

**REGULAR CITY COUNCIL MEETING  
MONDAY, OCTOBER 9, 2017 – 6:00 PM  
COUNCIL CHAMBERS, CITY HALL**

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

The Pledge of Allegiance was led by Ald. Chappell

**Roll Call.** Present: Mayor Kupsik, Aldermen Chappell, Kordus, Flower, Straube, Halverson, Hedlund, Howell, Skates. Also Present: City Attorney Draper, City Administrator Oborn and Asst. City Clerk Elder.

**Awards, Presentations, and Proclamations.**

Proclamation designating October 8 – 14, 2017 as Fire Prevention Week was presented by Mayor Kupsik.

**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.**

Andy Kerwin, 1616 Evergreen Lane to address item 9a., the 12<sup>th</sup> Annual Walk to End Alzheimer's Event Permit. The event is a fundraiser. Mr. Kerwin pointed out that he's specifically here to request using the park for Sat. Sept. 15, 2018. In 2017, the event drew 797 walkers with 100 volunteers/course marshals, and the organization raised \$140,000.

**Acknowledgement of Correspondence.** None

**Approval of Minutes.** Kordus/Hedlund motion to approve the Regular City Council Meeting minutes of September 25, 2017, as prepared and distributed. Motion carried 8 to 0.

**Consent Agenda**—*Recommended by Finance, License and Regulation on October 3, 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. Park Reservation Permit application filed by the Alzheimer's Association of Southeast Wisconsin for the "12<sup>th</sup> Annual Walk to End Alzheimer's" event at Library Park, from 7:00am to 1:00pm on Sept. 15, 2018
- b. Discussion/Recommendation on a Park Reservation Permit Application filed by Greg Bunge to use Seminary Park for a family reunion on July 14, 2018 from 4:00pm to 8:00pm
- c. Park Reservation Permit Application filed by Richard Holt on behalf of Lakeland Community Church to use Flat Iron Park and the Brunk Pavilion for a worship service on July 1, 2018 from 7:00am to 1:00pm
- d. Temporary Alcohol License Premises Extension application filed by Harbor Shores, 300 Wrigley Drive to serve alcohol in a 30x30 tent set 50 feet off of the sidewalk in Gino's East parking lot with temporary fencing along the sidewalk on February 3, 2018 and February 4, 2018 from 11:00am to 4:00pm
- e. Temporary Operator License application filed by Jennifer MacIntyre on behalf of the JAMM Family Support Fundraiser held at the Riviera Ballroom on November 12, 2017
- f. Original 2017-2018 Operator's (Bartender) License applications filed by Lilian Montesinos, Omar Forestier, and Michelle Norgard

Howell/Skates motion to approve all consent agenda items as prepared and distributed.

Roll Call: Chappel, Skates, Kordus, Flower, Straube, Halverson, Hedlund, Howell voting "yes." Motion carried 8 to 0.

**Mayor Kupsik states no items were removed from the consent agenda.**

Finance, License and Regulation Committee Recommendations of Oct. 3, 2017 – Ald. Kordus

- a. First Reading of Ordinance 17-14, amending the Parade Ordinance to waive all fees except the nonrefundable fee to cover administrative cost of processing the permit for the Memorial Day parade, the 4<sup>th</sup> of July parade, the Badger High School Homecoming parade, and the Christmas Parade** (approved by Council on 6/12/2017)

Motion by Kordus/Hedlund motion to approve moving to the second reading. Working to clean up our fees and this is a step in the right direction. Roll Call: Chappell, Skates, Kordus, Flower, Straube, Halverson, Hedlund, Howell voting “yes.” Motion carried 8 to 0.

Motion by Kordus/Howell to approve **Ordinance 17-14**, amending the Parade Ordinance to waive all fees except the nonrefundable fee to cover administrative cost of processing the permit for the Memorial Day parade, the 4<sup>th</sup> of July parade, the Badger High School Homecoming parade, and the Christmas Parade.

Roll Call: Chappell, Skates, Kordus, Flower, Straube, Halverson, Hedlund, Howell voting “yes.”

Motion carried 8 to 0.

- b. Discussion/Action on Compensation Policy Employee Performance Based Increase of up to 3% effective January 1, 2018**

Kordus stated this was approved at the Personnel Committee and FLR meetings to give a performance based pay increase starting Jan. 1, 2018. Hedlund said it was the same thing we did last year and provides an opportunity to give employees a pay raise. The City Administrator stated that the city upped the differential to balance the mid level pay grade.

Kordus/Hedlund motion to approve the Compensation Policy Employee Performance Based Increase of up to 3% effective January 1, 2018.

Roll Call: Chappell, Skates, Kordus, Flower, Straube, Halverson, Hedlund, Howell voting “yes.”

Motion carried 8 to 0.

