

CITY COUNCIL MEETING

MONDAY, SEPTEMBER 23, 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 Kehoe.

Roll Call. Present: Mayor Connors, Aldermen Hougen, Wall, Mott, Hill, Kupsik, Kehoe, Taggart and Lyon. Also present: Administrator Jordan, City Attorney Draper, DPW Winkler and City Clerk Hawes.

Awards, Presentations, and Proclamations. None.

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.

Approval of Minutes

Hougen/Wall motion to approve the regular meeting minutes of September 9, 2013, as distributed. Unanimously carried.

Consent Agenda

A. Original Massage Establishment License Application filed by Meridian Condominium Association d/b/a Bella Vista Suites Hotel, 335 Wrigley Dr., Lake Geneva, contingent upon Police Chief and Building Inspector approval

B. Original 2013-2014 Operator (Bartender) License applications filed by Robert A. Pelz and John P. Cardiff

Kupsik/Taggart motion to approve. Unanimously carried.

Items Removed from the Consent Agenda. None.

Discussion/Action on setting public hearing date to amend impact fee ordinance

City Attorney Draper said at a prior meeting the Council directed him to repeal the impact fee ordinances and to convert the utility impact fees to connection fees. Mr. Draper said according to state statute, the amendment to the impact fee ordinances will require a class one notice and public hearing.

Hill/Wall motion to set a public hearing date of October 14 to amend the impact fee ordinances. Unanimously carried.

Discussion/Action on directing staff to solicit bids for north Broad St. lighting replacements funded by TID #4 (Tabled 6/24/13) (recommended by Public Works Committee 9/12/13)

Kupsik/Kehoe motion to remove the item from the table. Unanimously carried.

Mayor Connors said the Council previously selected the Post Top LED fixtures for the Broad St. lighting replacement project. The Council tabled the item until they had a chance to install a unit to make sure they like it before directing staff to solicit bids. Mr. Connors said the demonstration unit has been installed and the Public Works Committee voted to proceed with soliciting bids. DPW Winkler said it would be for 44 total fixtures; one fixture would be used as a spare.

Mott/Wall motion to direct staff to solicit bids for north Broad St. lighting replacements funded by TID #4 for the 44 fixtures.

Roll Call: Hougen, Wall, Mott, Hill, Kehoe, Kupsik and Lyon voted “yes.” Taggart voted “no.” Mott carried 7 to 1.

Finance, License and Regulation Committee Recommendations – Alderman Hill

Discussion/Action on directing staff to proceed with the design and bidding of Cook St. and Main St. traffic signals (recommended by Public Works Committee 9/12/13)

Alderman Hill said the Finance, License and Regulation Committee forwarded this item to Council without recommendation.

Hill/Hougen motion to direct staff to proceed with the design and bidding of Cook St. and Main St. traffic signals, for an amount not to exceed \$16,100.00 for the design and bidding work, funded by TID #4. Mayor Connors said the Public Works Committee recommended the City purchase the signal equipment directly to save on sales tax. Alderman Hill said this item has been discussed at length at Public Works Committee and the City has done its due diligence to this point in identifying a need for the traffic signals at this local. She said a traffic study was done that showed the signals were warranted. There are pedestrian safety concerns at this location. She also heard from business owners and police officers who favored traffic signals at this location.

Alderman Mott said he initially opposed this project because there are already two signaled intersections in the area. However, Mr. Mott said he understands the justification for installing the lights at this location. Alderman Kehoe asked what type of signals would be installed. DPW Winkler explained they would be standard signals, like those installed at the Broad St. and Center St. intersections. However, there would not be signals facing Wrigley Dr. because it is a one-way, southbound road.

Alderman Taggart expressed opposition for the traffic signals, suggesting that more traffic signals may only add to the congestion downtown. Mr. Taggart acknowledged safety concerns at the intersection, but stated he didn't think it could be resolved by spending money.

Alderman Hougen spoke to the frequency of traffic-related accidents in Lake Geneva, stating there were 16 hit-and-run accidents in the month of August alone. He said the idea of spending \$200,000.00 in order to improve safety seemed like a worthy investment. Alderman Lyon also expressed support for the traffic signals, commenting that there needs to be a system for controlling vehicular and pedestrian traffic at the intersection.

Roll Call: Hougen, Wall, Mott, Hill, Kehoe, Kupsik and Lyon voted "yes." Taggart voted "no." Motion carried 7 to 1.

Discussion/Action on installation of crosswalks and flashing pedestrian crossing lights at Townline Rd. and Hudson Tr. (recommended by Public Works Committee 9/12/13)

Hill/Kupsik motion to approve.

