

CITY OF LAKE GENEVA REGULAR COMMON COUNCIL MINUTES
MONDAY, MAY 10, 2021 6:00 P.M.
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, Cindy Flower, Ken Howell, Shari Straube, and Joan Yunker

Mayor Klein called the meeting to order at 6:05 p.m.

Aldersperson Howell led the Council in the Pledge of Allegiance.

Roll Call

Present: Dunn, Fesenmaier, Flower, Halverson, Hedlund, Howell, Straube, and Yunker

Absent:

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

None

Acknowledgement of Correspondence

None

Approve the Re-Organizational Council Minutes of April 20, 2021 and Regular Council Minutes of April 26, 2021 as prepared and distributed

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

CONSENT AGENDA– *Recommended by Finance, Licensing and Regulation on May 4, 2021.* 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.

-Original Sidewalk Café Application filed by Poke Partners LLC d/b/a Wicked Poke located at 120 Broad St

-Alcohol Premises Extension filed by Roberta Robers d/b/a The Farmstand located at 707 W Main St (*Applicant is requesting use of sidewalk in front of business and permission to use sidewalk directly in front of 703 W Main St*)

-Original Sidewalk Café Application filed by Roberta Robers d/b/a The Farmstand located at 707 W Main St (*Applicant is requesting use of sidewalk in front of business and permission to use sidewalk directly in front of 703 W Main St*)

-Temporary Operator Licenses to be used during the May 23, 2021 Wine Walk, filed by: Thomas Bachmann, William Briggs, Anthony Diedrich, Meagan Lamon, Stephen Monticello, Erin Sasak, Sharon Smith, Tanya Summerville, Matthew Wade and Roger Wolff

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

Items removed from the Consent Agenda

None

Discussion/Action regarding **Resolution 21-R34** a resolution to ratify the Emergency Proclamation approved by the Chief Executive Officer Pertaining to the COVID-19 Pandemic and Declaration of Emergency

Motion by Dunn to approve, second by Howell. Mayor Klein noted that this will expire on June 14, 2021. She further asked if the Council wanted to continue to allow merchandise to be displayed outside as part of the proclamation. Hedlund noted that he would like to see this stricken as he has received many complaints.

Motion to amend by Hedlund to remove section #5 *“Because of the economic effects of various emergency orders put in place since, March 12th, 2020, and to provide economic relief for our downtown businesses as well as promote more social distancing in their facilities during the pendency of this Proclamation of State of Emergency (until it expires, is amended or is rescinded), the provisions of Section 98-206(8)(f) of the City of Lake Geneva Zoning Code are relaxed to allow the placement of merchandise for sale in those areas designated for “Sidewalk Furnishings” as set forth in Section 62-67(9), of the Municipal Code of the City of Lake Geneva, Wisconsin”* from the emergency proclamation, second by Yunker.

Fesenmaier stated that the public should have input on this issue before it's taken out. Hedlund stated that the Code Enforcer should send a letter to the business owners, indicating that the ordinance has been reinstated as that provision has been removed from the emergency proclamation. Dunn stated that it should stay in place at this time. Fesenmaier reiterated that it should stay

Motion by Fesenmaier to amend the amendment that the provision should be sent to the proper committee, second by Halverson. Flower noted that this has been part of the proclamation for a year and that it could have been discussed any time during that time. Motion to amend the amendment 5-3, with Hedlund, Flower, and Yunker voting no.

Original motion was re-read. Motion carried 5-4, with Flower, Hedlund, Yunker, and Dunn voting no; Mayor Klein voted yes to break the tie.

Recommendation of the Finance, Licensing, and Regulation Committee of May 4, 2021- Ald. Howell

Discussion/Action regarding pay request #7 for the Riviera Restoration Project Phase I filed by MSI General Corp in an amount not to exceed \$ 94,134.55

Motion by Howell to approve, second by Halverson. No discussion. Motion carried 8-0 on a roll call vote.

Discussion/Action regarding pay request #6 for the Riviera Restoration Project Phase II- Interior Remodel & MEP Work filed by MSI General Corp in an amount not to exceed \$ 956,536.95

Motion by Howell to approve, second by Yunker. No discussion. Motion carried 8-0 on a roll call vote.

Discussion/Action regarding **Resolution 21-R33** a resolution authorizing carryover of Capital Projects Security Gate and Cameras Dunn Field Project from 2020 to 2021

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

Discussion/Action regarding a shared Emergency Services Agreement with the Town of Geneva

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

Discussion/ Action regarding approval of an invoice for parking maintenance services from Total Parking Solutions Inc in an amount not to exceed \$28,000

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

Discussion/Action regarding free parking for City of Lake Geneva sticker holders on July 15, 2021 for “Lake Geneva Day”

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

Discussion/Action regarding payment for vendor placement of collateral within the Riviera Events Office

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

Discussion/Action regarding the acceptance of a donation of a Yamaha C7 Grand Piano by the Grand Geneva Resort for the Riviera

Motion by Howell to approve, second by Yunker. Flower asked how large the piano is and if it would possibly take away any space from renters. Mayor Klein noted that it will be where the ice machine used to be. Motion carried 8-0.

Discussion/Action regarding the acceptance of a donation of a TV monitor by Lyle TV for the Riviera

Motion by Howell to approve, second by Yunker. Mayor Klein noted that this will be placed in the first floor and will display a rolling video of the history of the Riviera and the recent construction. Motion carried 8-0.

Discussion/Acceptance of May 4, 2021 Finance, Licensing, and Regulation Committee Payment Approval Reports

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

Discussion/possible action regarding granting Gage Marine limited access to the Riviera for the purpose of operating boat tours

City Administrator Nord explained that this request is from Gage Marine and would allow the company to gain access to the Riviera for the purpose of conducting their boat tours. This request would be needed while the Riviera is under construction and they do have a provision in their contract that they can operate their boats off of the Riviera pier.

Motion by Howell to ratify, second by Flower. Motion carried 7-1, with Fesenmaier voting no.

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 regarding: **Notice of Claim from White River Holdings, LLC**

Motion by Hedlund to convene the Council into Closed Session to include all City Staff and Attorney Wirth, second by. Motion carried 8-0 on a roll call vote. The Council convened into Closed Session at 6:38 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 into Open Session, second by Halverson. Motion carried 8-0 on a roll call vote. The Council reconvened into Open Session at 7:08 p.m.

Adjournment

Motion by Howell to adjourn, second by Dunn. Motion carried 8-0. The meeting adjourned at 7:09 p.m.