

**CITY COUNCIL MEETING**  
**MONDAY, MARCH 25, 2013 – 7:00 PM**  
**COUNCIL CHAMBERS, CITY HALL**

Mayor Connors called the meeting to order at 7:00 p.m.

The Pledge of Allegiance was led by Alderman Hougen.

**Roll Call.** Present: Aldermen Hougen, Wall, Mott, Hill, Kehoe, Kupsik, Krohn and Tolar. Also present: Administrator Jordan, City Attorney Draper, DPW Winkler and City Clerk Hawes.

**Awards, Presentations, and Proclamations.**

**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.**

Mary Jo Fesenmaier, 955 George Street, Lake Geneva, spoke about the 2013 street maintenance design project. She asked if the City has a tracking system for monitoring the condition of streets.

**Acknowledgement of Correspondence.**

City Clerk Hawes reported the City received a letter from Ed Yaeger, 421 Water Street, Lake Geneva dated March 25, 2013 asking the City Council to close TID #4.

**Approval of Minutes**

Kehoe/Hougen motion to approve the regular meeting minutes of March 11, 2013, with the city clerk verifying the makers and seconds of the motions for approving and continuing the DOT sidewalk maintenance agreement item. Unanimously carried.

**Consent Agenda**

Original Fireworks Permit Application filed by Bryan Olson on behalf of Hi-Tech FX, LLC and Great Events, Inc. for a fireworks display located at 1002 S. Knoll Lane on March, 31, 2013 at 7:45 p.m.

Original Operator (Bartender) Licenses applications filed by Ashlee Y. Olson

Hougen/Kupsik motion to approve. Unanimously carried.

**Items Removed from the Consent Agenda.** None.

**First reading of Ordinance 13-08, amending Chapter 46, Nuisances, of the Lake Geneva Municipal Code regarding loud and unnecessary noise**

Mott/Hill motion to suspend the rules and proceed to a second reading of Ordinance 13-08. Motion carried by a vote of 7 to 1, with Alderman Hougen opposed.

Second reading of Ordinance 13-08. Mott/Kupsik motion to approve. Alderman Hill stated that the ordinance provides that anything that can be heard outside a 75 foot radius of the source would be considered a violation. Alderman Mott said the police chief thought the 75 foot radius will work well.

Hill/Wall motion an amendment to strike the word “plainly” under 3b. Unanimously carried.

Roll Call: Hougen, Wall, Mott, Hill, Kehoe, Kupsik, Krohn and Tolar voted “yes.” Unanimously carried.

**First reading of Ordinance 13-09, amending Chapter 74, Traffic and Vehicles, of the Lake Geneva Municipal Code regarding 25-minute parking stalls**

First reading only; no action taken.

**Discussion/Action on agreement with the Wisconsin Department of Transportation for the maintenance of sidewalks to be installed near the intersection of STH 120 and USH 12 (*continued 2/25/13*)**

Hill/Mott motion to approve. Alderman Hill said the city administrator confirmed the DOT gave the City the correct version of the agreement. Alderman Wall asked if this was the same agreement that the City Council voted to deny last year. Mayor Connors confirmed that it was, however the DOT has cited federal guidelines stating the City could not reject the project.

Roll Call: Hougen, Wall, Mott, Hill, Kehoe, Kupsik, Krohn and Tolar voted “yes.” Unanimously carried.

**Accept and forward to Planning Commission a petition for direct annexation by unanimous consent of electors and property owners of territory located in the Towns of Linn and Bloomfield, Walworth County, Wisconsin to the City of Lake Geneva, Walworth County, Wisconsin, pursuant to Wis. Stats. § 66.0217 (2). (Lake Geneva Economic Development Corporation)**

Tolar/Wall motion to accept and forward the petition to the Plan Commission.

Roll Call: Wall, Mott, Hill, Kehoe, Krohn and Tolar voted “yes.” Hougen and Kupsik abstained. Motion carried by a vote of 6 to 0.

**Finance, License and Regulation Committee Recommendations – Alderman Hill**

**Discussion/Action on award of contract with Crispell-Snyder for 2013 Street Maintenance Design in the amount not to exceed \$13,000.00 funded by capital projects fund (*recommended by Public Works Committee 3/14/13*)**

Hill/Wall motion to approve. Alderman Hougen asked how street conditions are tracked. DPW Winkler said the City is required to maintain an inventory of every street. He explained the rating system that is used to monitor street conditions.

Roll Call: Hougen, Wall, Mott, Hill, Kehoe, Kupsik, Krohn and Tolar voted “yes.” Unanimously carried.

**Discussion/Action on adopting a 2012-2013 wage schedule for the Police Union contract**

Hill/Tolar motion to approve. Alderman Hill referenced a memorandum from Administrator Jordan stating that the union accepted the City’s offer of a 1% wage increase in 2012 and a 2% wage increase in 2013. She said the 2012 wage increase would be funded by the 2012 Police and Fire Commission budget. Ms. Hill explained the 2013 Police and Fire Commission budget could fund the wage increase in 2013. She said any overages in their budget due to the wage increase could be funded later in the year from contingency.

Roll Call: Hougen, Wall, Mott, Hill, Kehoe, Kupsik, Krohn and Tolar voted “yes.” Unanimously carried.

**Discussion/Action on request by Badger High School to waive the Riviera Ballroom reservation fees for the Scholarship Gala on November 15, 2013**

Hill/Mott motion to approve. Alderman Hill said the applicant is requesting the fee of \$1,500.00 be waived. She said the applicant will still be covering the costs for security and clean-up.

