

**REGULAR CITY COUNCIL MEETING
MONDAY, NOVEMBER 24, 2014 – 7:00 PM
COUNCIL CHAMBERS, CITY HALL**

Mayor Connors called the meeting to order at 7:12 p.m.

The Pledge of Allegiance was led by Alderman Wall.

Roll Call. Present: Mayor Connors, Aldermen Wall, Chappell, Kordus, Kehoe, Hedlund, Kupsik and Lyon. Absent (excused): Aldermen Hill. Also present: City Administrator Jordan, City Attorney Draper, Public Works Director Winkler and City Clerk Waswo.

Awards, Presentations, and Proclamations. None.

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.

Terry O’Neill, 954 George Street stated he would like some clarification with resolution 14-R46, along with the Cobb Park remodel project. He also questioned if the borrowing was for a particular list of projects and if this would be changing that list.

Darien Schaefer with the Lake Geneva Chamber of Commerce and Convention and Visitors Bureau commented on the valued relationship with the city. He stated they also realize the investment that is made by the businesses and does not feel that the property owners would be upset with the items they have paid for in the past.

Acknowledgement of Correspondence.

City Clerk Waswo stated the City received an email on November 13, 2014 from Gregory and Cheryl Cupp regarding their disappointment over the carriage rides going out of business. The City also received a letter on November 13, 2014 from Ed Yaeger stating his concerns with the TIF#4.

Approval of Minutes

Wall/Kordus motion to approve the Regular City Council Meeting minutes of November 10, 2014 and Special Council Meeting minutes of November 17, 2014, as prepared and distributed. Motion carried 7 to 0.

Consent Agenda

Original of 2014-2015 Operator’s (Bartender) license applications filed by Morgan Tisa.

Kordus/Kupsik motion to approve the consent agenda. Motion carried 7 to 0.

Items Removed from the Consent Agenda. None.

Finance, License and Regulation Committee Recommendations – Alderman Lyon

Discussion/Action on schedule of Banner Fees in relation to the BID and Chamber of Commerce. *(Continued from November 10, 2014 Council)*

Lyon/Kupsik motion was to waive banner fees for the BID and Chamber of Commerce for the years 2014-2015. Mayor Connors asked if this was going through the entire 2015, which was confirmed by Mr. Lyon. Alderman Wall stated he voted against this item and feels the city should be paid the actual costs to put up and take down the banners. Alderman Lyon stated he believes the impression that is created downtown enhances the community at large and is appropriate. Alderman Kordus stated both the BID and Chamber pay for other items downtown that could otherwise be billed to the taxpayers, such as street lights and park benches. He stated if we want to have a vibrant downtown area, those costs could be shifted to the taxpayers. Mr. Kordus thinks waiving around \$1,300 of fees annually is not an extravagant amount considering what both the BID and Chamber give back to the city, enhancing the area.

Roll Call: Chappell, Kordus, Kehoe, Hedlund, Kupsik and Lyon voted “yes.” Motion carried 6 to 1 with Alderman Wall voting “no.”

Discussion/Action on waiving fees on previously issued permits for Geneva Lake Chamber of Commerce events.

Alderman Lyon stated there was an issue with invoicing for the Taste of Lake Geneva, Oktoberfest and the Christmas parade in regards to an outstanding balance of \$1,100. In consideration of the previous agenda item to waive the banners fees, the banner amount was subtracted, leaving a balance of \$480. Since this was retroactive and a result of a city procedural error, FLR agreed to invoice the Chamber for half the amount, which includes the delinquent fees.

Lyon/Kupsik motion to adjust the billing to \$550 for previous events through the Christmas parade. Alderman Chappell asked for an explanation on how the permitting process works and if the fees are listed on the permit. Mayor Connors stated the form was updated to include all the fees that need to be paid. He further stated there was a transition in the clerk’s office from the initial time the application was received in April and thus was postponed. Administrator Jordan stated the form does list the various fees that could be charged and that the applicant would speak with the city clerk for verification of all fees charged. Ms. Chappell asked if this would come before Finance or Council, or are the fees just paid. Mr. Connors stated typically the fees are paid, however, some organizations request to waive the fees, which then does come to council for approval.

City Clerk Waswo stated the normal process is that the event permit application is reviewed at the counter at the time of application and the fee schedule is included in the application. The application then goes to the street, police, fire and parking departments for approval before it comes to council for final approval. Ms. Waswo stated there was confusion as the permits had already gone through council approval back in May with no fees collected, creating the misunderstanding that the fees had been waived. She noted the barricade fee is a newer fee that will be charged going forward.

