

CITY OF LAKE GENEVA REGULAR COMMON COUNCIL MINUTES
TUESDAY, MAY 26, 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, Alderpersons: Tim Dunn, Mary Jo Fesenmaier, Cindy Flower, Ken Howell, Shari Straube, and Joan Yunker

Mayor Klein called the meeting to order at 6:02 p.m.

Aldersperson Dunn led the Council in the Pledge of Allegiance.

Roll Call

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

Absent: None

Awards, Presentations, Proclamations, and Announcements

Mayor Klein noted that she did offer a ninth amended emergency proclamation that will extend through June 30, 2020. Finance Director Hall noted that the main lobby of City Hall windows will not be open, however the vestibule will be. The City staff will not accept paperwork through the slot and that only two people will be allowed in the vestibule at a time. She added that City Staff will still accept paperwork through the mail or dropbox.

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

Deborah Nelson; Spoke in opposition of the reduction of fees for the Short Term Rental Permits.

Barbara Gaffke; Spoke in opposition of Riviera Beach being open and that the City needs to devise a plan.

Acknowledgement of Correspondence

None

Approve the Regular Council Minutes May 11, 2020 Council as prepared and distributed

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

CONSENT AGENDA— *Recommended by Finance, Licensing and Regulation on May 19, 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 Massage Establishment License for Element Massage Studio

Flower requested that this item be removed from the consent agenda.

Items removed from the Consent Agenda

Renewal application of Massage Establishment License for Element Massage Studio

Flower questioned if this business is allowed to operate with the COVID-19 pandemic and if the City needs to monitor this license with that in mind. Attorney Draper stated that the City doesn't have anything in place to do such a thing. Motion by Howell to approve, second by Yunker. Motion carried 8-0.

First Reading of Ordinance 20-04 An ordinance adding sub-sub-sub-subsection xiii to sub-sub-subsection 1c, Property Management Requirements, and amending sub-sub-sub-subsections i, ii, and iii of sub-sub-subsection 1e, Access and Inspections of sub-subsection (Y), Tourist Rooming House, of subsection (8) Accessory Land Uses, of Section 98-206, Detailed Land Use Descriptions and Regulations of Chapter 98: Zoning Ordinance, of the City of Lake Geneva Zoning

Ordinance to amend provisions of the Short Term Rental Ordinance regarding making business records available, inspection of premises and the installation of knox boxes

Mayor Klein offered Ordinance 20-04 as a first reading to the Council. Fesenmaier stated that the Council should pause on moving this forward until a list of the different overnight stay locations within different ordinances can be compiled. This should also include the different fees and number of times that these locations are inspected.

Discussion/Action regarding Resolution 20-R41 a resolution authorizing the City of Lake Geneva Administrator to work with City Leadership staff to determine best practices for potential opening of City facilities as it relates to the COVID-19 pandemic

Administrator Nord stated that the resolution in the packet and that this would give the Administrator the authority to work with the staff on how the City is to re-open the City facilities. Flower would like to see the right-of-ways included in this resolution based on the gathering from Memorial Day weekend. Straube agreed that something needs to be considered again based on what happened over the holiday weekend.

Motion to amend by Fesenmaier by substituting language after the Resolution number 20-R41 that Lake Geneva Common Council directs the City Administrator and Staff to research and publish, for special consideration a local COVID-19 bounce back plan the Council to review on Thursday, May 28, 2020 via Zoom to discuss and adopt a plan, second by Fesenmaier.

Flower stated that there are things that the City can control without closing the City's borders. She indicated that the City sidewalks are too narrow for people to walk with social distancing without any the impediments such as garbage receptacles, light poles, and business sidewalk cafes. Howell stated that these items are not a part of this resolution and should be considered at a later date. Fesenmaier stated that all considerations should be placed together for the public to view and understand what the expectation is. Attorney Draper stated that other communities that have done this have followed the guidelines of the local health department. He added that the language in the statute is very vague but that he can research the capabilities under those state statutes with other municipal attorneys. He stated that this would be a directive of the Council and it would be a policy that they would need to approve.

