

FINANCE, LICENSE & REGULATION COMMITTEE

MONDAY, JANUARY 9, 2012 - 6:00PM

COUNCIL CHAMBERS, CITY HALL

Chairman Krause called the meeting to order at 6:00 p.m.

Roll Call. Present: Aldermen Krohn, O'Neill, Hartz, Marsala, and Krause. Also Present: Comptroller Pollitt, Administrator Jordan, and City Clerk Hawes.

Approval of Minutes

Hartz/O'Neill motion to approve Finance, License and Regulation Committee regular meeting minutes of December 12, 2011 and special meeting minutes of December 28, 2011 as distributed. Unanimously carried.

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.

Mark Stinebrink, representing Piggly Wiggly grocery store (100 East Geneva Square, Lake Geneva), addressed the Committee to express support for adopting Ordinance 12-01. Mr. Stinebrink stated that the ordinance would be consistent with the new State law, changing the open time for selling packaged alcoholic beverages from 8 a.m. to 6 a.m.

Chuck Schuren, representing the Genoa City Lions Club, addressed the Committee to request that their Street Use Permit application be approved and that an ordinance be passed to allow them to use signage in the parking stalls as part of their event.

ORDINANCES

First reading of Ordinance 12-01, amending the closing hours for alcohol beverage retailers

City Clerk Hawes explained that the State recently passed a law changing the time that businesses can sell packaged alcohol from 8 a.m. to 6 a.m. Ordinance 12-01 would put this change into effect in the City of Lake Geneva. Alderman Krohn asked if the ordinance would take effect once it is passed or if it would come into a effect on a certain date. City Clerk Hawes said that it would be in effect once it is approved by the Council. First reading only; no action taken.

First reading of Ordinance 12-02, amending Chapter 62, Streets, Sidewalks and Other Public Places of the Lake Geneva Municipal Code, establishing a "sidewalk café" permit

First reading only; no action taken.

LICENSES & PERMITS

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 Festival on January 28, 2012

Marsala/Krohn motion to recommend to Council for approval. Unanimously carried.

Amendment of "Class B"/Class "B" Intoxicating Liquor and Fermented Malt Beverage License for outside premises extension filed by Capital Geneva LLC, d/b/a Sprecher's Restaurant & Pub, 111 Center Street, Stephen J. Schroeder, Agent

City Clerk Hawes said that the applicant is requesting to extend the premises of their alcohol license to their new patio seating area. As part of this request, the applicant submitted a written letter and revised map of their premises. The new patio will include approximately 16 additional tables. Alderman Krause asked whether the additional seating would allow this restaurant to qualify for a full-service restaurant exception to the "Class B" liquor license quota. Administrator Jordan indicated that with the addition of the outdoor seating, the restaurant would meet the 300-seat threshold for qualifying as an exception to the "Class B" quota, which could potentially free up a "Class B" quota license for another business. Hartz/Marsala motion to forward to Council for approval. Unanimously carried.

Street Use Permit Application filed by Genoa City Lions Club for Harley-Davidson Raffle using the Northwest corner of Hwy 50 and Hwy 120 from April through July 2012 (weekends and holidays), from 6:00am to 6:00pm

City Attorney Draper stated that the applicant would be in violation of Sec. 50-9 of the municipal code which prohibits signage in the parking stalls. He said that it is possible to amend this ordinance and add street use permit holders as an exception. Marsala/Krohn motion to forward to Council for approval, contingent upon amending Sec. 50-9 of the municipal code to add street use permit holders as an exception.

Alderman O'Neill noted that the application should identify the location as "the corner of Hwy 50 and Broad Steet," because it is no longer the Highway 120 intersection. Alderman Hartz expressed concern with approving an application for one particular service group when there are many other charitable organizations interested in raising money. Alderman Marsala stated that there would need to be a specific reason for denying this type of permit to a service club. Alderman Krohn stated that each application is handled separately, on a case-by-case basis. Chairman Krause agreed that each application is handled separately, but indicated that there would need to be criteria in place to determine what to do if, for instance, the Delavan Lions Club applied to hold the same event. Alderman O'Neill commented that this is a unique situation because the Genoa City Lions Club has held this event for many years in a row. He suggested that the event helps the City because there are people are come here to buy the raffle tickets. Motion carried by vote of 3-2, with Aldermen Hartz and Krause opposed.

Park Permit application filed by Duffy Nottestad Memorial Fund Inc. for "5th Annual Duffy Nottestad Fishing Derby" event at the beach, from 8:00am to 4:00pm on January 28, 2012 (recommended by Board of Park Commissioners 1/4/12)

City Clerk Hawes said that this is an application for an annual fishing derby event. If the lake is not frozen over, the applicant indicated that the event will take place at the beach. Hartz/Marsala motion to forward to Council for approval, contingent upon Police Department approval. Unanimously carried.

Discussion/Action on funding of 911 system repairs in the amount of \$2,210.00 (recommended by Police & Fire Commission 12/08/11)

Administrator Jordan said that the 911 phone system failed in March 2011. The Police Chief was able to negotiate with SBC to lower the cost of the repair from \$4,662.50 to \$2,210.00. Mr. Jordan suggested that the repairs be funded with contingency funds. Alderman Hartz asked how the City was able to receive credit from SBC. Administrator Jordan indicated that SBC was willing to lower the cost because it took about a week for them to get the system restored. Chairman Krause said that concerns were also raised about the billable hours that were originally charged to the City. Administrator Jordan said that the City discovered that its 911 system will be obsolete in a couple of years. He said that the long-term solution will be purchasing a new system. Hartz/Marsala motion to forward to Council approval, funded by the contingency fund. Unanimously carried.

