

REGULAR CITY COUNCIL MEETING
MONDAY, OCTOBER 11, 2010 – 7:00 PM
COUNCIL CHAMBERS, CITY HALL

Mayor Connors called the meeting to order at 7:20pm.

The Pledge of Allegiance was led by Alderman Fesenmaier.

Roll Call. Present: Aldermen Fesenmaier, Krohn, Tolar, Krause, Hartz, Mott, Marsala, and Kehoe. Also present: Administrator Jordan, City Attorney Draper, DPW Winkler, and Clerk Reale.

Awards, Presentations, and Proclamations

Mayor Connors read a proclamation honoring Bertil and Ulla Brunk and Brunk Industries on fifty years of operation in the City of Lake Geneva, presenting Mr. and Mrs. Brunk with a commemorative plaque and key to the City.

Mayor Connors announced that the Lake Geneva Utility Commission would begin its annual hydrant flushing and valve exercising on October 13, 2010.

Re-consider business from previous meeting.

Marsala/Krause motion to reconsider action taken at the regular meeting of September 27, 2010 with respect to parking on Townline Road adjacent to Veterans Park. Unanimously carried. This item would be reconsidered at the regular meeting of October 25, 2010.

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.

Clerk Reale noted that a memorandum from Chief Rasmussen regarding the Homeland Security preparedness exercise scheduled for October 23, 2010 was on file in the Clerk's office.

Clerk Reale also reported that the City had received an electronic communication from the U.S. Department of Justice notifying the City of the award of a \$56,610.00 grant through the COPS Secure Our Schools (SOS) program.

Approval of Minutes

Tolar/Kehoe motion to approve Regular City Council Meeting minutes of September 27, 2010 as published and distributed. Unanimously carried.

Acceptance of Petition for Direct Annexation by Unanimous Consent

Kehoe/Marsala motion to accept and forward to the Plan Commission a pre-annexation agreement and 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). (Potter) Unanimously carried.

Second Reading and approval of Ordinance 10-12, amending Chapter 50 Offenses and Miscellaneous Provisions of the Lake Geneva Municipal Code, Prohibited Act (Smoking Ordinance)

Tolar/Mott motion to approve Ordinance 10-12. Attorney Draper explained that the language defining "enclosed indoor area" in the draft ordinance was correct and conformed to the Department of Commerce definition. Unanimously carried.

Finance, License and Regulation Committee Recommendations – Alderman Krause

LICENSES & PERMITS

Original Operator Licenses for Samantha Engerman, William Hartmann Jr., Samantha Vandercar, and Jacqueline Brower

Krause/Marsala motion to approve. Unanimously carried.

Discussion/Action on award of bid for Riviera tuckpointing repair project

Alderman Krause reported that one bid had been received for the project, including an alternate base bid for the removal and replacement of the parapet walls and front walls of the Riviera building. The only bid had been submitted by Holton Brothers, of Grafton, for the amount of \$48,400.00, with alternate base bid of \$91,300.00. Staff had recommended approval of the alternate base bid. It was noted that the contractor would be matching the brick on the repaired sections with the existing brick façade. Alderman Hartz restated his objection to voting on portions of the overall Riviera project before knowing the cost figures for the total scope of the project.

Krause/Kehoe motion to authorize the award of alternate base bid to Holton Brothers in the amount of \$91,300.00. Roll Call: Fesenmaier, Krohn, Tolar, Krause, Mott, Marsala, and Kehoe voted “yes”. Hartz voted “no”. Motion carried by vote of 7 to 1.

Discussion/Action on award of bid for Geneva Lake Museum of History addition and alterations project

Alderman Krause reported that the low bid for the project had been submitted by Big Foot Construction, of Fontana, for the amount of \$124,500.00. This project would include the addition of new restrooms, remodeling of an existing restroom for ADA compliance, entrance canopies, and new windows and doors. Noting that the budget for the project was \$150,000.00, he reported that the committee had recommended awarding the bid to Big Foot and authorizing total project costs not to exceed the original budget amount. It was noted that there would also be additional fees for the services of McCormack-Etten Architects.

