

REGULAR CITY COUNCIL MEETING

MONDAY, JULY 9, 2012 – 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 Wall.

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

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.

Nancy Russell, 1720 Fairview Drive, Lake Geneva, spoke in favor of the Geneva Theater restoration project. She said the proposed theater would benefit all age groups in the community. She further commented that purchasing the theater building would be a good use of TIF funds.

Bethany Souza, 327 Wrigley Drive, Lake Geneva, urged the Council to support the Geneva Theater restoration project. She said it is an amazing opportunity for the community to come together for a positive cause. She added that there would be financial benefits to taking advantage of the theater's location.

Terry O'Neill, 954 George Street, Lake Geneva, voiced opposition to Item #14 regarding Sunday parking hours. He suggested that rather than changing the ordinances, the City purchase new decals to reflect the current ordinance.

Bill Huntress, 1015 Pleasant Street, Lake Geneva, spoke against the proposed Geneva Theater restoration project. He asserted the theater would be too much of a financial liability for the City. Mr. Huntress suggested the item be voted on by a referendum of the electors.

Jim Strauss, N1517 Meadow Ridge Circle, Linn, spoke in favor of the Geneva Theater restoration project.

Russ Hannula, 441 Forest Drive, Williams Bay, asked the Council to support the restoration of the Geneva Theater. He said there are many talented and dedicated people in the community who can make the project a success.

Acknowledgement of Correspondence.

Mayor Connors reported the City received a letter from Terry O'Neill, 954 George Street, Lake Geneva on July 2, 2012 stating that he collected the necessary number of signatures to bring Charter Ordinance 12-08 to a referendum of the electors. Mr. Connors said a copy of the letter will be maintained on file in the City Clerk's office if anyone wished to read it.

Approval of Minutes

Wall/Mott motion to approve the Regular City Council Meeting minutes of June 25, 2012, as published and distributed. Unanimously carried.

Consent Agenda

Original Class "B" Fermented Malt Beverage and "Class C" Wine License Application filed by CSTR Hospitality LLC. d/b/a Lottie's on the Lake, 835 Wrigley Drive, Lake Geneva, Chad Steen, Agent

Amendment of "Class B"/Class "B" Intoxicating Liquor and Fermented Malt Beverage License filed by American Legion Post #24, 735 Henry Street, Lake Geneva, to include fenced outdoor yard area during car show on July 28, 2012 from 9:00 a.m. to 6:00 p.m.

Street Use Permit Application filed by John Parisi on behalf of Southwind Prairie Apartments, 775 Southwind Dr., Lake Geneva, to use Southwind Drive for a block party on July 28, 2012 from 9 a.m. to 12 midnight

Temporary Class "B" License application for the sale of fermented malt beverages and wine at St. Francis De Sales Church, 148 W. Main Street, Lake Geneva, for Fall Festival/Pig Roast on September 16, 2012

Original 2012-2013 Operator License applications filed by Carolyn M. Grice, Allen M. Swan, Amanda M. Gyger, Lukas Hilger, Nancy S. Dvonch, Peggy J. Zabler and David O'Brien

Original Taxi/Trolley Driver License application filed by Glen Loux (*approved by the Police Chief; information only*)

Kupsik/Kehoe motion to approve the items on the consent agenda, pending all outstanding liabilities to the City being paid prior to issuance of any licenses. Unanimously carried.

Items Removed from the Consent Agenda. None.

Presentation on economic viability and request for funding for Geneva Theater renovation and restoration
(*Alderman Hougen and Alderman Hill*)

A group of individuals representing the Friends of Geneva Theater approached the Council to present their proposal for the Geneva Theater restoration. The group requested the City's support in purchasing the privately-owned theater building located at 244 Broad Street.

Patrick Quinn, 512 Maxwell Street, Lake Geneva, said the Friends of Geneva Theater have been working for a year and a half on the proposal document. He said the project will not require any additional funds from the City after the initial purchase of the building. Mr. Quinn said there are individuals who are willing to make substantial financial contributions to the project if the City were to purchase the building. He said the renovated theater will raise sufficient funds to pay its expenses. He said the theater will serve a variety of functions, including various types of musical performance, art, plays and meetings.

