

CITY OF LAKE GENEVA REGULAR COMMON COUNCIL MINUTES
MONDAY, AUGUST 22, 2022 - 6:00 PM
LAKE GENEVA CITY HALL; COUNCIL CHAMBERS (MAIN LEVEL)

Members: Mayor Charlene Klein, Council President, Rich Hedlund, Council Vice President, John Halverson, Alderpersons: Tim Dunn, Mary Jo Fesenmaier, Ken Howell, Shari Straube, Cindy Yager, and Joan Yunker

Mayor Klein call the meeting to order
Mayor Klein called the meeting to order at 6:01 p.m.

Pledge of Allegiance – Alderperson Fesenmaier
Alderperson Fesenmaier led the Council in the Pledge of Allegiance.

Roll Call
Present: Dunn, Fesenmaier, Halverson, Hedlund, Straube, Yager, and Yunker
Absent: Howell (excused)

Awards, Presentations, Proclamations, and Announcements
Mayor Klein announced that the Riviera Ballroom will be receiving a Historic Renovation Award on August 31, 2022 at 10:00 a.m. She invited all to attend.

Mayor Klein also announced that there will be an Electronic Recycling event this Saturday (August 27, 2022) from 10:00 a.m. to 2:00 p.m.

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
Peg Esposito; 124 Darwin St; Spoke in favor of Ordinance 22-06 and thanked the Code Enforcer for his help with the public input of the ordinance. She explained that the ordinance would only be enforced from June 1 to December 31 to allow for "No Mow May".

Jeff Sukowski; 355 Oakwood Ln; Spoke in favor of the use of amplified sound for the event to be held at Magpie's Pen and Den on September 9, 2022.

Acknowledgement of Correspondence
None

Approve the Regular Council Minutes of August 8, 2022 as prepared and distributed
Motion by Hedlund to approve, second by Yunker. No discussion. Motion carried 7-0.

CONSENT AGENDA– Any item listed on the consent agenda may be removed at the request of any member of the Council. The request requires no second, is not discussed, and is not voted upon.

Taxi Company License application filed by Richmond Rideshare located at 1910 County Rd NN

Agent Change filed by Topsy Turvy Brewery LLC to Daniel Schuld

Tier I Event Permit Application filed by the Fat Tire Charity Ride for the event of Fat Tire Charity Ride to take place on September 10, 2022 from 8:30 a.m. to 11:00 a.m., in Downtown Lake Geneva
Motion by Hedlund to approve the consent agenda, second by Yunker. No discussion. Motion carried 7-0.

Items removed from the Consent Agenda

None

First Reading of **Ordinance 22-06** an ordinance amending Sub-Section (a) and (b), and the creation of Sub-Sections (c) and (d), of Section 82-1, Control of weeds and grasses, Article I, General, of Chapter 82, Vegetation, of the City of Lake Geneva Municipal Code; as it relates to the declaration of noxious weeds and guidelines for plantings

Mayor Klein offered **Ordinance 22-06** as a first reading.

Motion by Fesenmaier to suspend the rules and move to a second reading, second by Hedlund. No discussion.

Motion carried 7-0.

Mayor Klein offered **Ordinance 22-06** as a second reading.

Motion by Hedlund to approve Ordinance 22-06, second by Halverson. Fesenmaier thanked the Code Enforcer and citizens for their work on this ordinance. Motion carried 7-0.

Discussion/ Recommendation regarding realignment of department heads/managers (*Agenda Item Request filed by Ald. Fesenmaier and Ald. Yager*)

Fesenmaier explained that she would like to have this issue forwarded to the Personnel Committee. She added that she would like a re-alignment of the Public Works Department and Parks Department so it doesn't fall on just one person.

Yager stated that it would seem that the demand on the Public Works Director may be too great, so splitting the duties may help address some outstanding issues.

Motion by Fesenmaier to refer this issue to the Personnel Committee and to schedule a meeting as soon as possible, second by Halverson. Motion carried 7-0.

Discussion/Action regarding approval of the Pioneer Cemetery Walk to take place on September 22, 2022 and the Oak Hill Cemetery Walk to take place on October 22, 2022

Fesenmaier stated that this was a recommendation of the Cemetery Board and would like the City's approval for these tours.

She added that the dates for Pioneer Cemetery would be September 10th and 11th. Oakhill Cemetery would be October 8th and 15th. The dates that were in the Cemetery Minutes were inaccurate.

Motion by Fesenmaier to approve with the correct dates, second by Yager. Fesenmaier stated that the BlackPoint manor would be conducting the tours and would receive the proceeds from the tours. Motion carried 7-0.

Recommendation of the Finance, Licensing, and Regulation Committee- Ald. Howell

Discussion/Action regarding a request filed by Magpie's Den & Pen for outdoor amplified sound at 642 W Main St (outdoor patio area) on September 9, 2022 from 8:00 p.m. to 11:00 p.m. (*Finance, Licensing, and Regulation recommended that amplified sound be allowed from 8:00 p.m. to 9:00 p.m.*)

Motion by Hedlund to approve contingent upon the applicant obtaining the Temporary Zoning permit, second by Yunker. Attorney Draper stated that this would be allowable under a Temporary Zoning Permit and this wouldn't have needed to come to the Council. Fesenmaier noted that the recommendation from the Finance Committee was to have the amplified sound end at 9:00 p.m. City Attorney Draper stated that the Finance Committee is a recommending body only and that the Council could make changes if it wanted.

