

REGULAR CITY COUNCIL MEETING

MONDAY, MAY 23, 2011 – 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 Kupsik.

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

Awards, Presentations, and Proclamations.

Barbara Braden, American Legion Auxiliary, addressed the Council to discuss the national memorial poppy program as a means of honoring and supporting those men and women who have served in the armed forces. Molly and Gwyn Braden, American Legion Auxiliary Poppy Princesses, then presented memorial poppies to each of the members of the Council and several citizens in attendance.

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.

Richard Peterson, 308 Walnut Street, Burlington, addressed the Council to comment on the proposed skateboard park. He reminded the aldermen that each of them had been elected to represent the citizens of Lake Geneva and to spend their money wisely, adding that the vast majority of those citizens did not support this project. He further stated that a number of residents with whom he had spoken had conveyed to him that they would prefer to see the existing park dismantled and removed altogether. Mr. Peterson remarked that the City had been in excellent financial condition when he completed his service as an alderman in 2001; however, financial practices had changed such that the City now shuffled money from one account to another like a shell game. Speaking in particular to the aldermen representing the Third and Fourth Districts, he cautioned that a vote to proceed with this project would be tantamount to a slap in the face to the residents they were elected to serve. He stated that the TIF should be closed to allow those funds to be returned to the City and the school districts rather than continuing to throw money at frivolous projects like the skate park.

Bill Huntress, 1015 Pleasant Street, also spoke on the subject of the skateboard park. He relayed an anecdote to highlight the fact that the City had \$500,000.00 set aside for a skate park at the same time that it was seeking to borrow \$1 million because funds were needed for street repairs. He suggested that this was not a good way to manage a City.

Craig Olson, 998 Lake Geneva Blvd, addressed the Council along with his son, Andrew, in support of the skateboard park project. He noted that, although his family represented a segment of the population that did use the current park, there were several residents of the City who did not necessarily use the park but felt that it was a worthwhile public project that merited an investment.

Ryan Harris, N2655 Woodlane Road, rose in support of the skateboard park. He urged City officials to take into account the fact that skateboarding was a sport that continued to grow in popularity. If the Council members understood how big the sport had become, he believed they would recognize the opportunity to make the skateboard park a destination location that would bring more people into Lake Geneva. Mr. Harris also noted that having the park was beneficial to youth across a wide segment of the community, as it provided an outlet for a free activity in which anyone could participate.

Pete Peterson, 1601 Evergreen Lane, also broached the topic of the skateboard park, commenting that City officials did not seem to learn from past mistakes. He noted that he had supported the construction of the existing skate park during his time on the Council and, in hindsight, now recognized the mistakes that had been made in the planning for that facility. These mistakes included the poor selection of location and the fact that insufficient provisions had been made for supervision and regulation of the park property. He surmised that if the Council continued to move forward on this project without ensuring that those issues were adequately addressed, the City would eventually find itself in the same position with the new park. He calculated that the City was looking at the possibility of spending as much as \$700,000.00 within a ten-year period between the existing park and a new park. Mr. Peterson also suggested that only a small portion of the skateboard park users were actually Lake Geneva residents, adding that he did not feel that the City was therefore obligated to spend its money to build a park that would serve other area communities without their contribution.

Doug Skates, 1133 Bonnie Brae Lane, offered his support for the skateboard park project. He stated that the current skate park was, on a per-square-foot basis, probably the most heavily used park area in the City of Lake Geneva. With respect to maintenance, he remarked that City crews did an excellent job of taking care of the park properties and offered that the Board of Park Commissioners would certainly be open to looking at measures that could be taken to make the park more maintenance-free. He noted that the skate park had been created to fill a void in the community and was developed because residents wanted to get the children off the streets and into an area where they would be able to enjoy skateboarding activities. Mr. Skates agreed with some of the prior comments about inadequate planning for supervision of the current park, adding that the skate park had initially been designed with little or no input from users. He stated that the Board of Park Commissioners was simply looking to move forward with a design at this point, and hoped to be able to eventually have an opportunity to get input from users and members of the community for a more responsible development of the new park.

Acknowledgement of Correspondence.

City Clerk Reale reported that a letter from Sue Barker, Crispell-Snyder, had been filed on May 20 with the clerk's office concerning the engineering review of the utility easement provisions in the Certified Survey Map for the recently-annexed Potter property at the southwest corner of Townline Road and Edwards Boulevard. He noted that the letter indicated that all concerns with the easements had been satisfactorily addressed, as requested by Council in its continuing consideration of the zoning amendment for the parcel (Ordinance 11-14).