John Gardiner, W4060 Lake Shore Drive, Geneva, said the renovated theater would also offer classes and other activities. He said there are multiple groups in the area that would like a venue for their students to perform. Mr. Gardiner referenced the examples of cultural art centers in other communities.

Ken Etten, 1109 Wisconsin Street, Lake Geneva, acknowledged that renovating the theater will require many costly repairs. He said their proposal includes various options for the restoration process. Mr. Etten added that they would like to see the theater become the heart and soul of Lake Geneva that it once was. He likened the theater to other iconic buildings in the City, such as the library and Riviera. John Powers, 1003 West Main Street, Lake Geneva, discussed how he believed the revived theater would help make Lake Geneva a great City.

Alderman Hill asked about the current property taxes on the building, how the leases would be managed, how the board is structured and about its articles of incorporation. Mayor Connors noted the loss of tax revenue if the City bought the building to be approximately \$6,000.00 per year. Alderman Wall asked how other communities raised funds to support a theater. Alderman Kehoe asked who would run the day-to-day operations of the theater.

Mr. Gardiner discussed the proposed organizational structure of the cultural arts center. He said an artistic director would manage the overall activities. A facilities manager would oversee things like membership, programs, development and details of the leases. He noted that these would not be City employees but employees of the arts center.

Alderman Mott asked about the logistics of the performances, including sound and lighting. JaNelle Powers, 1003 West Main Street, Lake Geneva, explained there would be needs for sound and light equipment, but they would have to start out small.

Lengthy discussion continued on the topics of potential theater uses, program pricing and potential risks associated with renovating the theater. Mr. Etten said he believed the owners of the building may be interested in selling the theater to the City for a price lower than the current listing price. Mayor Connors thanked the Friends of Geneva Theater for their presentation, adding that they have given the Council a lot to think about.

Discussion/Action on acceptance of streets in Highlands Subdivision (*Administrator Jordan*)

Administrator Jordan reported that the streets of Manning Way, Skyline Drive and Highland Way have been completed and meet City standards. Tolar/Hougen motion to accept the streets in the Highlands Subdivision. Unanimously carried.

Tolar/Kupsik motion to release the letter of credit, seeing the work has been completed in a satisfactory manner. 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 Town of Bloomfield, Walworth County, Wisconsin to the City of Lake Geneva, Walworth County, Wisconsin, pursuant to Wis. Stats. § 66.0217 (2). (Lake Geneva Joint 1 School District)

City Attorney Draper said the Village of Bloomfield is in the process of attempting to annex a large territory within the Town of Bloomfield. The Lake Geneva Joint 1 School District is located within this territory. Mr. Draper said the school district has filed a petition for direct annexation into the City of Lake Geneva. He indicated the Village and Town of Bloomfield might be willing to release the school district's land to the City of Lake Geneva, but the Council needs to decide whether they wish to take the property in. He noted that forwarding the petition to the Planning Commission would be the first step in the process.

Kehoe/Kupsik motion to accept and forward to the Planning Commission the petition for direct annexation. Mayor Connors said the Planning Commission would hold a public hearing on the item and then make a recommendation to the Council. The Council would decide whether to annex the property, but it would ultimately be up to the Town and Village of Bloomfield if they wished to release the property to the City. Unanimously carried.

Second reading of Ordinance 12-13, amending Chapter 74, Traffic and Vehicles, regarding limited parking time zone hours

Kupsik/Kehoe motion to approve. Alderman Hill said she opposed Ordinance 12-13 because the City is already in a transitional period with its parking regulations and this could add confusion. She suggested that the parking sign decals be changed to reflect the current ordinances with respect to Sunday parking hours. Alderman Mott said it was understood by the Council when the new system was approved that there would need to be some tweaking during the implementation process. Alderman Krohn said she believed many people thought parking enforcement already began at 9 a.m. on Sundays. Alderman Kupsik said Ordinance 12-13 will help make it clear that parking meters will take effect everyday from 9 a.m. to 7 p.m.

