

**REGULAR CITY COUNCIL MEETING MINUTES**  
**MONDAY, MAY 14, 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

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

Alderson Proksa led the Council in the Pledge of Allegiance.

Roll Call:

Present: Aldersons Proksa, Skates, Dunn, Flower, Straube, Halverson, Hedlund, and Howell

Absent: None

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

Awards, Presentations, and Proclamations

Proclamation of Emergency Medical Services Week

Mayor Hartz proclaimed the week of May 20, 2018 through May 26, 2018 as Emergency Medical Services Week.

Proclamation of American Legion Auxiliary Poppy Month

Mayor Hartz proclaimed the month of May 2018 as American Legion Auxiliary Poppy Month.

Presentation of Poppy to Mayor Hartz by American Legion Auxiliary

Joyce Bouhl, with the City of Lake Geneva American Legion Auxiliary, presented Mayor Hartz with a poppy flower.

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.

Charlene Klein; 817 Wisconsin St; Spoke in regards to the MSI contracts for the Riviera up for reconsideration. She also addressed the Short-Term Rental Ordinance and would like the second reading to occur tonight.

Jennifer Jones; 4403 Basswood Dr; Spoke in favor of the issuance of the Temporary Class B to the Lake Geneva Fresh Air Association for the event of Girls Night Out.

Jonathon Foster; City Arborist; Spoke in favor of the changes to the employee handbook regarding the changes to overtime.

Neil Waswo; Public Works Superintendent; Spoke in favor of the changes to the employee handbook regarding the changes to overtime.

Terry O'Neil; 954 George St; Spoke in regards to several bills in the regular bills and spoke in regards to the MSI agreements for the Riviera.

Ryan Davis; 550 Pine Canyon Rd; Utah; Spoke in regards to the proposed ice castle and explained his business.

Chris Gelting; 1231 Wisconsin St; Spoke in regards to the ice castle as a representative of the Tourism Commission.

Acknowledgement of Correspondence

Clerk Kropf noted that there was one item of correspondence from Utilities Director Gajewski in regards to the employee handbook changes and it was forwarded to the Council.

Approve Regular City Council Meeting minutes of April 23, 2018 and May 7, 2018, as prepared and distributed  
Motion by Skates to approve, second by Proksa. No discussion. Motion carried 8-0.

CONSENT AGENDA– Recommended by Finance, License and Regulation on May 8, 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.

Aldersperson Skates requested that the item related to the ice castle be removed from the consent agenda.

-2018-2019 Operator (Bartender) License applications filed by various applicants listed in packet

-Temporary Class “B”/ “Class B” Retailer’s License Application made by Lake Geneva Fresh Air Association (Holiday Home Camp) for the event of Girls Night Out to be held on June 15, 2018 at 214 Broad St, Lake Geneva, WI

-Temporary Operator License Application made by Karin Bennett to be used at the event Girls Night Out to be held on June 15, 2018 at 214 Broad St, Lake Geneva, WI

-Street Use Permit Application made by the American Lung Association for the event of Fight for Air Ride to be held June 9, 2018

-Park Reservation Permit Application made by the SC Walworth Soccer Club for the event of SCW Walworth Tryouts to be held on June 11, 2018 and June 18, 2018 at the two soccer fields on the north side of Veterans Park (YMCA representatives confirmed the availability of fields for the two dates)

-Initial Sidewalk Café Permit with Alcohol Application and Alcohol License Premises Extension Application made by Linda Chirouis on behalf of Hogs & Kisses to be used at 149 Broad St, Lake Geneva, WI

-Initial Sidewalk Café Permit with Alcohol Application and Alcohol License Premises Extension Application made by Dana Trilla on behalf of Flat Iron Tap to be used at 150 Center St, Lake Geneva, WI

-Park Reservation Permit Application made by Buffalo Grove High School for the event of a Cheerleading Camp to be held June 13, 2018 through June 15, 2018 in Flat Iron Park (Park Board Commission recommended approval at April 25, 2018 meeting)

-Park Reservation Permit Application made by Kevin Hoff for the event of Hoff Wedding Party Picnic to be held on July 4, 2018 from 10am through 10pm at the Sam Donian Wetland Park (Park Board Commission recommended approval at April 25, 2018 meeting)

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

Item(s) removed from the Consent Agenda

-Beach Reservation Permit Application made by Ice Castles LLC for the period of October 2018 through April 2019 (Open to the Public December 2018 through February 2019) to display an Ice Castle at Riviera Beach or Seminary Park (Piers, Harbors, and Lakefronts approved the use of Riviera Beach for the display on April 18, 2018 and Park Board Commissioners approved the use of Seminary Park for the display on April 25, 2018; \$20,000 for fees and cost of staff time to be paid by the Tourism Commission; Finance, License, and Regulation Committee approved upon favorable review by the City Attorney)

Motion by Howell to approve the application for the Ice Castle to be used at the Riviera Beach and that there is an acceptable agreement with Ice Castles LLC, indemnification of the City in the agreement, insurance with the City as additional insured, prior approvals with DNR for any permits necessary, and the City Council approval of the Operations Plan, second by Hedlund. Motion carried on a roll call vote 8-0.