City Clerk Reale also noted that letters had been received on May 23 from Kristen Olson and Barbara Dinan, each indicating the authors' support for the new skateboard park plaza project.

Approval of Minutes

Krause/Kehoe motion to approve Regular City Council Meeting minutes of May 9, 2011, as published and distributed. Unanimously carried.

Review of 2010 Financial Audit by Arthur Tillman, Deignan and Associates

Arthur Tillman, Deignan and Associates, addressed questions from the Council regarding the final financial report for the year ended December 31, 2010.

Alderman O'Neill requested that he be sent a list of the required financial adjustments referenced in the auditor's May 9 letter under the section on "material audit adjustments". Mr. Tillman agreed to provide this information. Alderman O'Neill also addressed the subject of the City's estimated \$1 million in current pension obligations, asking if it would be accurate to state that the City's pay-as-you-go method for handling these obligations was effectively transferring debt to future citizens. Mr. Tillman responded that the situation was not unlike other debt obligations in that payments are to be made in the future for benefits received immediately. Alderman O'Neill asked Mr. Tillman to comment on the fact that the report showed the Parking Fund was owed approximately \$454,000.00 from the General Fund. It was noted that these funds for Parking were showing in the General Fund due to the City's pooled investments. Because those Parking funds were being held by the General Fund and set aside in investments, this amount was not reflected in the fund balance for the General Fund.

Alderman Hartz inquired about the TIF fund balance being reported as \$5.82 million. Mr. Tillman noted that the report only reflected financial information through December 31, 2010; therefore, the current balance was not included

in the figures. Comptroller Pollitt estimated that the current fund balance would be roughly \$6 million. Mayor Connors noted the points raised in the report regarding uninsured cash balances, asking if it would be prudent for the City to sweep any excess funds into non interest-bearing accounts until such time that they could be transferred to the Local Government Investment Pool (LGIP). Mr. Tillman responded that he would recommend either that or spreading the amount of funds collected across a larger pool of financial institutions. He also noted that the LGIP was not insured either, although it had a good history of investing in well-backed certificates. Mayor Connors also mentioned that the executive summary discussed the City's debt capacity. While the City would be permitted to borrow up to 4 percent of its equalized value, he had calculated that Lake Geneva's current long-term debt stood at approximately 0.3 percent. Alderman Hartz asked Mr. Tillman to provide his thoughts on the City management responses to the report. Mr. Tillman stated that he had reviewed the management responses and felt the ideas presented were good, although he noted that he would like to see the City explore the possibility of consolidating all accounting functions under one department.

Discussion/Action on adoption of 2010 Financial Audit Report, as presented by Deignan and Associates
Krause/Kupsik motion to adopt the 2010 Financial Audit Report, as presented. Unanimously carried.

Update on status of Wrigley Bridge reconstruction project (Administrator Jordan)

Administrator Jordan provided an update on the project, as provided by Crispell-Snyder. He noted that asphalt paving was scheduled to take place during the current week, with signing and pavement markings to be completed the following week. The south approach slab had been poured that day, with crosswalks to be poured on Tuesday, May 24 and, weather permitting, paving of the road to take place on Wednesday, May 25. He discussed the impact on Wrigley Drive during the paving, noting that the street would need to be temporarily closed to thru traffic. The business owners along Wrigley Drive had been contacted about the temporary closure and no concerns had been expressed, as all were in agreement that the bridge needed to be completed as soon as possible. Administrator Jordan stated that paving work would begin at 4:00am and be completed by approximately 11:00am. During this time, he noted that some parking would still be available along Wrigley Drive for patrons of the area businesses, adding that a flagman would be posted to direct motorists making u-turns so they could exit Wrigley Drive at Main Street. Alderman O'Neill mentioned that he had been observing the reconfiguration of the intersection of Wrigley and Broad Street, which was designed so that motorists would only be able to make a right turn coming from Wrigley Drive north of the bridge. He expressed concern about the width of the corner possibly making it difficult for larger vehicles, such as buses and fire trucks, to navigate the right turn without traveling into the other lane. Administrator Jordan responded that he believed the design had taken that into account; however, he stated that he would follow up on those concerns.

