

**REGULAR CITY COUNCIL MEETING
MONDAY, APRIL 9, 2018 – 6:00 PM
COUNCIL CHAMBERS, CITY HALL**

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

Alderman Kordus led the Pledge of Allegiance.

Roll Call:

Present: Kupsik, Kordus, Hedlund, Halverson, Flower, Chappell, Skates, Straube, and Howell

Absent: None

Guests: City Administrator Oborn, City Attorney Draper, City Clerk Kropf, Mayor Elect Tom Hartz, Alderpersons Elect Dunn and Proksa

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 be limited to 5 minutes

Charlene Klein; 817 Wisconsin St; Spoke in regards to the agreement with MSI General, specifically the lack a of a “not to exceed cost” clause within the agreement.

Mary Jo Fesenmaier; 1085 S Lakeshore Drive; Spoke in opposition of changing the Committee of the Whole meetings to quarterly.

Terry O’Neil; 954 George St; Spoke in opposition of changing the Committee of the Whole meetings to quarterly.

Acknowledgement of Correspondence

None

Approve Regular City Council Meeting minutes of March 26, 2018, as prepared and distributed

Motion by Kordus to approve the Common Council meeting minutes of March 26, 2018, second by Skates. Motion carried 8-0.

CONSENT AGENDA– Recommended by Finance, License and Regulation on April 3, 2018

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.

-Original 2018-2019 Operator’s (Bartender) License applications filed by Jennifer Goodfriend and Lucielle Novak

-Temporary Class “B”/”Class B” Retailer’s License for the Walworth County Food Pantry for the event of Taste of Lake Geneva to be held on June 2, 2018 at Flat Iron Park

-Event Permit Application made by the Lake Geneva Business Improvement District for the event of the Lake Geneva Arts Festival to be held May 4, May 5, and May 6, 2018 on the sidewalks of the downtown business district and alley between Avant Cycle and the Geneva Theater (*Staff recommends unloading zone be in front of Geneva Theatre not on Main Street as indicated in the application*)

-Event Permit Application made by VISIT Lake Geneva for the events of Concerts in the Park to be held July 5, July 12, July 19, July 28, August 2, August 9, and August 23, 2018 at Flat Iron Park, Gazebo and Brunk Pavilion (*Request for waiver of fees except \$25 application fee*)

-Event Permit Application made by Alex Austin for the event of a 3 on 3 Basketball Tournament to be held in Veteran's Park on August 4, 2018 with a rain day option of August 5, 2018 *(Park Board approved contingent upon receipt and City Attorney review of Insurance)*

-Event Permit Application made by the Frank Kresen American Legion Post #24 for the event of the Memorial Day Parade to be held on May 28, 2018 with parade route starting on Wisconsin Street and Broad Street ending at Flat Iron Park with a \$25 for Park Reservation Application Fee

-Event Permit Application made by Tony Tiet and Joseph Ceisel for the event of the Tiet/Ceisel Wedding to be held September 2, 2018 in the Samuel Donian Wetland Preserve

Motion by Skates to approve the consent agenda, second by Kordus. Motion carried 8-0.

Item(s) removed from the Consent Agenda

None

First Reading of Ordinance 18-5, Providing for Direct Annexation by Unanimous Consent of Electors and Property Owners of Territory Located in the Town of Geneva to the City of Lake Geneva for the applicant Mark Larkin, 500 Stone Ridge Drive, Lake Geneva, WI 53147, for the 1.95 acre property located at Tax Key No. JG2500014A *(Annexation recommended by the Plan Commission on February 19, 2018 and approved by the WI Dept. of Administration on March 29, 2018)*

Mayor Kupsik noted that this is a first reading and will be back before the Council at the April 23, 2018 Council meeting. No action taken.

Finance, License, and Regulation Committee Recommendations of April 3, 2018- Ald. Kordus

Discussion/Action of Selection of MSI General to provide architectural and engineering design and project management services for the Riviera Improvement Project *(Selection recommended by the Piers, Harbor, & Lakefront Committee on March 27, 2018)*

Motion by Kordus to approve the selection of MSI General to provide architectural and engineering design and project management for the Riviera Improvement Project pending Attorney review, second by Hedlund. Kordus noted that he felt that this was a good choice and is the primary choice for this project. Motion carried 8-0.

