

REGULAR CITY COUNCIL MEETING MINUTES
MONDAY, MAY 13, 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 6:00 p.m.

Aldersperson Straube led the Council in the Pledge of Allegiance.

Roll Call

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

Absent: Flower

Awards, Presentations, Proclamations, and Announcements

2019 Poppy Month Proclamation

Mayor Hartz proclaimed the month of May 2019 as the American legion Auxiliary Poppy Month. All members present were given a red poppy.

Avian Committee Awards Presentation to St Francis 5th Grade Class

Council Meeting to be held May 28, 2019 due to Memorial Day Holiday

Tim Swatek

Mayor Hartz recognized Tim Swatek's service to the Police & Fire Commission as he has passed away.

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

None

Approve Regular City Council Meeting minutes of April 22, 2019, as prepared and distributed

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

CONSENT AGENDA– *Recommended by Finance, Licensing and Regulation on May 7, 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

-An application for a Class "B" Fermented Malt Beverage License and a "Class C" Wine License filed by Tristan Crist Magic Theatre, LLC d/b/a Tristan Crist Magic Theatre, Agent, Tristan Christ located at 100 N. Edwards Blvd, Lake Geneva, WI

-Agent Change for Kwik Trip #219 to Stephen Abel

Motion by Howell to approve, second by Halverson. No discussion. Motion carried 7-0.

Items Removed from the Consent Agenda

None

Second Reading of **Ordinance 19-05** an ordinance amending Chapter 18, Businesses, Article X, Massage Establishments, Section 18-402 Application, Section 18-404 Investigation and Fee and repealing Sections 18-426 through 18-428 as it relates to Massage Technician Permits

Motion by Howell to approve, second by Hedlund. Attorney Draper noted that the state licenses technicians and that the City is not allowed to. This change would make the City ordinances consistent with state law.

First Reading of **Ordinance 19-06** an ordinance amending subsection (1), Finance, Licensing and Regulation Committee, of Section 2-49, Standing Committees, of Article II, City Council of Chapter 2, Administration, of the Municipal Code of the City of Lake Geneva, Wisconsin, authorizing the Finance, Licensing, and Regulation Committee to approve monthly bills

Mayor Hartz offered the ordinance as a first reading.

Motion by Hedlund to suspend the rules and take to a second reading, second by Skates. Motion carried 7-0.

Mayor Hartz offered the ordinance for a second reading.

Motion by Halverson to approve, second by Skates. Howell stated that this would mean that the Finance, Licensing, and Regulation Committee would be the final approval, not the Council. Proksa agreed with this change as the bills are already approved by several members of City staff before it goes to the Finance meeting.

Dunn worried about the transparency of not having these items come to the Common Council to be televised. Skates did note that the bills are listed in the packet that is placed online and that the Finance meeting is open to the public. Hedlund added that this is common practice for most municipalities and that the City auditors did suggest this change.

Motion carried 6-1, with Dunn voting no.

First Reading of **Ordinance 19-07** an ordinance amending Subsection (a), Report to Council, of Section 2-361, Procedure, of Division 2 Claims, of Article VI, Finance of Chapter 2, Administration, of the Municipal Code of the City of Lake Geneva, Wisconsin changing the content of the report to Council regarding bills, accounts, or claims

Mayor Hartz offered the ordinance as a first reading.

Motion by Hedlund to suspend the rules and take to a second reading, second by Halverson. Motion carried 7-0.

Mayor Hartz offered the ordinance for a second reading.

Motion by Howell to approve, second by Hedlund. Howell noted that this goes hand in hand with the previous ordinance. Dunn stated that he, as he was with the previous ordinance, is opposed to changing the ordinance. Motion carried 6-1, with Dunn voting no.

First Reading of **Ordinance 19-04** an ordinance creating Section 6-37, Operator Licenses, of Division 1, Generally, of Article II, Licenses, of Chapter 6, Alcohol Beverages, of the Municipal Code of the City of Lake Geneva; Relating to the Issuance of Operator Licenses to serve or sell alcohol

Mayor Hartz offered the ordinance as a first reading.

Discussion/Action regarding amending Zoning Code regarding location of Tourist Rooming Houses

City Attorney Draper stated that there is language in the current Tourist Room House ordinance that would prohibit the use of dwellings for tourist rooming house rentals except for single family dwellings. Draper added that state law does not prohibit the type of zoning that can be used for tourist rooming houses.

Motion by Hedlund to direct the City Attorney to amend the zoning code and bring this item back to the Council for a first reading, second by Howell. Motion carried 7-0.

Discussion/Action regarding amending provisions of the City of Lake Geneva ordinance concerning Child Safety Zones

Attorney Draper noted that the City's current ordinance needs to be amended as it relates to where sexual offenders can reside. He offered several maps that would show different lengths of prohibited residency from designated areas that are host to children. He noted that this change is necessary as individuals who are registered sex offenders cannot move into the city, which could be considered a violation of one's constitutional rights.

Motion by Howell to continue this item to the next Council meeting on May 28, 2019 for further discussion, second by Straube. Motion carried 7-0.

Presentation of Accounts – Ald. Howell (Recommended by the Finance, Licensing and Regulation Committee on May 7, 2019)

Prepaid Bills in the amount of \$170,866.48

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

Regular Bills in the amount of \$200,148.43

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

Mayoral Appointments

Discussion/Action regarding **Resolution 19-R37** confirming the Mayor's Citizens Appointments to the Committees and Commissions of the City of Lake Geneva

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

Adjournment

Motion by Dunn to adjourn the meeting of the Common Council, second by Howell. Motion carried 7-0. The meeting of the Common Council adjourned at 6:56 p.m.