

REGULAR CITY COUNCIL MEETING MINUTES
MONDAY, JULY 9, 2018 – 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

The July 9, 2018 meeting of the Common Council was called to order at 6:00 p.m. by Mayor Hartz.

The Pledge of Allegiance was led by Alderperson Straube

Roll Call

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

Absent: None

Guests: City Attorney Draper, City Administrator Oborn, and City Clerk Kropf

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.

Eric Anderson, 333 Promontory Dr; Spoke in opposition of the boat lift requirement and would like more discussion to occur.

Rick Steinberg, 1032 Williams St; Spoke in opposition of the language change to the ordinance pertaining to the Committee of the Whole.

Ed Gant, 1127 Wisconsin St; Spoke in opposition of the boat lift requirement and would like more discussion to occur.

Janet Uhing; Spoke in opposition of the boat lift requirement and would like more discussion to occur. She is worried about the cost associated with purchasing, maintaining, and storing a lift.

Cindy Acre, 1280 Lakewood Dr; Spoke in opposition of the boat lift requirement and would like more discussion to occur. She is worried about the cost associated with purchasing, maintaining, and storing a lift.

Jeff Miller, 1740 Miller Rd; Spoke in opposition of the boat lift requirement and would like more discussion to occur. He was discouraged that he wasn't given more notice of a potential decision prior to this meeting.

Lisa Gant, 1127 Wisconsin St; Spoke in opposition of the boat lift requirement and would like more discussion to occur. She is worried about the cost associated with purchasing, maintaining, and storing a lift.

Bill Hunteress, 1015 Pleasant St; Spoke in opposition of the boat lift requirement and would like more discussion to occur. He added that if the City feels that the repair costs for the piers are too high, that the bills should be scrutinized, not passing the cost to the renters.

Pete Peterson, 606 Evergreen; Spoke in opposition of the language change to the ordinance pertaining to the Committee of the Whole. He also spoke in opposition of the purchasing of a shade structure and bleachers for the skate park.

Daryl Vanhorn, 1025 Timothy; Spoke in opposition of the boat lift requirement and would like more discussion to occur. He asked that before the City makes a decision, that the renters be notified and heard.

Sherri Ames, 603 Center St; Spoke in opposition of the language change to the ordinance pertaining to the Committee of the Whole.

Jim Fess, 1150 Park Dr #1106; Spoke in opposition of the boat lift requirement and would like more discussion to occur. He is worried about the cost associated with purchasing, maintaining, and storing a lift.

Terry O'Neil, 954 George St; Spoke in opposition of the language change to the ordinance pertaining to the Committee of the Whole.

Mary Jo Fesenmaier, 1085 S Lakeshore Dr; Spoke in opposition of the language change to the ordinance pertaining to the Committee of the Whole. She also spoke in opposition to the boat lift requirement and that the MSI Contracts for the Riviera project are being discussed in closed session.

Dick Malmin; N1991 S Lakeshore Dr; Spoke in opposition of the language change to the ordinance pertaining to the Committee of the Whole.

Acknowledgement of Correspondence

Clerk Kropf noted that there was one item of correspondence received in regards to the boat lift requirement and it was distributed to the Common Council.

Approve Regular City Council Meeting minutes of June 25, 2018, as prepared and distributed

Motion by Hedlund to approve the minutes of the June 25, 2018 Common Council meeting, second by Flower. Flower requested that her name be removed from leading the Pledge of Allegiance. Motion carried 8-0.

CONSENT AGENDA— *Recommended by Finance, License and Regulation on July 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.

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

-Beach Reservation Permit filed by Mt Zion Church for the event of a beach baptism to be held at Riviera Beach on September 16, 2018 between 11:00 a.m. and 4:00 p.m. (*Recommended by Piers, Harbors, and Lakefronts on June 20, 2018*)

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

Items Removed from the Consent Agenda

None

Second Reading of Ordinance 18-04- Amending Subsection (b) Meeting of Section 2-230, Committee of the Whole of Division 1, Generally of Article V Boards and Commission of Chapter 2, Administration of the Municipal Code of the City of Lake Geneva; Relating to the Frequency of meetings for the Committee of the Whole

Mayor Hartz read Ordinance 18-04 for a second reading.

Motion by Hedlund to approve Ordinance 18-04, second by Flower. Halverson noted that he is against the change, and wanted to clarify that the Council never intended to remove the provision of Committee of the Whole or the public comment period. Proksa and Skates both added that they are against the changes and would like the meeting to continue. Flower added that previous Committee of the Whole meetings were stale but since the new appointments, she feels that the meetings have more purpose and would like to see them continue. Dunn also commented that he would like see the meetings continue and maybe make it less formal so the public can address the Council earlier. Motion failed 0-8 with all alderpersons voting no.