**Items for Reconsideration** (*Action taken at the April 23, 2018 Common Council Meeting. Motion by Skates to reconsider agreement between MSI General and the City of Lake Geneva for the architectural contract and engineering contract, second by Flower. Motion carried 8-0.*)

Discussion/Action of approval of Agreement between Owner (City of Lake Geneva) and Architect (MSI General) for Riviera Improvement Project

Motion by Hedlund to approve the agreement between the City of Lake Geneva and MSI General as Architect for the Riviera Improvement Project pending Attorney review, second by Halverson. Motion failed on a roll call vote 0-8.

Motion by Skates to direct the City Attorney to renegotiate the contract and to refer back to the City Council, second by Hedlund. Motion carried on a roll call vote 8-0.

Discussion/Action of approval of Agreement between Owner (City of Lake Geneva) and Construction Manager as Constructor (MSI General) for Riviera Improvement Project

Motion by Hedlund to approve the Agreement between the City of Lake Geneva and MSI General as Construction Manager and Constructor for the Riviera Improvement Project pending City Attorney review, second by Halverson. No discussion. Motion failed on a roll call vote 0-8.

Motion by Skates to direct the City Attorney to renegotiate the contract and to refer back to the City Council, second by Hedlund. Motion carried in a roll call vote 8-0.

**First Reading of Ordinance 18-3; An Ordinance Amending Chapter 98; Zoning ordinance of the City of Lake Geneva Zoning Ordinance to clarify the regulation of Tourist Rooming/Short-Term Rentals**

Motion by Hedlund to suspend Council rules and move to a second reading, second by Howell. Motion carried on a roll call vote 8-0.

Motion by Hedlund to approve Ordinance 18-3, second by Howell. City Attorney Draper clarified that this doesn't just regulate to single family residences, but all residential property. Motion carried on a roll call vote 8-0.

### **Finance, License, and Regulation Committee Recommendations of May 8, 2018- Ald. Howell**

Fireworks Permit Application made by Spielbauer Fireworks Co for an event in conjunction with the Riviera Ballroom to be held on May 19, 2018 at 9pm; fireworks display to be launched from a boat within the Geneva Lake (*Application currently under review by Police Chief Rasmussen, Fire Chief Peters, Fire Captain Detkowski, and the GLLEA; license approval contingent upon favorable review from all staff and agencies; Finance, License, and Regulation Committee did not make a recommendation on this item*)

Motion by Howell to approve subject to approval from GLLEA, second by Flower. Motion carried on a roll call vote 8-0.

Discussion/Recommendation City of Lake Geneva Employee Handbook change in Section 603 for Overtime pay for Full-Time Public Works Employees when working on Saturdays and Sundays (*Requested by Public Works Committee and Utilities Commission*)- page 46 of Employee Handbook

Motion by Howell to approve, second by Hedlund. Flower stated that she is in favor of the changes, but cautions that staff may be overworked. She wondered if part time staff could be hired to alleviate stress and work load on the current employees. Hedlund noted that these types of changes can come from the Department Head to move forward. Motion carried on a roll call vote 8-0.

Discussion/Recommendation of **Resolution 18-R35** Designating Insurance Proceeds on damaged Veterans Park Playground Equipment to fund 11 00-00-3441, Designated Fund Balance-Parks, in the amount of \$15,471.00

Motion by Howell to approve, second by Hedlund. No discussion. Motion carried on a roll call vote 8-0.

Discussion/Recommendation of **Resolution 18-R36** a resolution to write off delinquent personal property taxes deemed uncollectable from the years 2011 through 2015 in the amount of \$2,783.52

Motion by Howell to approve, second by Hedlund. No discussion. Motion carried on a roll call vote 8-0.

Discussion/Recommendation on Glen Fern Construction Payment Request No. 3 for \$53,773.67 for Visitors Center Project from Capital Projects

Motion by Howell to approve, second by Straube. City Administrator Oborn noted that VISIT Lake Geneva is responsible for twenty-six percent of the costs. Motion carried on a roll call vote 8-0.

## **Mayoral Appointments**

Appointment of Peggy Schneider to the Board of Park Commissioners with a term to expire May 1, 2021

Motion by Skates to approve the appointment of Peggy Schneider to the Board of Park Commissioners, second by Proksa. Motion carried on a voice vote 8-0.

## **Presentation of Accounts – Ald. Howell (Recommended by Finance, License and Regulation Committee on May 8, 2018)**

### Purchase Orders

None

### Prepaid Bills in the amount of \$29,415.06

Motion by Howell to approve, second by Hedlund. No discussion. Motion carried on a roll call vote 8-0.

### Regular Bills in the amount of \$285,344.90

Motion by Howell to approve, second by Hedlund. No discussion. Motion carried on a roll call vote 8-0.

Amendment to the motion by Howell to remove a reimbursement payment of \$16.35 to Jim Flower, second by Hedlund. Alderperson Flower recused herself. Motion carried on a roll call vote 7-0.

Motion by Howell to approve the reimbursement payment of \$16.35 to Jim Flower, second by Skates. Alderperson Flower recused herself. Motion carried 7-0.

## **Adjournment**

Motion by Howell to adjourn the meeting of the Common Council, second by Hedlund. Motion carried on a voice vote 8-0. The May 14, 2018 meeting of the Common Council adjourned at 7:21 p.m.