

**REGULAR CITY COUNCIL MEETING  
MONDAY, SEPTEMBER 25, 2017 – 6:00 PM  
COUNCIL CHAMBERS, CITY HALL**

Mayor Kupsik called the meeting to order at 6:00pm

The Pledge of Allegiance was led by Mayor Kupsik

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

**Awards, Presentations, and Proclamations.**

Presentation to be rescheduled as Dennis Tweedale of the League of Wisconsin Municipalities was unable to make the meeting.

**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.**

MaryJo Fesenmaier, 1085 South Lake Shore Drive, provided comments on the closed session items. She was concerned about the tax key numbers that relate to Edwards Blvd. These properties were assessed a tax that was supposed to be paid into TIF along with the Peller properties. She questioned where the assessment money will go now that the TIF is closed. She also requested they tell the public why they are going into closed session.

**Acknowledgement of Correspondence.** (none)

**Approval of Minutes.** Kordus/Hedlund motion to approve the Regular City Council Meeting minutes of September 11, 2017, as prepared and distributed. Motion carried 6 to 0.

**Consent Agenda**—*Recommended by Finance, License and Regulation on Sept 19, 2017*

Any item listed on the consent agenda may be removed at the request of any member of the Council. The request requires no second, is not discussed, and is not voted upon.

- a. Parade Permit Application filed by Badger High School to use Wisconsin St., Broad St. and Wrigley Dr. for the Badger High School Homecoming Parade on October 6, 2017 from 4:45 pm to 5:30 pm
- c. Fireworks Permit application filed by Badger High School and J & M Displays for the use of fireworks on the Badger High School soccer field, 220 E. South St., on October 6, 2017 after the game, between 8:30 pm and 9:00 pm (*recommended for approval by the Fire Chief and Police Chief*)
- e. Original 2017-2018 Operator's (Bartender) License applications filed by Linda Upton, Christine Beaudoin, Sean Payne, Sarah Cantrell, and Steven Paczkowski

Kordus/Hedlund motion to approve a, c, and e.

Roll Call: Kordus, Flower, Straube, Halverson, Hedlund, Howell voting "yes." Motion carried 6 to 0.

**Items removed from the Consent Agenda.**

- b. **Street Use Permit Application filed by Badger High School to use Wisconsin St., Broad St. and Wrigley Dr. for the Badger High School Homecoming Parade on October 6, 2017 from 4:45 pm to 5:30 pm with waiver of \$25 application fee and \$40 street use fee**

Kordus/Straube motion to accept item b. as written. Ald. Kordus was asked to remove this item as the waiver of fess was in question. We typically charge the application fee as there is city time involved. We waive the street use fee, but charge the \$25 application fee. Mayor Kupsik explained we have established the application fee as the paperwork still needs to be processed. Ald. Flower feels this issue needs to get resolved.

Roll Call: Kordus, Flower, Straube, Halverson, Hedlund, Howell voting "yes." Motion carried 6 to 0.

- d. **Street Use Permit application filed by Badger High School for the temporary closure of a portion of S. Wells Street from E. South Street/N. Bloomfield Road, south to the end of the City of Lake Geneva's jurisdiction during the Fireworks display only on October 6, 2017 after the game, between 8:30 pm and 9:00 pm with waiver of the \$40 street use fee**

Kordus/Hedlund motion to approve.

Roll Call: Kordus, Flower, Straube, Halverson, Hedlund, Howell voting "yes." Motion carried 6 to 0.

**Discussion/Action on a Banner Permit application filed by VISIT Lake Geneva to use 5 banner poles from Nov 20, 2017 through Dec 31, 2017 and 11 banner poles from Jan 1, 2018 through Feb 4, 2018 with request to waive \$595 in fees (Motion lost at FLR, sent to Council with no recommendation)**

Kordus/Flower motion to approve the banners and waive the fees. This was a split decision which is why the motion was lost at FLR. In the past we have waived those fees as part of our sponsorship and contribution to Winterfest. This does reflect the new fee schedule of the \$1.00 per pole per day. Ald. Halverson noted this is still in conflict with our current fee schedule and the fees should not be waived just because someone asked. Ald. Hedlund thought we made an agreement. That's what we did last year. Attorney Draper said the ordinance won't be published until Thursday, September 28<sup>th</sup> so we are still acting under the old fee structure.

