

**REGULAR CITY COUNCIL MEETING MINUTES**  
**TUESDAY, MAY 28, 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 Halverson led the Council in the Pledge of Allegiance.

**Roll Call**

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

Absent: None

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

Patty Holwick Retirement Certificate of Recognition

Mayor Hartz recognized Patty Holwick's retirement and her years of service to the City.

Charles Gray Retirement Certificate of Recognition

Mayor Hartz recognized Charles Gray's retirement and his years of service to the City.

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

Melissa Rouse; 218 Skyline Dr; Spoke in favor of the approval of Ordinance 19-08. She also spoke in favor of looking at the current ordinance that bans merchandise to be displayed outside.

Bob Lee; 120 Broad St; Spoke in opposition of the approval of Ordinance 19-08 and spoke in opposition to the current ordinance (98-206) which bans merchandise being displayed outside a store.

Kevin Flemming; 1032 Wisconsin St; Spoke in favor of the approval of Ordinance 19-08.

Demitri Anaganos; 1040 Cass St; Spoke in opposition of the closure of Wrigley Drive.

Richard Madaus; 310 Walworth St; Spoke in opposition of the sign to be placed at West end Pier that would prohibit fishing.

Charlene Klein; 1018 Wisconsin St; Spoke in regards to the General Development Plan and Precise Implementation Plan for 940 Maytag Rd. She also spoke in opposition to the approval of the event permit for Knockerball.

Acknowledgement of Correspondence

Clerk Kropf noted that she received one item of correspondence from Tammie Carstensen speaking in favor of the Knockerball Permit being approved. This correspondence has been distributed to the Council.

Approve Regular City Council Meeting minutes of May 13, 2019, as prepared and distributed

Motion by Skates to approve, second by Heldund. No discussion. Motion carried 8-0.

CONSENT AGENDA– Recommended by Finance, Licensing and Regulation on May 21, 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

-Agent Change for EYM Pizza of Wisconsin LLC d/b/a Pizza Hut to John Dethloff

-Agent Change for Stone Soup LLC d/b/a Baker House to Robert Lopez

-Agent Change for Quick and Save LLC d/b/a Quick and Save to Pradip Patel

-Agent Change for Target Corporation d/b/a Target Store T2348 to Katherine Johnston

-Agent Change for D & D Restaurant Group Inc d/b/a Flat Iron Tap to John Sherman Lindsey

Motion by Hedlund to approve the consent agenda, second by Halverson. No discussion. Motion carried

#### Items Removed from the Consent Agenda

None

Second 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

Motion by Hedlund to approve Ordinance 19-04, second by Flower. Hedlund spoke in favor of the ordinance as it will help the City Clerk and Police Chief with the approval process. Motion carried 8-0.

First Reading of **Ordinance 19-08** an ordinance amending Chapter 62, Streets, Sidewalks and other Public Places, Article III, Obstructions and Encroachments, Section 62-67, exceptions, by adding Subsection (9), Sidewalk Furnishings: Benches and Planters within Public Rights-Of-Way, allowing certain furnishings within the Public Right-Of-Way  
Mayor Hartz offered Ordinance 19-08 as a first reading and stated that the Council will be able to take action at the next meeting.

Discussion/Action regarding **Resolution 19-R38** a resolution updating the City of Lake Geneva Schedule of Fees; Updating the fees for City of Lake Geneva Operator Licenses

Motion by Howell to approve Resolution 19-R38, second by Hedlund. No discussion. Motion carried 8-0.

#### **Recommendation of the Finance, Licensing, and Regulation Committee of May 21, 2019- Ald Howell**

Discussion/Action regarding an application for a "Class A" Intoxicating Liquor License and Class "A" Fermented Malt Beverage License filed by Simple Spirits Inc d/b/a Geneva Liquors, Agent, Sachdeva Rajesh located at 797 S Wells St, Lake Geneva, WI

Motion by Howell to approve, second by Hedlund. Howell noted that this was approved by the Finance Committee on May 7, 2019. Motion carried 8-0.

