

**REGULAR CITY COUNCIL MEETING MINUTES**  
**MONDAY, FEBRUARY 25, 2019 – 6:00 PM**  
**COUNCIL CHAMBERS, CITY HALL**

**Members:** Mayor Tom Hartz, Council President, Ken Howell, Council Vice President, John Halverson, Alderpersons: Selena Proksa, Doug Skates, Tim Dunn, Cindy Flower, Shari Straube, and Rich Hedlund

Mayor Hartz called the meeting to order at 6:01 p.m.

Max Roberts and Kenny Doane of Troop#239 led the Council in the Pledge of Allegiance.

Roll Call:

**Present:** Howell, Skates, Halverson, Hedlund, Dunn, Flower, and Proksa

**Absent:** Straube

Awards, Presentations, Proclamations, and Announcements

-Parking Enforcement will begin on March 1, 2019

Mayor Hartz noted that parking enforcement will begin on March 1, 2019.

-April 2, 2019 Spring Election- In-Office Absentee Voting will begin March 13, 2019 at City Hall

Mayor Hartz noted that there will be in office absentee voting commencing on March 13, 2019 at City Hall for the April 2, 2019 Spring Election.

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

John Consalino; 501 Interchange North; Spoke in opposition of the issuance of the conditional use permit for the proposed development at 190 W Main Street. He added that there needs to be residential growth to balance the commercial development. He further added the safety concerns with traffic in this area.

Rick Moretta; 315 N Edwards Blvd; Spoke in opposition of the issuance of the conditional use permit for the proposed development at 190 W Main Street. He also added the concerns with danger of the added traffic in that area.

Hans Melges; Curtis St; Spoke in opposition of the issuance of the conditional use permit for the proposed development at 190 W Main Street. He also added concerns to the potential traffic dangers in the area.

Tom Reed; 100 E Main Street; Spoke in opposition of the issuance of the conditional use permit for the proposed development at 190 W Main Street.

Stan Redmer; 1155 Lake Geneva Blvd; Spoke in opposition of the issuance of the conditional use permit for the proposed development at 190 W Main Street. He cited concerns with traffic congestion in that area and pedestrian visibility.

Peg Esposito; 124 Darwin; Spoke in opposition of the issuance of the conditional use permit for the proposed development at 190 W Main Street.

Mary Jo Fesenmaier; 1085 Lakeshore Dr; Spoke in opposition of the issuance of the conditional use permit for the proposed development at 190 W Main Street.

Richard Torhorst; 500 Commercial Ct; Spoke in favor of the issuance of the conditional use permit for the proposed development at 190 W Main Street. He added that many of the concerns that were cited were identified and answered within the correspondence to the Common Council. He added that the applicant has identified that they will be widening Highway 50 to alleviate the traffic concerns.

Warren Hansen; He addressed the Council regarding the proposed traffic changes and reviewed an outline of the changes.

Acknowledgement of Correspondence

Clerk Kropf acknowledged that she had received seven items of correspondence from Charlene Klein, Ann & Bob Boch, Trish Schaefer, Gerald & Ellen Kuroghlian, Maureen Anne Redmer, Thomas Anthony, and Maureen Arens Marks. All correspondence was in opposition of the issuance of the conditional use permit for the proposed development at 190 W Main Street and all items were forwarded to the Common Council.

Approve Regular City Council Meeting minutes of February 11, 2019, as prepared and distributed

Motion by Hedlund to approve, second by Skates. No discussion. Motion carried 7-0.

CONSENT AGENDA– Recommended by Finance, License and Regulation on February 19, 2019

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.

-2018-2019 Original & Renewal Operator License applications filed by various applicants as listed in packet

-Event Permit Application filed by Anissa Haywood for the event of Haywood Graduation Party to take place on June 2, 2019 (1:00 p.m. to 4:00 p.m.) in Cobb Park

-Agent Change for Aldi Store #56 to Ryan McDermid

Motion by Hedlund to approve the consent agenda, second by Howell. No discussion. Motion carried 7-0.

Items Removed from the Consent Agenda

None

Discussion/Action regarding naming City Administrator David Nord as Owner’s Designated Representative under the AIA contract between Owner and Construction Manager, with MSI General Corp

Motion by Skates to approve, second by Proksa. No discussion. Motion carried 7-0.

**Finance, License, and Regulation Committee Recommendations of February 19, 2019- Alderperson Howell**

Discussion/Action regarding **Resolution 19-R08** a resolution authorizing the amendment of the 2019 General Fund Operating Budgets to utilize contingency funds for the increased wages/benefits for the Clerk’s Office Part-Time Front Counter Clerk position in an amount not to exceed \$1,897

Motion by Howell to approve, second by Proksa. Proksa noted that this will put this in line with the full time positions at the front counter. Motion carried 7-0.

