

REGULAR CITY COUNCIL MEETING

MONDAY, JULY 25, 2011 – 7:00 PM

COUNCIL CHAMBERS, CITY HALL

Mayor Connors called the meeting to order at 7:04pm.

The Pledge of Allegiance was led by Alderman Hartz.

Roll Call. Present: Aldermen Hartz, Mott, Kehoe, Kupsik, Krohn, O'Neill, and Krause. Alderman Marsala was absent (excused). Also present: Administrator Jordan, City Attorney Draper, and City Clerk Reale.

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.

Mark Smith, 1004 Geneva Street, addressed the Council with respect to Item 13 pertaining to parking in the residential areas of the First Aldermanic District. He noted that he had been attending Parking Commission meetings and that he appreciated the fact that several elected officials have demonstrated an interest in parking issues by attending these sessions as well. He stated that he looked at the parking situation in the First District as one that could be turned into a positive revenue source for the City, estimating that the City had missed out on roughly \$90,000.00 in potential parking-related revenue from underutilized meters during the year 2000. Mr. Smith had distributed copies of an ordinance adopted by the City of Madison, which he suggested could be used as a template for addressing parking in residential areas in Lake Geneva.

Catherine Green, resident of the Manor, noted that parking had presented a recurring problem in the Manor area, as parked vehicles made the streets so congested it created an impediment for any emergency vehicles that might need to respond to residences in the neighborhood. The on-street parking was particularly problematic during holiday periods when many residents were entertaining guests. She stated that the Board would be addressing the parking issue at its next meeting; however, she asked for the Council to give some consideration to adopting a policy that would allow for emergency vehicles to be able to better navigate those streets.

Acknowledgement of Correspondence

City Clerk Reale reported that a letter had been received from Ed Yaeger expressing his support for a proposal to create a "Railway Park" within the Lake Geneva park system.

Approval of Minutes

Kupsik/Krause motion to approve Regular City Council Meeting minutes of July 11, 2011, as published and distributed. Unanimously carried.

Public Hearing on draft ordinance implementing a building maintenance code and residential rental property registration and inspection program for the City of Lake Geneva

Mayor Connors opened the public hearing. City Attorney Draper noted that the draft ordinance contained all of the elements that had been discussed during previous Council meetings on the subject. He stated that the ordinance, if adopted, would address one of the major defects in the municipal code, which was that a building maintenance code had never been adopted by the City to set standards of expectations for the quality of habitable residences. He noted that certain properties such as hotels and boardinghouses had been eliminated from the ordinance because these businesses would typically be licensed and regulated by the State. City personnel would therefore be able to narrow their focus to inspections of rental properties, which would itself be a significant task. No members of the public sought recognition to address the Council during the hearing.

Mott/Kupsik motion to close the public hearing. Motion carried by vote of 6 to 1, Alderman Kehoe opposed.

Discussion/Recommendation on draft ordinance implementing a building maintenance code and residential rental property registration and inspection program for the City of Lake Geneva

Alderman Kehoe asked whether the draft ordinance would have the effect of implementing the program on a targeted or citywide basis. City Attorney Draper responded that the program would be implemented citywide, as that had been the consensus of the majority of the Council. Alderman Hartz proposed that the ordinance be changed to focus instead on targeted areas, as he reasoned that reducing the number of units responsible for inspection would afford City officials an opportunity to determine very quickly whether or not the ordinance was effective. Alderman Kehoe stated that she would like to have an opportunity to have the Building Inspector or Code Enforcer appear before the Council to address any questions on issues related to property maintenance. Alderman O'Neill inquired about the exemption of hotels and boardinghouses, stating that his understanding was that the State conducted health inspections of these premises but not building inspections. He was concerned that, left unchecked, the conditions of these properties could deteriorate and pose possible risks to the safety of guests. He also felt that some property owners might try to evade being subject to the terms of the ordinance by limiting themselves to short-term, non-permanent rentals. City Attorney Draper noted that it would then become a question of whether these property owners were in compliance with the licensing requirements for hotels or boardinghouses, as administered by the State.

Kehoe/Krause motion to refer this item to the August 1, 2011 meeting of the Committee of the Whole for additional discussion, directing that the Building Inspector and/or Code Enforcer be present to address any questions. Unanimously carried.

Krause/Krohn motion to forward this item for First Reading to the regular Finance, License and Regulation Committee and Council meetings of August 8, 2011. Unanimously carried.