First Reading of Ordinance 18-07- Amending Chapter 74, Traffic and Vehicles, Article VI, Traffic Code, Section 74-204, Stop Intersections, Subsection (5), Four-Way Stops, adding a Four Way Stop Sign at the Intersection of Geneva Street and Broad Street

Mayor Hartz read the ordinance for a first reading. Motion by Hedlund to suspend the Council rules and move the ordinance to a second reading, second by Howell. Motion carried 8-0
Mayor Hartz then read the ordinance for a second reading.

Motion by Proksa to approve, second by Straube. Proksa stated that she is in favor as she has heard numerous positive comments in regards to the placement and continued placement of the stop sign. Motion carried 8-0.

Discussion/Action regarding purchase of Shade Structure in the amount of \$8,000.00 to be paid from Park Impact Fees for placement at City Skate Park/Dunn Field (Carried over from May 29, 2018 Council meeting)

Motion by Skates to approve, second by Flower. Attorney Draper noted that his memo stated that the shade structure couldn't be purchased with the Park Impact Fees.

Motion to amend by Skates to approve the purchase of Shade Structure in the amount of \$8,000 for placement at City Skate Park/Dunn Field with park fees instead of park impact fees, second by Flower. Motion carried 7-1, with Halverson voting no.

Discussion/Action regarding purchase of bleachers in the amount of \$2,400.00 to be paid from Park Impact Fees for placement at City Skate Park/Dunn Field (Carried over from May 29, 2018 Council meeting)

Motion by Flower to approve, second by Skates. Flower noted that she would like to see these in the parks as to encourage adults and parents to be present. She added that the bleachers would offer an additional thirty-two seats for parents to enjoy. Motion carried 7-1, with Howell voting no.

Finance, License, and Regulation Committee Recommendations of July 3, 2018- Ald. Howell

Discussion/Action regarding Riviera Grounds/Driehaus Plaza Lighting donation by the Beautification Committee, Inc. (Motion at Piers, Harbors, and Lakefronts: Ald. Halverson motioned to approve the lighting donation with construction to start after Labor Day (can only take place up to noon on Friday's - no Saturday construction), second by Hedlund. Motion carried 5-0.)

Motion by Howell to approve the lighting donation with construction to start after Labor Day (can only take place up to noon on Friday's with no Saturday construction), second by Straube. No discussion. Motion carried 8-0.

Discussion/Action on mandating boat lifts for City Slip Rentals (Motion at Piers, Harbors, and Lakefronts: Motion by Ald. Skates to implement mandatory boat lifts for 2019, second by Hedlund. Motion 3-2 with Halverson and Straube voting no.)

Motion by Skates to refer back to Piers, Harbors, and Lakefronts Committee for further discussion, second by Halverson. Skates added that he was given information that identified that there was a higher cost associated with pier maintenance which actually existed. He would like to see this item be referred back to the Piers, Harbors, and Lakefronts Committee to discuss other ideas and options. Motion carried 8-0.

Discussion/Action of Riviera Concourse Leases renewal for 2019 (Motion at Piers, Harbors, and Lakefronts: Motion by Ald. Hedlund to not increase Riviera Concourse leases for 2019; for one year. Motion carried 5-0.)

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

Discussion/Action regarding Wisconsin Public Employers' Health Insurance Underwriting by Segal Consulting for \$3,000

Motion by Howell to approve, second by Proksa. City Administrator noted that the underwriting would allow the City to be considered for the inclusion of the State Health plan. Hedlund noted that once the underwriting has occurred, it's good for six months and would encourage the Council to vote to approve now so that joining the State Plan might be an option. This would also give employees time for research and education. Motion carried 8-0.

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

Purchase Orders

None

Prepaid Bills in the amount of \$23,570.00

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

Regular Bills in the amount of \$430,973.59

Motion by Howell to approve, second by Skates. Flower noted that she is seeing a lot of large payments for construction pay requests coming through that are not being considered by the Public Works Committee and should be. She would like to see this come through in the future. Motion carried 8-0.

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 regards to:

1) Riviera Architectural and Construction Contracts with MSI General

2) Police Officers Union Labor Agreement

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:

3) White River Holdings LLC's Claims

Motion by Hedlund to convene the Common Council in closed session, second by Halverson. No discussion. Motion carried 8-0.

The Council convened into closed session at 7:16 p.m.

Aldersperson Straube left the meeting at 7:16 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 the Council into open session, second by Halverson. No discussion. Motion carried on a roll call vote 7-0.

The Council reconvened into open session at 8:16 p.m.

Motion by Hedlund to direct the City Attorney to continue negotiations with MSI General and if they agree with the terms as discussed in closed session, the Mayor is authorized to sign the contract, second by Howell. Motion carried on a roll call vote 7-0.

Motion by Howell to take no action on Police Officers Union Labor Agreement, second by Hedlund. No discussion. Motion carried 7-0.

Motion by Howell to take no action regarding the White River Holding LLC Claim, motion failed for a lack of second.

Adjournment

Motion by Dunn to adjourn the July 9, 2018 meeting of the Common Council, second by Flower. Motion carried 7-0. The Common Council adjourned at 8:18 p.m.

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