

**REGULAR CITY COUNCIL MEETING
MONDAY, AUGUST 9, 2010 – 7:00 PM
COUNCIL CHAMBERS, CITY HALL**

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

Pledge of Allegiance led by Alderman Mott.

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

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.

Carol Smith, 330 Oakwood Lane, President of the Geneva Art Association, explained that Art in the Park will be in Flat Iron Park this year and showed the two small signs they wish to put in Library Park, where the event previously was held, to direct people to Flat Iron Park.

Acknowledgement of Correspondence. None.

Approve Regular City Council Meeting minutes of July 26, 2010 as published and distributed.

Mott/Tolar motion to approve. Unanimously carried.

Approve Agreement for Professional Consulting Services for Sheridan Springs Road Traffic Signal with Crispell-Snyder, Inc. (Continued from 7/26/10 Council Meeting)

Tolar/Marsala motion to approve Agreement for Professional Consulting Services for Sheridan Springs Road Traffic Signal with Crispell-Snyder, Inc. Hartz expressed concern about some of the items not being itemized and asked for clarification; he would like a clear contract that identifies what we are paying for. Mott felt it sounded like quite of money for this project. Tolar said each application is different; it's not a simple stop and go light.

Krause/Marsala asked to suspend the rules to allow Susan Barker to speak. Unanimously carried. Barker said they will meet with the City, and you are only charged for actual time. It is difficult to estimate a cost until the bids are received. It is more reasonable to provide a proposal for construction. There is a lot of work that needs to be done for this such as field work to make sure there is no underground. Hartz wondered why Crispell Snyder can't provide an estimate. Barker said they could provide one for budgeting purposes and that they could provide a detailed listing of what it would cost to do the design of this intersection.

Hartz/Tolar motion for an amendment to add construction cost and staking estimate. Unanimously carried.

Mott/Fesenmaier motion for an amendment to break it out in detail for the design of the intersection. Unanimously carried.

Main motion with amendment, unanimously carried.

**Finance, License and Regulation Committee Recommendations, Alderman Krause
ORDINANCES**

Second Reading and approval 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.

Krause/Hartz motion to approve and to instruct the Clerk to add designation of the aldermanic and supervisory districts. Unanimously carried.

Consideration of Ordinance 10-11 amending Chapter 74 Traffic and Vehicles of the Lake Geneva Municipal Code, Restricted Parking for Compact Cars Only.

Krause asked City Attorney to speak on this ordinance. Attorney Draper said this is based on Jefferson County as an example. The problem is to define what a compact car is. He brought this up for discussion and asks for more language. Mott detailed the area he had in mind. Jordan said he looked at it and said it is a larger area than a few spaces. After discussion, the Mayor suggested striking the first sentence and changing the second sentence to “it shall be a violation of this ordinance for any car larger than a compact car to be parked in any space designated as compact car only.” We could then send it on to Parking or Public Works to bring back to Council with their recommendations.

Consideration of Ordinance 10-12 amending Chapter 50 Offenses and Miscellaneous Provisions of the Lake Geneva Municipal Code, Prohibited acts. (Smoking Ordinance).

Draper has looked at a number of municipalities on wording; he took the best language he could find, using the model given. The biggest problem is the definition of an enclosed space. The penalties he adopted are based on Whitewater’s ordinance. We do have a no smoking ordinance in our book in which we need to make changes. Draper suggested adopting the Department of Commerce definition. Krause felt we need to very clearly define it. He also said the fines he has seen are significantly higher than what is suggested in this ordinance. Draper explained the state Statute defines the areas covered, primarily indoors. The consensus was to have Draper follow the Department of Commerce model. The police will need to enforce with forfeitures.

LICENSES & PERMITS

Street Use Permit application from Don Heise for Franklin Avenue Block Party September 11, 2010 from 12:00pm to 5:00pm. Krause/Marsala motion to approve. Unanimously carried.

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

Discussion/action on CD and CDARS renewals as listed.

Krause/Mott motion to approve CD and CDARS renewals as listed. The Comptroller called all the banks for the rates and gave the following recommendation to approve investing \$300,000 in a 12-month CD with Community Bank of Delavan; \$58,000 in a 9-month CD with M&I Bank; \$600,000 for 13 weeks in a CDARS with Community Bank of Delavan and \$600,000 in a 52-week CDARS with the Community Bank of Delavan. Roll Call. Yes: Aldermen Mott, Marsala, Kehoe, Fesenmaier, Krohn, Tolar. Krause, Hartz. Unanimously carried.

