

CITY OF LAKE GENEVA REGULAR COMMON COUNCIL MINUTES

MONDAY, JANUARY 13, 2020 6:00 P.M.

LAKE GENEVA CITY HALL; COUNCIL CHAMBERS (MAIN LEVEL)

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

Mayor Hartz called the meeting to order at 6:00 p.m.

Alderperson Halverson led the Council in the Pledge of Allegiance.

Roll Call

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

Absent: None

Awards, Presentations, Proclamations, and Announcements

Candidates for Spring Election 2020

City Clerk Kropf stated that the candidates for the Spring 2020 election have been listed in the packet. She added that due to the fact that the number of candidates for each office did not exceed two, there will not be a Spring primary for any City of Lake Geneva offices.

Presentation of Riviera Plaza Fuel Tank Replacement Project- City Administrator Nord & William Gage

City Administrator Nord stated the reasons for the Riviera Plaza Fuel Tank replacement by Gage Marine. He added that all permits necessary were applied for and that the new tanks will offer more monitoring capabilities than the previous tanks did. Bill Gage addressed the Council regarding some of the miscommunications that have been stated through this project. He stated that the current tanks met all of the State safety requirements, however the new tanks were installed due to water cresting the top of tank and entering the fuel. He stated that there were two options to fix the issue, seal the existing tanks or replace them. After vetting the cost and benefits of both, it was determined that replacement would be the best option. He added that in order to comply with EPA guidelines, the fuel tanks cannot be filled completely; so to aid in the reduction of fuel trucks in Riviera Plaza, the tanks' size were increased from 2,000 gallons to 3,000 gallons. Gage also added that this will be done before Spring, and the area will be restored prior to the Riviera restoration project.

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

Casey Schiche; Ridge Rd; Thanked Bill Gage for his presentation and stated that the project should have been approved by the Common Council prior to the work being completed.

Bill Huntress; 1015 Pleasant St; Spoke in opposition of the fuel tank replacement project and stated that it should have been approved by the Common Council/Plan Commission prior to the work beginning.

Ann Esarco; 1015 Mobile St; Spoke in opposition to the use of Donian Park for the Knockerball activity and asked that Council remove it from the consent agenda.

Spyro Condos; 1760 Hillcrest Dr; Spoke in opposition to the level change for the fuel tank replacement project and stated that it should have been approved by the City prior to the work being done.

Jim Strauss; N1517 Meadow Ridge Cir; Spoke in favor to the fuel tank replacement project and spoke of his vision for the area when the project is complete. He did note that he would have liked to have some information available about the work being completed and by what vendors/contractors were being used.

Dick Malmin; N1991 S Lake Shore Dr; Spoke in opposition of the fuel tank replacement project and stated that it should have been approved by the City prior to the work being done.

Bill Gage; Stated that he didn't talk to any City officials whether elected or appointed prior to work being done. He added that he has gone through the necessary procedures to replace those tanks.

Acknowledgement of Correspondence

Clerk Kropf noted that there is no correspondence to acknowledge at this time.

Approve Regular City Council Meeting minutes of December 23, 2019, as prepared and distributed

Motion by Skates to approve, second by Halverson. No discussion. Motion carried 8-0.

CONSENT AGENDA– *Recommended by Finance, Licensing and Regulation on January 7, 2020.* 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.

Straube requested that the Public Assembly Permit application filed by Knockerball Southern Lake LLC to reserve Donian Park (Seminary Park in the vent of rain/flooding) for every Saturday and Sunday from May 30, 2020 through September 1, 2020 to conduct Knockerball in the Park (*Finance, Licensing, and Regulation Committee approved on December 3, 2019*) be removed.

2019-2021 Original & Renewal Operator License applications filed by various applicants as listed in packet

Original Massage Establishment License Application filed by Balance for Life, LLC d/b/a Heartland Wellness Retreat & Spa, located at 314 S Wells St, Lake Geneva, WI

Tier II Event Permit Application filed by the Lake Geneva Jaycees for the event of Venetian Festival to be held August 19, 2020 through August 23, 2020 (permit to be valid from August 17, 2020 through August 24, 2020 for event setup and clean-up), located in Flat Iron Park, Library Park, and Seminary Park

Temporary Class "B"/ "Class B" Retailer's License filed by The Lake Geneva Jaycees to be used August 18, 2020 through August 24, 2020, located in a fenced beer garden within the Flat Iron Park Parking Lot

Fireworks Application filed by the Lake Geneva Jaycees to be used for the Annual Venetian Festival on August 23, 2020

Motion by Skates to approve the consent agenda, second by Dunn. No discussion. Motion carried 8-0.

