

**CITY OF LAKE GENEVA REGULAR COMMON COUNCIL MINUTES**  
**MONDAY, JUNE 22, 2020 6:00 P.M.**  
**LAKE GENEVA CITY HALL; COUNCIL CHAMBERS (MAIN LEVEL)**

**Members:**

Mayor Charlene Klein, Council President, Rich Hedlund, Council Vice President, John Halverson,  
Alderspersons: Tim Dunn, Mary Jo Fesenmaier, Cindy Flower, Ken Howell, Shari Straube, and Joan Yunker

Mayor Klein call the meeting to order at 6:06 pm

Pledge of Allegiance – Alderperson Straube

**Roll Call:**

Present: Hedlund, Halverson, Dunn, Fesenmaier, Flower, Howell, Straube, and Yunker

Absent: None

Awards, Presentations, Proclamations, and Announcements

None

Re-consider business from previous meeting

Discussion/Action regarding **Resolution 20-R40** a resolution authorizing the issuance of a Conditional Use Permit (CUP) filed by Brian Nelson 21605 N. Tiffany Ct. Kildeer IL 60047 for a request to install a 100 foot pier with 3 boat slips for the property located at 1640 Lake Shore Dr. located in the Estate Residential - 1 (ER-1) zoning district. Tax Key No. ZLM00039

Flower indicated that she had requested that this be reconsidered as she wanted to see the riparian lines prior to approval. Fesenmaier noted that she would like to continue this to obtain more information.

Fesenmaier motion to continue **Resolution 20-R40** second by Halverson.

Flower states that she would like the maps for the riparian lines for the next Council meeting and for further consideration. Motion carried 8-0 on a roll call vote.

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

Emily Kornak, Library Director; Spoke in opposition of the proposed parking rate increase in the area in front of the library.

Beverly & Jeffrey Leonard; 905 W Main St; Spoke in opposition of the proposed parking rate increase.

Gary Petzinger; Spoke in opposition of the proposed parking rate increase.

Kevin Flemming; Spoke in opposition of the proposed parking rate increase.

Roger Wolff; Spoke in opposition of the proposed parking rate increase.

Tammie Cartstensen; Spoke in opposition of the proposed parking rate increase.

Bob Kordus; Spoke in opposition of Resolution 20-R43 and encouraged the Council to rescind the emergency proclamation.

**Acknowledgement of Correspondence**

Deputy Clerk Elder read all correspondence during the Public Comment Period.

Approve the Regular Council Minutes of June 8, 2020 as prepared and distributed  
Motion by Dunn to approve, second by Straube. No discussion. Motion carried 8-0.

**CONSENT AGENDA**– *Recommended by Finance, Licensing and Regulation on June 16, 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.

Renewal application of a Massage Establishment License for Healing Muscle Therapies  
Renewal application of a Massage Establishment License for Lake Geneva Massage Therapy  
Renewal application of a Taxi Cab Company License for Senior Cab

Motion by Howell to approve the consent agenda, second by Dunn. No discussion. Motion carried 8-0 on a roll call vote.

### **Items removed from the Consent Agenda**

First Reading of **Ordinance 20-05** an ordinance amending Chapter 46: Nuisances, Article 1: General regulations, Section 46-4 Loud and unnecessary noise (b) and (c) to clarify types of noise and hours of quiet time and creating section 46-4 (c)(3) to define acceptable types and hours of construction noise

Mayor Klein offered Ordinance 20-05 as a first reading.

Motion by Hedlund to suspend the rules and move ordinance 20-05 to second reading, second by Straube. Motion carried 8-0.

Mayor Klein then offered Ordinance 20-05 as second reading.

Motion by Hedlund to approve Ordinance 20-05, second by Yunker. No discussion. Motion carried 8-0.

First Reading of **Ordinance 20-06** an ordinance amending Chapter 14: Building and Building regulations, Article II: Building code, Division 1: Generally, Section 14-31 (a) Administrative code and adding 14-31(c) Amendments and deleting section 14-32 Wisconsin Uniform Building Code and renaming section 14-33 scope of Article to Section 14-32 Scope of Article

Mayor Klein offered Ordinance 20-06 as a first reading.

Motion by Hedlund to suspend the rules and move ordinance 20-06 to second reading, second by Yunker.

Hedlund stated that this is a housekeeping issue to update the Municipal Code. Motion carried 8-0.

Mayor Klein then offered Ordinance 20-06 as second reading.

Motion by Hedlund to approve Ordinance 20-06, second by Halverson. No discussion. Motion carried 8-0.