Motion by Fesenmaier to amend to bring forward the recommendation of the Committee to have the amplified sound to end at 9:00 p.m., no second was offered. Motion failed for a lack of second.

Motion and second was withdrawn.

Fesenmaier stated that she is not in favor of the amplified music and stated that the ordinance should be followed.

Attorney Draper stated that if the applicant wants to in the future, they can apply for a Conditional Use Permit.

Motion by Hedlund to refer back to Staff to complete, second by Yunker. Motion carried 7-0.

Discussion/ Action regarding an Original “Class A” Liquor & Class “A” Fermented Malt Beverage License application filed by Kwik Trip Inc d/b/a Kwik Trip #1520, located at 850 S Wells St, Ashley Richmond, Agent
Motion by Hedlund to approve, second by Yunker. No discussion. Motion carried 7-0.

Discussion/ Action regarding Pay Request #1 filed by LaLonde Contractors INC for the Bloomfield at STH 120 Traffic Signal in an amount not to exceed \$154,846.29
Motion by Hedlund to approve, second by Struabe. No discussion. Motion carried 7-0.

Discussion/Acceptance of the August 2, 2022 and August 16, 2022 Finance, Licensing, and Regulation Committee Payment Approval Reports
Motion by Hedlund to accept, second by Yunker. No discussion. Motion carried 7-0.

Recommendation of the Plan Commission- Ald. Fesenmaier

Discussion/Action regarding possible Zoning Code Amendments regarding Murals to Chapter 98: Zoning which would affect Section 98-034 – Definitions, Section 98-725- Murals, Section 98-913 Downtown Design Overlay Zoning District of the zoning ordinance
Motion by Fesenmaier to direct the City Attorney to draft the ordinance and refer back to Council for first reading, second by Straube. No discussion. Motion carried 7-0.

Discussion/Action regarding setting a joint Public Hearing for Comprehensive Plan Amendments for October 10, 2022
Motion by Fesenmaier to approve, second by Hedlund. No discussion. Motion carried 7-0.

Discussion/Action regarding **Resolution 22-R36** a resolution authorizing an amendment to the existing Conditional Use Permit (CUP) filed by Madelyna Kelly, 6807 State Rd 36, Lake Geneva, to allow for the request of Indoor Commercial Entertainment land use for the property located at 253 Center St., unit #900, for the property located in the Central Business (CB) zoning district, Tax Key No. ZOP00282
Motion by Fesenmaier to approve, second by Halverson. Fesenmaier stated that this is the ax throwing business and this zoning would make that activity allowable.
Motion by Hedlund to allow the applicant to speak, second by Dunn. Motion carried 7-0. Madelyna Kelly introduced herself to the Council. Mayor Klein asked if this is a franchise. Kelly explained that her previous business name was trademarked, and in order to not be a franchise she had to change the name to L.G. Axe Throwing.
Fesenmaier stated that the Plan Commission had changed the hours of operation from what was in the Plan Commission application. Fesenmaier added that the Plan Commission had recommended a one-year review to be done by the Building & Zoning Department. Halverson stated that he is concerned with the combination of axe throwing and the consumption of alcohol. Attorney Draper explained that the agenda item is only for ax throwing and not the alcohol license.
Yager explained that she feels that the space is too small to have ax throwing, alcohol, and food for the business to thrive.
Kelly explained that her employees will be "ax throwing" certified through the World Axe Throwing Association. Kelly added that there will be a small kitchen to serve appetizers out of. Motion carried 6-1, with Halverson voting no.

Discussion/Action regarding **Resolution 22-R37** a resolution authorizing an amendment to the existing Conditional Use Permit (CUP) filed by Lowell Custom Homes, 401 Geneva National Ave., to allow the installation of an outdoor swimming pool for the home located at 886 Maytag Rd., which is located in the Estate Residential – 1 (ER-1) zoning district, Tax Key No. ZCE00019
Motion by Fesenmaier to approve, second by Dunn. Fesenmaier stated that if the pool is drained it will be down a stormwater drain that is within the Town of Linn. Motion carried 7-0.

Motion to go into Closed Session pursuant to Wisconsin Statutes 19.85(1)(g) for the purpose of conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved
Motion by Hedlund to convene the Council into Closed Session to include the City Administrator, City Attorney,

City Clerk, and Finance Director, second by Yunker. Motion carried 7-0 on a roll call vote. The Council convened into Closed Session at 7: 00 p.m.

Motion to return to open session pursuant to Wisconsin Statutes 19.85 (2) and take action on any items discussed in closed session

Motion by Hedlund to reconvene the Council into Open Session, second by Dunn. Motion carried 7-0 on a roll call vote. The Council reconvened into Open Session at 7:09 p.m.

Adjournment

Motion by Straube to adjourn, second by Yager. Motion carried 7-0. The meeting adjourned at 7:09 p.m.