Roll Call: Hougen, Wall, Mott, Hill, Kehoe, Kupsik, Krohn and Tolar voted “yes.” Unanimously carried.

**Discussion/Action on directing the City Attorney to prepare a landlord registration ordinance**

Hill/Kupsik motion to direct the City Attorney to prepare a landlord registration ordinance, with the fee of \$25.00 per landlord. Mayor Connors noted the landlord registration would be valid for two years. City Attorney Draper clarified that the ordinance would not include any provisions about conducting inspections to rental properties. Unanimously carried.

**Discussion/Action on directing the City Attorney to prepare a chronic nuisance ordinance**

Hill/Kupsik motion to direct the City Attorney to prepare a chronic nuisance ordinance. Motion carried by a vote of 7 to 1, with Alderman Hougen opposed.

## RESOLUTIONS

### **Resolution 13-R24, amending the City's Fee Schedule to add the Vehicle Suspension Release Fee and Trapping Permit Fee**

Hill/Mott motion to approve.

Roll Call: Hougen, Wall, Mott, Hill, Kehoe, Kupsik, Krohn and Tolar voted "yes." Unanimously carried.

### **Resolution 13-R25, transferring \$439,333.42 from the Lakefront Special Revenue Fund and \$500,373.71 from the Parking Lots and Meters Special Revenue Fund to the 2012 General Fund**

Hill/Wall motion to approve. Alderman Hill said this is a transfer from the parking and lakefront funds directly to the City's operating fund. She emphasized that the parking and lakefront funds are critical to the City's operations. Mayor Connors said that after these transfers the fund balance in the parking and lakefront funds would each be \$600,000.00. Administrator Jordan said these fund balances are used to pay for things like replacing kiosks or piers.

Roll Call: Hougen, Wall, Mott, Hill, Kehoe, Kupsik, Krohn and Tolar voted "yes." Unanimously carried.

### **Resolution 13-R26, creating a Designated Fund Balance-Equipment Replacement account and transferring \$150,000 from the 2012 Undesignated Fund Balance to the Designated Fund Balance-OPEB and transferring \$715,000 from the 2012 Undesignated Fund Balance to the Designated Fund Balance-Equipment Replacement**

Hill/Kupsik motion to approve. Alderman Hill said these funds will be used to seed the other post-employment benefit account and a newly created equipment replacement account. She said it will be important for future Councils to continue to fund the equipment replacement account. City Attorney Draper said he would research if the City could require the money in this fund only be used for equipment replacement. Mayor Connors asked what portion of these funds were from the sale of the WE Energies building. Administrator Jordan said about \$300,000.00. Administrator Jordan noted the previous Council raised the parking meter fee with the intention of creating the equipment replacement fund.

Roll Call: Hougen, Wall, Mott, Hill, Kehoe, Kupsik, Krohn and Tolar voted "yes." Unanimously carried.

## **Plan Commission Recommendations – Alderman Hougen**

### **Resolution 13-R27, authorizing the issuance of a Conditional Use Permit to Immanuel Evangelical Lutheran Church of Lake Geneva, 1229 Park Row, Lake Geneva, WI 53147, for a new church facility (Indoor Institutional) in the Rural Holding (RH) zoning district located at Bloomfield Road and Highway 120, TAX KEY NO. ZA433000001, including all staff and City Engineer recommendations and, specifically, obtaining the necessary easements and confirmation of access points with the Town of Bloomfield.**

Hougen/Hill motion to approve. Alderman Hougen said the proposal is for constructing a church on a parcel that was recently annexed into the City. He said the applicant still has some details to work out with the city engineer.

Roll Call: Hougen, Mott, Hill, Kehoe, Kupsik and Krohn voted "yes." Wall and Tolar abstained. Motion carried by a vote of 6 to 0.

### **Discussion/Action on request by Windstream Wireless for the installation of underground conduit through the City of Lake Geneva within the road right of way, with the condition that staff review the restoration work upon completion**

Hougen/Kupsik motion to approve. Unanimously carried.

### **Discussion/Action on request for minor changes to building elevations for an approved PIP building addition filed by Trostel Ltd., 901 Maxwell St., Lake Geneva, WI 53147, Tax Key Number ZCL2 00015, including all staff and City Engineer recommendations.**

Hougen/Wall motion to approve. Alderman Hougen said the applicant came forward to request some minor changes to their previously approved PIP. He said the changes were acceptable to the building inspector and city engineer.

Roll Call: Hougen, Wall, Mott, Hill, Kehoe, Kupsik, Krohn and Tolar voted “yes.” Unanimously carried.

**Presentation of Accounts – Alderman Hill**

Hill/Tolar motion to approve Prepaid Bills in the amount of \$17,053.59

Roll Call: Hougen, Wall, Mott, Hill, Kehoe, Kupsik, Krohn and Tolar voted “yes.” Unanimously carried.

Hill/Tolar motion to approve Regular Bills in the amount of \$307,407.27

Roll Call: Hougen, Wall, Mott, Hill, Kehoe, Kupsik, Krohn and Tolar voted “yes.” Unanimously carried.

**Adjournment**

Mott/Hougen motion to adjourn at 7:56 pm. Unanimously carried.

---

/s/ Michael D. Hawes, City Clerk

**THESE ARE NOT OFFICIAL MINUTES UNTIL APPROVED BY THE COMMON COUNCIL**