Finance, License and Regulation Committee Recommendations – Alderman Krause

LICENSES & PERMITS

Temporary “Class B”/Class “B” Retail License application filed by Geneva Area Foundation/Horticultural Hall for the sale of wine and fermented malt beverages at “Hort-Couture Garden Gala” on August 5, 2011 at Horticultural Hall, 330 Broad Street, Lake Geneva, WI

Krause/Hartz motion to approve, with the condition that the City Clerk be directed to confirm the alcohol service times of the event and advise the Council accordingly. Unanimously carried.

2011-2012 Renewal Massage Establishment License application filed by Alternative Health Associates, Ltd., 105 Townline Road, Lake Geneva, WI

Krause/Kupsik motion to approve. Unanimously carried.

2011-2012 Renewal Operator License applications filed by Barbara Leedle and Robert Clayton

Krause/Kupsik motion to approve. Unanimously carried.

Original 2011-2012 Operator License applications filed by Anthony Engle, Mary Camalieri, and Leonard Jegerski

Krause/Kupsik motion to approve. Unanimously carried.

Discussion/Action on award of bid for Riviera roof copper valley replacement project (continued 7/11/11)

Krause/Mott motion to approve the award of bid to Renaissance Roofing in the amount of \$63,948.00, including twenty-year warranty, to be funded by TIF.

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

Discussion/Action on award of bid for Cook Street lighting installation project

Krause/Mott motion to approve the award of bid to Geneva Lakes Electric, including the repair of damaged sidewalk and alley apron, in an amount not to exceed \$6,840.00, to be funded by TIF. Alderman Krause confirmed that the entire project included three light poles; however, the installation of one of the ornamental poles had been previously authorized. Therefore, this bid would cover the installation of the remaining two poles, plus the sidewalk and alley work specified.

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

Discussion/Action on maintenance contract for City Hall sprinkler and fire alarm systems

Krause/Hartz motion to approve maintenance contract with Simplex Grinnell for an amount not to exceed \$5,254.00. Alderman Krause noted that this was a one-year contract, with the City intending to pursue possible cost savings by combining the maintenance contracts for City Hall and the Geneva Lake Museum building into a multi-year contract in 2012.

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

Discussion/Action on contract for the replacement, narrow-banding, and two-way digital upgrade of emergency sirens

Krause/Hartz motion to approve contract with Federal Signal Corporation and Unlimited Enterprises for an amount not to exceed \$111,227.00. Administrator Jordan reported that this project would include replacement of an existing siren at Badger High School, and the installation of new sirens on the WE Energies property and in Edgewood Hills. With the new siren in Edgewood Hills, the existing siren near the intersection of Maxwell Street and County Highway H would be relocated to the Fire Station. He noted that the two-way digital upgrade would provide City emergency services personnel with the capability of testing the functionality of the sirens without the need to activate them.

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

Discussion/Action on purchase of mower for the City portion of the Hillmoor property

Krause/Mott motion to approve the purchase of a pull-behind, tri-deck mower from Triebold Implement for an amount not to exceed \$12,133.00, and two Toro 52-inch, stand-up mowers from Hwy C Services for an amount not to exceed \$12,280.00. Mayor Connors suggested that the motion be amended to include any current equipment that might be proposed for sale, as Street Superintendent Carstensen had indicated that an existing mower was to be sold.

Krause/Krohn motion to suspend the rules to permit Street Superintendent Carstensen to address the Council. Unanimously carried.

Street Superintendent Carstensen stated that it had originally been planned to purchase one smaller mower with the \$11,000.00 included in the capital budget; however, he had lost the pricing originally quoted on that unit. The purchase of the two Toro stand-up mowers was instead being recommended. He noted that one of the stand-up mowers would be used to cover the dog park property, in the event that the City would ultimately decide to move forward with that project. It was proposed to sell a current Ariens mower that would be replaced by the new mower, with Street Superintendent Carstensen estimating a value of at least \$500.00 for the surplus equipment.

Upon the concurrence of Aldermen Krause and Mott, as maker and seconder of the motion, the motion was amended to specify that it would include the sale of the Ariens mower equipment to be replaced by the new mower.

Roll Call: Hartz, Mott, Kehoe, Kupsik, Krohn, O’Neill, and Krause voted “yes”. Alderman Marsala was absent. The motion, as amended, unanimously carried.

Plan Commission Recommendations – Alderman Hartz

Resolution 11-R48, authorizing the issuance of a Conditional Use Permit filed by William R. Steininger for the installation of a decorative fence in excess of three feet in the streetyard at 1106 Wisconsin Street, Lake Geneva, WI 53147, Tax Key Number ZOP 00185, including all staff recommendations

Hartz/Krause motion to approve Resolution 11-R48. Alderman Hartz reported that the proposed conditional use would involve construction of a four foot aluminum fence designed to resemble wrought iron materials, which was in keeping with the general character of the neighborhood. He noted that neither adjoining property owner had registered any objection to the proposed fencing. Mayor Connors added that the view of the fence would largely be obscured by existing vegetation on the property. Unanimously carried.

