

REGULAR CITY COUNCIL MEETING
MONDAY, SEPTEMBER 13, 2010 – 7:00 PM
COUNCIL CHAMBERS, CITY HALL

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

The Pledge of Allegiance was led by Alderman Marsala.

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

Awards, Presentations, and Proclamations

Mayor Connors read a proclamation designating the week of September 17-23, 2010 as “Constitution Week” in the City of Lake Geneva.

Mayor Connors read a proclamation designating the week of September 13-18, 2010 as “National Assisted Living Week” in the City of Lake Geneva.

Mayor Connors and Henry Sibbing delivered remarks on the outstanding community service work of Mary Koutsky and presented Mrs. Koutsky with the Citizen Service Award.

Mayor Connors announced that the Fourth Annual Memory Walk to benefit the Alzheimer’s Association was to be held on the morning of September 18, 2010 at Library Park.

Mayor Connors announced that the Racine/Lake Geneva Fire Bells annual fundraiser would be held from 12:00pm to 6:00pm September 19, 2010 at Hogs n’ Kisses.

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.

Thomas Spellman, 270 Country Club Drive #22, addressed the Council regarding Item #12 on the agenda. He noted that the Ad Hoc Policy and Procedure Committee had discussed the internal audit process in its review of the City’s finance policy. Mr. Spellman stated that it was important for the internal financial audit to continue as an annual process in the City’s policy manual, with a comprehensive independent audit of internal controls also taking place every 3 to 5 years.

Acknowledgement of Correspondence. None.

Approval of Minutes

Krause/Tolar motion to approve Regular City Council Meeting minutes of August 23, 2010 as published and distributed. Unanimously Carried.

Finance, License and Regulation Committee Recommendations – Alderman Krause

RESOLUTIONS

Resolution 10-R52, a budget resolution transferring \$3,000.00 from the Contingency Account into a utility account for electric and gas expenses associated with the WE Energies Building, 120 Sheridan Springs Road

Krause/Hartz motion to approve Resolution 10-R52.

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

Resolution 10-R53, a resolution to amend the Municipal Bond Schedule

Krause/Marsala motion to approve Resolution 10-R53. Attorney Draper noted that the amendment was necessary to correct inconsistencies and align the provisions of the bond schedule with local ordinances and state statutes. Unanimously carried.

LICENSES & PERMITS

Temporary Class “B” / “Class B” Retailer’s License for St. Francis Church, 148 W. Main Street, to sell fermented malt beverages and wine on September 19, 2010 for fall festival event

Krause/Marsala motion to approve. Unanimously carried.

Original Operator Licenses for Douglas S. Rockwell, Patricia A. Wise, Carrie Marie Bearce, Bradley James Kieny, and Ieshia M. Clay

Krause/Tolar motion to approve. Unanimously carried.

Discussion of Annual Budget Schedule

Alderman Krause presented the proposed schedule of presentations, workshops, and meetings for the City’s 2011 budget process. It was recommended that departmental budget presentations would commence on October 4, 2010 after budget requests had been compiled by the Administrator, Comptroller, and Finance chairman. These presentations would be followed by Finance Committee budget workshops in early October, with a full Council workshop and review scheduled for October 19, 2010. The budget summary would be approved for publication by the committee and Common Council on October 25, 2010, with a public hearing to be held prior to the November 22, 2010 meeting. Alderman Krause also stated that all budget reviews and workshops would be televised and open to the public for comments and questions throughout the process. A copy of the budget schedule would be made available on the City’s website as soon as possible.

Discussion/Action on AT&T and Time-Warner relocation, electrical and restoration costs associated with Seminary Park/Baker Street

Krause/Marsala motion to approve electrical and restoration costs in the amount of \$4,300.00. Alderman Krause noted that this item was a follow-up to the earlier approvals of utility line burial costs for Alliant, AT&T, and Time-Warner. The costs of landscape restoration and installation of two electrical boxes would bring the project total to \$95,166.40. Roll Call: Marsala, Kehoe, Fesenmaier, Krohn, Tolar, Krause, Hartz, and Mott voted “yes”. Unanimously carried.

Discussion/Action on award of bid for 2010 Tree Planting Program

Krause/Hartz motion to authorize the award of bid for 2010 Tree Planting Program to Dan Larsen Landscaping in the amount of \$29,847.28. Alderman Hartz commented that the contract with Larsen would provide for a one-year warranty on the trees, adding that the City had not experienced any issues with the trees planted by Larsen during the previous year. Administrator Jordan noted that the increased labor costs included in the bids were attributable to new state prevailing wage requirements for public works projects in excess of \$25,000.00. Roll Call: Marsala, Kehoe, Fesenmaier, Krohn, Tolar, Krause, Hartz, and Mott voted “yes”. Unanimously carried.

Discussion/Action on reinvestment of CD

Alderman Krause reported that this item had been forwarded from Finance, License and Regulation without recommendation, pending the receipt of additional information about the City’s investment portfolio. Comptroller Pollitt stated that the initial recommendation of transferring the remaining balances from the First Banking Center CD to the Local Government Investment Pool (LGIP) would put the City’s investments in excess of the fifty percent maximum allowable for the pool under City policy. She suggested that the Council could permit the LGIP cap to be exceeded on a temporary basis until the situation improves, as the only other option would be to invest those funds in CDARS with poor rates. Comptroller Pollitt recommended reinvesting \$140,000.00 in a CD through M & I Bank and transferring the balance to LGIP until the Council could have an opportunity to explore its options at the September 27 meeting. It was noted that action was needed immediately, as the First Banking Center CD was set to mature on September 18.

