Wells St, Charles Lorenzi, Agent
 - 5) L&B Main Street Inc d/b/a Champs Sports Bar & Grill, 747 W Main St, Jessica Bush, Agent
 - 6) Chubby Kitty LLC d/b/a Fat Cat’s, 104 Broad St, Mark Basil, Agent
 - 7) Hogs & Kisses Inc d/b/a Hogs & Kisses, 149 Broad St, Linda Chironis, Agent
 - 8) Sandal Inc d/b/a Lake Geneva Lanes, 192 E Main St, Franklin Guske, Sr, Agent
 - 9) Geneva Bay Club LLC d/b/a Maxwell Mansion, 421 Baker St, Charles Fritz IV, Agent
 - 10) DCR Restaurant Group LLC d/b/a Next Door Pub & Pizzeria, 411 Interchange North, Chad Bittner, Agent
 - 11) SS2 Inc d/b/a The Red Geranium Restaurant, 393 N Edwards Blvd, Lyle Swatek, Agent
 - 12) Two Thumbs Up LLC d/b/a Thumbs Up, 260 Broad St, Benjamin Barels, Agent
 - 13) LG Hospitality Group LLC d/b/a Tuscan Tavern & Grill, 430 Broad St, James Georgalas, Agent
- n. Original 2017-2018 Operator’s (Bartender) License applications filed by Craig Evans, Rhonda Holden, Judy Honegger, Joshua Hughes, Kelly Lei, Chelsea Matthews, Carly Sinclair
- o. Renewal of 2017-2018 Operator’s (Bartender) License applications as listed in packet
- p. Renewal of Taxi Driver License applications as listed in packet *(approved by Police Chief; informational only)*

Kordus/Chappell motion to approve.

Roll Call: Chappell, Skates, Kordus, Straube, Halverson, Hedlund, Howell voting “yes.” Motion carried 7 to 0.

Items removed from the Consent Agenda.

- e. Application filed by Demetra Condos on behalf of the Central Denison PTO to waive fees in the amount of \$150 for the use of 10 picnic tables on May 12th for a Color Run at Central Denison playground *(Finance, License and Regulation Committee recommended denial of waiver of fees)*

Kordus/Halverson motion to deny the application and charge the full of \$150. Ald. Kordus stated the fees were paid last year. Roll Call: Chappell, Skates, Kordus, Straube, Halverson, Hedlund, Howell voting “yes.” Motion carried 7 to 0.

Discussion/Action on request to amend the Park Reservation Permit application filed by Christian Jensen on behalf of My Team Triumph to use Library Park on May 28, 2017 from 6:00am to 5:00pm from the Muck-Suck event to the Celebration of Triumph community event (Original permit approved by Council on April 24, 2017)

Chappell/Kordus motion to approve. City Clerk Waswo explained she received a request to amend the permit. The event will be from 11am to 2pm with setup remaining at 6am. Attendance will be capped between 100 to 150 people. They will still have tables, chairs and a tent. Ald. Chappell was sorry that Mr. Jensen had to cancel the event. Whoever is making statements about the organization has not come from the council. Ms. Chappell stated it's unfortunate that there are some groups out there that tend to sensationalize things for no particular gain.

Roll Call: Chappell, Skates, Kordus, Straube, Halverson, Hedlund, Howell voting "yes." Motion carried 7 to 0.

Discussion/Action on amendment to the Temporary Class "B"/"Class B" Retailer's License application filed by My Team Triumph for the sale of fermented malt beverages at the 900th block of Main St (Library Park), Lake Geneva, on May 28, 2017 from 10:00am to 2:00pm from the Muck-Suck event to the Celebration of Triumph community event (Original permit approved by Council on April 24, 2017)

Kordus/Chappell motion to revoke the license Temporary Class "B"/"Class B" Retailer's License application filed by My Team Triumph for the sale of fermented malt beverages on May 28, 2017 from 10:00am to 2:00pm. City Attorney Draper stated in order to revoke a license you need to go through a particular process, a judicial hearing. He explained the safer thing to do was to take no action. They are not having beer at the event anyways. It would be safe to not issue this particular license as it was setup for a particular function before and the conditions cannot be met. Kordus/Chappell withdrew motion.

Kordus/Chappell motion to deny the request for amendment for the Temporary Class "B"/"Class B" Retailer's License.