Second Reading and Approval of Ordinance 11-14, an ordinance amending the Zoning Map of the City of Lake Geneva, Walworth County, Wisconsin, to designate Planned Business (PB) zoning for property recently annexed to the City, former Tax Key Number MA3976 00002 (*continued 5/9/11*)

Hartz/Kupsik motion to approve Ordinance 11-14. Unanimously carried.

Second Reading and Approval of Ordinance 11-15, amending Chapter 74, Traffic and Vehicles, of the Lake Geneva Municipal Code regarding parking meters and parking stickers

Kupsik/O'Neill motion to approve Ordinance 11-15. Alderman Marsala discussed the fact that he had been approached by constituents with concerns about the provisions for two-year renewals on senior parking stickers, adding that he did not see any benefits or cost savings associated with that change. Alderman Krause responded that those provisions had originally been added to Chapter 74 to address issues with vehicle sales and ensure that residents kept vehicle registrations current. Mayor Connors noted that the senior parking sticker renewal process was already included in the code, and the only changes being recommended in Ordinance 11-15 were related to the applicability of parking stickers at limited-time specialty meters. Motion carried by vote of 7 to 1, with Alderman Marsala opposed.

Second Reading and Approval of Ordinance 11-16, amending Chapter 2, Administration, of the Lake Geneva Municipal Code regarding the Parking Commission

Krause/Kehoe motion to approve Ordinance 11-16. Mayor Connors addressed the proposed changes included in the ordinance, including altering the composition of the Commission to include the director of the Chamber of Commerce as a permanent non-voting member and requiring the group to meet at least quarterly.

Alderman Mott suggested that the Commission should be required to meet on a bimonthly basis, as he felt that such a requirement would force the group to address any issues in a more timely fashion. There was some discussion among the Council members as to whether imposing a more regular meeting requirement would hamstring the Commission, and Mayor Connors noted that nothing in the subject ordinance would prevent the Commission from meeting more frequently if needed.

Mott/Kehoe motion to amend to state that the Parking Commission shall meet on at least a bimonthly basis. Motion failed by vote of 2 to 6, with Aldermen Kupsik, Krohn, O'Neill, Krause, Hartz and Marsala opposed.

The original motion unanimously carried.

Finance, License and Regulation Committee Recommendations – Alderman Marsala

ORDINANCES

First Reading of Ordinance 11-17, amending Chapter 70, Taxation, of the Lake Geneva Municipal Code regarding interest on tax payments

Alderman Krause noted that the subject ordinance would adjust the interest rate on tax payments from 1 percent to 1.5 percent, which would bring local ordinances into alignment with State statutes.

First Reading of Ordinance 11-18, amending Chapter 74, Traffic and Vehicles, of the Lake Geneva Municipal Code to establish a speed limit of 30mph on North Edwards Boulevard and Sheridan Springs Road (*recommended by Public Works 5/12/11*)

Alderman Krause reported that the speed limit on North Edwards had been discussed by the Public Works Committee, which had recommended an increase from the current limit of 25mph to 30mph. This change would affect North Edwards Boulevard beginning just past the curve near Home Depot and continuing along Sheridan Springs Road to the intersection with County H.

LICENSES & PERMITS

Original Class “A” Fermented Malt Beverage License application filed by Geneva Bay Market & Gifts, LLC, 252 Center Street, Lake Geneva, WI, Patrick M. Kavanaugh, Agent

Krause/Marsala motion to approve. Unanimously carried.

Temporary Class “B” License application filed by Friends of Big Foot Beach State Park for sale of fermented malt beverages during Big Foot Triathlon at Big Foot Beach State Park, 1550 S. Lake Shore Drive, Lake Geneva, on June 26, 2011 from 7:00am to 1:00pm

Krause/Kehoe motion to remove the item from the agenda. City Attorney Draper explained that the State would have jurisdiction over the park as a state property; therefore, the City would have no authority over the sale of alcoholic beverages. Unanimously carried.

Change of Agent Schedule application filed by Stone Soup, LLC, d/b/a Baker House, 327 Wrigley Drive, Lake Geneva, WI, to Charles Andrew Fritz IV, 327 Wrigley Drive, Lake Geneva, WI

Krause/Kupsik motion to approve. Unanimously carried.

