

**REGULAR CITY COUNCIL MEETING MINUTES
MONDAY, MARCH 26, 2018 – 6:00 PM
COUNCIL CHAMBERS, CITY HALL**

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

The Pledge of Allegiance was led by Alderperson Skates.

Roll Call:

Present: Mayor Kupsik, Alderperson Chappell, Skates, Kordus, Flower, Straube, Halverson, Hedlund, and Howell

Absent:

Guests: City Attorney Draper, City Administrator Oborn, Clerk Kropf, and City Planner Jackie Miche

Awards, Presentations, and Proclamations

Certificate of Recognition of Lois Zingle in celebration of her 100th Birthday

Mayor Kupsik congratulated and gave a Certificate of Recognition in celebration of her 100th birthday.

Clerk Kropf announced that City Hall will be open on Good Friday, which is March 30, 2018 for voting only. She announced that voters can cast an absentee ballot through Friday, March 30, 2018. She further stated that no one can register to vote or cast an absentee ballot on the Monday before the election.

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

Sherri Ames, 603 Center St; Spoke in regards to Resolution 18-R20, regarding the Conditional Use for 615 Center Street to conduct a Bed and Breakfast Establishment and would like it to be tabled at this time so that more information can be obtained.

Selena Proksa, 517 Franklin Ave; Spoke in regards to the land use for Edwards Blvd concerning the construction of a hotel.

Mary Jo Fesenmaier; 1085 S Lakeshore Dr; Spoke in regards to the Bike and Pedestrian plan and would like to see the plan amended to remove the path through Bigfoot Park. She asked to pull the refund for Beachside Hospitality so that the Council may discuss it further. She also spoke in regards to the land use on Edwards Blvd.

Charlene Klein, 817 Wisconsin St; Spoke in opposition for the proposed hotel to be constructed on Edwards Blvd and felt that this item needs to be discussed in open session. She also asked that the path noted on the Bike and Pedestrian study through Bigfoot Park be removed as well.

Dick Malmin, N1991 S Lakeshore Dr; Spoke in opposition of the proposed Bike and Pedestrian study regarding the path through Bigfoot Park.

Tom Hartz, 1051 Lake Geneva Blvd; Spoke in regards to Resolution 18-R23 and the bid awardment of the bid for the 2018 Street Improvement project. She would like to see the work done on Broad and Wrigley paid for through the parking revenue versus borrowed funds. Spoke in favor of the Bike and Pedestrian study especially for those who do not have a vehicle.

Acknowledgement of Correspondence

Clerk Kropf noted that one item of correspondence was received regarding the possible construction of a Hampton Inn on Edwards Blvd.

Approve Regular City Council Meeting minutes of March 12, 2018, as prepared and distributed
Motion by Skates to approve the March 12, 2018 Council Meeting minutes, second by Kordus. Motion carried 8-0.

CONSENT AGENDA – *Recommended by Finance, License and Regulation on March 20, 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.

Original 2018-2019 Operator’s (Bartender) License applications filed by Cheryl Westra, Lindsey Lohry, and Shannon Artus

Alcohol License Premise Extension Application for Lake Geneva Lanes for July 28, 2018 from 8:00 a.m. to 7:00 p.m. for the event of the Legion Classic Car Show

Motion by Kordus to approve the consent agenda, second by Chappell. Motion carried 8-0.

Item(s) removed from the Consent Agenda

None

First reading of Ordinance 18-02: An ordinance amending Section 78-247, Storm Sewers of Division 2, use of Public Sewers of Article III, Sewer Service of Chapter 78 Utilities of the Municipal Code of the City of Lake Geneva, Wisconsin; Amending and adding regulations concerning Storm Water Management

Motion by Kordus to suspend rules and offer the ordinance for a second reading , second by Helund. Motion carried 8-0.

Motion by Kordus to approve Ordinance 18-02, second by Heldund. Kordus noted that this is a clean up and is putting the City into compliance with state statutes. Motion carried 8-0.

Finance, License and Regulation Committee Recommendations of March 20, 2018 – Ald. Kordus

Discussion/Action on Resolution 18-R23, authorizing the transfer of \$382,248.41 from the Lakefront Special Revenue Fund and an amount of \$883,733.98 from the Parking Special Revenue Fund to the General Fund at year end 2017 which will leave a \$75,000 required addition to the fund balance in each of these funds

Motion by Kordus to approve Resolution 18-R23, second by Hedlund. Kordus noted that this happens every year per our City ordinance. Skates noted that this balance is rather large and he would like to know how that money is used. City Administrator noted that this item should be approved and then the fund balance can be reviewed. Skates also noted that there is not a fund balance policy and would like to see one created. Flower would also like to see a policy created for the Equipment Replacement Fund on that note. Motion carried 8-0.