Roll Call: Chappell, Skates, Kordus, Straube, Halverson, Hedlund, Howell voting "yes." Motion carried 7 to 0.

Discussion/Action on Second reading of Ordinance 17-05, amending Section 74-210(d), Night Parking, to allow parking in the Sage Street Parking Lot D, not to exceed 24 hours

Kordus/Chappell motion to approve. This is to allow overnight parking in the Sage Street Lot. All of these will come back to Public Works for placement and language of signage. City Attorney Draper explained that since we have parking regulations stating how to park with particular hours, by state statute we have to have posted signage.

Roll Call: Chappell, Skates, Kordus, Straube, Halverson, Hedlund, Howell voting "yes." Motion carried 7 to 0.

Discussion/Action on Second reading of Ordinance 17-06, amending Section 74-210(c), Parking Regulations, Boat Trailers, to include a violation for any motor vehicle with a trailer or a trailer alone to be parked in the Sage Street Parking Lot D

Kordus/Hedlund motion to approve.

Roll Call: Chappell, Skates, Kordus, Straube, Halverson, Hedlund, Howell voting "yes." Motion carried 7 to 0.

Discussion/Action on Second reading of Ordinance 17-07, amending Section 74-210(f), Backing into parking stalls, to include a motorcycle exception

Kordus/Hedlund motion to approve.

Roll Call: Chappell, Skates, Kordus, Straube, Halverson, Hedlund, Howell voting "yes." Motion carried 7 to 0.

Discussion/Action on Second reading of Ordinance 17-08, amending Section 74-221(d), Parking Station Zones, to include a ten-hour parking station zone at the 227 South Lake Shore Drive Parking Lot I

Kordus/Hedlund motion to approve. This the new lot that will have all day parking.

Roll Call: Chappell, Skates, Kordus, Straube, Halverson, Hedlund, Howell voting "yes." Motion carried 7 to 0.

Discussion/Action on Second reading of Ordinance 17-09, amending Section 74-221(h), Authorized City Parking Stickers, to include 10 consecutive hours of free parking from 9:00am to 7:00pm for any vehicle with a valid parking sticker at the 227 South Lake Shore Drive Parking Lot I

Kordus/Chappell motion to approve. Anyone with a city sticker will get 10 hours of free parking in this lot.

Roll Call: Chappell, Skates, Kordus, Straube, Halverson, Hedlund, Howell voting "yes." Motion carried 7 to 0.

Discussion/Action on Second reading of Ordinance 17-10, amending Section 90-123(f), Boat Launching Facility, to include a violation for any vehicle other than a motor vehicle connected to a boat trailer to be parked in the City Boat Launch Parking Lot F

Kordus/Halverson motion to approve.

Roll Call: Chappell, Skates, Kordus, Straube, Halverson, Hedlund, Howell voting “yes.” Motion carried 7 to 0.

Finance, License & Regulation Committee Recommendations – Alderman Kordus

Discussion/Action on establishing a tournament permit fee schedule for Veteran’s Park of \$150 for Friday, \$300 for Saturday, \$300 for Sunday, and a \$1,000 deposit

Kordus/Hedlund motion to approve. This is our first attempt at a fee schedule for baseball tournaments. This will come back in a resolution on our fee schedule.

Roll Call: Chappell, Skates, Kordus, Straube, Halverson, Hedlund, Howell voting “yes.” Motion carried 7 to 0.

Discussion/Action on a Park Reservation Permit application filed by Shawn Kremlich on behalf of Baseball365 Inc. to use Molitor Field at Veterans Park July 7, 2017 from 8:30am to 10:00pm; all fields July 8 – July 9, 2017 from 8:30am to 10:00pm; Molitor Field on July 14, 2017 from 8:30am to 10:00pm; all fields from on July 15 – July 16, 2017 from 8:30am to 10:00pm; for the Lake Geneva Invitational – Lake Geneva Grand Slam Tournament with fees of \$150 for July 7th, \$300 for July 8th, \$300 for July 9th, \$150 for July 14th, \$300 for July 15, \$300 for July 16th, \$25 application fee, and \$1,000 security deposit, for a total of \$2,525.00

Kordus/Chappell motion to approve and include proof of liability insurance.

