

CITY OF LAKE GENEVA REGULAR COMMON COUNCIL MINUTES
MONDAY, SEPTEMBER 26, 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 6:03 p.m.

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

Roll Call
Present: Dunn, Fesenmaier, Halverson, Hedlund, Howell, Straube, Yager, and Yunker
Absent: None

Awards, Presentations, Proclamations, and Announcements
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
Karen Yancy; Geneva Lake Conversancy; Spoke in favor of the purchase of the Hillmoor property.
Kendra Mott; Spoke in favor of the purchase of the Hillmoor property.
Cindy Flower; 533 Haskins St; Spoke in opposition to the short notice of the purchase of the Hillmoor property.
Sherri Borweicz; 421 Gallant Dr; Spoke in favor of the purchase of the Hillmoor property.
Chantell Sherur; Country Club Dr; Spoke in favor of the purchase of the Hillmoor property.
Ron Yenerich; Spoke in favor of the purchase of the Hillmoor property.
Mark Gunderson; 325 Oakwood Ln; Spoke in favor of the purchase, but had questions regarding the cost to borrow, the maintenance costs, and the overall plan for the Hillmoor property.
Dennis Jordan; 1390 Edgewood Dr; Spoke about concerns regarding the fiscal future of the City in regards to the purchase of the Hillmoor property.
Richard Madoss; 310 Walworth St; Spoke in favor of the purchase of the Hillmoor property.
Peg Esposito; 124 Darwin St; Spoke in favor of the purchase of the Hillmoor property.
Jim Strauss; 1517 Meadow Ridge Cir; Spoke in favor of the purchase of the Hillmoor property and spoke in opposition to the short notice to the public regarding the purchase.
Spyro Condos; 1716 Hillcrest Dr; Spoke in favor of the purchase of the Hillmoor property. Spoke in favor of the residential piers being removed from the BID levy and spoke in opposition of the sale of property on Edwards Blvd.
Sherri Ames; 603 Center St; Spoke in favor of the purchase of the Hillmoor property.
Hank Sibbing; 1725 Hillcrest Dr; Spoke in favor of the purchase of the Hillmoor property.
Ernest Gygas; 1051 S Lake Shore Dr; Spoke in favor of the purchase of the Hillmoor property.
Pete Peterson; 601 Evergreen Ln; Spoke in opposition to the City's new website and in opposition to the term change for the City Aldermen. Spoke in favor of the purchase of the Hillmoor property, but was opposed to the short notice given to the public.
Dennis Loeser; Laurie St; spoke in favor of the purchase of the Hillmoor property.
Tom Reed; 100 E Main St; Spoke in favor of the purchase of the Hillmoor property.
Brian Good; 104 F Evelyn Ln; Spoke in favor of the purchase of the Hillmoor property.
Ann Esarco; 960 S Lake Shore Dr; Spoke in favor of the purchase of the Hillmoor property.
Don Ogden; 108 Evelyn Ln Unit D; Spoke in favor of the purchase of the Hillmoor property.

Donna Giovanni; Spoke in favor of the purchase of the Hillmoor property.
Fred Gahl; 661 S Lake Shore Dr; Spoke in favor of the purchase of the Hillmoor property.

Acknowledgement of Correspondence

The Council received several items of correspondence from the following:

Cindy Flower; 533 Haskins St; Spoke in opposition of the Hillmoor purchase agreement as presented.
Tom & Marilyn Anthony; 482 Country Club Dr; Spoke in favor of the purchase of the Hillmoor property.
John & Michele Saridan; 222 West St; Spoke in favor of the purchase of the Hillmoor property.
Ron Geman; 507 Broad St #110; Spoke in favor of the purchase of the Hillmoor property.
Scott Woodley; Spoke in favor of the purchase of the Hillmoor property.
Cindy Forster-Fueredi; Spoke in favor of the purchase of the Hillmoor property.

All items of correspondence have been forwarded to the Common Council.

Approve the Regular Council Minutes of September 12, 2022 as prepared and distributed

Motion by Howell to approve, second by Yunker. No discussion. Motion carried 8-0.