Alderman Kordus stated when the council voted on those permits, they presumed that the proper fees and process had been followed. And the Chamber presumed that since they had not paid the fees, that those fees were waived. The reason the Chamber had not been invoiced was that it is not the city’s practice to invoice, as payment is due upon application. Due to the transition in city hall, that did not happen and based upon that, splitting the fees was a reasonable compromise. He stated the problem was shared on both sides and the costs are shared on both sides.

Roll Call: Wall, Chappell, Kordus, Kehoe, Hedlund, Kupsik and Lyon voted “yes.” Motion carried 7 to 1.

Discussion/Action on award of bid to Glen Fern Construction of Lake Geneva, WI for the Cobb Park Bathroom Remodel project in the amount of \$18,875.00 funded by the Capital Improvements Fund.

Lyon/Kordus motion to approve. Mayor Connors stated the project is included Resolution 14-R31, which can be found in the June 19th packet. It is a project initially in the borrowing. Administrator Jordan stated this was projected to take place in 2015, however, staff was able get the RFP’s together and the bid out this year. Director of Public Works Winkler stated the improvements include replacing plumbing fixtures, toilet partitions, the electrical control panel, installing ventilation, replacing light fixtures and security lights, installing protective cages around the light bulbs, painting, replacing the doors and sidewalk, as well as fixing the collapsed fireplace.

Roll Call: Wall, Chappell, Kordus, Hedlund, Kupsik and Lyon voted “yes.” Motion carried 6 to 1 with Alderman Kehoe voting abstaining.

Discussion/Action on award of bid to Glen Fern Construction of Lake Geneva, WI for the Flat Iron Park Pavilion in the amount of \$411,271.64 funded by private donations and funds raised by the Committee for the Beautification of Lake Geneva.

Lyon/Kupsik motion to approve the award of the bid contingent upon the city receiving the funds in full from the Beautification Committee. City Attorney Draper stated the Brunks have already donated \$10,000. The council had made an agreement with the Brunks that the funds will be paid based on draw requests with receipts. The agreement is a legal binding document and would not require the funds be turned over to the city now. Mr. Draper stated at least \$311,000 would need to be provided and asked how long the BID is good for, which Mr. Winkler stated typically 30 days. Mr. Winkler could not say for sure if all the pledges could be collected within the 30 day, but it would be close.

Roll Call: Wall, Chappell, Kordus, Kehoe, Hedlund, Kupsik and Lyon voted “yes.” Motion carried 7 to 0.

Resolution 14-R46, a resolution amending the 2014 Capital Projects Fund Budget for the City of Lake Geneva.

Lyon/Hedlund motion to approve. Alderman Lyon stated the items are the Cobb Park remodel and equipment for the Fire Department, which were included in the original borrowing.

Roll Call: Wall, Chappell, Kordus, Kehoe, Hedlund, Kupsik and Lyon voted “yes.” Motion carried 7 to 0.

Resolution 14-R47, establishing the 2015 West End Pier, Lagoon Slip, Buoy, Dinghy and Kayak Rack Rates.

(Referred by Piers, Harbors & Lakefront Committee 11/20/14)

Lyon/Wall motion to approve. Alderman Lyon stated Piers, Harbors and Lakefront had decided to leave the rates the same based upon market comparisons. Alderman Wall noted that from 2011 they had increased the slips by 20% and the buoys by 3%, in 2012 there was no increase, in 2013 there was a 5% increase across the board and a 3% increase in 2014. He stated we are now in line with everyone on the lake. Alderman Kordus pointed out that the Harbormaster stated the rentals of buoys is down. He stated the waiting list for buoys has pretty much been exhausted and now the waitlist is for the slips, which was a consideration in the decision to not increase rates.

Roll Call: Wall, Chappell, Kordus, Kehoe, Hedlund, Kupsik and Lyon voted “yes.” Motion carried 7 to 0.

Discussion/Action on renewal of CD in the amount of \$463,160.84 plus interest, maturing on November 30, 2014 from BMO Harris Bank of Lake Geneva.

Lyon/Wall motion to approve with BMO Harris Bank with a 9 month extension at 0.15% interest.

Roll Call: Wall, Chappell, Kordus, Kehoe, Hedlund, Kupsik and Lyon voted “yes.” Motion carried 7 to 0.

