

**REGULAR CITY COUNCIL MEETING MINUTES  
MONDAY, JANUARY 28, 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 6:10 p.m.

Alderperson Halverson led the Council in the Pledge of Allegiance.

Roll Call

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

Absent: None

Awards, Presentations, Proclamations, and Announcements

Winterfest 2019 Shuttle

Mayor Hartz announced that there will be a free shuttle leaving from the Home Depot and Veterans Park to the Winterfest activities. More information can be found on the City's website.

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

None

Acknowledgement of Correspondence

Clerk Kropf noted that she had received two items of correspondence related to the relocation of the structure located at 832 Geneva Street. One was received from Charlene Klein and the other from Belinda Bauer. Both spoke in opposition of the relocation.

Approve Regular City Council Meeting minutes of January 14, 2019, as prepared and distributed

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

**CONSENT AGENDA**– *Recommended by Finance, License and Regulation on January 15, 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

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

Items Removed from the Consent Agenda

None

Discussion/Recommendation regarding Event Permit Application filed by the Lake Geneva Jaycees for the event of Venetian Festival to be held at Flat Iron Park, Library Park, and Seminary Park; Event (Including setup and clean up) to be held August 12, 2019 through August 19, 2019 (Applicant is requesting waiver of fees)

Motion by Howell to approve, second by Hedlund. Howell noted that the Finance Committee will be discussing this issue of waiving fees in the future and would recommend that this move forward with the waiver of fees. Flower expressed concerns with moving so quickly without having set criteria for waiving fees. Motion carried 8-0.

First Reading of **Ordinance 19-02** an ordinance amending Chapter 74, Traffic and Vehicles, Section 74-221, Parking Meters, Subsection (h), Authorized City Parking Stickers, Clarifying Limitations and Requirements for City Parking Stickers

Mayor Hartz read Ordinance 19-02 as a first reading only and that the Council will be able to vote on this issue at the next Council meeting. No action taken.

First Reading of **Ordinance 19-03** an ordinance amending Chapter 74, Traffic and Vehicles, Section 74-221, Parking Meters, by adding Subsection (i), Challenges to Parking Citations, Adding Procedures for Contesting Parking Citations

Mayor Hartz read Ordinance 19-02 as a first reading only and that the Council will be able to vote on this issue at the next Council meeting. No action taken.

Second Reading of **Ordinance 19-01** an Ordinance Amending Sub-Subsection (Y) Tourist Rooming House of Subsection (8) Accessory Land Uses, of Chapter 98: Zoning Ordinance of the City of Lake Geneva Zoning Ordinance to Clarify Periods of Licensing, obtaining licenses and permits, and Operation of Tourist Rooming Houses

Motion by Proksa to approve Ordinance 19-01, second by Flower. Halverson noted that he uneasy with the provision of the Knox box being a requirement and wondered why they were necessary. Mayor Hartz noted that this would only be in the event there is an emergency. Hedlund noted that he agrees with having the Knox box from a safety standpoint. Mayor Hartz noted that there needs to be a correction made to section 1(a) and that the code be cited as 98-034 instead of 18-55(a). Motion carried 8-0.

Discussion/Recommendation of **Resolution 19-R01** designating May 11, 2019 as World Migratory Bird Day in the City of Lake Geneva

Motion by Proksa to approve, second by Skates. Proksa noted that this is one of the necessary steps to maintain the Bird City designation. Motion carried 8-0.

**Finance, License, and Regulation Committee Recommendations of January 15, 2019- Alderperson Howell**

Discussion/Recommendation regarding pay request #2 to Payne and Dolan for 2018 Street Improvement Project in an amount not to exceed \$106,504.25

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

Discussion/Recommendation regarding payment request #5 to Sonrise Construction, INC for the Disc Golf Bridge Course Pedestrian Bridge Replacement Project in an amount not to exceed \$15,764.40

Motion by Howell to approve, second by Flower. No discussion. Motion carried 8-0.

Discussion/Recommendation regarding final payment request to Sonrise Construction, INC for the Disc Golf Bridge Course Pedestrian Bridge Replacement Project in an amount not to exceed \$5,684.10 less \$684.10 for retainage; Final payment amount to be \$5,000.00 (Public Works Committee approved withholding \$684.10 on January 8, 2019)

Motion by Howell to approve, second by Hedlund. Howell noted that the retainage should be used towards the replanting of grass in that area. Motion carried 8-0.