Street Use Permit application filed by American Legion Post 24 for Memorial Day parade and ceremony on May 30, 2011, from 9:00am to 10:30am

Krause/Marsala motion to approve, including waiver of the application fee. Chairman Krause noted that there had been some discussion at the committee level about the parking of the fire trucks in the area in front of the Riviera, as Alderman O'Neill had suggested this arrangement limited the visibility for parade goers. Administrator Jordan was to discuss this concern with Chief Connelly to determine if another suitable location for the trucks would be available. Unanimously carried.

Original Taxi Driver License applications for Rhonda Bowler and Alison Maehler

Alderman Krause noted that no action was required on the applications, as both had been approved by Chief Rasmussen.

Original Operator License application filed by Grace Bush

Krause/Hartz motion to approve. Unanimously carried.

Renewal “Class B”/Class “B” Retail License applications for 2011-2012

Krause/Marsala motion to approve renewal “Class B”/Class “B” Intoxicating Liquor and Fermented Malt Beverage License applications filed by the following, pending all outstanding liabilities to the City being paid and all distributor invoices and Department of Revenue holds being cleared prior to issuance of the licenses:

LG Hospitality Group LLC, d/b/a Ryan Braun’s Tavern & Grill, 430 N. Broad Street, Ann Gram, Agent
Pop More Corks, Inc., 615-617 Main Street, David Biegemann, Agent

Chairman Krause noted that both applications had been continued from the previous meeting due to outstanding delinquencies, which had now been cleared. Unanimously carried.

Renewal Reserve “Class B”/Class “B” Retail License applications for 2011-2012

Krause/Marsala motion to continue renewal Reserve “Class B”/Class “B” Intoxicating Liquor and Fermented Malt Beverage License application filed by Cove Condominium Association, d/b/a The Cove of Lake Geneva, 111 Center Street, Sal Sardina, Agent.

City Clerk Reale noted for the record that the subject applicant continued to be delinquent in room tax payments due to the City, and also had a hold placed against its license by the Department of Revenue. Unanimously carried.

Renewal “Class A”/Class “A” Retail License applications for 2011-2012

Krause/Kupsik motion to continue renewal “Class A”/Class “A” Intoxicating Liquor and Fermented Malt Beverage License applications filed by the following:

Global Gourmet LLC, d/b/a Global Gourmet & Village Baker, 738 W. Main Street, Terence Conell, Agent
Geneva Corner Market, Inc., 1231 Grant Street, Kathleen Ketterhagen, Agent

City Clerk Reale noted for the record that both applicants were delinquent in personal property payments due to the City, and also had outstanding distributor invoices that needed to be paid prior to issuance. Unanimously carried.

Renewal Class “A” Retail License applications for 2011-2012

Krause/Kupsik motion to approve renewal Class “A” Fermented Malt Beverage License applications filed by the following, pending all outstanding liabilities to the City being paid and all distributor invoices and Department of Revenue holds being cleared prior to issuance of the licenses:

Geneva Lakes Convenience Corp., d/b/a Lake Geneva Clark, 728 Williams Street, Debra Van Horn, Agent
Tienda El Rancho, Inc., 1151 Elkhorn Road, Mercedes Jaramillo, Agent

Unanimously carried.

Discussion/Action on agreement and amendments with Springsted Incorporated, for providing Continuing Disclosure and Rebate Requirements

Krause/Hartz motion to approve agreement and amendments with Springsted, subject to the approval of the borrowing. Administrator Jordan reported that the capital borrowing process included certain SEC requirements for continuing public disclosure of pertinent information relating to the issuance of municipal debt. As part of the award of the promissory notes, the City would be committing to continue providing ongoing disclosure regarding the issue and to complying with the arbitrage regulations. Under the terms of the subject agreement, Springsted would perform the disclosure functions on behalf of the City for the next five years.

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

Discussion/Action on renewal of Community Bank of Delavan CDARS in the amount of \$600,000.00, expired May 19, 2011

Krause/Marsala motion to approve renewal of CDARS for a term of 26 weeks at 0.40 percent interest.

Roll Call: Kupsik, Krohn, O’Neill, Krause, Hartz, Mott, Marsala, and Kehoe voted “yes”. Unanimously carried.

Discussion/Action on renewal of M&I Bank CD in the amount of \$54,000.00, expiring June 1, 2011

Krause/Marsala motion to authorize transfer of the \$54,000.00 plus interest to Talmer Bank CD for a term of 12 months at 0.50 percent interest.

Roll Call: Kupsik, Krohn, O’Neill, Krause, Hartz, Mott, Marsala, and Kehoe voted “yes”. Unanimously carried.