- c. Discussion/Action on temporarily contracting with Schenck for Treasurer reconciliation support services**

Kordus said there was discussion at FLR and he would like confirmation from the attorney that there are no issues with Schenck providing services. Attorney Draper doesn't see any issue with Schenck providing reconciliation, but stated they shouldn't be making any entries. Attorney Draper stated it's not uncommon for city staff to consult Schenck for correct procedures and doesn't see it as a conflict. Hedlund points out that this is only temporary. Kordus/Hedlund motion to approve temporarily contracting with Schenck for Treasurer reconciliation support services.

Roll Call: Chappell, Skates, Kordus, Flower, Straube, Halverson, Hedlund, Howell voting “yes.”

Motion carried 8 to 0.

- d. Discussion/Action on combining the two Part-time Counter Clerk positions into one Full-time Counter Clerk position**

Kordus said this was approved at Personnel, FLR and has a net zero impact to budget. Mayor Kupsik asked the City Administrator what positions are open. Administrator Oborn stated there is a full-time Fiscal Analyst, City Clerk, and Treasurer position open.

Kordus/Hedlund motion to approve combining the two Part-time Counter Clerk positions into one Full-time Counter Clerk.

Roll Call: Chappell, Skates, Kordus, Flower, Straube, Halverson, Hedlund, Howell voting “yes.”

Motion carried 8 to 0.

- e. Discussion/Action on the 2018 Business Improvement District Plan**

Kordus stated this is part of their fiduciary responsibility and the process was extensive.

Kordus/Flower motion to approve the 2018 Business Improvement District Plan.

Roll Call: Chappell, Skates, Kordus, Flower, Straube, Halverson, Hedlund, Howell voting “yes.”

Motion carried 8 to 0.

**f. Discussion/Action on the Breezy Hill Nursery TIF Escrow Draw Request No. 2 in the amount of \$21,967.21 for the Main Street Widening Project – Parkway Lawn Restoration**

Kordus/Hedlund motion to approve the Breezy Hill Nursery TIF Escrow Draw Request No. 2 in the amount of \$21,967.21 for the Main Street Widening Project – Parkway Lawn Restoration.

Roll Call: Chappell, Skates, Kordus, Flower, Straube, Halverson, Hedlund, Howell voting “yes.”

Motion carried 8 to 0.

**g. Discussion/Action on the Lake Geneva Economic Development Corporation TIF Escrow Draw Request No. 2 in the amount of \$7,977.35 for the Traver Hotel Redevelopment per the Development Agreement**

Kordus said WE Energies needs to remove the pole in the lot and bury the lines. WE Energies would like payment in advance and we need to get this done to get the pole out of the lot.

Korus/Skates motion to approve the Lake Geneva Economic Development Corporation TIF Escrow Draw Request No. 2 in the amount of \$7,977.35 for the Traver Hotel Redevelopment per the Development Agreement.

Roll Call: Chappell, Skates, Kordus, Flower, Straube, Halverson, Hedlund, Howell voting “yes.”

Motion carried 8 to 0.

**h. Discussion/Action on the RFP for the 2018-2019 Veteran’s Park Concessions with potential option for 2020 with consent of both parties**

Kordus stated it was approved at FLR with a two year contract for 2018/2019 and option to extend for one additional year. After that we would probably do a RFP again. Skates asked if this means the concession will be open for bidding as he’s aware of a few interested parties. Administrator Oborn stated we can do the minimum of \$1,500 and modify the RFP to add experience for ranking purposes. Ald. Skates stated it’s a lot of pressure to place on the Park Board to make the decision. After discussion it was decided to implement a minimum for the bids of \$1,500 where the attorney pointed out the bid can then go to the highest bidder. The Park Board will make a recommendation and City Council will ultimately approve with the right to reject any or all bids. Dunn Field concessions will need to be added to the Park Board agenda.

Kordus/Hedlund motion to approve the RFP for the 2018-2019 Veteran’s Park Concessions with potential option for 2020 with consent of both parties and include a \$1,500 minimum as part of the bid.

Roll Call: Chappel, Skates, Kordus, Flower, Straube, Halverson, Hedlund, Howell voting “yes.”

Motion carried 8 to 0.

**i. Discussion/Action on the purchase of a new siren from Federal Signal for \$17,143.68 with installation by Emergency Communication Systems for \$5,800.00 for a total not to exceed \$22,943.68 from the Equipment Replacement Fund**

Kordus stated the siren decibel level is close to not meeting the federal requirements; it’s over 25 years old and needs to be replaced.

Kordus/Skates motion to approve the purchase of a new siren from Federal Signal for \$17,143.68 with installation by Emergency Communication Systems for \$5,800.00 for a total not to exceed \$22,943.68 from the Equipment Replacement Fund.

Roll Call: Chappell, Skates, Kordus, Flower, Straube, Halverson, Hedlund, Howell voting “yes.”

Motion carried 8 to 0.