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

Discussion/Action on award of bid to Miller-Bradford for front-end loader in the net amount of \$124,900.00 including trade-in funded by capital fund and TID #4

Hill/Wall motion to approve. Alderman Hill said the loader would be funded 50% by capital and 50% by TID. She said the current loader was manufactured in 1983 and requires about \$35,000.00 in repairs. The bid from Miller-Bradford was not the lowest of the three bids received, however staff recommended Miller-Bradford's bid because it included a three-year scheduled maintenance agreement at no cost. Ms. Hill noted that the loader was not in the capital plan, but is being funded with extra monies that became available due to good bid prices in the last couple years.

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

Discussion/Action on award of contract to Humphreys Contracting for Riviera Seawall Repair in the amount of \$79,950.00 funded by TID #4

Hill/Mott motion to approve. DPW Winkler said he expected to receive two or three bids but only one was submitted. Mr. Winkler stated the bid is below budget and he has confidence in Humphreys Contracting to complete the work. Alderman Hill said the project was removed as a line item in the TID budget but it has been discussed for some years. It would be funded from the TID undesignated account. Alderman Taggart asked it was a particularly difficult job. DPW Winkler said it is a difficult job because it involves working at and below the water line. It involves limited space to move and there is a small window of time the project needs to be completed in. Mr. Winkler said there are also a lot of pipes and wires on the wall that need to be worked around.

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

Discussion/Action on award of contract to C&D Landscaping for 2013 Fall Tree Planting in the amount of \$17,599.30 funded by TID #4 and general fund

Hill/Kehoe motion to approve. Alderman Hill said there is \$15,000.00 in the Street Department budget for the project. The trees planted within TIF district would be funded by TID #4. Ms. Hill suggested the Tree Board look at expanding the tree planting program in light of the emerald ash borer outbreak. Alderman Wall asked why the bids differed so much in cost. DPW Winkler said it likely had to do with their inventory and the resources they have to obtain trees. He said the bidders are typically landscaping companies that buy trees from nurseries. They may also differ in their installation fees.

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

Discussion/Action on engineering agreement with Crispell-Snyder for Townline Trails Subdivision Phase II & III

Hill/Hougen motion to approve. Alderman Hill said the cost of the agreement will be passed on to the developer.

Hill/Kehoe motion for an amendment to the contract stating that work exceeding \$8,800.00 would require Council approval. City Attorney Draper said the final cost of the work may depend on the dealings between the developer and engineer. He suggested this amendment may put the City in the middle of it.

Roll Call on amendment: Mott, Hill, Kehoe, Taggart and Lyon voted “yes.” Hougen, Wall and Kupsik voted “no.” Motion carried 5 to 3.

Roll Call on main motion, as amended: Hougen, Wall, Mott, Hill, Kehoe, Kupsik, Taggart and Lyon voted “yes.” Unanimously carried.

Discussion/Action on engineering agreement with Crispell-Snyder for Main Street Waterway Enclosure Rehabilitation project

Hill/Kupsik motion to approve, with an amendment in the contract stating that if the project exceeds \$22,900.00 it will require approval from Council. Alderman Hill noted the project will need to come back for a budget resolution.

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

Police and Fire Commission Recommendations – Alderman Lyon

Discussion/Action on approval of employment contracts for police chief and assistant police chief

Lyon/Wall motion to approve. City Attorney Draper said the Police and Fire Commission made a couple changes to help clarify the contracts. Mr. Draper expressed concern with the provision stating that the Police and Fire Commission would determine salary increases. He suggested adding “and approved by the City Council” to the provision.

Kupsik/Hougen motion an amendment to add “and approved by the City Council” to line three of the contracts relating to salary increases. Mayor Connors said this would go back to the Police and Fire Commission and if they made the change the matter would be over with.

Roll Call on amendment: Hougen, Wall, Mott, Hill, Kehoe, Kupsik, Taggart and Lyon voted “yes.” Unanimously carried.

Roll Call on main motion, as amended: Hougen, Wall, Mott, Hill, Kehoe, Kupsik, Taggart and Lyon voted “yes.” Unanimously carried.

Plan Commission Recommendations – Alderman Hougen

Discussion/Action on two-year extension of General Development Plan (GDP) for the Summerhaven planned development for Tax Keys ZSUM 00101 to ZSUM 00247 (formerly ZOP 00412A)

Hougen/Wall motion to approve an extension to September 15, 2015. Alderman Hougen explained that once the GDP expires, the property would revert to its original zoning. By extending the GDP, it will allow the developer a little more time to complete the proposed development. Mayor Connors noted the GDP could be extended up to 10 years but the Plan Commission recommended two years.