Roll Call: Kordus, Straube voting "yes." Motion failed 2 to 4 with Ald. Flower, Halverson, Hedlund, Howell voting "no."

Hedlund/Howell motion to approve and charge a \$220 fee. Ald. Hedlund would like to charge one fee to put the banners up and take them down. City Administrator Oborn stated this is what was done last year.

Roll Call: Kordus, Flower, Straube, Halverson, Hedlund, Howell voting "yes." Motion carried 6 to 0.

**Discussion/Action on Payne & Dolan TIF Escrow Draw Request No. 3 in the amount of \$53,739.79 for the Main Street Widening Project**

Kordus/Hedlund motion to approve.

Roll Call: Kordus, Flower, Straube, Halverson, Hedlund, Howell voting "yes." Motion carried 6 to 0.

**Discussion/Action on award of the 2017 Joint & Crack Cleaning and Sealing bid to Fahrner Asphalt Services LLC in the amount of \$30,000 funded from Capital Projects**

Kordus/Hedlund motion to approve.

Roll Call: Kordus, Flower, Straube, Halverson, Hedlund, Howell voting "yes." Motion carried 6 to 0.

**Discussion/Action on proposal from CGC, Inc for test boring on Main Street at 400/500/900/1000 blocks in the amount of \$3,500 funded from Capital Projects**

Kordus/Flower motion to approve. The 400 and 500 blocks of Main Street were added due to some washout where the river runs under the road by KFC and Burger King. Since they would be boring already, it made sense to add these streets.

Roll Call: Kordus, Flower, Straube, Halverson, Hedlund, Howell voting "yes." Motion carried 6 to 0.

**Plan Commission Recommendations of Sept. 18, 2017 – Mayor Kupsik**

**Discussion/Action on Resolution 17-R55, a Conditional Use filed by Kevin Sychowski, 830 Clover St, Lake Geneva, to allow for the construction of an accessory structure of 1,950 square feet, at 830 Clover St, Tax Key No ZCL200008 including all staff recommendations and finding of fact**

Kordus/Hedlund motion to approve. Mr. Oborn explained there were a few citizens that were concerned with the size of the garage; however, the items sitting outside would be enclosed, which was the trade off. The key was that he would store his boats and cars in the garage. Ald. Howell received calls concerned with the size of the building, stating that it doesn't fit the community. The maximum size is supposed to be 1,000 or it would not be a conditional use. There was no problem with the design, just the size. Mayor Kupsik noted there were people who voiced their concerns at the public hearing, but the compromise was that they weren't going to store anything outside the building.

Roll Call: Mayor Kupsik, Kordus, Straube, Hedlund voting "yes." Motion carried 4 to 3 with Ald. Flower, Halverson, Howell voting "no."

**Discussion/Action on Resolution 17-R54, a Conditional Use filed by Frank Klepitsch, 420 Sunrise Ave, Lake Bluff, IL 60044, on behalf of Francis Beidler III & Elizabeth Tisdahl, for SR-4 Setbacks in ER-1 Zoning District to allow the addition of a new screened porch located at 698 S Lake Shore Drive, Tax Key No ZBB00006 including all staff recommendations and finding of fact**

Kordus/Hedlund motion to approve.

Roll Call: Kordus, Flower, Straube, Halverson, Hedlund, Howell voting “yes.” Motion carried 6 to 0.

**Discussion/Action on Liability and Workman’s Compensation insurance renewals with change of Property insurance carrier from Chubb to Municipal Property Insurance Company (MPIC) with a \$1,000 deductible and annual premium of \$47,917**

Kordus/Halverson motion to approve. City Administrator Oborn stated this is an annual renewal. This missed the FLR Committee. The overall rates will go down. Mr. Oborn explained MPIC is a cooperative organization of three main pools that municipalities and counties use. Chubb has been very good with us but we received a very competitive rate with MPIC. A lot of municipalities have migrated to MPIC that are in the League Insurance.