Discussion/Action regarding the purchase of two standing mowers from Larry's Towing in an amount not to exceed \$16,308 to be paid from the Equipment Replacement Fund

Motion by Howell to approve, second by Flower. Howell noted that these mowers see the most use and are being purchased locally. Mayor Hartz noted that there were three bids received for this purchase. Motion carried 8-0.

Discussion/Action regarding **Resolution 19-R37** a resolution authorizing the carryover of 2018 Equipment Replacement Funds to the 2019 Equipment Replacement Fund Budget and authorizing additional 2019 purchases from the Equipment Replacement Fund

Motion by Howell to approve, second by Hedlund. Finance Director Hall stated that the City Hall HVAC update was approved in the 2018 budget, however it was completed until 2019. She did indicate that the other charge was for an emergency ambulance purchase. Motion carried 8-0.

Discussion/Action regarding an Event Permit Application filed by Knockerball Southern Lakes LLC requesting the use of Seminary Park on Fridays, Saturdays, Sundays, and Mondays from May 31, 2019 to August 11, 2019 and August 20, 2019 to September 2, 2019 from 11:00 a.m. to 10:00 p.m.; Applicant is requesting use of boat trailer parking stall at a rate of \$11 per day of use total cost \$561; Finance, Licensing, and Regulation Committee approved the refund of overpayment in the amount of \$514

Motion by Howell to approve, second by Skates. Howell noted that the Finance Committee did restrict the number of days and the committee thought it was be a good activity downtown. Howell noted that this would be a trial for the year. Motion carried 8-0.

Discussion/Action regarding purchase and installation of sign at West End Pier; Sign to be crafted from Aluminum composite material in an amount not to exceed \$565 to be paid from the Lakefront Fund

Motion by Howell to approve, second by Hedlund. Howell noted that this option was the least exclusive from the gate option that was previously discussed. Skates noted that this rendering has several grammatical errors and that the “Do Not Enter” should be removed. Flower stated that she would like to see the “Pier is for Boat Slip Renters Only” removed as well as it is a public pier. The motioner and second agreed to remove the “Do Not Enter” , “Pier is for Boat Slip Renters Only”, and indicated that the sign should say “No Unleashed Dogs” from the sign as part of the motion.

Second Amendment: The sign should remove the “Pier is for Boat Slip Renters Only” and indicated “No Non-Tenant Unleashed Dogs”. Second amendment carried 8-0.

First Amendment: The Sign should say “City of Lake Geneva” not City of Lake Genena, West End Pier should be two words, and that the sign should indicate “No Unleashed Dogs”. Motion carried 8-0.

The original motion was then read and carried 8-0.

#### **Recommendation of the Plan Commission of May 20, 2019- Ald Skates**

Discussion/Action regarding **Resolution 19-R42** for an application for Land Division Review – Plat of Condominium for McMurr II, LLC. 351W. Hubbard, suite 610. Chicago, IL 60654. To file the declaration and Plat of Condominium for the property located in the Summerhaven Subdivision on Lake Geneva Blvd. for the 4 dwelling units on Murry Dr., to create 4 buildable lots as identified on the certified survey map dated 4/2/2019 project no. 8868 prepared by Farris, Hansen & Associates Inc. for Tax Key No. ZSUM00001

Motion by Skates to approve, second by Dunn. Skates noted that this is the final action for Phase II of this development. Motion carried 8-0.

Discussion/Action regarding **Resolution 19-R41** for a Conditional Use Permit filed by Douglas Powell, 1014 W. Altgeld St., Chicago, IL 60614, for the installation and addition of 20’ long section of pier for a total length of 83’ located at 1540 Lake Shore Dr., located within the Estate Residential – 1 (ER-1) zoning district, Tax Key No. ZLM00047

Motion by Skates to approve contingent on DNR approval, second by Flower. No discussion.

