



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

MINUTES

1. Mayor Connors calls the meeting to order 7:00pm

2. Pledge of Allegiance – Alderman Wall

3. Roll Call

Present: Connors, Wall, Mott, Hill, Kehoe, Kupsik, Taggart, Lyon
Also Present: Attorney Draper, Administrator Jordan, Clerk Neubeck

4. Awards, Presentations, and Proclamations

- A. Proclamation of April 2014 as Autism Awareness Month

5. Re-consider business from previous meeting

None

6. 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.

Richard Peterson, 300 South Edwards Boulevard #57, quoted a parking study conducted by the City, said the parking stalls generated by a parking structure will not be sufficient, and cautioned the City on spending for the structure.

Jim Strauss, 246 Ridge Road, suggested the wrong type of development is occurring with the electronic sign proposed by Kwik Trip and proposed parking structure.

Andrea Christian, 350 Havenwood Drive #215, suggests elevators as well as more handicapped accessible spaces are necessary in the proposed parking structure.

Mary Jo Fesenmaier, 955 George Street, suggested the City Council vote no on the proposed electronic sign applied for by Kwik Trip.

Carol Smith, 930 Bonnie Brae Lane, voiced her concern about the placement of the proposed pavilion in Flat Iron Park will suffer from ambient noise from the lakefront and streets and suggested placing the pavilion on the west portion of Library Park.

Terry O'Neil, 954 George Street, said the proposed electronic sign by Kwik Trip will lead to increased driver distraction.

Mike Frazier, 444 Eugene Drive, said he supports the Parking Commission's recommendation for the proposed parking structure; he added it does not add enough spots, and suggested the City implement more on-street parking. He said it is difficult for the Lake Geneva Symphony Orchestra to play at Flat Iron Park, and the proposed pavilion would not provide proper amplification for the Orchestra.

Bob Kordus, 320 Boulder Ridge Drive, said the proposed parking structure must go to referendum before the funding can be approved, so much of the concern is preemptive.

Kevin Fleming, 1022 Wisconsin Street, said the proposed parking structure will aid tourists, patrons of the Riviera, downtown employees, and residents to utilize the activities of the lakefront.

Tammy Carstensen, 300 Wrigley Drive, said not having adequate parking is a poor representation of the City and she supports a parking structure.

Beverly Leonard, 1504 Dodge Street, commended the City Council on addressing the lack of parking.

Marty Smith, 930 Bonnie Brae Lane, said he is the Chair of the Parking Commission which took all comments seriously and took all points of view into making the recommendation to the City Council. He went into detail on the steps the Parking Commission went through for citizen involvement.

Darien Schafer, 201 Wrigley Drive, said he is the President of the Lake Geneva Chamber of Commerce, and the Chamber supports the proposed parking structure. He added the increased number of parking stalls will lead to more tourists to Lake Geneva, and it will help with the poor external perception of parking in the City.

Dennis Swangstu, 1022 Wisconsin Street, voiced his support of the parking structure.

Tom Hartz, 1051 Lake Geneva Boulevard, said the fact that the City owns the lot for the proposed structure and money in the Tax Improvement District are both good catalysts for the parking structure. He added the proposed parking structure will fix a decades-old parking problem.

Bill Huntress, 1015 Pleasant Street, said the proposed parking structure will not fix the City's lack of parking stalls as people will primarily park where it is free.

Mike Koucerek, 880 South Lake Shore Drive, said the Lake Geneva Business Improvement District supports the proposed parking structure.

Jeff Leonard, 1504 Dodge Street, said he believes a parking structure is necessary.

Marcy Hollmann, 1556 Orchard Lane, said she is in support of the proposed parking structure, and the City's efforts to address the parking issue in the past have been positive.

7. Acknowledgement of Correspondence

Clerk Neubeck acknowledged correspondence from Spyro Condos, the Lake Geneva Business Improvement District, and the Lake Geneva Chamber of Commerce in favor of the parking structure.

8. Approve Regular City Council Meeting minutes of March 10, 2014, as prepared and distributed

Motion #1: Alderman Wall moved to approve Regular City Council Meeting minutes of March 10, 2014, as prepared and distributed, Alderman Hill seconded, and the motion passed unanimously.