Discussion/action on 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 with verbiage change in Article 2 from “until the City of Lake Geneva’s City Clerk position is filled” to “until the City of Lake Geneva’s City Clerk is fully6 trained.” Roll Call. Yes: Aldermen Mott, Marsala, Kehoe, Fesenmaier, Krohn, Tolar, Krause, Hartz. Unanimously carried.

Discussion/action on Conant Street Water Main and Street Replacement Bids for Curb & Gutter Assessment and Street Maintenance Program Costs.

Jordan explained Council had already approved a range on this, and the bid came in under that range; but we did say we would bring it back to Council in case it was higher. This is informational so no action by Council is needed. Draper added the final hearing on this whole matter will be after all the construction costs are put together, then you’ll have a final determination on what exactly the assessments are.

**Board of Park Commissioners Recommendations, Alderman Fesenmaier
Request for the use of the City’s Hillmoor Property to film a movie.**

Fesenmaier explained Midway Films had applied to the Board of Park Commissioners to film with a small group on August 21 and August 26 from 5:00pm to 3:00am on the City’s Hillmoor Property. The Board of Park Commissioners referred it to Council because Hillmoor is not included in the parks normally rented out. Jordan said they will provide a certificate of insurance for a million dollars.

Fesenmaier/Mott to approve use of the City portion of Hillmoor, August 21 and August 26, 2010, filming from 5:00pm-3:00am, conditional on payment of remaining fees, insurance documentation and review by the Police Department. Mott/Krause made a friendly amendment that the residents in the area be notified and the film company returns the property to the original condition they found it. Unanimously carried. Jordan added this will be very small and that he would check references.

Approval of Art in the Park signs in Library Park (Administrator Jordan)

Hartz/ Kehoe motion for approval of Art in the Park signs in Library Park, allowing two temporary signs with attached map, August 10-15, 2010 to advertize the move to Flat Iron Park after 30 years in Library Park. Unanimously carried.

Discussion of City of Lake Geneva Policy Manual 0.1 Communications Policy as recommended by the Personnel Committee (Administrator Jordan)

Jordan explained this is the first piece and is the format we will use to bring these updated policies and procedures. He suggested bringing it back to the next meeting. If there are any big changes, give him a call and they can make the changes before the next meeting.

Consideration of City of Lake Geneva Policy Manual Chapter 1, Financial Policies (Administrator Jordan).

This will be coming back to the August 23 meeting. Hartz wondered if items in italics signify changes. The Mayor said yes when in italics and underlined. Kehoe suggested an index. Fesenmaier said they do have a table of contents.

Presentation of Accounts, Alderman Krause.

Purchase Orders. None

Krause/Marsala to approve prepaid bills in the amount of \$11,566.18. Roll Call. Aldermen Mott, Marsala, Kehoe, Fesenmaier, Krohn, Tolar. Krause, Hartz. Unanimously carried.

Krause/Tolar motion to approve regular Bills in the amount of \$416,876.55. Roll Call. Yes: Aldermen Mott, Marsala, Kehoe, Fesenmaier, Krohn, Tolar. Krause, Hartz. Unanimously carried.

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

Krause/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: The Incorporation of the Town of Bloomfield; and pursuant to Wis. Stat. 19.85(1)(c) considering employment, promotion, compensation or performance evaluation data over which the governmental body has jurisdiction or exercises responsibility regarding (Diana Dykstra) and (a potential candidate) for City Clerk position, and pursuant to Wis. Stat. 19.85(1)(e) for competitive bargaining reasons for the union negotiations updates (Administrator Jordan). Roll call. Yes: Aldermen Mott, Marsala, Kehoe, Fesenmaier, Krohn, Tolar. Krause, Hartz. Unanimously carried. (Deputy Clerk Roenspies left the meeting at 9:30pm before union negotiations were discussed.)

Krause/Mott 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. Yes: Aldermen Mott, Marsala, Kehoe, Fesenmaier, Krohn, Tolar, Krause, Hartz. Unanimously carried.

Hartz/Marsala motion to offer Jeremy Reale the position of City Clerk at \$50,000 per annum with the standard benefit package, starting August 30, 2010, subject to the full background and reference checks, and to direct the City Attorney to draft an employment contract. Roll Call. Yes: Aldermen Mott, Marsala, Kehoe, Fesenmaier, Krohn, Tolar. Krause, Hartz. Unanimously carried.

Hartz/Marsala motion to allow Diana Dykstra to convert eight sick days to eight paid vacation days. Roll Call. Yes: Aldermen Mott, Marsala, Kehoe, Tolar. Krause, Hartz. No: Fesenmaier, Krohn. Motion carried 6-2.

Krause/Marsala motion for adjournment at 10:40pm. Unanimously carried.

/s/ Artis Roenspies, Deputy Clerk

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