Discussion/Action regarding an application for a General Development Plan (GDP) filed by Patrick & Rachel Lynch, 30715 Cedar Drive, Burlington, WI 53105, requesting to allow the razing and reconstruction of a new Single Family Home and to rebuild the structure closer to the lakeshore than the existing foundation. This request in addition would allow the new structure to be in-line with the neighboring dwellings. The property is located at 940 Maytag Rd., situated in Estate Residential (ER- 1) zoning district and to utilize the Single Family – 4 (SR-4) setbacks, Tax Key No. ZCE00005

Motion by Skates to approve with staff recommendations and findings of fact in the affirmative, second by Hedlund. Skates noted that this was brought back to the Plan Commission from the Council. Skates noted that the Plan Commission did agree that this would be allowable is it was in line with the neighboring homes. Motion carried 8-0.

Discussion/Action regarding Resolution 19-R39 for an application for a Precise Implementation Plan (PIP) filed by Patrick & Rachel Lynch, 30715 Cedar Drive, Burlington, WI 53105, requesting to allow the razing and reconstruction of a new Single Family Home and to rebuild the structure closer to the lakeshore than the existing foundation. This request in addition would allow the new structure to be in-line with the neighboring dwellings. The property is located at 940 Maytag Rd., situated in Estate Residential (ER- 1) zoning district and to utilize the Single Family – 4 (SR-4) setbacks, Tax Key No. ZCE00005

Motion by Skates to approve with staff recommendations and finding of fact in the affirmative, second by Hedlund. Skates noted that this plan would help any potential water issues that could be presented. Mayor Hartz noted that their landscape plan follows the recommendations of the DNR as it relates to creating habitats for native animal species. Motion carried 8-0.

Discussion/Action regarding Resolution 19-R40 a resolution recommending the adoption of a Public Participation Plan for the update of the Comprehensive Plan for the City of Lake Geneva, Wisconsin

Motion by Skates to approve 19-R40, second by Flower. No discussion. Motion carried 8-0.

Discussion/Action regarding approving additional funds to facilitate a second Comprehensive Plan Vision Workshop, Comprehensive Plan workshops with the aldermanic districts, and Comprehensive Plan focus groups with Spanish speaking citizens in an amount not to exceed \$6,716 to be paid from the contingency fund

Motion by Skates to approve, second by Flower. Skates gave the price breakdown for the various additional workshops and gave ideas where the aldermanic meetings might take place. Mayor Hartz noted that these additional meetings will add approximately a month to the timeline, however the City will still be on schedule to complete the Comprehensive Plan by the end of the year. Motion carried 8-0.

**Presentation of Accounts – Ald. Howell (Recommended by the Finance, Licensing and Regulation Committee on May 21, 2019)**

Prepaid Bills in the amount of \$55,286.04

Motion by Howell to approve, second by Straube. No discussion. Motion carried 8-0.

Regular Bills in the amount of \$124,416.32

Motion by Howell to approve, second by Skates. No discussion. Motion carried 8-0.

**Motion to go into Closed Session pursuant to Wis. Stat. 19.85(1)(b) considering dismissal, demotion, licensing or discipline of any public employee or person licensed by a board or commission or the investigation of charges against such person, or considering the grant or denial of tenure for a university faculty member, and the taking of formal action on any such matter; provided that the faculty member or other public employee or person licensed is given actual notice of any evidentiary hearing which may be held prior to final action being taken and of any meeting at which final action may be taken. The notice shall contain a statement that the person has the right to demand that the evidentiary hearing or meeting be held in open session regarding: Operator License Denial for Amanda Brasseaux**

Motion by Hedlund to convene the Council into Closed Session to include City Staff and the applicant, second by Skates. The motion carried on a roll call vote 8-0. The Council convened into Closed Session at 7:27 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 Howell to reconvene the Council into Open Session, second by Halverson. The motion carried 8-0 on a roll call vote. The Council reconvened into Open Session at 8:02 p.m.

Motion by Hedlund to grant the issuance of the Operator License for a six month probationary period contingent upon the applicant disclosing her employer, second by Flower. Motion carried 8-0.

**Adjournment**

Motion by Flower to adjourn second by Skates. The motion carried 8-0. The meeting adjourned at 8:04 p.m.