

**REGULAR CITY COUNCIL MEETING MINUTES**  
**MONDAY, JUNE 24, 2019 – 6:00 PM**  
**COUNCIL CHAMBERS, CITY HALL**

**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 6:02 p.m.

Aldersperson Howell led the Council in the Pledge of Allegiance.

**Roll Call**

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

Absent: Straube and Flower

**Awards, Presentations, Proclamations, and Announcements**

Announcement: The City has opened the annual plan amendment process which will run in conjunction with the ten-year update of the City of Lake Geneva’s Comprehensive Plan

Mayor Hartz noted that the City of Lake Geneva will be conducting the annual plan amendment process in conjunction with the ten- year update.

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

Dick Malmin, N1991 S Lake Shore Dr; Spoke on behalf of another person and spoke in opposition of the renewal of the liquor license for Samson Enterprises.

Acknowledgement of Correspondence

Clerk Kropf noted there isn’t correspondence to acknowledge at this time.

Approve Regular City Council Meeting minutes of June 10, 2019, as prepared and distributed

Motion by Hedlund to approve the June 10, 2019 Council minutes, second by Halverson. No discussion. Motion carried 6-0.

**CONSENT AGENDA**– *Recommended by Finance, Licensing and Regulation on June 4, 2019 & June 18, 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.

-2019-2020 Original & Renewal Operator License applications filed by various applicants as listed in packet

-Temporary Operator License Application filed by Robert McCormick to be used at the St Francis De Sales Fall Festival

-Temporary Class “B”/ “Class B” Retailer’s License filed by the Lake Geneva Rotary Club to be used at the Lake Geneva Oktoberfest on Saturday, October 12, 2019 (11:00 a.m. to 5:00 p.m.) and Sunday, October 13, 2019 (11:00 a.m. to 5:00 p.m.); Beer tent to be located in street between 726 Geneva St and 727 Geneva St

Motion by Hedlund to approve the consent agenda, second by Skates. No discussion. Motion carried 6-0.

First Reading of **Ordinance 19-10** amending subsections (a) and (c ) of Section 50-202, Residency near Child Safety Zones, and Repealing Subsection (d) of Section 50-202, Residency near Child Safety Zones, Section 50-203, Loitering, and Section 50-204, Exceptions to Loitering of Article IV, Child Safety Zones of Chapter 50, Offenses and Miscellaneous Provisions, of the Municipal Code of the City of Lake Geneva, Relating to amending the distance for Child Safety Zones within the City of Lake Geneva, Prohibitions against residency by sexually violent criminals, and loitering near child safety zones

Mayor Hartz offered Ordinance 19-10 as a first reading.

### **Recommendation of the Finance, Licensing, and Regulation Committee of June 4, 2019 & June 18, 2019- Ald Howell**

Discussion/Action regarding awarding the 2019 Street Improvement Project Bid (including Engineer costs) to Payne & Dolan in an amount not to exceed \$750,000

Motion by Howell to approve, second by Halverson. Howell noted that this did go out to bid. The bid did come in higher than the budgeted amount, but that the work will not exceed \$750,000 per budget. Motion carried 6-0.

Discussion/Action regarding the purchase and installation of fence for the Department of Public Works from Century Fence in an amount not to exceed \$26,955 to be paid from the Capital Projects fund

Motion by Howell to approve, second by Hedlund. Howell noted that this will aid in the safety of individuals wishing to use the City's dump site. Finance Director Hall noted that this came in under the budgeted amount. Motion carried 6-0.

Discussion/Action regarding Renewal of 2019-2020 "Class B" Intoxicating Liquor & Class "B" Fermented Malt Beverage license application filed by Samson Enterprises LLC d/b/a Northsiders, 642 W Main St, Michelle Norgard, Agent

Motion by Howell to approve, second by Heldund. Proksa noted that there were concerns with how little the business had been open. She did indicate that the Finance Committee did meet with him and he noted that he will be open on weekends only. City Attorney Draper noted that in order to not renew the license the Council will need to offer the applicant notice and that there would need to be a public hearing. Attorney Draper cited chapter 125.12 that indicates what offenses could constitute the non-renewal of the license. Alderperson Dunn indicated that the sidewalk hadn't been shoveled all winter and presented itself as a hazard. Attorney Draper noted that if the Council approves it today they would still have the ability to revoke the license moving forward. Motion carried 5-1, with Dunn voting no.

Discussion/Action regarding Renewal of 2019-2020 Class "A" Fermented Malt Beverage license application filed by Tienda El Rancho Inc d/b/a Tienda El Rancho, 1151 Elkhorn Rd, Mercedes Jaramillo, Agent

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

Discussion/Action regarding an Original "Class A" Intoxicating Liquor license and Class "A" Fermented Malt Beverage license application filed by Kelley Williamson Company d/b/a Kelley's Market, 350 N Edwards Blvd, Suzanne Dorsey-Sterling, Agent

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

Discussion/Action regarding an Original Class "B" Fermented Malt Beverage license and "Class C" Wine license application filed by The Candle Mercantile LLC d/b/a The Candle Mercantile, 870 W Main St, Elizabeth Doyle, Agent

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

Discussion/Action regarding **Resolution 19-R52** amending the City of Lake Geneva Fee Schedule Paramedic Intercept Fees

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

Discussion/Acceptance regarding June 2019 Finance, Licensing, and Regulation Committee Payment Approval Report

Motion by Howell to accept the June 2019 Finance, Licensing, Regulation Committee Payment Approval Report, second by Halverson. Motion carried 6-0.