Discussion/Action on agreement for skateboard park design and engineering services (*continued 5/9/11*)

Hartz/Kupsik motion to suspend the rules to permit Mike McIntyre, Action Sports Design (ASD), to address the Council. Unanimously carried. Mr. McIntyre commended City leaders for the thoughtful approach and methodology taken with respect to the skateboard park issue, including soliciting input from residents. He discussed the “community consensus” process used by ASD in the design and engineering phase, which would include a series of workshops and a website designed to solicit feedback from skate park users and other interested citizens. He noted that the goal was to come back with ideas generated from the public input process to try to develop some type of consensus within the City as to the most appropriate vision for the facility.

City Attorney Draper reported that he had spoken with Mr. McIntyre about the concerns he had with respect to the language of the agreement. He noted that ASD had provided a copy of the certificate for a \$1 million liability policy, if such a limit would be acceptable to the Council. With respect to the issues related to potential breach, it was agreed that the contractor would only be paid for the scope of work actually completed. Therefore, if the project was ultimately rejected by the Council, the City would not be responsible for paying the contractor for any costs that would have been associated with bidding out the project to various construction companies. It was also stipulated that in the event the City and contractor parted ways, the City would own the designs and be permitted to use them as seen fit; however, it would be prohibited from selling those designs to third parties. City Attorney Draper indicated that he found the terms satisfactory. Alderman O’Neill asked for data on the percentage of children and young adults that would be expected to use the skate park. Mr. McIntyre agreed to provide the Council with this statistical information.

Kupsik/Hartz motion to approve the agreement with ASD for skateboard park design and engineering services, including the addition of provisions recommended by the City Attorney, for an amount not to exceed \$30,000.00.

In response to previous comments about the cost and location of the original skate park, Alderman Kupsik noted for the record that the original park had cost approximately \$125,000.00. He also stated that the current Dunn Field location had been selected because that park had been underutilized at that time and City officials believed that building the skate park at that site would be a good way to draw more people to the area. He remarked that he had not received any negative feedback from his constituents with regard to the proposal.

Alderman Krohn reported that all of the feedback that she had received from constituents and others in the community had been negative toward the new park, adding that the majority would prefer to see the City simply fix the current facility. Alderman Marsala concurred, suggesting that the \$30,000.00 being proposed for the design and engineering of a new park could be better spent on making repairs to the existing skate park. Alderman Kehoe noted that she had been appalled by the condition of the skate park and the amount of rubbish spread about the area, and urged the skateboard park users to step forward and take care of the maintenance on the park property. Alderman Hartz sought to respond to the public comments made about earmarking funds for a skate park while borrowing to fund street repairs. He noted that the skate park had been included as a line item in the TIF budget several years ago, and that most of the roads within the TIF district had already been paved. TIF funds could not be used to repair streets outside of the district; therefore, he felt that an accurate comparison had not been made by the speaker. Alderman Hartz also

felt that if the City simply repaired the current park, the Council would find itself in the same position a few years down the road.

Alderman Krause stated that the City's approach to the design of the new skate park was considerably different than the original park, which had included little, if any, professional insight. He added that he would support moving forward with this phase, as he could see some good possibilities for the entire City with this project. Alderman Marsala disputed the claim that the City had not used professional insight in the construction of the existing skate park. Alderman Mott stated that he had not been contacted by a significant number of constituents in opposition to the project, adding that all of the emails he had received were in support and phone calls had been about evenly divided on the subject. He reiterated his concerns about supervision and maintenance of the skate park, adding that the City needed some continuing plan in place for adequate supervision of the facility. He cautioned that, although he would support moving forward with the design at this stage, he would not support moving forward with construction of a new park without the guarantee that supervision would be provided.

In response to suggestions that the City could charge a fee for using a new skate park, City Attorney Draper commented on the subject of recreational immunity. He remarked that this immunity meant that the City generally could not be sued for any injuries sustained on recreational properties. He advised that the City's immunity would be lost if it began making a profit from charging fees to use any park. Mayor Connors asked Administrator Jordan to respond to comments made about the TIF and its effect on other taxing jurisdictions. Administrator Jordan noted that the infrastructure built using TIF funding had significantly contributed toward the \$85 million increase in assessed valuation of the area, from which the schools would ultimately receive the benefit of increased tax revenue. He stated that the Council directive to have the TIF closed in 2012 would mean that any TIF projects would either need to be started by next year, or bid and escrowed.