Discussion/Action on Dog Park Fence Funding *(Referred by the Board of Park Commissioners 11/5/14)*

Lyon/Kupsik motion to approve the dog park fence funded by park impact fees. Alderman Chappell asked if the city is getting a dog park or does the city already have one. Mayor Connors stated this has been discussed at the Park Board for several years and the disc golf course was designed to allow the city to use the west fence and to enclose the other three sides as a dog park. Alderman Kupsik stated there is an area that is designated for a dog park. It was brought to the Park Board’s attention at the last meeting that there is \$56,000 in impact fees and park fees that can be used towards this improvement. Mr. Winkler stated there is a designated enclosed area with a double gate system where dogs can be unleashed and let them run with other dogs. He stated some parks have other amenities and water; however, this is just the bare minimum to get the park started.

Roll Call: Wall, Chappell, Kordus, Kehoe, Hedlund, Kupsik and Lyon voted “yes.” Motion carried 7 to 0.

Personnel Committee Recommendations – Alderman Kupsik

Discussion/Action on appointing Lorraine Briere as the Financial Analyst/City Treasurer.

Kupsik/Lyon motion to approve. Alderman Kupsik stated statute requires every community to appoint or elect a Treasurer. He stated Ms. Briere has been doing the job part-time through the summer and has decided to take the full-time position and is doing a very good job. Mr. Jordan stated when the position was first combined they thought the deputy clerk position could handle the workload. However, due to the transition of the city clerk and the deputy clerk retiring, it made it rather difficult. He said Ms. Briere is able to do what most other treasurers in the past have not, which is reconciling the monthly bank statements and investing the city’s money.

Roll Call: Wall, Chappell, Kordus, Kehoe, Hedlund, Kupsik and Lyon voted “yes.” Motion carried 7 to 0.

Discussion/Action on amending Organizational Chart.

Kupsik/Kordus motion to approve. Administrator Jordan stated the changes made under the Comptroller are Front Clerk A, Front Clerk B and Financial Analyst/Treasurer and the change under the City Clerk is the title to the Assistant City Clerk.

Roll Call: Wall, Chappell, Kordus, Kehoe, Hedlund, Kupsik and Lyon voted “yes.” Motion carried 7 to 0.

Discussion/Action regarding proposal to draft an ordinance to protect animals in vehicles in hot weather.

City Attorney Draper stated this item is a follow up on previous discussions. He stated the girls who prepared this need to be thanked, as they put a lot of work and thought into it. In researching the item, they found there is already a state statute that addresses cruelty to animals. He stated part of the problem is enforcing this specific ordinance in a tourist community and where to draw the perimeters. The state statute allows police discretion as far as whether there is cruelty to animals and a charging decision. Mr. Draper stated he thinks the girls should be commended by what they did as it helped the city figure out the process and work required in creating an ordinance. Alderman Chappell stated she wanted to thank Morgan and Abby in bringing awareness to leaving pets in cars on hot days.

Presentation of Accounts – Alderman Lyon

Purchase Orders. None.

Lyon/Kordus motion to approve Prepaid Bills in the amount of \$10,905.10.

Roll Call: Wall, Chappell, Kordus, Kehoe, Hedlund, Kupsik and Lyon voted “yes.” Motion carried 7 to 0.

Lyon/Wall motion to approve Regular Bills in the amount of \$298,905.46.

Roll Call: Wall, Chappell, Kordus, Kehoe, Hedlund, Kupsik and Lyon voted “yes.” Motion carried 7 to 0.

Lyon/Kordus motion to accept Monthly Treasurer’s Report for August 2014

Roll Call: Wall, Chappell, Kordus, Kehoe, Hedlund, Kupsik and Lyon voted “yes.” Motion carried 7 to 0.

Mayoral Appointments

Kupsik/Lyon motion to appoint Sarah Hill, Bob Kordus, Dan Winkler, Tom Earle and Jim Connors to an Ad Hoc Committee to interview qualified applicants for city engineer. Mr. Jordan stated there were 10 proposals received back and 4 will be interviewed. Motion carried 7 to 0.

Kupsik/Kordus to re-appoint Tony Saia to the Utility Commission. Motion carried 7 to 0.

Closed Session

Lyon/Kupsik motion to go into Closed Session pursuant to Wis. Stat. 19.85 (1)(e) for competitive bargaining reasons for Police union negotiations (Administrator Jordan).

Roll Call: Wall, Chappell, Kordus, Kehoe, Hedlund, Kupsik and Lyon voted “yes.” Motion carried 7 to 0.

The Council entered into Closed Session at 8:10 p.m.

Return to Open Session

Kupsik/Lyon 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: Wall, Chappell, Kordus, Kehoe, Hedlund, Kupsik and Lyon voted “yes.” Motion carried 7 to 0.

The Council reconvened in open session at 8:27 p.m.

No action taken.

Adjournment

Kordus/Lyon motion to adjourn at 8:27 p.m. Motion carried 7 to 0.

/s/ Sabrina Waswo, City Clerk

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