

REGULAR CITY COUNCIL MEETING

MONDAY, APRIL 12, 2010 – 7:00 PM

COUNCIL CHAMBERS, CITY HALL

Mayor Chesen calls the meeting to order at 7:00pm.

Pledge of Allegiance was lead by Alderman Krause.

Roll Call: Alderman Krause, Roehrer, Mott, Marsala, Fesenmaier, Krohn, and Tolar, Attorney Draper, Mayor Chesen, Clerk Dykstra, Administrator Jordan, and DPW Winkler.

Statement of public notice by Mayor Chesen.

Krause/Marsala motion to approve Regular City Council Meeting minutes of March 22, 2010 as published and distributed. Alderman Roehrer noted that on page three she felt it was not from contingency but from TIF. The City Clerk will review. Unanimously carried.

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.

Larry Magee, 1120 Mobile Street, he noted he has been a resident for 65 years. He is addressing item #22, he wanted to welcome the council members coming back and he looks forward to the new being seated. There has been a long two years and he gives credit to Mayor Chesen. He has never known of a time when a Mayor has been faced with so much hatred and adversity. He didn't resign, he stuck it out and stood up to the plate. His actions made people come out and he wanted to say thank you to Mr. Chesen. They wish everyone the best.

Sturges Taggart, 129 Curtis Street, he wanted to address the concern for the cemetery. They are asking for support for a larger buffer that is allowed by County Ordinance. The County Plan has given an additional 50 feet. He is trying to keep building away from the north lot line. Along the north perimeter there are prominent people buried and this adventure park will be here until the next endeavor. The Council needs to address to take this property by adverse selection and have the Cemetery own this parcel 300 feet in depth and a quarter of a mile east to west. This would protect them from future development. Their proposal will go to the Board on April 22, 2010.

Re-consider business from previous meeting. None.

Acknowledgement of Correspondence.

Mayor Chesen noted there is an Arbor Day Foundation Letter naming the City of Lake Geneva Tree City USA. He further reminded residents to completed their US Census forms and return as soon as possible.

Proclamation establishing April as ARBOR DAY month in the City of Lake Geneva. It was noted April 24, 2010 at 9AM at Seminary Park where a tree will be planted in memory of Former Mayor Richard Folman. Alderman Roehrer noted this Saturday the State Park will be planting 400 trees and volunteers are welcome.

Proclamation establishing April 18, 2010 as BOB MEYERHOFER day in the City of Lake Geneva was presented by Mayor Chesen.

Public Hearing on Special Assessment s for Improvements in the City of Lake Geneva related to the Proposed Shore Acres Sanitary Sewer Project.

Dave Klassy, 1121 S. Lake Shore Dr., he noted this is the best time and everyone there is in favor of it.

Bob McCay, 1121 S. Lake Shore Dr., he thanked Mr. Winkler for the job he has done.

Tolar/Roehrer motion to close the public hearing. Unanimously carried.

Resolution 10-R12 a Preliminary Resolution declaring intent to exercise special assessment powers under section 66.0703, Wisconsin Statutes, for improvements in the City of Lake Geneva related to the proposed Shore Acres water main and sanitary sewer project.

Krause/Roehrer motion to approve. DPW Winkler noted this is six homes that have been on septic and they are in the heart of the city and they have substandard water service. He is very happy to see this project completed. They urged the Council to approve and move forward. Unanimously carried.

Discussion/possible action concerning proposed zipline course and ATV park adjacent to Oak Hill Cemetery. (Administrator Jordan)

He felt there was some concern regarding this and asked if they wanted they should direct him to send a letter together to the DOA, the Town of Geneva, and the County of Walworth.

Krause/Fesenmaier motion to approve sending those letters. Unanimously carried.

Second Reading and approval of Ordinance 10-02 An Ordinance amending Chapter 2 Alcohol Beverages of the Lake Geneva Municipal Code to address delinquent tax payments.

Roehrer/Marsala motion to approve. Unanimously carried.

Second Reading and approval of Ordinance 10-03 An Ordinance amending Chapter 74 Traffic and Vehicles of the Lake Geneva Municipal Code to address U-Turns.

Tolar/Marsala motion to approve. Alderman Roehrer asked who is going to determine the list. It was noted all the signalized intersections would have this sign. This states by a separate resolution these will be indicated. Attorney Draper noted this can be done at the next meeting. Unanimously carried.

Original Class A Liquor and Class A Fermented Malt Beverage License Application for Geneva Liquors, 797 Wells Street, Lake Geneva, Kanwal Kaur Agent.

Krause/Marsala motion to approve. Unanimously carried.