Resolution 11-R49, authorizing the issuance of a Conditional Use Permit filed by Babcock Signs, for Lake Geneva Chevrolet, to change inserts on an existing non-conforming sign located at 715 Wells Street, Lake Geneva, WI 53147, Tax Key Number ZOP 00399B, including all staff recommendations and, specifically, that a planter be installed at the base of the sign

Hartz/O'Neill motion to approve Resolution 11-R49. Alderman Hartz stated that the applicant was requesting a conditional use to remove a defunct Pontiac insert and GM emblem from an existing non-conforming sign at Lake Geneva Chevrolet. As part of the Plan Commission recommendation, the owner would also be constructing a planter at the base of the sign. Unanimously carried.

Discussion/Action on amendment to General Development Plan and Precise Implementation Plan for an existing Planned Development filed by Ralph Toms of Mill Creek Hotel, 123 Center Street, Lake Geneva, WI 53147, to expand the deck area at 123 Center Street, Lake Geneva, WI 53147, Tax Key Number ZMIL 00001-34, including all staff recommendations

Hartz/Krause motion to approve amendment to the General Development Plan and Precise Implementation Plan, including all staff recommendations. Alderman Hartz reported that the request would involve the expansion of the deck area and the addition of railing for increased safety. The property owner had also agreed to install screening around the framework underneath the deck, which was to be similar to the existing screen. Unanimously carried.

Discussion/Action on directing the City Attorney to prepare an ordinance regarding the regulation of parking in residential areas for non-residents without valid parking permits (Aldermen Kehoe & Krause)

Alderman Kehoe stated that this item had been brought forward for discussion because non-residents were parking vehicles on streets in the residential areas of the First Aldermanic District rather than utilizing metered spaces along Main Street. She noted that there had been discussions regarding limiting parking in those areas to residents of Lake Geneva with valid City parking permits, which would direct tourist traffic to use the metered spaces and thereby increase parking revenues.

Alderman Krause stated that he had agreed to move this item forward to provide Alderman Kehoe with an opportunity to discuss her proposal; however, he was not certain that he favored the idea. While he was willing to explore possibilities for increasing revenues, he questioned how already-limited City personnel would be able to effectively enforce these regulations. Alderman Kehoe suggested that citizens from throughout the City should contact their aldermen to provide suggestions and feedback on this issue. She noted that she was particularly concerned about having sufficient parking available for individuals who work in the downtown area that would be safe and accessible. Alderman Mott suggested that the item be forwarded to the next Committee of the Whole meeting to provide citizens with an additional opportunity to comment.

Mayor Connors noted that the issue of the parking in residential areas was but one component of a larger overall parking issue in the City. Alderman Hartz agreed, adding that the Parking Commission was preparing to undertake a parking study to address a myriad of parking-related issues in Lake Geneva. He was particularly concerned about the implications of restricted parking in residential areas, asking how the City would be expected to address the issue of accommodating the non-resident and tourist vehicle population that would be displaced by the lost spaces.

Mott/Kehoe motion to refer to the August 1, 2011 meeting of the Committee of the Whole for additional discussion and public input from residents throughout the City. Motion carried by vote of 6 to 1, Alderman Hartz opposed.

Presentation of Accounts – Alderman Krause

Krause/Kupsik motion to continue purchase orders in the amount of \$32,180.00 to the next regular meeting. Unanimously carried.

Krause/Kehoe motion to approve prepaid bills in the amount of \$1,308.32.

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

Krause/Kupsik motion to approve regular bills in the amount of \$169,432.57.

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

Krause/Mott motion to accept the monthly report of the City Treasurer, for the month ended February 28, 2011. Unanimously carried.

Closed Session

Kupsik/Hartz motion to go into Closed Session pursuant to Wis. Stat. 19.85 (1)(e) for deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session, to discuss the possible sale of City property.

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

The Council entered into Closed Session at 8:18pm. Also present: Administrator Jordan, City Attorney Draper, and City Clerk Reale.

Kupsik/Krause 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: Hartz, Mott, Kehoe, Kupsik, Krohn, O’Neill, and Krause voted “yes”. Alderman Marsala was absent. Unanimously carried. The Council reconvened in open session at 8:38pm.

Krause/Hartz motion to authorize the City Administrator to negotiate an offer to purchase for the property in question, with input from the City Attorney, and in accordance with the terms specified in Closed Session. Unanimously carried.

Adjournment

Krause/Kehoe motion to adjourn at 8:41pm. Unanimously carried.

/s/ Jeremy A. Reale, City Clerk

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