Roll Call: Kordus, Flower, Straube, Halverson, Hedlund, Howell voting “yes.” Motion carried 6 to 0.

**Discussion/Action to authorize the City Administrator to apply to the Wisconsin Department of Employee Trust Funds Health Insurance and pay a nonrefundable application fee of \$2,400**

Hedlund/Halverson motion to approve. Insurance is very dynamic. We’ve had a drastic change in direction due to the recent high volume usage. We are looking at going to a pool where we won’t be rated on our own experience. There is a lot of value in keeping our current broker which would be an additional fee. The broker noted the advantage is that we have the potential of saving one million dollars over the next three years. Ald. Flower is on the state insurance system. She cautioned them as most of the insurance providers actually dropped off the list this year. There are 4 insurance providers and there was only one in this area and the rest were all Mercy or in Janesville.

Mr. Oborn said this is a non-refundable fee with a deadline of October 1<sup>st</sup> so it made sense to go ahead and educate. A lot of employees brought up the state plan last year. There are a lot of strings attached with the state system. It makes sense to thoroughly vet and study it when our broker states we could save that large amount of money. Ald. Hedlund felt the coverage issue is a discussion for another day. For us to make an intelligent decision regarding health insurance, we need to know all the options. Whether or not we elect to do it, at least we know all the options. Ald. Kordus agreed.

Roll Call: Kordus, Flower, Straube, Halverson, Hedlund, Howell voting “yes.” Motion carried 6 to 0.

**Presentation of Accounts – Alderman Kordus** (*Recommended by Finance, License and Regulation on Sept 19, 2017*)

**Purchase Orders (none)**

**Kordus/Hedlund motion to approve the Prepaid Bills in the amount of \$2,519.95**

Roll Call: Kordus, Flower, Straube, Halverson, Hedlund, Howell voting “yes.” Motion carried 6 to 0.

**Kordus/Hedlund motion to approve the Regular Bills in the amount of \$198,239.72**

Roll Call: Kordus, Flower, Straube, Halverson, Hedlund, Howell voting “yes.” Motion carried 6 to 0.

**Mayoral Appointments.** (none)

**Closed Session**

Motion to go into Closed Session pursuant to Wis. Stat. 19.85(1)(e) deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session with regard to:

- a. City Center Street North Property – Tax Key Parcel ZSR00169
- b. City Sheridan Springs Road and Edwards Blvd. Properties – Tax Key Parcels ZA467900001, ZA467900002, ZA468000001, and ZA468000003

Kordus/Flower motion to go into closed session including the City Attorney, City Administrator and City Clerk.

Roll Call: Kordus, Flower, Straube, Halverson, Hedlund, Howell voting “yes.” Motion carried 6 to 0.

Council entered into closed session at 6:48pm

**Open Session**

**Kordus/Hedlund 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: Kordus, Flower, Straube, Halverson, Hedlund, Howell voting “yes.” Motion carried 6 to 0.

Council returned to open session at 7:16pm.

**a.** Kordus/Hedlund motion to accept ATC’s offer of \$5,000 to purchase the property, accepting the additional \$500 for consent for use of herbicidal chemicals, and rejecting \$500 for use of other lands for access.

Roll Call: Kordus, Flower, Straube, Halverson, Hedlund, Howell voting “yes.” Motion carried 6 to 0.

**b.** Kordus/Hedlund motion to authorize staff to continue negotiations as discussed in closed session.

Roll Call: Kordus, Flower, Straube, Halverson, Hedlund, Howell voting “yes.” Motion carried 6 to 0.

**Adjournment.** Kordus/Hedlund motion to adjourn at 7:18pm. Motion carried 6 to 0.

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/s/ Sabrina Waswo, City Clerk

**THESE ARE NOT OFFICIAL MINUTES UNTIL APPROVED BY THE COMMON COUNCIL**