Discussion/Action regarding Resolution 20-R51 a resolution authorizing the creation of the Ad Hoc Committee on Riviera Restorations and appointing members

Mayor Klein stated that this ad hoc committee is being proposed to help facilitate the Riviera Restoration project. She added that this resolution would create the ad hoc committee and would appoint some of the members as well. Not all of the members have been appointed at this point, but that more individuals will be added as time passes.

Motion by Straube to approve **Resolution 20-R51**, second by Yunker. Fesenmaier stated that she agrees with the committee being created but is leery to take away authority from the public works committee, which would go against what the ordinance states. Some discussion took place amongst the council regarding addressing ordinance with regard to public works and attorney review of existing consultant agreement with MSI. Mayor Klein added that this will be an advisory committee to the Council. Motion carried 7-1, with Howell voting no.

Discussion/Action regarding an Original Class “B” Fermented Malt Beverage and Class “C” Wine License Application filed by RL KL Company LLC d/b/a SuWings Chinese Restaurant, 743 North Street, Ransi Lei, Agent

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

Discussion/Action regarding a Renewal “Class B” Intoxicating Liquor and Class “B” Fermented Malt Beverage License Application filed by Samson Enterprises LLC, Northsider’s, 642 W Main St, Michelle Norgard, Agent- *Chief Rasmussen not approve on the renewal application*

City Attorney Draper swore in Lt. Bridget Way and the Samson Enterprises Agent, Michelle Norgard to give testimony regarding the potential non-renewal of their liquor license. Testimony was given indicating that while it appeared that the business had not been open within the statutory 90-day time frame, there were receipts offered indicating that they had indeed been open. It was determined that based on the statutory requirements of liquor license use, that the business could be eligible to have the license renewed.

Motion to Howell to approve the Renewal of the “Class B” Intoxicating Liquor and Class “B” Fermented Malt Beverage License Application filed by Samson Enterprises LLC, Northsider’s, 642 W Main St, Michelle Norgard, Agent, second by Halverson. Motion carried 5-3, with Hedlund, Flower, and Yunker voting no.

Discussion/Action regarding **Resolution 20-R43** a resolution to ratify the Emergency Proclamation approved by the Chief Executive Officer pertaining to the COVID-19 Pandemic and Emergency Proclamation (June 8, 2020 Council Meeting: Motion by Halverson to approve with amendments previously approved and that this be considered at the next Council meeting, second by Howell. Motion carried 8-0, on a roll call vote.)

Motion by Ald. Howell to approve **Resolution 20-R43** a resolution to ratify the Emergency Proclamation approved by the Chief Executive Officer pertaining to the COVID-19 Pandemic and Emergency Proclamation, second by Yunker. Motion carried 6-2, with Halverson & Dunn voting no.

### **Recommendation of the Finance, Licensing, and Regulation Committee of June 16, 2020- Ald. Howell**

Discussion/Action regarding **Resolution 20-R44** and **Resolution 20-R45** resolutions authorizing and directing the proper City official(s) to issue the Liquor License renewals for the period of July 1, 2020 to June 30, 2021  
Motion by Howell to approve Resolutions **20-R44 & R20-45**, second by Dunn. No discussion. Motion carried 8-0.

Discussion/Action regarding a proposal from Asphalt Contractors INC to perform a 6' depth road patch on Main Street between Maxwell St and Warren Street, in an amount not to exceed \$11,938.00 to be paid from the 2020 Street Improvement Project Fund

Motion by Howell to approve a proposal from Asphalt Contractors INC to perform a 6' depth road patch on Main Street between Maxwell St and Warren Street, in an amount not to exceed \$11,938.00 to be paid from the 2020 Street Improvement Project Fund, second by Hedlund. Fesenmaier added that she would like this project to be paid from the contingency fund, not to take funds from the annual street project.

Motion to amend by Dunn to have this project paid from contingency instead of the 2020 Street Improvement Project Fund, second by Fesenmaier. Flower stated that she would like to see this actually paid from the patching amount but worries that the budget isn't giving him enough money in this fund to properly execute. Amendment to the motion carried 6-2, with Hedlund & Flower voting no.

Original motion as amended carried 8-0 on a roll call vote.

Discussion/Action regarding final payment to Total Parking Solutions, INC for the purchase of the new parking kiosks, in an amount not to exceed \$165,175.00

Motion by Howell to approve, second by Ald. Flower. Motion carried 8-0 on a roll call vote.