9. CONSENT AGENDA. 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. Original 2013-2014 Operator (Bartender) License applications filed by Gail Rempert, Renee Hildebrandt, Breana Smith, Jill Delcorps, Kimberly Diekow
- B. Street Use Permit Application filed by Sean Payne on behalf of the Lake Geneva Farmer's Market to take place at Horticultural Hall, 330 Broad Street, from May 8th to October 30th, 2014 from 6:00AM to 1:30PM
- C. Park Reservation Permit Application filed by Ryan Lasch on behalf of the Lake Geneva Jaycees to use Seminary Park for the annual Jaycees Easter Egg Hunt on April 19, 2014 from 9:00am to 1:00pm (*recommended at 3/12/14 Board of Park Commissioners meeting*)

Motion #2: Alderman Kupsik moved to approve the Consent Agenda, Alderman Taggart seconded, and the motion passed 6-0-1 with Alderman Hill abstaining.

10. Items removed from the Consent Agenda

None

11. Discussion/Action on by-laws of the Geneva Lake Use Committee (GLUC)

Mayor Connors said this Committee used to be active, and it was suggested the Geneva Lake Use Committee to be reactivated to address issues surrounding the Geneva Lake. He added the City Attorney had reviewed the by-laws, and Williams Bay began this initiative.

Alderman Hill asked what the purpose of this Committee will be.

Mayor Connors said the main purpose is for uniform land use around the Geneva Lake.

Motion #3: Alderman Hill moved to approve the by-laws of the Geneva Lake Use Committee, and Alderman Mott seconded.

Alderman Kupsik asked about the make-up of the Committee.

Mayor Connors explained each municipality and town will have one elected official and one citizen sit on the Committee.

Alderman Hill and Alderman Mott voiced their approval of the purpose of this Committee.

Motion #3 passed unanimously.

12. Discussion/Action on Public Memorial/Facility Naming Policy

Administrator Jordan explained this purpose of this policy is to provide a way for interested parties to donate funds for projects that may not have occurred otherwise. He added there are interested parties in both the dog park and proposed pavilion at Flat Iron Park.

Mayor Connors stressed the ultimate naming authority rests with the City Council

Attorney Draper stressed the difference between an advertising policy and naming of buildings and facilities.

Motion #4: Alderman Wall moved to approve the Public Memorial/Facility Naming Policy, and Alderman Lyon seconded.

Alderman Kupsik asked if the related Committees for which money would be donated would make a recommendation.

Administrator Jordan replied the City Council has the ultimate authority on naming rights, but more discussion will have to take place as to which Committees would approve before Council approval.

Alderman Taggart disagreed with the policy as it would add more layers for donators to go through.

Alderman Hill said she supports the policy as it would give guidelines to staff and elected officials.

The motion passed 5-1-1 with Alderman Taggart voting no and Alderman Kehoe abstaining.

13. Plan Commission Recommendations *(all recommended at 3/17/14 Plan Commission Meeting)*

A. Discussion/Action for Site Plan Review filed by Committee for the Beautification of Lake Geneva Inc, for an open-air, covered pavilion at Flat Iron Park

Motion #5: Alderman Kehoe moved to suspend the rules to allow Todd Krause to speak electronically, and Alderman Wall seconded.

Todd Krause explained the Beautification Committee's interest in this project, and he explained the site plan and construction materials.

Alderman Lyon asked about what other sites the Beautification Committee looked at as well as the acoustics of the proposed pavilion.

Todd Krause replied about his experience playing large concerts in open-air pavilions as well as the other options the Beautification Committee looked at.

Motion #6: Alderman Kupsik moved to approve Site Plan Review filed by Committee for the Beautification of Lake Geneva Inc, for an open-air, covered pavilion at Flat Iron Park with sidewalks included, the exact location to be determined by staff at a later date, and include recommendations as prescribed in the staff report; and Alderman Wall seconded.

Alderman Wall thanked the Beautification Committee for their donation for this project.

Alderman Mott suggested using a folding backdrop for concerts and supports the project.

Alderman Hill said she is not in support of this project because the current footprint is sufficient.

Alderman Kehoe said the proposed pavilion would lead to more interest in the downtown area.

Alderman Taggart thinks it is a great idea as long as this project is not funded by taxpayers.

Alderman Lyon said this pavilion would enhance the perception of the City.

Alderman Hill asked if a public hearing was held for this site plan review as to how it would affect the view of the Lake by adjacent property owners.

Attorney Draper replied no public hearing took place as it was not necessary for the Plan Commission at that time.

Director Winkler said the intent of the open-air pavilion is to not diminish views of the Lake, and the proposed footprint emulates the current footprint of the existing slab of concrete. He added the availability of lights, electricity, and higher elevation will enhance the quality of the park.

