

**REGULAR CITY COUNCIL MEETING
MONDAY, JULY 26, 2010 – 7:00 PM
COUNCIL CHAMBERS, CITY HALL**

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

Pledge of Allegiance was lead by Alderman Hartz.

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

Awards, Presentations, and Proclamations.

The Mayor announced a Parking Commission meeting for July 27 at 7:00pm.

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.

None.

Acknowledgement of Correspondence.

None.

Approve Regular City Council Meeting minutes of July 12, 2010 and Special meeting minutes of July 12, 2010 as published and distributed.

Krause/Mott motion to approve. Unanimously Carried..

Executive Order authorizing additional signatories on checks pursuant to Lake Geneva Municipal ordinance.

Krause/Kehoe motion to approve. Unanimously Carried.

Public Hearing on Special Assessments for improvements in the City of Lake Geneva related to the proposed Conant Street reconstruction project.

Winkler said this project goes from the west city limits to Platt Avenue; it's about 400'. There was a water main break last winter which severely damaged the pavement. Street improvement on Conant has been on the list for improvements for years. This gave opportunity to rebuild the road and put in curb and gutter at the same time. It would be a combined project, with the Water Utility paying the water main replacement and a lot of the street work; the City's portion from Street Program would be the storm drainage improvements, with the curb and gutter being assessed. There are 12 effective residents, with a cost \$20,000. Winkler said they would be replacing the service water laterals and storm drainage improvements. The Platt and Conant erosion problem would be addressed. Typically, curb and gutter is assessed and paid back immediately or over a five year period; sometimes the Council can decide to extend that further. The City pays the cost for the public improvements, those are placed on the assessment rolls, and the property owner has the option to pay the City right back or the City would collect that over time at an interest rate. Hartz asked where curb and gutter ends on Conant Street now. Winkler replied it ends at High Street. The long range plan is to improve Conant from High Street to the west City limits. Krause asked what the typical interest we have charged in the past. Winkler answered that previously they have done five years at 4% or ten years at 5% interest. Hartz asked if the actual cost or estimated cost would be paid.

Hartz/Mott to close the public hearing. Motion carried. 7 yes, Marsala abstained.

Tolar/Kehoe motion for five years at 4% interest rate and ten years at 5% interest rate, with the project not to exceed \$20,000. City Attorney Draper explained this is a preliminary plan. If the assessments increased or there

is a material change, there is provision in the statute for doing away with the assessment or project; otherwise, this is binding.

Roll Call. Yes: Hartz, Mott, Kehoe, Fesenmaier, Krohn, Tolar and Krause. Motion carried, Marsala abstained.

Agreement for Professional Consulting Services for Sheridan Springs Road Traffic Signal with Crispell-Snyder, Inc. Administrator Jordan noted the changes in the document.

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

Krause/Tolar motion to approve the service agreement. Hartz wondered if it is necessary to do the traffic count. Winkler said it is to set the timing of the signals. Kehoe asked if we need input from the County because it is a County road. Winkler said the obvious spot is Sheridan Springs intersection. The bridge and Edwards Expansion will be done by late fall, so there will be a lot of traffic. The DOT doesn't have anything to say about where we put the traffic light as long as we pay for it. Hartz is concerned about the range of costs and would like Crispell-Snyder to more clearly identify the charges. Winkler said they are charging on an hourly basis; if they don't need to use all the time, they don't charge us. If you want to set a not-to-exceed amount, you can. Mott feels there will be an absolute need to have a traffic light there, but is also concerned with the cost. Kehoe asked if Crispell-Snyder is the only entity that does stop lights. Winkler said no, they are our City engineering firm who went through the process of approval and do our engineering work. Hartz would like to have a final number so there are not additional costs later.

Krause/Tolar withdrew the motion.

Hartz/Krause motion to continue to the next regular Council meeting August 9. Unanimously carried.

Renewal agreement with US Cellular to provide cellular services under the State of Wisconsin contract.

(Administrator Jordan)

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

Jordan said this was bid out by the state and low bids came out. We have US Cellular and we were asked to provide a list of who at City Hall has phones and the charges.

Tolar/Krause motion to approve. Roll Call. Yes: Hartz, Mott, Marsala, Kehoe, Fesenmaier, Krohn, Tolar and Krause. Unanimously carried.

Finance, License and Regulation Committee Recommendations, Alderman Krause

ORDINANCES

First reading of **Ordinance 10-10** for Direct Annexation by Unanimous consent of electors and property owners pursuant to Wis. Stats. 66.0217 (2) and temporary zoning of (NO) Neighborhood Office Zoning District, from the Town of Bloomfield, Walworth County, Wisconsin, filed by Larry G. and Christine March, P.O. Box 1092, Lake Geneva WI 53147 as the new owners of record of all the real property sought to be annexed and John Kriske, 2260 C.T.H. H, Lake Geneva WI 53147 as the sole Elector residing in such territory.