Discussion/Recommendation regarding log sale on Wisconsin Surplus; Funds generated to be designated to the purchase of trees

Motion by Howell to approve, second by Hedlund. Halverson noted that the Public Works Department had sold some walnut logs and the Public Works Director had requested that the funds generated be designated to the future purchase of trees. Motion carried 8-0.

Discussion/Recommendation regarding increasing minimum amount of purchase within the City of Lake Geneva Capital Improvement Plan from \$5,000 to \$10,000

Motion by Howell to carry over to the February 11, 2019 Council meeting, second by Proksa. Motion carried 8-0.

## **Plan Commission recommendations of January 21, 2019- Ald. Skates**

Discussion/Recommendation regarding **Resolution 18-R79** approving an application for a Limited Conditional Use Permit (CUP) filed by Michelle Lundquist., 7929-48th Ave, Kenosha, WI 53142, requesting a CUP to continue the existing Commercial Animal Boarding land use at the building located at 846 Madison St., Lake Geneva, WI 53147, located in General Industrial (GI) zoning district, Tax Key Nos. ZYUP00033 & ZYUP00033A. (Approved by the Plan Commission on December 17, 2018)

Motion by Skates to approve with a limit of ten dogs being able to stay on location over night, second by Straube. Skates noted that this owner will have more of a local presence than the previous did.

Motion to amend by Halverson to approve with a request a review in one year by the Plan Commission and City Staff, second by Skates. Amendment carried 7-1, with Howell voting no.

Flower expressed concerns with having a limitation on the number of dogs when there will be a review at the end of one year and feared restricted them at this time.

Motion to amend the original motion to remove the limitation of ten dogs being able to stay on location overnight, second by Straube. Motion carried 5-3, with Skates, Dunn, and Halverson voting no.

Original motion as amended was read; motion carried 8-0.

Discussion/Recommendation of a General Development Plan (GDP) filed by Terence Pisano, 201 Broad St., Lake Geneva, WI 53147, for the property located at 333 Center St. The applicant is requesting to relocate the existing building currently located at 832 Geneva St. and to utilize exceptions to the site setbacks and site zoning restrictions. The property is located in the Neighborhood Office (NO) zoning district, Tax Key No. ZOP00139.

Motion by Skates to approve, second by Proksa. Skates noted that this has been on the radar for some time and all avenues to find a place for it in Maple Park had been exhausted. Flower felt that the zoning classification for this building is very appropriate for where it is going to be placed. Motion carried 8-0.

Discussion/Recommendation of **Resolution 19-R02** approving a Precise Implementation Plan (PIP) filed by Terence Pisano, 201 Broad St., Lake Geneva, WI 53147, for the property located at 333 Center St. The applicant is requesting to relocate the existing building currently located at 832 Geneva St. and to utilize exceptions to the site setbacks and site zoning restrictions. The property is located in the Neighborhood Office (NO) zoning district, Tax Key No. ZOP00139.

Motion by Skates to approve subject to a developer's agreement to address the moving of the structure and the public improvements, second by Proksa. Flower expressed concerns with being able to place a contingency on the other property in the event this relocation doesn't occur. Attorney Draper noted that it was premature to discuss at this time. Motion carried 8-0.

Discussion/Recommendation of **Resolution 19-R03** approving an amendment to the existing Precise Implementation Plan (PIP) filed by Oakfire Properties LLC, for the Oakfire Restaurant, requesting to change the second floor deck area to install a roof structure and roll up temporary windows, located in the Central Business (CB) zoning district at 831 Wrigley Dr., Tax Key No. ZOP00340.

Motion by Skates to approve, second by Dunn. Skates noted that the Oakfire does have a temporary roof structure and would like to move forward with installing a permanent structure. Motion carried 7-1, with Flower voting no.

## **Presentation of Accounts – Ald. Howell (Recommended by Finance, License and Regulation Committee on January 15, 2019)**

### Purchase Orders

None

### Prepaid Bills in the amount of \$145,925.91

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

### Regular Bills in the amount of \$378,714.09

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

## **Adjournment**

Motion by Dunn to adjourn the January 28, 2019 Common Council meeting, second by Proksa. Motion carried 8-0. The meeting adjourned at 7:18 p.m.