Public Assembly Permit application filed by Knockerball Southern Lake LLC to reserve Donian Park (Seminary Park in the event of rain/flooding) for every Saturday and Sunday from May 30, 2020 through September 1, 2020 to conduct Knockerball in the Park (*Finance, Licensing, and Regulation Committee approved on December 3, 2019*)

Motion by Straube to deny, second by Halverson. Straube stated that Donian is not the right area for this activity, and worries about accidents occurring. She added that the parks should not be used for profit. Halverson echoed the concerns of Alderperson Straube, and stated that the ordinance could be interpreted either way. Mayor Hartz stated that he reviewed the ordinance and noted that the various activities in the City that occur on City property are public accommodation. He added that Knockerball, he feels, doesn't meet all of the requirements of other events such as the Venetian Festival or Art in the Park. Motion to deny was approved 8-0.

Items removed from the Consent Agenda

Discussion/Action regarding **Resolution 20-R02** approving May 12, 2020 as World Migratory Day in the City of Lake Geneva

Motion by Proksa to approve, second by Flower. Proksa stated that this is a requirement to maintain the City's Bird City designation. Motion carried 8-0.

Recommendation of the Finance, Licensing, and Regulation Committee of January 7, 2020- Ald Howell

Discussion/Action regarding awarding the bid for the purchase of sixty-three (63) Flowbird CWT Stealth Kiosks to Total Parking Solutions in an amount not to exceed \$416,241.00

Motion by Howell to approve, second by Hedlund. Howell stated that this is going to upgrade the whole parking system and will reduce the amount of unnecessary tickets. Flower stated that she is in favor of the upgrade; however she spoke in opposition of the amount being purchased. She recommended purchasing fifty to start with. Straube stated that she disagrees with spending the money on the kiosks when the current ones are only eight years old. Halverson noted that there had been consistent issues with the bill collectors and these new ones would alleviate that issue.

Motion by Halverson to amend to purchase only fifty kiosks, second by Flower.

Skates stated that he agrees with only purchasing fifty to start with and did state that the current technology is at the end of the lifecycle. He also added stated that Parking Manager Mullally could determine where the kiosks should be placed based on usage. Dunn stated that he doesn't agree with changing the number of kiosks to be purchased as the Parking Manager has studied this issue and would like all of kiosks to be replaced. Flower stated that she chose fifty based on evidence that was brought to the Public Works Committee regarding usage.

Parking Manager Mullally stated that she doesn't agree with narrowing the amount of kiosks to be purchased and urged the Council to make a decision.

Amendment to the motion carried 5-3, with Dunn, Hedlund, and Howell voting no.

Original motion was read with the amendment as: awarding the bid for the purchase of fifty (50) Flowbird CWT Stealth Kiosks to Total Parking Solutions in an amount not to exceed \$416,241.00. Amended motion carried 8-0.

Discussion/Action of **Resolution 20-R01** adopting a 2020 budget amendment authorizing the transfer of funds in the Lakefront Fund budget as it relates to the Geneva Lake Law Enforcement Agency

Motion by Howell to approve, second by Proksa. Mayor Hartz stated that he attended the GLLEA meeting to express the City's concerns. He stated that the enforcement shouldn't be placed on the number of acres of a municipality, but rather by the level of activity. Motion carried 8-0.

Discussion/Action regarding TAP (Transportation Alternatives Program) Grant

Motion by Howell to approve applying for the TAP Grant with \$5,000 being awarded to Vandewalle and with \$1,500 being allotted for Kapur to provide engineering services, second by Flower. Motion carried 8-0.

Discussion/ Acceptance of January 7, 2020 Finance, Licensing, and Regulation Committee Payment Approval Reports

Motion by Howell to accept, second by Hedlund. No discussion. Motion carried 8-0.

Mayoral Appointments

Approval of the appointment of William Binn to the Lake Geneva Utility Commission with a term to expire October 1, 2023

Motion by Skates to approve, second by Flower. Motion carried 8-0.

Motion to go into Closed Session pursuant to Wis. Stat. 19.85(1)(e) for the purposes of deliberating or negotiating the purchase of public properties, the investing of public funds, or conducting other specified business whenever competitive or bargaining reasons require a closed session regarding: **1) Police Union Contract Negotiations and 2) Police Non-Union Contract Negotiations**

Motion by Hedlund to convene the Common Council into Closed Session, second by Flower. Motion carried 8-0. The Council convened into Closed Session at 7:22 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 Flower to reconvene the Common Council into Open Session, second by Proksa. Motion carried 8-0. The Council reconvened into Open Session at 7:35 p.m.

1) Police Union Contract Negotiations:

Motion by Hedlund to direct staff to change the contract as discussed and authorize the Mayor to execute, second by Howell. Motion carried 8-0.

2) Police Non-Union Contract Negotiations

Motion by Hedlund to proceed as directed in closed session and authorize the Mayor to execute, second by Flower. Motion carried 8-0.

Adjournment

Motion by Dunn to adjourn the meeting of the Common Council, second by Flower. Motion carried 8-0. The meeting of the Common Council adjourned at 7:39 p.m.