Discussion/Action of approval of Agreement between Owner (City of Lake Geneva) and Architect (MSI General) for Riviera Improvement Project

Motion by Kordus to approve the agreement between the City of Lake Geneva and MSI General as Architect for the Riviera Improvement Project pending Attorney review, second by Hedlund. Oborn noted that there may be more agreements coming forward as the costs are further determined. Motion carried 8-0.

Discussion/Action of approval of Agreement between Owner (City of Lake Geneva) and Construction Manager as Constructor (MSI General) for Riviera Improvement Project

Motion by Kordus to approve the Agreement between the City of Lake Geneva and MSI General as Construction Manager and Constructor for the Riviera Improvement Project pending City Attorney review, second by Hedlund. No discussion. Motion carried 8-0.

Discussion/Action of an Ordinance amending Section 2-230 (b) for the Committee of the Whole to meeting quarterly *(Finance, License, and Regulation Committee motion to approve failed 2-3, with Halverson, Howell, and Skates voting no)*

Motion by Kordus to approve the change of language from shall to may and remove the meeting to commence quarterly language, second by Hedlund. Chappell questioned if language could be added that would indicate how soon in advance an agenda may be sent out. Kordus noted that the Council President does receive the agenda well in advance, but worries about adding language that would determine how far in advance an agenda can be set. Motion carried 5-4, with Skates, Flower, Halverson and Straube voting no. Mayor Kupsik voted aye to break the tie.

Discussion/Action of an Ordinance amending Section 90-198 for Docking Facilities Rental Authority to be the City Administrator or his/her designee

Motion by Kordus to approve, second by Straube. Kordus noted that this would allow this responsibility to be given to the City Administrator or his/her designee. Motion carried 8-0.

Presentation of Accounts – Ald. Kordus (Recommended by Finance, License and Regulation Committee on April 3, 2018)

Purchase Orders

None

Prepaid Bills in the amount of \$10,828.43

Motion by Kordus to approve, second by Hedlund. No discussion. Motion carried 8-0.

Regular Bills in the amount of \$145,511.73

Motion by Kordus to approve, second by Hedlund. No discussion. Motion carried 8-0.

Recognition by Council Vice President Howell of Mayor Alan Kupsik, Alderperson Bob Kordus, and Alderperson Elizabeth Chappell for their service to the City of Lake Geneva

Council Vice President read proclamations in recognition of their service to Bob Kordus, Elizabeth Chappell, and Alan Kupsik.

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: 1) Approval of the Police Officers Union Labor Agreement between the City of Lake Geneva and the Labor Association of Wisconsin on behalf of the Lake Geneva Police Association for 2018; and 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: 2) Notice of Circumstances of White River Holdings LLC's Claims

Motion by Kordus to convene the Council in closed session, allowing City Administrator Oborn, City Attorney Draper, City Clerk Kropf, Alderperson Elect Tim Dunn, Alderperson Elect Selena Proksa, and Mayor Elect Tom Hartz to remain in the meeting, second by Howell. Motion carried on a roll call vote 8-0. The Council convened into closed session at 6:37 p.m.

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

Motion by Kordus to reconvene the Council in open session, second by Skates. Motion carried on a roll call vote 8-0. The Council reconvened into open session at 7:52 p.m.

Motion by Kordus to approve the Police Union Labor Agreement as presented, second by Chappell. Motion carried on 8-0.

Kordus stated that there wasn't any action to take on the Notice of Circumstances of White River Holdings LLC's Claims, at this time.

Adjournment

Motion by Kordus to adjourn the April 9, 2018 meeting of the Common Council, second by Straube. Motion carried 8-0. The meeting of the Common Council adjourned at 7:54 pm

THESE MINUTES ARE NOT OFFICIAL UNTIL APPROVED BY THE COMMON COUNCIL