Motion by Fesenmaier to move items 15, 16, and 17 up on the agenda, second by Howell. No discussion. Motion carried 8-0.

Discussion regarding the purchase of real property previously known as Hillmoor Golf Club for a price of \$6,000,000.00 to settle the litigation with White River Holdings, LLC.

Howell stated that he is in favor of the purchase and noted that there will be increased costs to each taxpayer. He added that if the City says no to the purchase property then the litigation will continue and that the City could face higher cost. He stated that this purchase could help the City control the gateway into the City as well. No action taken.

Discussion/Action regarding the execution of a Purchase and Sale Agreement for the purchase of property previously known as Hillmoor Golf Club and owned by White River Holdings, LLC, for the price of \$6,000,000.00 to settle litigation between the City and White River Holdings, LLC

Motion by Fesenmaier to purchase the Hillmoor property for \$6,000,000, second by Straube. Halverson stated that he is in favor of the purchase of this property. Mayor Klein stated that the City's Financial Advisors have put together the fiscal impact for a City taxpayer; which is in the packet for all to review. Straube spoke in favor of the purchase of the property as well. She added that it will cost the City money, but it is a vision for the City moving forward.

Hedlund stated that he is in favor of the purchase, but felt that it should have gone to referendum before the City discussed to purchase it. Motion carried on a roll call vote 8-0.

Discussion/Action regarding **Resolution 22-R44** a resolution declaring the purchase of real property previously known as Hillmoor Golf Club for public purposes

Motion by Howell to approve, second by Yager. Motion carried on a roll call vote 8-0.

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.

Alcohol Premises Extension Application filed by Zaab Corner Bistro located at 501 Broad St

Original Sidewalk Cafe License Application filed by Zaab Corner Bistro, located at 501 Broad St

Tier I Event Permit Application filed by the Badger High School Student Council for the event of Badger Homecoming Parade to take place on October 7, 2022 from 4:00 p.m. to 5:30 p.m., located in Downtown Lake Geneva

Fireworks Display Permit filed by the Badger High School Student Council for the Badger High School Homecoming to take place on October 7, 2022 at approximately 9:00 p.m., located at 200 South Street

Original Taxi Company License Application filed by Your Ride Taxi Service, Craig Halvorson, Agent

Motion by Straube to approve the consent agenda, second by Howell. No discussion. Motion carried 8-0.

Items removed from the Consent Agenda

None

Second Reading of Ordinance 22-08 an ordinance amending Section 98-034: definitions, adding a definition for “mural”, adding Section 98-726 murals of Article VII: Performance Standards, adding sub-sub-sub-subsection e of sub-sub-subsection 10, Building and Structure Exterior Colors of sub-subsection (b)) Non-Residential Construction of subsection (9), Downtown Design Standards of section 98-913, Downtown Design Overlay Zoning District all of Chapter 98: Zoning Ordinance of the City of Lake Geneva Zoning Ordinance, concerning Murals
Mayor Klein offered Ordinance 22-08 as a second reading.

Motion by Fesenmaier to approve Ordinance 22-08, second by Straube. Staube is happy to see this move forward.
Motion carried 8-0.

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

Discussion/Action regarding the City of Lake Geneva 2022-2023 Insurance Renewal

Motion by Howell to approve, second by Yunker. No discussion. Motion carried 8-0.

Discussion/Action regarding an Original Class "A" Intoxicating Liquor License and "Class A" Fermented Malt Beverage License application filed by Simple Bakery and Market LLC d/b/a Simple Bakery and Market, located at 521 Broad St, Thomas Hartz, Agent

Motion by Howell to approve, second by Halvorson. Clerk Kropf explained what a Class A License is. Motion carried 8-0.

Discussion/Action regarding a bid award and proposal approval to Humphrey's Contracting LLC for the Four Seasons Nature Preserve Shelter Rehabilitation Project

Motion by Howell to approve, second by Yager. Fesenmaier stated that the parks name had been changed and it needed to be reflected. Motion carried 8-0.