## **Recommendation of the Plan Commission of June 17, 2019- Ald Skates**

Discussion/Action regarding **Resolution 19-R46** authorizing the issuance of a Conditional Use Permit filed by Tristan Crist, 100 Skyline Dr., Lake Geneva, WI 53147, to allow for a Commercial Outdoor Entertainment land use for the patio area to include all affirmative findings of fact, and staff recommendations, and that amplified music not be allowed and that outdoor entertainment shall cease one hour after the commencement of the last show of the evening. The property is located at 100 N Edwards Blvd., located within the Planned Business (PB) zoning district, Tax Key No. ZA196100004  
Motion by Skates to approve and to include all affirmative findings of fact, and staff recommendations, second by Proksa. Skates noted that the outdoor area was accidentally excluded from his original conditional use and that this will include the outdoor patio. Motion carried 6-0.

Discussion/Action regarding **Resolution 19-R47** authorizing the issuance of a Conditional Use Permit filed by Elizabeth Tumas, 1142 Cypress Point, Twin Lakes, WI 53181 for the property located at 617 W. Main St to allow outdoor music this request is for a Commercial Outdoor Entertainment land use, located in the Central Business (CB) zoning district. Tax Key No. ZOP00291

Motion by Skates to approve and to include all affirmative findings of fact, and staff recommendations, second by Proksa. Skates noted that the public hearing was very positive. Motion carried 6-0.

Discussion/Action regarding **Resolution 19-R48** authorizing the issuance of a Conditional Use Permit (CUP) filed by Tom and Denise Pecora, 911 Mason Ln., Lake in the Hills, IL 60156, for the installation of 90' long 6' wide pier and one boat slip located at 1550 Lake Shore Dr., within the Estate Residential – 1 (ER-1) zoning district, Tax Key No. ZLM00048  
Motion by Skates to approve and to include all affirmative findings of fact, and staff recommendations, second by Hedlund. Skates noted that the pier complied with City ordinance and still needs approval from the DNR. Motion carried 6-0.

Discussion/Action regarding **Resolution 19-R49** authorizing the issuance of a Conditional Use Permit (CUP) filed by SCH Lake LLC, 131 Dearborne St., Chicago, IL 60603 for the installation of 100' long 8' wide pier and two boat slip located at 700 S. Lake Shore Dr., within the Estate Residential – 1 (ER-1) zoning district, Tax Key No. ZBB00007A  
Motion by Skates to approve and to include all affirmative findings of fact, and staff recommendations, second by Halverson. Skates noted that this is contingent upon DNR approval as well. Motion carried 6-0.

Discussion/Action regarding **Resolution 19-R50** authorizing the issuance of a Conditional Use Permit (CUP) filed by Samantha Strenger, 615 Center St., Lake Geneva WI, 53147 to operate a Commercial Indoor Lodging at 695 Wells Street, located in the Planned Business District (PB) zoning, Tax Key No. ZOP00399C  
Motion by Skates to approve and to include all affirmative findings of fact, and staff recommendations, second by Proksa. Mayor Hartz noted that this is located in the Planned Business District and this will be converted into rooming areas.

Straube arrived at 6:45 p.m.

The floor plan for the property was discussed and noted that the commercial area will be used as an art gallery. Skates noted that this is an appropriate use for the zoning classification.

Motion carried 7-0.

Discussion/Action regarding **Resolution 19-R51** authorizing the issuance of a Precise Implementation Plan (PIP) filed by Brian Dalton, 353 S. Lake St., Grayslake, IL 60030, to allow Commercial Indoor Lodging at 406 Wells St. The property is located at 406 Wells St., situated in Neighborhood Business (NB) zoning district Tax Key No. ZOP00353  
Motion by Skates to approve and to include all affirmative findings of fact, and staff recommendations, second by Proksa. Skates noted that this would allow for 365 days of rental that differs from the previous PIP that was approved in 2013. Skates then stated that this PIP shall follow the tourist rooming house ordinance. Motion carried 7-0.

Discussion/Action regarding City of Lake Geneva Mayor and Common Council Letter of Support for the Geneva Lake Shore Path as a “Great Place in Wisconsin” to be submitted by City Planner Mike Slavney  
Motion by Halverson to approve, second by Skates. Mayor Hartz explained that the “Great Place in Wisconsin” is a planning dedication and that the City Planner has agreed to submit this on the City’s (and surrounding municipalities’) behalf. Motion carried 7-0.

**Mayoral Appointments**

Discussion/Action regarding Mayoral Appointment of Chuck Saul to the City of Lake Geneva Police & Fire Commission with a term to expire May 1, 2024

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

Discussion/Action regarding Mayoral Appointment of Sarah McConnell to the Avian Committee with a term to expire May 1, 2021

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

**Adjournment**

Motion by Hedlund to adjourn the meeting of the Common Council, second by Dunn. Motion carried 7-0. The meeting adjourned at 6:57 p.m.