Roll Call: Kupsik, Krause, Hartz, Mott, and Kehoe voted "yes". Krohn, O'Neill, and Marsala voted "no". Motion carried by vote of 5 to 3.

Discussion/Action on approving additional street locations for 2010 Street Maintenance Program (*recommended by Public Works 5/12/11*)

Krause/Kupsik motion to approve the additional locations of Main Street (between Broad and Warren) and Madison Street (between Geneva and Wisconsin) in the 2010 Street Maintenance Program contract with Payne and Dolan, with any leftover monies from the \$140,000.00 reserve balance being used for street projects in the TIF. Unanimously carried.

Discussion/Possible Action on directing staff to solicit proposals for electronic voting/meeting management system

Krause/Kupsik motion to direct staff to solicit proposals, including the temporary use of system on a trial basis for up to two months at no cost or obligation to the City. Alderman Krause noted that the Council had previously viewed a demonstration of the Roll Call Pro system, adding that Administrator Jordan had located another vendor offering a similar product for a significantly lower cost. The Finance, License and Regulation Committee had recommended investigating additional systems and directing staff to solicit proposals for the Council to consider. He stated that this action was simply to give Council additional options to consider; the City would not be obligated to make any commitment at this point.

Alderman Kupsik felt it was sensible to use the system on a trial basis, also stating that attracting more vendors would result in the City obtaining a better price for any system it might ultimately decide to purchase. Alderman Mott suggested that the Council needed to hear from the City Clerk as to which system would be more beneficial and how the workload of the clerk's office would be impacted. Mayor Connors stated that he had spoken to Walworth County Board Chair Nancy Russell, who indicated that the County was happy with the Roll Call Pro system it uses for meetings. He added that he favored instituting some type of voting system to eliminate the undue influence factor from voting on Council matters. Alderman Marsala remarked that he was not certain he would ultimately support purchasing a system; however, he believed it would only be fair to use it on a trial basis before making a final decision. City Clerk Reale stated that he had never used an electronic voting system and would therefore reserve judgment as to the user-friendliness of the system or its impact on the clerk's workload. He added that he would support using a system on a trial basis to determine whether it would be beneficial to purchase.

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

Discussion/Action on agreement for treatment for the control of aquatic weed and algae growth

Krause/Marsala motion to approve agreement with Bio-Aquatic Services, LLC, for an amount not to exceed \$4,600.00. Alderman Krause noted that this expenditure would be funded from Lakefront.

Roll Call: Kupsik, Krohn, O’Neill, Krause, Hartz, Mott, Marsala, and Kehoe voted “yes”. Unanimously carried.

Plan Commission Recommendations – Alderman Hartz

Discussion/Action on amendment to General Development Plan/Precise Implementation Plan for an existing Planned Development filed by Capitol Geneva LLC, d/b/a Sprecher’s Restaurant & Pub, P.O. Box 44507, Madison, WI 53744, for the addition of an outdoor multi-level deck for outdoor dining (Outdoor Commercial Entertainment) at 111 Center Street, Lake Geneva, WI 53147, Tax Key Number ZCOV 00001, including all staff recommendations and the following conditions: that the setback of the lower deck be moved back ten feet from the right-of-way; that music is allowed, not to be discernable at the side lot lines, and that any live music is subject to approval with a Conditional Use permit or Temporary Use permit; and that signage be installed to state that all parking is available to Cove guests and Sprecher’s guests

Hartz/Kupsik motion to approve the amendment, with recommendations and conditions as specified. Alderman Hartz reported that this would provide for the construction of a three-tiered deck area across the frontage of the Sprecher’s building. Alderman O’Neill estimated that the business was about sixty-one stalls short of providing full parking capacity for Sprecher’s and The Cove, noting that the City typically placed a charge on businesses that lacked sufficient off-street parking. Administrator Jordan responded that there had previously been a provision for a penalty to be assessed; however, this had been discontinued some time ago. He noted that Harbor Shores had been the only business to be assessed the additional parking fee during that time. Motion carried by vote of 6 to 2, with Aldermen O’Neill and Krause opposed.