**Presentation of Accounts – Recommended by Finance, License and Regulation on October 3, 2017**

**Purchase Orders (none)**

**Kordus/Hedlund motion to approve the Prepaid Bills in the amount of \$51,791.13**

Roll Call: Chappell, Skates, Kordus, Flower, Straube, Halverson, Hedlund, Howell voting “yes.”

Motion carried 8 to 0.

**Kordus/Hedlund motion to approve the Regular Bills in the amount of \$146,522.13**

Roll Call: Chappell, Skates, Kordus, Flower, Straube, Halverson, Hedlund, Howell voting “yes.”

Motion carried 8 to 0.

**Mayoral Appointments. (none)**

## **Closed Session**

Kordus/Flower motion to go into Motion to go into Closed Session

- a) Pursuant to Wis. Stat. 19.85(1)(c) considering employment, promotion, compensation or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility for: 1) Police Chief Rasmussen, 2) PD Confidential Administrative Assistant Papenfus, 3) PD Communications Supervisor Froggatt, and 5) Comptroller Slater; and
- b) Pursuant to Wis. Stat. 19.85(1)(e) for purposes of conducting other specified public business, whenever competitive bargaining reasons require a closed session for Police Officer's Union Negotiations; and
- c) 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 for City Sheridan Springs Road and Edwards Blvd. Properties including Tax Key Parcels ZA467900001, ZA467900002, ZA468000001, and ZA468000003; and
- d) Pursuant to Wis. Stat. 19.85(1)(g) conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved with regard to Pre-Annexation Agreement with Big Foot Holdings LLC and Geneva Waterfront Inc. (AKA Geneva Inn) (Special Counsel Wirth)

And include the City Attorney Draper, City Administrator Oborn and outside legal counsel Joe Wirth.

Roll Call: Chappell, Skates, Kordus, Flower, Straube, Halverson, Hedlund, Howell voting "yes."

Motion carried 8 to 0. Council entered into closed session at 6:31pm

## **Open Session**

Kordus/Halverson motion to return to open session pursuant to Wisconsin Statutes 19.85(2) and take action on any items discussed in closed session at 8:31pm.

Roll Call: Chappell, Skates, Kordus, Flower, Straube, Halverson, Hedlund, Howell voting "yes."

Motion carried 8 to 0.

## **Closed Session Items:**

- a. 1) Kordus/Hedlund motioned to approve Chief Rasmussen Agreement as recommended by the Personnel Committee with the same contract as LT Gritzner with the following changes: a) Health Benefits for family changed from cost share of 60/40 to 70/30, b) 2% one-time additional pay increase, c) Longevity Payout of \$1,000, d) Carryover of Termination Clause in current agreement.  
Roll Call: Chappell, Skates, Kordus, Flower, Straube, Halverson, Hedlund, Howell voting "yes."  
Motion carried 8 to 0.
- a. 2) Kordus/Skates motioned to approve elimination of PD Confidential Administrative Assistant Papenfus agreement as recommended by the Personnel Committee with the 7 years prior years vacation credit and Pay Grade Schedule be changed from 6 to 7.  
Roll Call: Chappell, Skates, Kordus, Flower, Straube, Halverson, Hedlund, Howell voting "yes."  
Motion carried 8 to 0.
- a. 3) Kordus/Flower motioned to approve PD Communications Supervisor Froggatt Agreement as recommended by the Personnel Committee and as discussed in Closed Session with 2% one-time pay increase and 5 days per year vacation (1/2 of Sgt's).  
Roll Call: Chappell, Skates, Kordus, Flower, Straube, Halverson, Hedlund, Howell voting "yes."  
Motion carried 8 to 0.
- a. 5) Hedlund/Chappell motioned remove Alyssa Slater as the City Comptroller at the Council's pleasure pursuant to Sec. 17.12(1)(c) and (d), Wis. Stats.  
Roll Call: Chappell, Skates, Kordus, Flower, Straube, Halverson, Hedlund, Howell voting "yes."  
Motion carried 8 to 0.

- b. Kordus/Skates motioned to proceed with Police Officer’s Union Negotiations as discussed closed session.  
Roll Call: Chappell, Skates, Kordus, Flower, Straube, Halverson, Hedlund, Howell voting “yes.”  
Motion carries 8 to 0.
  
- c. Kordus/Skates motion to approve the Letter of Intent and authorized the Mayor to sign for sale of Tax Key Parcel ZA468000003 as discussed closed session.  
Roll Call: Chappell, Skates, Kordus, Flower, Straube, Halverson, Hedlund, Howell voting “yes.”  
Motion carries 8 to 0.
  
- d. No action taken.

**Adjournment.** Kordus/Skates motion to adjourn at 8:38pm.  
Roll Call: Chappell, Skates, Kordus, Flower, Straube, Halverson, Hedlund, Howell voting “yes.”  
Motion carried 8 to 0.

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/s/ Nan Elder, Assistant City Clerk

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