Discussion/Action regarding **Resolution 19-R09** a resolution authorizing the amendment of the 2018 Operating Budgets to utilize 2018 contingency funds for the overage of City expenditures as listed in Schedule “A” of the resolution

Motion by Howell to approve, second by Hedlund. Finance Director Hall noted that this resolution will be authorizing the use of contingency for any overages in various departments. Motion carried 7-0.

Discussion/Action regarding **Resolution 19-R10** a resolution authorizing the carryover of 2018 Equipment Replacement Funds to the 2019 Equipment Replacement Fund

Motion by Howell to approve, second by Flower. Howell noted that this is 2018 budgeted funds that will not be used until 2019. Motion carried 7-0.

Discussion/Action regarding **Resolution 19-R11** a resolution authorizing the transfer of 2018 Lakefront Special Fund in an amount of \$534,006 and of 2018 Parking Special Revenue Fund in an amount of \$1,069,995 to the General Fund

Motion by Howell to approve, second by Hedlund. Howell noted that this happens annually and that these funds will remain \$75,000 of the 2018 funds to be added to their fund balance. Motion carried 7-0.

Discussion/Action regarding **Resolution 19-R12** a resolution authorizing amendments in the City of Lake Geneva Fee Schedule; relating to the addition of annual West End Pier, Lagoon Slip, Buoy, Dinghy, Kayak & Paddleboard Rack Lease Permit Rates and Commercial Boat Launch Fees

Motion by Howell to approve, second by Skates. Skates noted that the commercial boat launch fee was increased but no increase offered to the other fees for the piers, lagoon, slips, and buoys. Motion carried 7-0.

Discussion/Action on renewal of the TAPCO contract including Video Detection Maintenance for 2019/2020

Motion by Howell to approve, second by Flower. Howell noted that this is an annual maintenance contract with no increase in price from last year. Motion carried 7-0.

Discussion/Action regarding purchase of sixty-six (66) Cale CWT Touch Screen Parking Meters

Motion by Howell to approve, second by Flower. Parking Manager Mullally stated that during the budget process there had been concerns brought up with the aging of the current parking kiosks. The current software and technology will soon be out of date and will need to be upgraded. She added that the new machines will not accept paper bill money as the use is decreasing and it causes disruptions within the current machines that can be avoided. She also added that the new parking kiosks will use the license plate number versus a stall number. She added that she is maintaining the maintenance contract for the current kiosks to ensure coverage until the new kiosks are installed. Motion carried 7-0.

Discussion/Action regarding approving of agreement with UPSafety to add additional license plate lookup automation software

Motion by Howell to approve, second by Flower. Mullally noted that this software is included with our current vendor and would allow the automatic look-up of license plates for parking tickets. Motion carried 7-0.

**Planning Commission Recommendations of February 18, 2019- Alderperson Skates**

Discussion/Action regarding **Resolution 18-R72** a Conditional Use Permit to Lake Geneva Plaza, LLC to construct a Fuel Station, Convenience Store, Carwash & Dunkin Donut Restaurant at Tax Key No. ZA370600001

Motion by Skates to approve, second by Hedlund. Dunn noted that at the Planning Commission meeting that it was approved, there wasn't an engineer's report available. Mayor Hartz noted that it was approved contingent upon Engineer review. City Engineer Governatori explained that the engineering report was released in December 2017 and then the traffic study was completed in May 2018. He added that stormwater management requirements have been met, this would add new utilities to this area as well. This site would add sidewalks along with extending sidewalks to Curtis Street. He noted that a left turn out would not be permitted, then drivers would turn right and perform a U-turn elsewhere. He stated that if the City would like to reduce the speed in that area there would need to be a separate study done that would also include accident assessments. Flower asked if this area would be better suited for a right-in-right-out situation. City Engineer Governatori stated that it could but that there might need to be a designated area where people may turn around.

Motion by Hedlund to allow John Bieberitz to speak, second by Skates. Motion carried 7-0.

Mr. Bieberitz reviewed the traffic analysis study that has been completed. He did note that this will be a more congested area in the peak weeks and that motorists could expect a delay turning to head west. Skates noted that he has concerns with the current proposal and would like to see more studying of the impact done. Halverson stated that he sees the concerns with the current plan and would like to alleviate some of the traffic congestion. Proksa added that she fears that there is going to be an overflow of traffic that could impede on Highway 50.

Mayor Hartz noted that the Plan Commission had approved contingent upon the engineer's review, and if the review were to result in substantial changes, that it would need to be considered by the Planning Commission again.

Skates and Hedlund agreed to withdraw the motion to approve.

Motion by Skates to refer this item back to the Planning Commission for further review, second by Proksa. Flower noted that she would like the left turn lanes to be considered and how that affects the traffic pattern. She added that she would like to see information for queuing for the uses on the site and the potential for back-up related to all uses of the property. Mayor Hartz also added that he would like to see what the blowers in the carwash would effect the noise ordinance in that zoning district. Flower added that the widths of the various lanes should be reviewed and should be consistent. There were also concerns brought up regarding large truck traffic and access points. Motion carried 7-0.