Discussion/Action on Resolution 18-R10, authorizing the 2017 transfer of monies from the Designated Fund Balance –PD State Seizures account to the Undesignated Fund Balance account in the amount of \$4,446.37 (recommended by Police and Fire Commission on March 8, 2018)

Motion by Kordus to approve Resolution 18-R10, second by Skates. No discussion. Motion carried 8-0.

Discussion/Action on Resolution 18-R11, authorizing the 2017 transfer of monies from the Designated Fund Balance- PD Donations account to the Undesignated Fund Balance account in the amount of \$2,167.71 (recommended by Police and Fire Commission on March 8, 2018)

Motion by Kordus to approve Resolution 18-R11, second by Hedlund. No discussion. Motion carried 8-0.

Discussion/Action on Resolution 18-R12, authorizing the 2017 transfer of monies to the Designated Fund Balance-PD Uniform Allowance account from the Undesignated Fund Balance account in the amount of \$1,614.76 (recommended by Police and Fire Commission on March 8, 2018)

Motion by Kordus to approve Resolution 18-R12, second by Skates. No discussion. Motion carried 8-0.

Discussion/Action on Resolution 18-R13, authorizing the 2017 transfer of monies to the Designated Fund Balance-EMS Act 102 Program account from the Undesignated Fund Balance account in the amount of \$2,277.37 (recommended by Police and Fire Commission on March 8, 2018)

Motion by Kordus to approve Resolution 18-R13, second by Howell. No discussion. Motion carried 8-0.

Discussion/Action on Resolution 18-R14, authorizing the 2017 transfer of monies to the Designated Fund Balance-Fire CPR Revenue account from the Undesignated Fund Balance account in the amount of \$1,097.98 (recommended by Police and Fire Commission on March 8, 2018)

Motion by Kordus to approve Resolution 18-R14, second by Skates. No discussion. Motion carried 8-0.

Discussion/Action on Resolution 18-R15, authorizing the 2017 transfer of monies from the Designated Fund Balance-Fire Donations account to the Undesignated Fund Balance account in the amount of \$6,933.98 (recommended by Police and Fire Commission on March 8, 2018)

Motion by Kordus to approve Resolution 18-R15, second by Halverson. No discussion. Motion carried 8-0.

Discussion/Action on Resolution 18-R16, authorizing the 2017 transfer of monies from the Designated Fund Balance-Historic Preservation account to the Undesignated Fund Balance account in the amount of \$36.00

Motion by Kordus to approve Resolution 18-R16, second by Howell. No discussion. Motion carried 8-0.

Discussion/Action on Resolution 18-R24, authorizing the 2017 transfer of monies to the Designated Fund Balance-Avian account from the Undesignated Fund Balance account in the amount of \$86.95

Motion by Kordus to approve Resolution 18-R24, second by Halverson. No discussion. Motion carried 8-0.

Discussion /Action on Two Hours Free Parking during the Main Street Water Main and Reconstruction Project (placed on the agenda as requested by Ald. Shari Straube & Ald. Elizabeth Chappell and no recommendation on March 20, 2018 by the Public Works Committee and the Finance, License & Regulation Committee)

Kordus would like the Council to not taken action on this item. Motion by Halverson to approve, no second. Motion failed for a lack of second. No action taken.

Discussion/Action on Amendments to Park Donation Policy and Fee Schedule (approved by Board of Park Commissioners February 28, 2018)

Motion by Kordus to approve, second by Skates. Kordus noted that this is to amend the current fee schedule to show current costs associated with the purchasing of various items within the policy. Motion carried 8-0.

Discussion/Action on awarding the 2018 Street Improvement Project to Payne & Dolan Inc for the base bid amount of \$292,244.27 plus any alternates up to \$425,000 total (Approved by the Public Works Committee on March 20, 2018)

Motion by Kordus to approve, second by Hedlund. Kordus noted that this is for the 2018 Street Improvement project. Motion carried 8-0.

Discussion/Action on Resolution 18-25, authorizing the 2018 Equipment Replacement Fund Budget Amendment (Approved by the Public Works Committee on March 20, 2018)

Motion by Kordus to approve, second by Heldund. Kordus noted that some of the equipment on this list did not reflect the current costs for certain pieces of equipment. Oborn added that the next schedule will include an amortization. He also added that some of the equipment that wasn't purchased on 2017 to this list. Motion carried 8-0.

Discussion/Action on awarding the bid for Landscaping Maintenance for the 2018, 2019 & 2020 Seasons including Addendum #1 to Breezy Hill Nursery including Alternate 1 for total of \$61,090.07 (Approved by the Public Works Committee on March 20, 2018)

Motion by Kordus to approve, second by Skates. Kordus noted that a third party was taking care of the pond by Mill Creek and to save money the alternate was added to the bid. Motion carried 8-0.