Discussion/Action regarding the 2023 Lifeguard Services Agreement with Water Safety Patrol

Motion by Howell to approve, second by Yunker. No discussion. Motion carried 8-0.

Discussion/Action regarding Resolution 22-R42 a resolution amending the City of Lake Geneva Fee Schedule to increase the Riviera Beach Non-Resident Daily and Season Pass rates

Motion by Howell to approve, second by Yunker. Howell stated that this would change the price for non-residents, seven years old and older, from \$8.00 to \$10.00. This would also increase the annual pass rate from \$80.00 to \$100.00. Motion carried 8-0.

Discussion/Action regarding applying a half-year credit to Lagoon Slips 1-8 for 2023

Motion by Howell to approve, second by Yunker. Howell stated that those slips were unusable for half of 2022 and this would be a credit to be applied to 2023. Motion carried 8-0.

Discussion/Action regarding Gage Marine's intent to renew pier lease for 2023-2028

Motion by Howell to approve, second by Yunker. No discussion. Motion carried 8-0.

Discussion/Action regarding lease agreement with Gage Marine for use of the Riviera Pier Boathouse

Motion by Howell to approve, second by Yunker. No discussion. Motion carried 7-1, with Fesenmaier voting no.

Discussion/Action regarding removing residentially owned piers from the Downtown Business Improvement District's Tax Levy

Motion by Howell to remove the residentially owned piers from the Downtown Business Improvement District Tax Levy, second by Straube. No discussion. Motion carried 7-0, with Yunker abstaining.

Discussion/Possible Action regarding changing terms for City of Lake Geneva Elected Officials from two years to four years

Howell stated that the idea behind the potential change is that it takes time to learn the role. Hedlund stated that he agrees with this, as most of the first year as an alder, you are just trying to get up to speed. Attorney Draper stated that a change could be made to four years, per City ordinance, and that would be an amendment to the City Charter ordinance.

Motion by Howell to continue, second by Dunn. Motion carried 7-1, with Fesenmaier voting no.

Discussion/Acceptance of Payment Reports approved by the Finance, Licensing, and Regulation Committee on September 20, 2022

Motion by Howell to accept, second by Yunker. No discussion. Motion carried 8-0.

Recommendation of the Plan Commission- Ald. Fesenmaier

Discussion/Action regarding a proposed Extra territorial Review for a proposed land division CSM request submitted by Klanntonlinn, LLC, to create 4 buildable lots as identified on the survey generated by Paul Van Henkelum dated 8/26/2022 Job No. 22302 for Tax Key No. IL900001A3

Motion by Fesenmaier to approve, second by Dunn. No discussion. Motion carried 8-0.

Discussion/Action regarding **Resolution 22-R43** a resolution authorizing the issuance of a Conditional Use Permit for Susan R. Jacobs, 747 & 747 ½ Ann St., Lake Geneva, to allow for the request of Commercial Indoor Lodging land use for the property located at 747 & 747 ½ Ann St., for the property in the Planned Business (PB) zoning district, Tax Key No. ZF00041.

Motion by Fesenmaier to approve as a limited conditional use, second by Dunn. No discussion. Motion carried 8-0.

Mayoral Appointments

Confirming the appointment of Dennis Lyon to the Lake Geneva Utility Commission with a term to expire October 1, 2025

Motion by Hedlund to confirm the appointment of Dennis Lyon to the Utility Commission, second by Halverson. No discussion. Motion carried 8-0.

Motion to go into Closed Session pursuant to Wisconsin Statutes 19.85(1)(e) 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 regarding: Offer to Purchase land on Edwards Blvd

Motion by Howell to convene the Council into Closed Session to include the City Administrator, City Attorney, and Finance Director, second by Hedlund. Motion carried on a roll call vote 8-0. The meeting convened into Closed Session at 7:43 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 Howell to reconvene the Council in Open Session, second by Hedlund. Motion carried on a roll call vote 8-0. The Council meeting reconvened into Open Session at 7:54 p.m.

Adjournment

Motion by Hedlund to adjourn, second by Dunn. Motion carried 8-0. The meeting adjourned at 7:55 p.m.