Discussion/Action regarding an Extraterritorial Jurisdiction (ETJ) CSM for Applicant John & Jelka Leedle, N891 Hwy 120, Lake Geneva, WI 53147, for the Joseph Leedle N879 State Road 120, Lake Geneva, WI 53147 property for the separation of farm structures from the farmland as identified on the certified survey dated 12/27/2018 located in the Town of Linn. Tax Key No. IL2600001.

Motion by Skates to approve with the engineer notes, second by Proksa. Skates noted that this is a separation of the property. Motion carried 7-0.

Discussion/Action regarding an Extraterritorial Jurisdiction (ETJ) CSM for Applicant Purnell Enterprise LLC., N1886 Hwy 120, Lake Geneva, WI 53147, for the lot line adjustment to include the approximate 10' strip of land that is currently enclosed by a fence as identified on the certified survey dated July 27, 2018 Tax Key No. MA403300001.

Motion by Skates to approve, second by Flower. No discussion. Motion carried 7-0.

Discussion/Action regarding a Land Division filed by Anagnos Properties, Inc., P.O. Box 1117, Lake Geneva, WI 53147, to create a 3 lot Certified Survey Map (CSM) for the property located at 811 Wrigley Dr. to generate three individual lots for the property in the Central Business (CB) zoning district, Tax Key No. ZOP00341-ZOP00345.

Motion by Skates to approve, second by Halverson. Skates stated that this will create three lots to the east of Oakfire and meet all of the requirements. Motion carried 7-0.

Discussion/Action regarding **Resolution 19-R13** a Precise Implementation Plan (PIP) filed by Daniel E. Schuld, 281 Keyes Ave, Hampshire, IL 60140, requesting the change of use for the building at 727 Geneva St. for a Brewery, Tap Room, & Gift Shop, and renovations to the existing exterior deck and patio, located in the Planned Development (PD) zoning district, Tax Key No. ZOP00157.

Motion by Skates to approve Resolution 19-R13 with log of waste and anticipated by products related to the brewing operation, second by Hedlund. Mayor Hartz noted that the Utility Director had worked with the applicant to determine the waste and how it might possibly affect city infrastructure. Motion carried 7-0.

Discussion/Action regarding **Resolution 19-R14** a Conditional Use Permit filed by Tom Koenig, 5802 Arlington Dr., Palatine, IL 60067, for the property located at 715 LaGrange Dr. to utilize the Single Family – 4 (SR-4) zoning in the Estate Residential – 1 (ER-1) zoning, to raze and rebuild a new Single Family Residence. Tax Key No. ZLE00016.

Motion by Skates to approve with the recommendations of the utility connections, second by Halverson. No discussion. Motion carried 7-0.

Proksa left the meeting at 8:02 p.m.

Discussion/Action regarding **Resolution 19-R15** for a Precise Implementation Plan (PIP) and Development Agreement filed by McMurr II, LLC, 351 Hubbard, Suite 610, Chicago, IL. 60654, requesting a Planned Development for the property located on Lake Geneva Blvd. in the Summerhaven Condominium Subdivision to allow for the Precise Implementation Plan to continue the development of Phase II, located in Planned Development (PD) zoning district, and a corresponding Development Agreement, Tax Key Nos. ZSUM00001 thru ZSUM0000247.

Motion by Skates to approve, second by Dunn. Skates noted that there weren't any additional engineer comments and that phase III will be coming forward this summer. It was added that the Utility Director did not identify any issues with the impact on city services. Engineer Governatori added that the parcels are too low to have gravity fed services and that this does require a force main. That force main will need to be maintained by the individual property owners. Motion carried 6-0.

### **Presentation of Accounts – Ald. Howell (Recommended by Finance, License and Regulation Committee on February 19, 2019)**

Prepaid Bills in the amount of \$37,542.61

Motion by Howell to approve, second by Halverson. No discussion. Motion carried 6-0.

Regular Bills in the amount of \$394,689.69

Motion by Howell to approve, second by Skates. No discussion. Motion carried 6-0.

**Motion to go into Closed Session 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 regarding: 1) Detective Sergeant Glen Nettesheim**

Motion by Hedlund to convene the Council into Closed Session, second by Howell. Motion carried 6-0 on a roll call vote. The Council convened into Closed Session at 8:13 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 Howell to reconvene into Open Session, second Hedlund. Motion carried 6-0. The Council reconvened at 8:23 p.m.

Motion by Hedlund to approve the Detective Sergeant pay grade as approved in the 2019 Operating budget for the City of Lake Geneva, second by Skates. No discussion. Motion carried 6-0.

### **Adjournment**

Motion by Dunn to adjourn second by Flower. Motion carried 6-0. The meeting adjourned at 8:25 p.m.