Roll Call: Chappell, Skates, Kordus, Straube, Halverson, Hedlund, Howell voting “yes.” Motion carried 7 to 0.

Discussion/Action on Greg Powers placing and operating a hot dog stand in Flat Iron Park *(Public Works Committee recommended denying application on May 16, 2017; No action taken at FLR as it was removed from the agenda)*

Kordus/Hedlund motion to deny. Ald. Kordus stated it was denied based on a city ordinance stating there are no sales allowed in the parks.

Roll Call: Skates, Kordus, Straube, Halverson, Hedlund, Howell voting “yes.” Motion carried 6 to 1 with Ald. Chappell voting “no.”

Discussion/Action on an Engineering Proposal from Ellena Engineering Consultants LLC for the White River/Disc Golf Bridge Replacement Project with a fee not to exceed \$9,800 and to approve the project with a total cost not to exceed \$60,000 funded by the Capital Fund *(FLR recommended approval on May 16, 2017)*

Kordus/Skates motion to approve. This is maintenance that needed to be done to make the bridge safe. There are 4 other bridges that are not going to be repaired. They will be torn down with demolition and cleanup costs. Mayor Kupsik feels we are obligated as the city to maintain at least one bridge that will be handicap accessible and safe enough to drive a lawn mower over. Depending on what progresses, the DNR will determine what we can do with other the bridges. Mr. Kordus noted the \$10,000 engineering cost was not included in the capital improvements.

Roll Call: Chappell, Skates, Kordus, Straube, Halverson, Hedlund, Howell voting “yes.” Motion carried 7 to 0.

Plan Commission – Alderman Skates *(Pending consideration from Plan Commission on May 22, 2017)*

Discussion/Action on proposed Certified Survey Map (CSM) within the City’s Extraterritorial Jurisdiction (ETJ) in the Town of Geneva filed by Walter G. Larkin, W3459 Highway 50 West, Lake Geneva, WI 53147, to establish a legal 50’ easement at W3459 Highway 50 West, Lake Geneva, WI 53147, Tax Key Nos. JG3400012

Skates/Kordus motion to approve. This is a housekeeping issue to get an easement that was required on the property.

Roll Call: Chappell, Skates, Kordus, Straube, Halverson, Hedlund, Howell voting “yes.” Motion carried 7 to 0.

Discussion/Action on the opening of the annual request period for amendments to the Comprehensive Plan

There is no action to be taken on this item. This is an announcement that the application process to amend the comprehensive plan started on May 22nd. It will continue until June 30th in which case any applications received will be reviewed. There is no action by the council until we adopt the public participation plan which will be first drafted by the Planning Commission in the June meeting. City Attorney Draper stated he can provide a memo to the council to outline the procedures to follow.

Discussion/Action on Organizational Chart Revision removing Assistant Chief of Police *(Recommended by the Police and Fire Commission on May 4, 2017)*

Kordus/Hedlund motion to approve.

Roll Call: Chappell, Skates, Kordus, Straube, Halverson, Hedlund, Howell voting “yes.” Motion carried 7 to 0.

Presentation of Accounts – Alderman Kordus *Recommended by Finance, License and Regulation on May 16, 2017*

Purchase Orders (none)

Kordus/Skates motion to approve the Prepaid Bills in the amount of \$6,743.97

Roll Call: Chappell, Skates, Kordus, Straube, Halverson, Hedlund, Howell voting “yes.” Motion carried 7 to 0.

Regular Bills in the amount of \$120,086.05.

Kordus/Skates motion to approve the regular bills in the amended amount of \$118,294.30. Mr. Oborn noted there were three changes. Alliant had estimates as they were waiting for the invoices. Those came in so those are being amended to the actual amount. For the Main Street widening project, Kapur was removed as it should be paid out of the TIF fund. Midwest Door Company has an overpayment that’s being deducted through the Utility Commission. Those three changes are what make up the change of the dollar amount.

Roll Call: Chappell, Skates, Kordus, Straube, Halverson, Hedlund, Howell voting “yes.” Motion carried 7 to 0.

Mayoral Appointments. (none)

Adjournment. Kordus/Hedlund motion to adjourn at 7:15pm. Unanimously carried.

/s/ Sabrina Waswo, City Clerk

THESE ARE NOT OFFICIAL MINUTES UNTIL APPROVED BY THE COMMON COUNCIL