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

First reading of Ordinance 13-20, amending the Zoning Map of the City of Lake Geneva, Walworth County, Wisconsin, from Planned Development (PD) to Multi-family (MR-8) for a certain property in the City (Tax Key Number ZWRI 00002)

City Attorney Draper said the Precise Implementation Plan (PIP) for the Wrightwood development expired. He said the zoning administrator recommended a zoning change on the property that will allow a future development similar to the one in the PIP to occur at a future date. However, a future development proposal would likely need to come forward with a new PIP.

First reading only; no action taken.

Resolution 13-R55, authorizing the issuance of a Conditional Use Permit to Lake Geneva Architects, Jason Bernard, on behalf of Andrew Kerwin, 1616 Evergreen Lane, Lake Geneva, for a second floor addition (cupola) to an existing single family residence in the ER-1 District using the setback requirements of the SR-4 District at 1616 Evergreen Lane, Lake Geneva, Tax Key No. ZLM 00013, including all staff recommendations

Hougen/Hill motion to approve. Alderman Hougen commented the proposed addition is similar to other projects in the neighborhood. He said no objections were heard during the public hearing and the project does not seem to adversely affect any surrounding properties. Mayor Connors noted a letter was submitted by the neighborhood's architecture board expressing support for the second floor addition.

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

Resolution 13-R56, authorizing the issuance of a Conditional Use Permit to Gonzalo and Pat Davila, 1155 S. Lake Shore Drive, Lake Geneva, for the installation of a decorative fence in excess of three feet in the streetyard (on Maple St.) at 1155 S. Lake Shore Dr., Lake Geneva, including all staff recommendations and, specifically, for the life of the fence

Hougen/Kupsik motion to approve. Alderman Hougen said the permit is for replacing the existing fence. He said the proposed fence is comparable to other fences recently installed in this part of the City. Mayor Connors stated that the black decorative fence will be less visible than the existing fence.

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

Discussion/Action on sale of property and vacation of a portion of the roadway located on La Salle St. near the intersection of Edgewood Dr., Lake Geneva, adjacent to Tax Key No. ZEH 00038

Hougen/Kupsik motion to approve, including a \$1,500.00 fee for the sale of property and that the certified survey map would be recorded with the County. Mayor Connors referenced a revised certified survey map that included changes recommended by the City Engineer reflecting more clearance on the southwest corner. Alderman Hougen said the Plan Commission reviewed this item closely and made sure there was no foreseeable need for this land on the City's part. He said the property owner desires to maintain the land with native plantings.

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

Discussion/Action on Application for Certified Survey Map/Lot Line Adjustment filed on behalf of Woods School, c/o Ed Brzinski, N2575 Snake Rd., Lake Geneva, WI 53147, for land located in the Town of Geneva, and within the City's Extra-Territorial Platting Jurisdiction

Hougen/Kupsik motion to approve. Alderman Hougen said the certified survey map would reflect historical changes to the land. Mayor Connors said the application was necessitated by the need to provide water to Woods School.

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

Presentation of Accounts – Alderman Hill

Hill/Wall motion to approve Prepaid Bills in the amount of \$4,703.50

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

Hill/Hougen motion to approve Regular Bills in the amount of \$189,398.70

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

Mayoral Appointments – Mayor Connors

Discussion/Action on appointment of Alderman Kupsik as Council liaison to the Geneva Lakes Area YMCA Board of Directors

Hill/Hougen motion to continue to the October 14 meeting. Mayor Connors said the YMCA board is preparing documentation that would spell out the role of the Council liaison. Unanimously carried.

Closed Session

Kupsik/Lyon motion to go into Closed Session pursuant to Wis. Stat. 19.85 (1)(e) for competitive bargaining reasons for fire union negotiations (Administrator Jordan)

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

The Council entered into Closed Session at 8:24 p.m.

Lyon/Taggart motion to return to open session pursuant to Wisconsin Statutes 19.85 (2) and take action on any items discussed in Closed Session.

Roll Call: Hougen, Wall, Mott, Hill, Kehoe, Kupsik, Taggart and Lyon voted “yes.” Unanimously carried. The Council reconvened in open session at 8:58 p.m.

No action was taken upon reconvening in open session.

Adjournment

Mott/Hill motion to adjourn at 8:58 p.m. Unanimously carried.

/s/ Michael D. Hawes, City Clerk

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