Alderman Kehoe asked if additional funds could be made available in the budget to cover the additional costs for tuckpointing, which had been estimated at \$24,000.00. DPW Winkler responded that the City would do the best job possible on these repairs using any of the remaining project funds. Administrator Jordan noted that the Joint Review Board had provided for an additional 15% in allowable overages for the project, which would provide sufficient funding to cover the additional tuckpointing repairs without amending the TIF. Alderman Hartz stated that the project should be kept within the original budget, even if overages would be otherwise allowed.

Krause/Marsala motion to authorize the award of bid to Big Foot Construction in the amount of \$124,500.00 and to approve total project costs for an amount not to exceed \$150,000.00.

Roll Call: Fesenmaier, Krohn, Tolar, Krause, Hartz, Mott, Marsala, and Kehoe voted “yes”. Unanimously carried.

Discussion/Action on proposals for Assessor Consultant services

Alderman Krause reported that Jim Danielson from Accurate Appraisal had made a presentation to the committee on the services offered by his firm; however, no action had been taken by the committee with respect to the proposal. It was suggested that the proposal be considered at the next regular meeting, along with the proper actions for the elimination of the current assessor and appointment of Accurate Appraisal to handle those responsibilities.

Mott/Krause motion to continue this item to the October 25, 2010 regular meetings of the Finance, License and Regulation Committee and Council. Unanimously carried.

Discussion/Action on Request of Proposals (RFP) for Auditor services

Alderman Krause reported that a quote had been obtained from Deignan & Associates, the City’s current auditor, to perform the 2010 audit for an amount not to exceed \$21,055.00. If approved for a one-year agreement with Deignan, the City would then issue a Request for Proposals (RFP) for auditing services next year. Alderman Mott asked how the quote for 2010 compared to the costs for the previous year. Alderman Krause responded that the City had paid \$19,250.00 to Deignan last year.

Krause/Marsala motion to approve a one-year agreement with Deignan & Associates to conduct the 2010 audit, for an amount not to exceed \$21,055.00.

Roll Call: Krohn, Tolar, Krause, Hartz, Marsala, and Kehoe voted “yes”. Fesenmaier and Mott voted “no”. Motion carried by vote of 6 to 2.

Discussion/Action on acceptance of credit cards for tax payments

Alderman Krause reported that the committee had recommended authorizing an agreement with Official Payments.com Corp. to accept credit cards for tax payments. Under the agreement, the City would have no liability and a 2.75% convenience fee would be charged to the customer for using the service. With this arrangement, the City would accept credit card payments for taxes by telephone or internet; however, residents would not be able to use credit cards in person at City Hall.

Krause/Marsala motion to authorize an agreement for the acceptance of credit card payments through Official Payments.com Corp., with the 2.75% convenience fee charged to the customer. Unanimously carried.

Discussion/Action on agreement for current planning services with Vandewalle & Associates

Alderman Krause reported that the committee had recommended approving a renewal contract with Vandewalle & Associates for planning services for 2011. He noted that rates had been kept flat, adding that most of the charges for these services were passed on from the City to the developers or applicants, as needed.

Krause/Hartz motion to approve renewal contract with Vandewalle & Associates for planning year 2011. Motion carried by vote of 7 to 1, with Alderman Fesenmaier opposed.

Discussion/Action on long-term parking study survey

Alderman Krause reported that the committee had voted by a margin of 3 to 2 against recommending approval of a request for a long-term parking study survey.

Krause/Tolar motion to deny request for a long-term parking study survey through the University of Wisconsin-Whitewater, for an amount not to exceed \$15,000.00.