Motion #6 passed 5 – 2 with Aldermen Hill and Taggart voting no.

B. Resolution 14-R15, to establish an Annual Comprehensive Plan Amendment Process limiting requests to a single cycle every year

Administrator Jordan explained how proposed changes would be heard all at once which would simplify the process.

Mayor Connors added the proposed process establishes timelines for applicants and having a joint meeting of the Plan Commission and City Council.

Motion #7: Alderman Hill moved to approve Resolution 14-R15, to establish an Annual Comprehensive Plan Amendment Process limiting requests to a single cycle every year, and Alderman Lyon seconded.

Alderman Hill expressed her support of consolidation of the amendment process.

Motion #7 passed unanimously.

C. Resolution 14-R16, to authorize a Conditional Use Permit to Alex Paredes & Yolanda Frontany, 4843 W. Dakin Street, Chicago, IL, 60641 to operate a Commercial Indoor Lodging facility in a Planned Development (PD) zoning district located at 328 Center Street, Tax Key No. ZOP 00149

Motion #8: Alderman Kupsik moved to approve Resolution 14-R16, to authorize a Conditional Use Permit to Alex Paredes & Yolanda Frontany, 4843 W. Dakin Street, Chicago, IL, 60641 to operate a Commercial Indoor Lodging facility in a Planned Development (PD) zoning district located at 328 Center Street, Tax Key No. ZOP 00149, Alderman Kehoe seconded, and the motion passed unanimously.

D. Resolution 14-R17, to authorize a Conditional Use Permit to by John and Barbara Salyer, 456 W Sunset Road, Barrington, IL 60010, to install an accessory structure (Pier) closer to the lake shore than the primary structure, within Lakeshore Overlay Zoning District located at 845 Bayview Drive, Lake Geneva, WI 53147, Tax Key No. ZBG 00006

Motion #9: Alderman Kupsik moved to approve Resolution 14-R17, to authorize a Conditional Use Permit to John and Barbara Salyer, 456 W Sunset Road, Barrington, IL 60010, to install an accessory structure (Pier) closer to the lake shore than the primary structure, within Lakeshore Overlay Zoning District located at 845 Bayview Drive, Lake Geneva, WI 53147, Tax Key No. ZBG 00006, Alderman Wall seconded, and the motion passed unanimously.

E. Resolution 14-R18, to authorize a Conditional Use Permit to Rodger Fisher, 946 Ceylon Court, Lake Geneva, WI 53147, to install an accessory structure (Pier) closer to the lake shore than the primary structure, within Lakeshore Overlay Zoning District located at 946 Ceylon Court, Lake Geneva, WI 53147, Tax Key No. ZA1240 00002

Motion #10: Alderman Kupsik moved to approve Resolution 14-R18, to authorize a Conditional Use Permit to Rodger Fisher, 946 Ceylon Court, Lake Geneva, WI 53147, to install an accessory structure (Pier) closer to the lake shore than the primary structure, within Lakeshore Overlay Zoning District located at 946 Ceylon Court, Lake Geneva, WI 53147, Tax Key No. ZA1240 00002, Alderman Taggart seconded, and the motion passed unanimously.

- F. **Resolution 14-R19, to authorize a Conditional Use Permit to Kwik Trip Inc., 1626 Oak Street, La Crosse, WI 54602, for the installation of an electronic message center on a proposed freestanding monument sign located at the proposed Kwik Trip, Tax Key No's. ZA1776 00001 thru 00004, and ZRA 00037A., A Certified Survey Map is currently being recorded with new Tax Key No. being assigned**

Motion #11: Alderman Kupsik moved to approve Resolution 14-R19, to authorize a Conditional Use Permit to Kwik Trip Inc., 1626 Oak Street, La Crosse, WI 54602, for the installation of an electronic message center on a proposed freestanding monument sign located at the proposed Kwik Trip, Tax Key No's. ZA1776 00001 thru 00004, and ZRA 00037A including the staff report and specifically includes the findings of fact, and Alderman Wall seconded.

Mayor Connors explained the size and location were acceptable within the Zoning Code and are not non-conforming like the pole signs of other gas stations. He added this vote is strictly for the electronic portions.

Motion #11 passed 4-3 with Aldermen Mott, Hill, and Kehoe voting no.