RESOLUTIONS

Resolution 10- R49 a budget resolution to fund Vet's Park Field #5 Rehab.

Krause/Mott to approve **Resolution 10- R49** a budget resolution to fund Vet's Park Field #5 Rehab in the amount of \$19,317. This was already approved; this is the budget amendment. Roll Call. Yes: Hartz, Mott, Marsala, Kehoe, Fesenmaier, Krohn, Tolar and Krause. Unanimously carried.

LICENSES & PERMITS

Massage Establishment License application for Jasmine Salon & Spa, LLC, 251 Cook Street, Lake Geneva.

Krause/Marsala motion to approve. Unanimously carried.

Temporary Class B Retailer's License for the Lake Geneva Jaycees at Flat Iron Park for Venetian Festival August 18, 2010 through August 22, 2010

Krause/Marsala motion to approve. Unanimously carried.

Taxicab Company License application for Yellow Cab of Walworth County, 722 Faryl Avenue, Delavan WI 53115. Krause explained this is a renewal.

Krause/Krohn motion to approve. Unanimously carried.

2010 – 2011 Operator Licenses as presented
Krause/ Marsala motion to approve. Unanimously carried.

Operator License for Allen Kenyon, 953 Henry Street working for Roddy’s Liquor and Deli
Krause/Hartz motion to approve. Unanimously carried.

Recommendation to direct the City Attorney to draw up an agreement to hire Diana Dykstra as an independent contractor to train and assist at \$50/hour not to exceed \$2,000.

Krause/Marsala motion to approve. Roll Call. Yes: Hartz, Mott, Marsala, Kehoe, Fesenmaier, Krohn, Tolar and Krause. Unanimously carried.

Renewal of Community Bank \$300,000 CD

Krause/Tolar motion to roll over this CD for another 12 weeks at .4% interest. Roll Call. Yes: Hartz, Mott, Marsala, Kehoe, Fesenmaier, Krohn, Tolar and Krause. Unanimously carried.

Planning Commission Recommendation, Alderman Hartz.

Conditional Use Resolution 10-R46 a resolution filed by Marina Travlos for Evangelia Travlos for a fence located in the street yard in excess of three feet in height and more than 60% opaque at 833 S. Lake Shore Drive, Lake Geneva, Tax Key ZYUP 00100B, including staff recommendations.
Hartz/Tolar motion to approve **Conditional Use Resolution 10-R46**. Unanimously carried.

Conditional Use Resolution 10-R47 a resolution filed by Jeffrey and Kenneth Pritz for an espresso café (Indoor Commercial Entertainment) at 722 Main Street (Suite 105 and 106), Lake Geneva, Tax Key ZOP 00321, including staff recommendations.

Hartz/Krause motion to approve **Conditional Use Resolution 10-R47**. Unanimously carried.

Conditional Use Resolution 10-R48 a resolution filed by Lakeland Animal Welfare Society d/b/a/ 9 Lives for a Retail Store (Indoor Sales and Service) in a Neighborhood Office District at 835 Geneva Street, Lake Geneva, Tax Key ZOP 00170. 1) Store ownership and operation by the Lakeland Animal Welfare Society per the proposed site plan and no more than the proposed hours of operation, 2) Limit site access only to Geneva Street, 3) Limit exterior signage to only orient to Geneva Street traffic, and not Cook Street, 4) Any conditions identified by other City Staff, including the addition of at least four conventional striped parking stalls on the property. 5) Any conditions recommended by the Plan Commission and 6) An overall favorable review of the review criteria for conditional use permits contained in the Zoning Ordinance.

Krause, Marsala motion to allow the applicant to answer any questions. Unanimously carried. There is no handicapped accessibility.

Motion carried 7-1, Kehoe opposed.

Presentation of Accounts, Alderman Krause.

Purchase Orders. None.

Prepaid Bills in the amount of \$6,019.04. Krause/Hartz motion to approve. Roll Call. Yes: Hartz, Mott, Marsala, Kehoe, Fesenmaier, Krohn, Tolar and Krause. Unanimously carried.

Regular Bills in the amount of \$118,698.25. Krause/Hartz motion to approve. Roll Call. Yes: Hartz, Mott, Marsala, Kehoe, Fesenmaier, Krohn, Tolar and Krause. Unanimously carried.

Appointments to Committees, Commission & Boards by Mayor Connors. None.

“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: The Incorporation of the Town of Bloomfield and pursuant to Wis. Stat. 19.85(1)(c) considering employment, promotion, compensation or performance evaluation data of Diana Dykstra over which the governmental body has jurisdiction or exercises responsibility.”

Marsala/Tolar motion to go into closed session. It was noted there was nothing on the agenda to come out of closed session. Marsala/Tolar withdrew motion and second.

Krause/Marsala motion to adjourn. Unanimously carried.

/s/ Artis Roenspies, Deputy Clerk