Flower stated that she doesn't want the businesses shut down, she wants the CDC guidelines followed within City controlled lands and areas. Straube doesn't want the City to discourage the outdoor areas as that may be the only way that restaurants can be open to the public for dine-in services.

Howell would like to see this addressed separately at a special Council meeting and not at this time.

Dunn feels that nothing should be done at this time and that the City has limited control over what people can do when they come here to visit.

The amendment was read and the motion carried 6-2, with Howell and Dunn voting.

Motion by Flower to approve the original resolution as amended, second by Hedlund. Motion carried 6-2, with Howell and Dunn voting no

Recommendation of the Finance, Licensing, and Regulation Committee of May 19, 2020- Ald. Howell

Discussion/Action regarding abolishing the City of Lake Geneva Policy & Evaluation Regarding Issuance of Regular and Reserve Intoxicating Liquor Licenses

Motion by Howell to approve, second by Fesenmaier. Flower stated that this was established but it didn't work out as it was intended. A new policy should be developed and brought back to the Finance Committee for discussion. Motion carried on a roll call vote 8-0.

Discussion/Action regarding Resolution 20-R38 amending City of Lake Geneva Fee Schedule as it relates to the short term rental permit application fee (Motion made at May 19, 2020 Finance, Licensing, and Regulation Committee Meeting: Motion by Hedlund to lower the short term rental fee to \$750, second by Yunker. Motion carried 3-2, with Halverson and Fesenmaier voting no.)

Motion by Howell to approve, second by Hedlund. Attorney Draper stated that fee needs to be reduced as it needs to reasonably match the administrative costs to implement it. Hedlund stated that when the fee went into effect it was understood that it would be adjusted as time passed.

Fesenmaier stated that she feels that the City is under cutting the cost based on the work that needs to be done to monitor these places. Attorney Draper stated that the administrative cost decision needs to be done by the departments that inspect those properties.

Motion by Fesenmaier to continue until the next Council meeting, second by Dunn. Motion carried 7-1, with Hedlund voting no.

Discussion/Acceptance of May 19, 2020 Finance, Licensing, and Regulation Committee Payment Approval Reports
Motion by Straube to approve, second by Dunn. Finance Director Hall stated that these bills to get approved by the Finance Committee and signed by the available members. Motion carried 8-0.

Recommendation of the Planning Commission of May 18, 2020- Ald. Dunn

Discussion/Action regarding Resolution 20-R39 a resolution authorizing the issuance of a Conditional Use Permit (CUP) filed by Patrick Lynch 30715 Cedar Dr. Burlington WI 53115 for a request to install a 90 foot pier with 2 boat slips for the property located at 940 Maytag Rd. located in the Estate Residential - 1 (ER-1) zoning district. Tax Key No. ZCE00005
Motion by Dunn to approve, second by Howell. Dunn stated that there wasn't any opposition from the neighbors. Motion carried on a roll call vote 8-0.

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

Motion by Dunn to approve, second by Howell. Hedlund stated that this was objected to by the neighbors and that their objections were voiced at the Plan Commission meeting. Dunn stated that this is allowed and the DNR has approved it as well. Flower stated that she isn't worried about the length of the pier, but the width of the pier. She stated that based on that she could understand the complaints from the neighbors as it seems to be very close to the other docks. Hedlund stated that he can understand the complaints and feels that this will impede on the neighbors. Attorney Draper stated that the DNR has the ultimate approval of navigability of the water and that again, this was approved. Motion failed 3-5, with Hedlund, Halverson, Fesenmaier, Flower and Yunker voting no.

Mayoral Appointments

Confirming the Citizen appointment of Terry O'Neill to the Geneva Lake Environmental Agency
Motion by Fesenmaier to approve, second by Dunn. Fesenmaier stated that the agreement with GLEA does indicate a citizen representative but it's never been appointed. Motion carried 8-0.

Adjournment

Motion by Hedlund to adjourn, second by Halverson. Motion carried 8-0. The meeting adjourned at 7:23 p.m.