- G. **Resolution 14-R20, to authorize a Conditional Use Permit to by John J. Karabas, 425 N Lower Gardens Road, Fontana, WI 53125, to open an Indoor Commercial Entertainment (Restaurant) in a General Business (GB) Zoning District located at 816 Williams Street, Tax Key No. ZA2691 00002**

Motion #12: Alderman Kupsik moved to approve Resolution 14-R20, to authorize a Conditional Use Permit to by John J. Karabas, 425 N Lower Gardens Road, Fontana, WI 53125, to open an Indoor Commercial Entertainment (Restaurant) in a General Business (GB) Zoning District located at 816 Williams Street, Tax Key No. ZA2691 00002, and Alderman Lyon seconded.

Mayor Connors explained the letter from the Fire Department as the directives given by the Fire Department in lieu of installing a fire suppression system.

Motion #12 passed unanimously.

- H. **Resolution 14-R21, to authorize a Conditional Use Permit to Margaret Klingenberg, 3910 Ridge Road, Spring Grove, IL 60081, to construct a Single Family Residence on an existing lot using the SR-4 Zoning requirements in an Estate Residential Zoning District (ER-1) located at Pine Tree Lane, Tax Key No. ZSY 00002**

Motion #13: Alderman Kupsik moved to approve Resolution 14-R21, to authorize a Conditional Use Permit to Margaret Klingenberg, 3910 Ridge Road, Spring Grove, IL 60081, to construct a Single Family Residence on an existing lot using the SR-4 Zoning requirements in an Estate Residential Zoning District (ER-1) located at Pine Tree Lane, Tax Key No. ZSY 00002, and Alderman Lyon seconded.

Mayor Connors explained the need for a Conditional Use Permit is due to setbacks and outlined how this property would relate to other properties in the area.

Motion #13 passed unanimously.

14. Finance, License and Regulation Committee Recommendations – Alderman Hill

- A. **Discussion/Action on consideration of sale of North Edwards Boulevard property**

Motion #14: Alderman Hill moved to direct staff to develop a plan to sell City property on North Edwards Boulevard, and Alderman Lyon seconded.

Alderman Wall asked how much the property is worth.

Alderman Hill said there is not an estimate value as it was previously owned by a public utility.

Alderman Lyon said approving staff to develop a plan does not lock the City into having to sell those particular assets.

Mayor Connors added the Plan Commission would have to approve the sale of the property as well.

Motion #14 passed unanimously.

B. Discussion/Action authorization of sale of surplus property – holiday decorations
(recommended at 3/13/14 Public Works Committee meeting)

Motion #15: Alderman Hill moved to authorize staff to sell surplus property with revenues going to the General Fund, Alderman Mott seconded, and the motion passed unanimously.

C. Discussion/Action on approval of concessionaire contract for Dunn Field
(recommended at 3/12/14 Board of Park Commissioners Meeting)

Motion #16: Alderman Hill moved to approve a concessionaire contract for Dunn Field with Tanya Kasten for one year with a rent of \$1,000, and Alderman Kupsik seconded.

Alderman Hill explained this contract is just for one year due to uncertainty of the popularity.

Alderman Wall voiced his concern of the small quantity of rent to the City.

Administrator Jordan replied this project was bid twice, and the City received no bids the first time.

Motion #16 passed 6 -1 with Alderman Wall voting no.

D. Discussion/Action on approval of concessionaire contract for Veterans Park
(recommended at 3/12/14 Board of Park Commissioners Meeting)

Motion #17: Alderman Hill moved to approve a concessionaire contract for Veterans Park with Ro-Della with rent of \$1,500, Alderman Kupsik, and the motion passed 6 – 1 with Alderman Wall voting no.

E. Resolution 14-R09, authorizing the decrease of the Designated Fund Balance – EMS Act 102 Program account in the amount of \$10,236.94
(continued from 3/10/14 Finance, License and Regulation Committee meeting)

Motion #18: Alderman Hill moved to approve Resolution 14-R09, authorizing the decrease of the Designated Fund Balance – EMS Act 102 Program account in the amount of \$10,236.94, and Alderman Kupsik seconded.

Alderman Hill explained the original numbers as submitted were correct, and this is contingent on Police and Fire Commission approval.

Motion #18 passed unanimously.

- F. **Resolution 14-R22, authorizing a transfer to the General Fund, at year end 2013, an amount of \$275,048.94 from the Lakefront Special Revenue Fund and an amount of \$566,642.69 from the Parking Lots and Meters Special Revenue Fund**

Motion #19: Alderman Hill moved to approve Resolution 14-R22, authorizing a transfer to the General Fund, at year end 2013, an amount of \$378,531.46 from the Lakefront Special Revenue Fund and an amount of \$566,657.69 from the Parking Lots and Meters Special Revenue Fund as distributed by the Comptroller after the Finance, License, and Regulation Committee, Alderman Lyon seconded, and the motion passed unanimously.