Street Use Permit application for the Genoa City Lions Club, Harley Davidson Raffle from April – July 2010 on the northwest corner of Main and Broad.

Krause/Roehrer motion to approve. Unanimously carried.

Street Use Permit application for the Geneva Lake Environmental Agency for the Classic Car Rally on Saturday, September 25, 2010 from 8:00am until 12:00pm utilizing Wrigley Drive.

Krause/Marsala motion to approve. Unanimously carried.

Street Use Permit application for John Corrigan and the Big Foot Triathlon on June 27, 2010 from 7am until 12pm using South Lakeshore Drive from South Street to Big Foot State Park entrance.

Krause/Marsala motion to approve. Unanimously carried.

Street Use Permit application for Lakeland Animal Welfare Society, Paws 4 Lakeland Animal Shelter walk on April 18, 2010 from 1pm until 3pm.

Krause/Marsala motion to approve. Unanimously carried.

Taxi Cab Driver License Application for John Albert, 1119 Pleasant St., Lake Geneva.

No action was required.

Temporary Picnic License Application by the Lake Geneva Chamber of Commerce for Lake Geneva Women's Weekend April 23-25, 2010 at the Riviera Ballroom.

Krause/Roehrer motion to approve. Unanimously carried.

Disallowance of claim filed by Dolores Hintzpeter for vehicle damage on January 31, 2010.

Krause/Roehrer motion to approve the disallowance of the claim. Motion carried. Alderman Marsala opposed.

Operator licenses applications for Jillian Glas, Jacob McHugh, Megan Clausen, and Kristina Kerwer-Horgan.

Krause/Marsala motion to approve. Unanimously carried.

Resolution 10-R13 a resolution to adjust the 2009 fund balance accounts for Police Designated Fund Balance Uniform Allowance in the amount of \$766.17.

Krause/Roehrer motion to approve. Roll Call: “Yes” Alderman Krause, Roehrer, Mott, Marsala, Fesenmaier, Krohn and Tolar. Unanimously carried.

Resolution 10-R14 a resolution to amend the 2009 operating budget for Police Donations in the amount of \$1,100 and Donation Purchases in the amount of \$4,675.38 from fund balance donations.

Krause/Roehrer motion to approve. Roll Call: “Yes” Alderman Krause, Roehrer, Mott, Marsala, Fesenmaier, Krohn and Tolar. Unanimously carried.

Resolution 10-R15 a resolution to change the 2009 operating budget increasing Softvest Expenditures by \$4,585 from Designated FB-PD Vest Donations.

Krause/Roehrer motion to approve. Roll Call: “Yes” Alderman Krause, Roehrer, Mott, Marsala, Fesenmaier, Krohn and Tolar. Unanimously carried.

Resolution 10-R16 a resolution to change the 2009 operating budget to increase Donations CPR classes by \$1,826 and CPR classes by \$1,597.04, and Designated Fund Balance – Fire CPR rev by \$228.96.

Krause/Marsala motion to approve. Roll Call: “Yes” Alderman Krause, Roehrer, Mott, Marsala, Fesenmaier, Krohn and Tolar. Unanimously carried.

Resolution 10-R17 a resolution to change the 2009 operating budget to increase Fire Dept Donations by \$6,625 and Donations Fire Purchases by \$7,174.72 and decrease Designated Fund Balance – Fire Donations by \$549.72

Krause/Mott motion to approve. Roll Call: “Yes” Alderman Krause, Roehrer, Mott, Marsala, Fesenmaier, Krohn and Tolar. Unanimously carried.

Resolution 10-R20 a resolution to adjust the 2009 Capital Projects Fund Budget \$3,701 Police Radio Replacements from Designated FB-PF Radio System.

Krause/Marsala motion to approve. Roll Call: “Yes” Alderman Krause, Roehrer, Mott, Marsala, Fesenmaier, Krohn and Tolar. Unanimously carried.

Resolution 10-R22 a resolution to increase the 2010 Budget for Tax Increment Financing District 4 Street Resurfacing by \$479,000 from Appl.-Prior Yrs Appropriation.

Krause/Roehrer motion to approve. Roll Call: “Yes” Alderman Krause, Roehrer, Mott, Marsala, Fesenmaier, Krohn and Tolar. Unanimously carried.

Resolution 10-R23 a resolution to increase the 2010 Budget for Tax Increment Financing District 4 Maintenance and Repairs by \$43,400 from Appl.-Prior Yrs Appropriations.

Krause/ Roehrer motion to approve. It was noted the word “exclusively” was changed to “primarily”
Roll Call: “Yes” Alderman Krause, Roehrer, Mott, Marsala, Fesenmaier, Krohn and Tolar. Unanimously carried.