Alderman Marsala explained the survey proposal. Researchers from UW-Whitewater had proposed conducting a long-term parking survey that would ultimately provide information to the Parking Commission that could be used in creating a long-term parking plan. The Parking Commission had forwarded the item to Council to determine if there was any interest in proceeding before scheduling a joint session to hear a presentation from the surveyors. Alderman Hartz stated that he had favored the proposal because this type of survey would help City officials establish goals for a needed overall parking plan. Alderman Krause asked if it would be possible to have the representatives from UW-Whitewater make a presentation to Council so the members could get a sense of the survey plans before making any decision as to whether to proceed. Alderman Marsala responded that the Parking Commission wanted to present the Council with the potential cost figures to see if there would be any serious interest in moving forward with the project before scheduling a presentation by the researchers. Mayor Connors suggested that a presentation could be made at the November Committee of the Whole meeting.

Motion failed by vote of 1 to 7, with Aldermen Krohn, Tolar, Krause, Hartz, Mott, Marsala, and Kehoe opposed.

Krause/Kehoe motion to include presentation of the survey proposal at the November Committee of the Whole meeting and continue this item to the November 8, 2010 regular meeting. Unanimously carried.

Discussion/Action on purchase of pole-mounted, solar-powered speed control devices

Alderman Krause reported that the committee had recommended authorizing the purchase of one unit for an amount not to exceed \$3,000.00.

Krause/Marsala motion to authorize the purchase of one unit through Decatur Electronics for an amount not to exceed \$3,000.00.

Alderman Kehoe read a note from Chief Rasmussen regarding the quote into the record. Chief Rasmussen had stated that the representative from Decatur Electronics would be lowering the original quote of \$2,694.00 because of the City’s receipt of an AAA traffic safety grant. As such, the City would be receiving the state AAA rate for the purchase. Alderman Mott noted that the initial suggestion had been to purchase three devices. Alderman Krause responded that the number had been suggested by Chief Rasmussen based upon the number of problem traffic areas in the City. He added that funding for the purchase would come from Contingency, which would require a budget

resolution. Alderman Kehoe suggested purchasing one device at the present time and then deciding if more should be purchased at a future date. Following discussion, it was recommended that the motion be tabled to the next regular meeting, to allow Chief Rasmussen time to provide specific pricing details for the device.

Mott/Kehoe motion to table to the next regular meeting. Unanimously carried.

Personnel Committee Recommendations – Alderman Hartz

Discussion/Action on revised City Organizational Chart

Alderman Hartz reported that the committee had recommended adoption of a revised City Organizational Chart to reflect the current structure under which staff was operating. Included among the proposed changes was the assignment of the Parking/Front Desk Clerk and the DP/Accounting Clerk to the Comptroller, leaving only the Deputy City Clerk under the supervision of the City Clerk. He noted that this change had been recommended in the internal controls assessment.

Hartz/Tolar motion to approve the revised City Organizational Chart. Unanimously carried.

Piers, Harbors and Lakefront Committee Recommendation – Alderman Marsala

Discussion/Action on amendment to Section 5, Littering and Pollution, of the Joint Uniform Lake Law Ordinance

Alderman Marsala reported that this item would be continued to the next regular meeting to allow for further review of the amendment by the City Attorney. He stated that there were concerns about the standing piers at Riviera in light of the paint restrictions specified in the proposed amendment.

Marsala/Krause motion to continue this item to the October 25, 2010 regular meeting. Unanimously carried.

Presentation of Accounts – Alderman Krause.

Purchase Orders. None.

Krause/Hartz motion to approve Prepaid Bills in the amount of \$11,765.86. Roll Call: Fesenmaier, Krohn, Tolar, Krause, Hartz, Mott, Marsala, and Kehoe voted “yes”. Unanimously carried.

Krause/Marsala motion to approve Regular Bills in the amount of \$583,877.65. Roll Call: Fesenmaier, Krohn, Tolar, Krause, Hartz, Mott, Marsala, and Kehoe voted “yes”. Unanimously carried.

Adjournment

Krause/Marsala motion to adjourn at 8:25pm. Unanimously carried.

/s/ Jeremy A. Reale, City Clerk

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