15. **Resolution 14-R23, honoring Dan Thompson for his 25 year tenure with the League of Wisconsin Municipalities**

Mayor Connors explained the impact Mr. Thompson had on the League of Wisconsin Municipalities.

Motion #20: Alderman Kupsik moved to approve Resolution 14-R23, honoring Dan Thompson for his 25 year tenure with the League of Wisconsin Municipalities, Alderman Taggart seconded, and the motion passed unanimously.

16. **Parking Commission Recommendations – Alderman Hill**

- A. **Recommendation to seek requests for proposals for a parking structure to be built on the Cook Street parking lot with aesthetics that fit with the Maple Park Historic District and the Downtown District (*recommended at 3/6/14 Parking Commission meeting*)**

Mayor Connors provided a presentation on where the proposed parking structure will be located, pros of the project, and a timeline to implementation.

Motion #21: Alderman Hill moved to approve directing staff to request proposals for a parking structure to be built on the Cook Street parking lot with aesthetics that fit with the Maple Park Historic District and the Downtown District, and Alderman Kehoe seconded.

Alderman Hill explained how Lake Geneva's economy is a premier tourist destination. She added the benefits to residents of the proposed parking structure.

Mayor Connors explained a referendum is needed to fund a proposed parking structure due to the estimated cost of the project exceeding \$1,100,000.

Alderman Kehoe explained a resident's point of view of living in a residential district adjacent to the downtown and the exasperation it causes for homeowners.

Alderman Wall said he supports a parking structure, but he added he is not in support of the associated costs of one that is aesthetically pleasing.

Motion #21 passed unanimously.

17. **Presentation of Accounts – Alderman Hill**

- A. **Purchase Orders (None)**

- B. **Prepaid Bills in the amount of \$10,258.07**

Motion #22: Alderman Hill moved to approve Prepaid Bills in the amount of \$10,258.07, Alderman Kupsik seconded, and the motion passed unanimously.

- C. **Regular Bills in the amount of \$1,130,002.60**

Motion #23: Alderman Hill Regular Bills in the amount of \$1,130,002.60, seconded by Alderman Lyon, and the motion passed unanimously.

D. Acceptance of Monthly Treasurer’s Report for February 2014

Motion #24: Alderman Hill moved to accept the Monthly Treasurer’s Report for February 2014, Alderman Lyon seconded, and the motion passed unanimously.

18. Mayoral Appointments – Mayor Connors (none)

19. Closed Session

Motion to go into Closed Session pursuant to Wis. Stat. 19.85 (1)(b) for considering licensing of Arin O’Donnell by a board or commission or the investigation of charges against such person and the taking of formal action on any such matter (Attorney Draper) and pursuant to Wis. State 19.85(1)(e) for 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 (Attorney Draper)

Motion #25: Alderman Kupsik moved to go into Closed Session pursuant to Wis. Stat. 19.85 (1)(b) for considering licensing of Arin O’Donnell by a board or commission or the investigation of charges against such person and the taking of formal action on any such matter and pursuant to Wis. State 19.85(1)(e) for 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, Alderman Kehoe seconded, and the motion passed unanimously.

The meeting went into Closed Session at 10:04pm.

20. Motion to return to open session pursuant to Wisconsin Statutes 19.85 (2) and take action on any items discussed in Closed Session

Motion #26: Alderman Kupsik moved to return to open session, Alderman Hill seconded, and the motion passed unanimously

The meeting returned to open session at 10:44pm

Motion #27: Alderman Kupsik moved to deny Arin O’Donnell an Operator’s License due to a recommendation by Chief Rasmussen and a lack of interest by the applicant, Alderman Kehoe seconded, and the motion passed unanimously.

Motion #28: Alderman Kupsik moved to direct staff to act as recommended in closed session, Alderman Wall seconded, and the motion passed 6-0-1 with Alderman Hill abstaining.

21. Adjournment

Motion #29: Alderman Mott moved to adjourn, Alderman Lyon seconded, and the motion passed unanimously.

The meeting adjourned at 10:46pm

Tim Neubeck, City Clerk.

THESE ARE NOT OFFICIAL MINUTES UNTIL APPROVED BY THE COMMON COUNCIL