Resolution 10-R24 a resolution to change the 2010 operating budget to increase Grant Purchases by \$1,422.71 for election grants received and not spent.

Krause/Mott motion to approve. Roll Call: “Yes” Alderman Krause, Roehrer, Mott, Marsala, Fesenmaier, Krohn and Tolar. Unanimously carried.

Discussion and possible action on the 2009 Capital Carry forward requests for the City of Lake Geneva.
Alderman Krause noted a resolution will come to the next meeting.

Contract for abatement of asbestos and demolition of WE Energies Building to Champion Environmental Services, Inc. in the amount of \$93,000.

Krause/Roehrer motion to table to allow the Attorney to review. Unanimously carried.

Explanation of Stipulation Agreement between the City of Lake Geneva and Marina Bay while litigation is pending. (Mayor Chesen)

Mayor Chesen noted that a memo was distributed by Attorney Draper and suggested they review.

Discussion/Recommendation on renewal of Buoy Lease for Marina Bay. (Alderman Marsala and Tolar)

Alderman Roehrer motioned to approve with the same conditions as the other leases.

Alderman Fesenmaier made a point of order. She noted this item is out of order because the minutes it was postponed until the end of May. She believes they should follow what is approved.

Mayor Chesen stated the tabling was probably done inappropriately.

Alderman Marsala noted these leases go into affect in three days from now. They have asked for this to go back on the agenda for the beginning of the contract date.

Attorney Draper commented it has been noticed properly, and they should remove from the table and take a vote on the item.

Tolar/Marsala motion to remove from the table. Unanimously carried.

Roehrer/Krause motion to approve the lease with the same conditions as the other leases. Alderman Marsala noted it would be a three year lease at the non-resident rate, and it can be terminated at the end of the year and they all obtain a business license. Unanimously carried.

Comments from the Mayor regarding the City's Financial Status. (Mayor Chesen)

Mayor Chesen noted that six years ago under Mayor Shepstone the City had \$14Million in debt and about \$300,000 in undesignated reserve. When he leaves office on April 20th there will be about \$5,092,000 in debt and about \$2.2 Million in undesignated reserves which is after the purchase of WE energies process. They have a good bond rating, and one of the best financial histories in the state. The City is financially healthy. He hopes that anyone who has questions will look at the reality and pay attention to those facts.

Correspondence from the District Attorney's Office regarding failure to comply with an Open Records Request. (Mayor Chesen)

Mayor Chesen stated he asked for this to be placed on the agenda. The Alderman have been asked by the City Attorney to comply with this request as quickly as possible.

Update on city wide Performance Evaluations as requested on January 18, 2010. (Mayor Chesen)

Mayor Chesen stated he understands that this will be on the next personnel agenda. He hopes that a citywide evaluation will occur and it should be done not just of department heads. He felt they can't expect to do a good job if we don't tell them how they are doing.

Farwell Comments from the Mayor. (Mayor Chesen)

It has been a real privilege to work with the employees of the City. He is shocked to know how little he knew about the City when he started. He commented that at the cemetery there are employees that didn't have heat until they were provided a wood furnace which they supply heat from the trees they clear. He noted there aren't many complaints about the fire department

Fire and Police do a wonderful job, cause very little problems and make the City very proud when serving this community. Meter maids create a tremendous amount of complaints, but that is because they are out doing their jobs and doing it well. It is amazing the difficult environment we put them to work in. They are truly the front line ambassadors. It is also amazing the types of calls the front desk receives regarding weather and temperature of the lake. He has nothing but respect for the staff. They do a fantastic job representing the City. Citizens should not only be proud of staff but proud of themselves. The City is amazing having an election with 47% turnout in a state average of 9-11%. He thanked the citizens for turning out. As difficult as the past two years have been, he has heard more laughter in the chambers this evening then the last two years. He hopes that continues for everyone's benefit.

Presentation of Accounts

Purchase Orders. None.

Krause/Roehrer motion to approve Prepaid Bills in the amount of \$67,244.97. Roll Call: “Yes” Alderman Krause, Roehrer, Mott, Marsala, Fesenmaier, Krohn and Tolar. Unanimously carried.

Krause/Roehrer motion to approve Regular Bills in the amount of \$226,647.26. Roll Call: “Yes” Alderman Krause, Roehrer, Mott, Marsala, Fesenmaier, Krohn and Tolar. Unanimously carried.

Appointments to Committees, Commission & Boards by Mayor Chesen.

Krause/Tolar motion to Adjourn at 7:58pm. Unanimously carried.

/s/ Diana Dykstra, City Clerk

These minutes are not official until approved by the Common Council