Discussion/Action on funding for limited-term employee for the Police Department (recommended by Police & Fire Commission 12/08/11)

Administrator Jordan said that the Police Department is requesting approximately \$32,000 for limited-term employment to address injury related leaves in the department. One of the officers is a sergeant who will be on light-duty for the first six months of the year due to a non-work related injury. The second individual will be off for approximately one year beginning in August due to work-related injuries. Chairman Krause expressed concern with where the funds would come from. He stated that only \$50,000 was budgeted for contingency for 2012 and this would use up more than half of that amount. He noted that this contingency fund is shared by all departments. Alderman Marsala asked whether the department had the means within its own budget to fund this. Administrator Jordan said that the department has overtime funds budgeted but the intention is to limit those funds strictly to overtime costs. Alderman Krohn asked if the two individuals would receive their salary while on injury leave. Administrator Jordan indicated that they would be paid their regular salary during this period and that worker's compensation will cover the individual with the work-related injury.

Alderman O'Neill asked what percentage of the total department these two officers comprise. Administrator Jordan said that there are about 20 total full-time officers; however, the individual on light-duty is a sergeant with supervisory responsibilities. Alderman Marsala suggested that the Police Department could get by with the sergeant on light-duty until

June since it is the slowest time of the year. He said that these types of situations should be foreseen and budgeted. Administrator Jordan said that it is difficult to anticipate injury leaves. He said that the budget has been impacted recently by two unexpected incidents involving an amber alert and a SWAT team investigation. Alderman Krohn expressed concern that the Police Department has the highest budget and additional funds are already being requested this early in the year. Chairman Krause stated that the funding request is not urgent because the Police Department has not yet gone over budget. He suggested that the item be continued to the next meeting so that the Police Chief could answer some additional questions relating to the request. Hartz/Krohn motion to recommend to continue to the January 23, 2012 meeting. Unanimously carried.

Discussion/Action on Memorandum of Understanding between Lake Geneva Fire Department and Paratech Ambulance Services, Inc. relating to ambulance back-up to the Town of Geneva (*recommended by Police & Fire Commission 12/08/11*)

City Attorney Draper stated that Paratech was contracted to provide ambulance services to the Town of Geneva. The Town requested that the City of Lake Geneva provide backup services to Paratech. This Memorandum of Understanding outlines the services that are agreed to. Hartz/Marsala motion to forward to Council for approval. Unanimously carried.

Discussion/Action on purchase of one-ton dump truck with dump box, plow and salter for the cemetery (*Aldermen Krohn and O'Neill*)

Administrator Jordan stated that there is a request from the Cemetery Commission to help fund a \$45,000 dump truck. He indicated that the City may have \$24,000 available in the capital projects fund due to the purchase of only two squad cars this year. He said that the Cemetery Commission has \$8,000 to contribute toward the purchase. Alderman Krohn said that she was under impression the City had \$30,000 available in the capital projects fund. Comptroller Pollitt indicated that \$24,000 was the true amount. Alderman O'Neill asked if funds from the Street Department's budget could be used to help fund the cemetery truck purchase, since there is likely a surplus due to the lack of the snow this season. Alderman Krohn suggested there are funds available from the sale of equipment at the Street Department. Chairman Krause said that the funds from the sale of items will be put back into general fund. Administrator Jordan agreed that there may be options for where the funds can come from, but that staff needed direction from the Council. Alderman Marsala asked what the Cemetery Commission will do with their two trucks. Alderman Krohn said that she was not sure. Chairman Krause suggested that it be worth finding out whether one of the trucks will be sold and whether the funds could be put toward the new truck. Alderman Hartz commented that this item should be continued to the January 23, 2012 meeting when the 2012 capital budget will be reviewed. He stated that he also had questions about whether equipment could be shared between the Street Department and the Cemetery Commission. Alderman Krohn said that the Street Department and Cemetery Commission are separate and they do not share equipment. She said that DPW Winkler would know more information about the funding request. Hartz/Krohn motion to continue to January 23 meeting when the committee will also be considering the capital budget. Unanimously carried.

Presentation of Accounts

Marsala/Hartz motion to recommend approval of Prepaid Bills in the amount of \$2,549.95. Unanimously carried.

Hartz/O'Neill to recommend approval of Regular Bills in the amount of \$124,435.71. Unanimously carried.

Closed Session

Marsala/Krohn motion to go into Closed Session pursuant to Wis. Stat. 19.85 (1)(b) for considering licensing of Nathaniel Holden by a board or commission or the investigation of charges against such person and the taking of formal action on any such matter.

Roll Call: Krohn, O'Neill, Hartz, Marsala, and Krause voted "yes." Unanimously carried. The Council entered into Closed Session at 6:49pm. Also present: Administrator Jordan, City Attorney Draper, and City Clerk Hawes.

Marsala/Krohn 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: Krohn, O'Neill, Hartz, Marsala, and Krause voted "yes." Unanimously carried. The Committee reconvened in open session at 6:52pm.

Hartz/Marsala motion to continue considering licensing of Nathaniel Holden to the Finance, License and Regulation Committee meeting and City Council meeting on January 23, 2012. Unanimously carried.

Adjournment

Marsala/Krohn motion to adjourn at 6:53pm. Unanimously Carried.

/s/ Michael D. Hawes, City Clerk