Kupsik/Krohn motion to change the wording of the proposed ordinance to state that the limited parking in the parking station zones shall apply from 9 a.m. to 7 p.m. Monday through Sunday in all areas of the City.

Roll call on the amendment: Wall, Kehoe, Kupsik, Krohn and Tolar voted "yes." Hougen, Mott and Hill voted "no." Amendment carried by vote of 5 to 3.

Roll call on the main motion, as amended: Wall, Kehoe, Kupsik, Krohn and Tolar voted "yes." Hougen, Mott and Hill voted "no." Motion carried by vote of 5 to 3.

Finance, License and Regulation Committee Recommendations – Alderman Hill

RESOLUTIONS

Resolution 12-R52, budget \$3,000.00 in TIF #4 to repair drainage problem at Dunn Field

Hill/Mott motion to approve. Alderman Hill said the repair project was approved at the previous Council meeting and Resolution 12-R52 would allocate the necessary funding.

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

Resolution 12-R53, transferring \$10,000.00 from Contingency for emerald ash borer treatment program
Hill/Mott motion to approve. Alderman Hill said the emerald ash borer treatment program was discussed at length at various committees and approved by the Council on June 25, 2012.

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

ORDINANCES

First reading of Ordinance 12-14, amending Chapter 86, Vehicles for Hire, of the Lake Geneva Municipal Code regarding taxicab driver’s license requirements

First reading only; no action taken.

Discussion/Action on disposition of old parking meters (Administrator Jordan)

Hill/Wall motion to direct the City Administrator to sell the manual parking meters at \$25.00 a piece, the red meters at \$50.00 and leaving it to the City Administrator’s discretion on the price for the digital meters, with the purchasers paying sales tax on the items. Alderman Mott asked if the meters should be sold at a reduced price if purchased in a large quantity. Alderman Hill said the City Administrator could sell a larger quantity of the digital meters at a reduced price since the City has a quantity of about 600 of them.

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

Discussion/Action on tagged brush collection procedure (Administrator Jordan)

Hill/Mott motion to continue to the next meeting. Alderman Hill said some additional information was needed to be gathered by staff. Unanimously carried.

Presentation of Accounts

Hill/Wall motion to approve Prepaid Bills in the amount of \$2,850.44.

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

Hill/Wall motion to approve Regular Bills in the amount of \$263,903.13.

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

Hill/Tolar motion to accept the Monthly Report from the City Treasurer for March 2012. Unanimously carried.

Closed Session

Krohn/Kehoe motion to go into Closed Session pursuant to Wis. Stat. 19.85 (1)(b) for considering licensing of Danielle Bradi by a board or commission or the investigation of charges against such person and the taking of formal action on any such matter (City Attorney Draper); pursuant to Wis. Stat. 19.85 (1)(b) for considering licensing of Sophia Sakellariadis by a board or commission or the investigation of charges against such person and the taking of formal action on any such matter (City Attorney Draper); and pursuant to Wis. Stat. 19.85 (1)(g) to confer with legal counsel who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation which it is or is likely to become involved in re: Peller Investments, LLC (City Attorney Draper), with Danielle Bradi present.

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

The Council entered into Closed Session at 9:25 p.m. Also present: Administrator Jordan, City Attorney Draper, Deputy City Clerk Roenspies and Danielle Bradi.

Tolar/Krohn 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, Krohn and Tolar voted “yes.” Unanimously carried. The Council reconvened in open session at 10:03 p.m.

Kupsik/Hill motion to approve the Operator License application filed by Danielle Bradi.

Roll Call: Hougen, Hill, Kehoe, Kupsik, Krohn and Tolar voted “yes.” Wall and Mott voted “no.” Motion carried by vote of 6 to 2.

Adjournment

Mott/Kehoe motion to adjourn at 10:05 p.m. Unanimously carried.

Transcribed from notes and audio tape.

/s/ Michael D. Hawes, City Clerk

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