In reviewing the regular CD quotes from local banking institutions, Alderman Hartz noted that Fox River State Bank offered considerably higher interest rates and asked if it would be worthwhile to pursue. Comptroller Pollitt responded

that the institution had had some questionable financial issues and she would need to do more research on bank ratings before recommending any action to invest funds with Fox River.

Krause/Tolar motion to approve the reinvestment of funds from First Banking Center CD as follows: \$140,000.00 to be invested in Regular CD through M & I Bank for a period of seven months at 0.50 percent, with the balance of \$514,358.72 being transferred to LGIP at a rate of 0.22 percent. It was further stipulated that this arrangement would be reviewed at the September 27, 2010 meeting.

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

Personnel Committee Recommendation – Alderman Hartz

Appointment of Cindy Gruenwald to the position of Assistant Meter Department Supervisor

Hartz/Tolar motion to approve the appointment of Cindy Gruenwald to the position of Assistant Meter Department Supervisor effective September 14, 2010 at the rate of \$12.00 per hour. Unanimously carried.

Public Works Committee Recommendation – Alderman Tolar

Discussion/Action on request to reduce speed limit on Hwy 50, from St. Francis Church to Edwards Boulevard

Tolar/Fesenmaier motion to approve the reduction of speed limit on the specified portion of Hwy 50 to 30mph. The Council discussed the results of a traffic study conducted by Chief Rasmussen that had been distributed prior to the meeting. Chief Rasmussen had recommended reducing the speed limit from 40mph to 30mph, given the fact that this was a heavily-traveled stretch of roadway with a history of over 80 traffic accidents during the previous two years. He stated his belief that a lower speed limit would reduce the frequency and severity of accidents on this section of Hwy 50.

Alderman Marsala questioned whether reducing the speed limit was a practical solution to the traffic issues, as not all of the accidents included in the study were related to speeding. He also suggested that the majority of motorists who travel Hwy 50 on a regular basis do obey the current speed limits and there is little problem with speeding during the offseason. Alderman Kehoe stated her preference for instituting universal speed limits, with those limits gradually increasing as the roadways approach the edges of the City. Alderman Mott stated that he had spoken with a handful of residents in District 3, with the majority indicating a preference for a 35mph limit. Alderman Fesenmaier stressed the importance of supporting the recommendation of Chief Rasmussen, also noting that Edwards Boulevard was posted as a 30mph speed limit as a four-lane road. Alderman Krause suggested that the City consider installing temporary solar-powered radar devices that display the speeds of vehicles as they pass. He also expressed his support for a 35mph speed limit as a gradual step-down to the 25mph speed limit currently in place west of Curtis Street.

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

Mott/Krause motion to approve the reduction of speed limit on the specified portion of Hwy 50 to 35mph, with instructions to the City Attorney to draft an amendment to the ordinance accordingly.

Roll Call: Krause and Mott voted “yes”. Marsala, Krohn, Tolar, and Hartz voted “no”. Kehoe and Fesenmaier abstained. Motion failed by a vote of 2 to 4, with 2 abstentions.

Policies and Procedures – Ad Hoc Committee

Discussion of City of Lake Geneva Policy Manual Chapter 1, Financial Policies

Administrator Jordan reported that the committee was in the process of finalizing recommendations for revisions to Sections 1.1 through 1.7 of Chapter 1. The committee was scheduled to meet again on September 22, 2010 to discuss the series of recommendations offered by Alderman Hartz for these sections before bringing the revisions back to Council.

Presentation of Accounts – Alderman Krause.

Purchase Orders. None.

Krause/Marsala motion to approve Prepaid Bills in the amount of \$97,276.97. Roll Call: Marsala, Kehoe, Fesenmaier, Krohn, Tolar, Krause, Hartz, and Mott voted “yes”. Unanimously carried.

Krause/Hartz motion to approve Regular Bills in the amount of \$450,858.42. Roll Call: Marsala, Kehoe, Fesenmaier, Krohn, Tolar, Krause, Hartz, and Mott voted “yes”. Unanimously carried.

Closed Session

Hartz/Marsala motion to go into closed session 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: Geneva Ridge Joint Venture regarding Notice of Injury and Notice of Claim received June 10, 2010. Attorney Draper explained that the City was required to act on the claim within 120 days of receipt and that the Council would be given legal advice as to how to proceed with that action during the closed session proceeding.

Roll Call: Marsala, Kehoe, Fesenmaier, Krohn, Tolar, Krause, Hartz, and Mott voted “yes”. Unanimously carried. The Council entered into Closed Session at 8:07pm.

Krause/Marsala 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: Marsala, Kehoe, Fesenmaier, Krohn, Tolar, Krause, Hartz, and Mott voted “yes”. Unanimously carried. The Council reconvened in open session at 8:21pm.

Krause/Marsala motion to deny the Notice of Injury and Notice of Claim received June 10, 2010.

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

Adjournment

Kehoe/Tolar motion to adjourn at 8:24pm. Unanimously carried.

/s/ Jeremy A. Reale, City Clerk

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