Discussion/Action on amendment to General Development Plan for an existing Planned Development filed by Parkside Management Services, 5215 Old Orchard Road, Suite 860, Skokie, IL 60077-1045, to allow for an increase in the number of senior housing units from 100 to 110 and other zoning exemptions for a proposed development at Tax Key Number ZSF 00074, including all staff recommendations and the condition that additional fire hydrants be added, as requested by the Fire Department

Hartz/Kupsik motion to approve the amendment, with recommendations and conditions as specified. Alderman Hartz reported that this item involved the former racetrack property. One segment of the development was to include senior housing, in addition to the renovation of an existing barn structure to be used as a community center. Motion carried by vote of 7 to 0, with Alderman O’Neill abstaining.

Resolution 11-R39, authorizing the issuance of a Conditional Use Permit filed by Vista del Lago Homeowners Association, 1070 S. Lake Shore Drive, Lake Geneva, WI 53147, for the installation of a wrought iron fence in excess of three feet in the streetyard at 1070 S. Lake Shore Drive, Lake Geneva, WI 53147, Tax Key Number ZCNV 00001-58, including all staff recommendations

Hartz/Kupsik motion to approve Resolution 11-R39. Unanimously carried.

Board of Park Commissioners Recommendations – Alderman Kupsik

Discussion/Action on authorizing the use of the 8th fairway portion of the former Hillmoor Golf Course for dog park (recommended by the Board of Park Commissioners 5/4/11)

Hartz/Kupsik motion to authorize the Board of Park Commissioners to investigate the possible use of the 8th fairway portion of the former Hillmoor Golf Course for a dog park. Alderman Kupsik noted that the commissioners had been discussing the need for a dog park for quite some time. The Hillmoor location was favored because it was accessible to the public and parking was already available at the site. Mayor Connors stated that the Board was asking for Council approval to continue researching the possibility of using the 8th fairway for a dog park and working out any details of how such a park would be structured, managed and maintained. These details would include size, fencing,

and the possibility of requiring a dog license to use the facility. In subsequent discussion, the general consensus of the aldermen was that the dog park would be a worthwhile project for the community. Unanimously carried.

Discussion/Possible Action on draft residential rental certification/building code ordinance proposals

City Attorney Draper reported that he was preparing an ordinance for the consideration of the Council; however, he really needed input from the aldermen as to whether the inspection and certification program should be instituted on a citywide basis or targeted to certain areas. A straw poll of the Council was conducted, indicating that the aldermen favored a citywide program by a margin of 7 to 1. Alderman Hartz expressed a preference for a targeted program.

Krause/Marsala motion to continue. Unanimously carried.

Discussion/Action to direct the City Clerk to publish notice of intent to revise the White River Floodway

Krause/Kupsik motion to direct the City Clerk to publish the notice, as prepared. Administrator Jordan reported that the White River had been channeled slightly narrower during the construction of the new bridge, and the City was required to develop a revised flood plain to be submitted to FEMA. Unanimously carried.

Discussion/Action on collective bargaining agreement between the Lake Geneva Firefighters Association and the City of Lake Geneva for 2010

Kehoe/Marsala motion to approve the agreement.

Roll Call: Kupsik, Krohn, O'Neill, Krause, Hartz, Mott, Marsala, and Kehoe voted "yes". Unanimously carried.

Presentation of Accounts – Alderman Krause

Purchase Orders. None.

Krause/Marsala motion to approve prepaid bills in the amount of \$7,367.15.

Roll Call: Kupsik, Krohn, O'Neill, Krause, Hartz, Mott, Marsala, and Kehoe voted "yes". Unanimously carried.

Krause/Marsala motion to approve regular bills in the amount of \$170,003.80.

Roll Call: Kehoe, Kupsik, Krohn, O'Neill, Krause, Hartz, Mott, and Marsala voted "yes". Unanimously carried.

Hartz/Marsala motion to accept the monthly report of the City Treasurer as of January 31, 2011. Unanimously carried.

Mayoral Appointments – Mayor Connors

Mayor Connors announced the following citizen appointments to Boards, Committees, and Commissions:

Appointment of Jeffrey Pritz to the Communications Committee, for a term expiring May 1, 2013

Appointment of Peggy Schneider to the Board of Park Commissioners, for a term expiring May 1, 2014

Kupsik/Mott motion to approve the appointments, as listed. Unanimously carried.

Adjournment

Krause/Marsala motion to adjourn at 10:11pm. Unanimously carried.

/s/ Jeremy A. Reale, City Clerk

THESE ARE NOT OFFICIAL MINUTES UNTIL APPROVED BY THE COMMON COUNCIL