Discussion/Action regarding **Resolution 20-R50** updating the City of Lake Geneva Fee Schedule as it relates to Parking Fees and Beach Pass Fees

Motion by Howell to approve, second by Dunn.

Straube stated that she is not in favor of the rate increases and feels that the City shouldn't simply raise rates to compensate for the budget shortfall.

Motion by Hedlund to amend the motion to separate the agenda item into two items, second by Fesenmaier. Motion carried 8-0.

Motion by Howell to amend to \$2 per hour for all parking stalls, (3) free hours of parking for residents, (5) 30 minute spots in front of the library with signage, second by Halverson.

The Council discussed having the Parking Manager research the data for dynamic parking and if the parking enforcement hours should be extended. Motion carried 8-0 on a roll call vote.

Motion by Howell to increase the beach pass rate to \$10 for an adult and \$5 for a child, second by Halverson.

Halverson felt that one rate for all patrons would be more feasible for the staff. Parking Manager Elder agreed with this change as it would dramatically increase the amount of patrons the beach staff can serve.

Motion to amend by Halverson to change the beach pass rate to \$8 for all patrons, second by Yunker. Motion carried 8-0.

Motion by Howell to change the season beach pass rate to \$80 for all patrons, second by Yunker. Motion carried 8-0.

Discussion/Action regarding acceptance of a donation of \$400 from American Transmission Co for the City of Lake Geneva Tree Replacement Program

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

Discussion/Action authorizing the expenditure of \$3,000 to obtain a quote for the ETF Health Insurance

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

Discussion/Acceptance of June 16, 2020 Finance, Licensing, and Regulation Committee Payment Approval Reports

Motion by Howell to accept, second by Hedlund.

**Recommendation of the Plan Commission of June 15, 2020- Ald. Dunn**

Discussion/Action regarding **Resolution 20-R46** a resolution authorizing the issuance of a Conditional Use Permit (CUP) filed by John Sherman Lindsey W3741 Fir Ct., Lake Geneva for a request to allow Outdoor Display land use located at 529 W. Main St. in the General Business (GB) zoning district. Tax Key No. ZOP00301

Motion by Dunn to approve, second by Howell. Flower would like this Conditional Use to be limited, as to stay with the owner and not the lot.

Motion to amend by Flower to change to a limited conditional use, second by Straube. Motion carried 8-0.

The original motion as amended carried 8-0.

Discussion/Action regarding **Resolution 20-R47** a resolution authorizing the issuance of a Conditional Use Permit (CUP) filed by Pete & Holly Krug 417 S. Columbia St., Naperville IL 60540 for a request to utilize the Single-family – 4 zoning in the Estate Residential – 1 zoning land use for the property located at 870 Maytag Dr. located in the Estate Residential - 1 (ER-1) zoning district. Tax Key No. ZCE00011

Motion by Dunn to approve, second by Straube. Dunn noted that there weren't any neighborhood complaints and that the building and been placed back further than the setbacks. Motion carried 8-0.

Discussion/Action regarding **Resolution 20-R48** a resolution authorizing the issuance of a Conditional Use Permit (CUP) filed by Leigh Ann Myers 420 S. Lake Shore Dr. Lake Geneva for a request to Outdoor Commercial Entertainment for the property located at 870 W. Main St. in the Central Business (CB) zoning district. Tax Key No. ZOP00337

Motion by Dunn to approve, second by Fesenmaier. Attorney Draper noted that this is not approving the liquor license for this establishment. Motion carried 8-0.

Discussion/Action regarding **Resolution 20-R49** a resolution authorizing the issuance of a Conditional Use Permit (CUP) filed by Brian Nelson 21605 N Tiffany Ct., Kildeer IL 60047 for a request to utilize the Single-family – 4 zoning in the Estate Residential – 1 zoning land use for the property located at 1640 Lake Shore Dr. located in the Estate Residential - 1 (ER-1) zoning district. Tax Key No. ZLM00039

Motion by Dunn to approve, second by Howell. Motion carried 8-0.

**Mayoral Appointments**

Confirming the appointment of Dimitri Anagnos to the Downtown Business Improvement District Board with a term to expire Jan 1, 2022

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

Confirming the following appointments to the Tourism Commission on all terms expiring May 1, 2021:

- Alderperson Rich Hedlund
- Alderperson Mary Jo Fesenmaier
- Zakia Pirzada, Hotelier
- Brian Waspi, BID Member
- Dana Trilla, Business Owner
- Linda Moritz, Citizen

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

Adjournment

Motion by Hedlund to adjourn, second by Flower. Motion carried 8-0. The meeting adjourned at 9:56 p.m.