Discussion/Action on Change Order #2 from Sonrise Construction for the White River Disc Golf Bridge Replacement Project for \$3,500 (Approved by the Public Works Committee on March 20, 2018)

Motion by Kordus to approve, second by Chappell. Kordus noted that this is for boring on either side of the river to determine the true course of the white river. Flower added that this might result in unforeseen additional costs. Motion carried 8-0.

Planning Commission Recommendation of March 19, 2018- Ald. Skates

Discussion/Action on Resolution 18-R22 a Conditional Use Permit for the applicant Mark Larkin 500 Stone Ridge Drive, Lake Geneva, WI 53147, to divide the property zoned SR-4 that is an approximately 6 acre property into 4 individual buildable parcels, 3 at .98 acres and 1 parcel at 2.96 acres located to the north of Dodge Street, and west of Freemont Ave located in the SR-4 zoning district. Tax Key No. ZYUP00053.

Motion by Skates to approve Resolution 18-R22, second by Kordus. Skates noted that this property is wooded and needed to go through the conditional use permit. Motion carried 8-0.

Discussion/Action on Resolution 18-R20 a Conditional Use Permit for the applicant Samantha Strenger, 615 Center Street, Lake Geneva, WI 53147, to conduct a Bed and Breakfast Establishment (B&B) located in the Single Family – 4(SR-4) zoning, Tax Key No. ZGC00160.

Motion by Skates to approve Resolution 18-R20, second by Kordus. Attorney Draper noted that new legislation that states that a municipality has to have substantial evidence to turn down a conditional use permit. Kordus noted that he appreciated going down the conditional use permit process for a bed and breakfast versus a short term rental. Mayor Kupsik also added that there were several conditions added to the permit at the Plan Commission. Motion carried 7-1, with Halverson voting no.

Discussion/Action on Resolution 18-21 amending the existing Precise Implementation Plan filed by Oak Fire Properties LLC, 831 Wrigley Drive, Lake Geneva, WI 53147, to allow for the installation of a second floor Pergola. Tax Key No. ZOP00340. Located in the Central Business (CB) zoning district.

Motion by Skates to approve Resolution 18-R21, second by Kordus. Mayor Kupsik stated that the only item that was voted on was the pergola not the planters. Oborn noted that those will be covered under the sidewalk café permit. Motion carried 8-0.

Discussion/Action regarding the City of Lake Geneva Bicycle and Pedestrian Plan.

Jackie Miche, from Vandwalle & Associates, addressed the Council regarding the plan and spoke to its importance to the City. She reviewed the proposed plan and did note that due to public safety concerns, the plan was made to move the bike to the east of the wetland in Bigfoot Park. She added that the intersection of West Street and Main Street would be addressed in regards to public safety. The implementation of this project will be as the City sees opportunities to do so and that this is just a plan.

Motion by Skates to approve the City of Lake Geneva Bicycle and Pedestrian Plan, second by Flower. Skates thanked Vandwalle for their work on this project and is looking forward to the future as having this plan could help the City obtain grants for the path. Flower tasked the City Administrator and DPW Director Earle to look at the plan and see what can be fit in to the upcoming street improvement projects. Motion carried 8-0.

Presentation of Accounts – Ald. Kordus (Recommended by Finance, License and Regulation Committee on March 20, 2018)

Purchase Orders

None

Prepaid Bills in the amount of \$280,146.85

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

Regular Bills in the amount of \$326,710.66

Motion by Kordus to approve, second by Hedlund. No discussion. 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 regard to: 1) Police Officers Union Labor Agreement, 2) City property at Edwards Blvd and Sheridan Springs Road, and 3) City property on N. Edward Blvd near Hwy 50
Motion by Kordus to convene the Council in closed session and to allow the City Administrator Oborn, City Attorney Draper, and City Clerk Kropf to remain, second by Skates. Motion carried on a roll call vote 8-0. The Council convened in closed session at 7:28 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 Kordus to reconvene the Council into Open Session, second by Skates. Motion carried on a roll call vote 8-0. The Council reconvened into open session at 7:57 p.m.

Motion by Kordus to proceed with Police Officers Union Labor Agreement as discussed in closed session, second by Chappell. Motion carried on a roll call vote 8-0.

Motion by Kordus to approve amendment #2 of the agreement relating to property at Edwards Blvd and Sheridan Springs roads presented in closed session and reviewed by the City Attorney, second by Skates. Motion carried on a roll call vote 8-0.

Motion by Kordus to determine if negotiations are viable relating to the property on Edwards Blvd near Highway 50, second by Hedlund. Motion carried 5-4, with Skates, Flower, Straube, Halverson, voting no and Mayor Kupsik voting aye to break the tie.

Adjournment

Motion by Howell to adjourn the March 26, 2018 meeting of the Common Council, second by Chappell. Motion carried 8-0. The meeting of the Common Council adjourned at 8:01 p.m.

THESE MINUTES ARE NOT OFFICIAL UNTIL APPROVED BY THE COMMON COUNCIL