

CITY OF LAKE GENEVA REGULAR COMMON COUNCIL MINUTES
MONDAY, JUNE 28, 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 6:03 p.m.

Aldersperson Fesenmaier 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

Aldersperson Yunker announced that the first responders fund has collected over \$12,000 and she hopes to see the momentum continue.

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

Gina Henze; Geneva Lake Conservancy; Spoke in opposition of Ordinance 21-05 and changes to allowable impervious surfaces.

David Frost; 1556 Orchard Ln; Spoke in opposition of Ordinance 21-05 and changes to allowable impervious surfaces.

Chris Todd; Geneva Lake Conservancy; Spoke in opposition of Ordinance 21-05 and changes to allowable impervious surfaces.

Ruth Monaco; 625 S Lake Shore Dr; Spoke in opposition of Ordinance 21-05 and changes to allowable impervious surfaces.

Acknowledgement of Correspondence

None

Approve the Regular Council Minutes of June 14, 2021 as prepared and distributed

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

CONSENT AGENDA– *Recommended by Finance, Licensing and Regulation on June 15, 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.

-Tier I Event Permit Application filed by the Alzheimer's Association for the event of 15th Annual Walk to End Alzheimer's to take place on Saturday, September 18, 2021 from 6:30 a.m. to 3:30 p.m., located at Library Park

-Taxi Company License Renewal, for the period of July 1, 2021 through June 30, 2022, filed by Senior Cab

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

Items removed from the Consent Agenda

None

First Reading of **Ordinance 21-05** An ordinance amending Chapter 98, Zoning Ordinance, Section 98-407, Substandard Lot Regulations, Section 98-409, Lakeshore Lots, Section 98-505, Lakeshore Overlay Zoning District, Section 98-506(3), Drainageway Overlay Zoning District, Section 98-507(3), Woodland Overlay Zoning District, and Section 98-508(3), Steep Slope Overlay Zoning District; as it relates to the applied requirements for the use of SR-4 Zoning District standards in the ER-1 Zoning District

Mayor Klein offered Ordinance 21-05 as a first reading.

Fesenmaier thanked those who brought up the data that is concerning to this ordinance. She added that this change could negatively affect the stormwater ordinance. Mayor Klein asked that the Council members review the June Plan Commission meeting to gain a better understanding of the impact of the ordinance. No action taken.

Discussion/Possible Action regarding shared use agreement with the Geneva Lake Environmental Agency and Geneva Lake Conservancy for use of the CD3 Boat Cleaning Machine

Attorney Draper noted that there was some concern about the liability and that the idea of a use agreement had been brought up.

Motion by Howell to approve, second by Flower. Flower stated that she would like to see the City to have one permanently. Fesenmaier stated that the City would be responsible for transporting it to and from the City to next the municipality. Draper added that there is not an agreement but recommended that the City notify the insurance company.

Flower modified the motion to state that the City will pick-up and deliver the CD3 machine and follow the guidance from the GLEA and GLC for its use. Motion carried 8-0.

Recommendation of the Finance, Licensing, and Regulation Committee of June 15, 2021- Ald. Howell

Discussion/Action regarding an Original Class “B” Fermented Malt Beverage & Class “C” Wine License application filed by Hill Valley Dairy LLC, d/b/a Hill Valley Dairy, Josie Henningfeld, Agent, located at 512 Broad St

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

Discussion/Action regarding the City of Lake Geneva Donation Policy

Motion by Howell to approve, second by Halverson. City Administrator Nord clarified that the Public Works Director did include his input on this policy. Motion carried 8-0.

Discussion/Action regarding proposed policy for private parking stall reservations on Wrigley Drive

Motion by Howell to approve, second by Yunker. Flower questioned why Wrigley Drive was the only street where this wouldn't be allowed. Mayor Klein noted that this issue had come up as a result of private stall reservations for weddings at the Riviera and that it could affect the businesses there. She further questioned why the businesses on Wrigley Drive are being treated any differently than the other businesses on other streets. Motion carried 6-2, with Flower and Straube voting no.

Discussion/Action regarding approval of a Century quote for work to be completed on damaged guardrail and to identify funding source

Motion by Howell to approve, second by Yunker. Flower stated that it seems to be no need to have that guardrail in place and that if it is not needed it poses more of a threat. She would like to see if this is needed and she would like to see this sent back to the Public Works Committee for consideration. She added that she would like to have the City Engineer review the need and provide feedback. Finance Director Hall stated that this would come out of contingency and to not exceed \$10,000. Motion failed 2-6 on a roll call vote with Dunn, Flower, Halverson, Hedlund, Straube, and Yunker voting no.

Motion by Flower to refer back to the Public Works Committee and to have the City Engineer review it's need, second by Howell. Motion carried 8-0.

Discussion/Action regarding purchase of 1,300 gallon Varitech Tank/Spray Brine system from Walworth County with funds from the Capital Improvement Fund

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

Discussion/Acceptance of June 15, 2021 Finance, Licensing, and Regulation Committee Payment Approval Reports

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

Recommendation of the Planning Commission of June 21, 2021- Ald. Dunn

Discussion/Action regarding the General Development Plan for Kwik Trip for the property located at 898 S Wells St in the Planned Business (PB) Zoning District Tax Key Nos. ZBL00006, ZBL00006A, ZBL00008, & ZBL00058

Motion by Dunn to approve, second by Halverson. Fesenmaier stated that there was public input concerning the lights, carwash, and several other items. She added that she was not in favor of the plan as presented and would like to see changes made before the Precise Implementation Plan is considered. Dunn indicated that this could be sent back to planning with recommendations for the applicant to adhere to. Motion failed 1-7 on a roll call vote with Dunn, Fesenmaier, Flower, Halverson, Hedlund, Straube and Yunker voting no.

Motion by Fesenmaier to refer this back to the Planning Commission and that the applicant provide two other plans for consideration, second by Halverson. The Council indicated that the carwash placement is particularly concerning. Howell stated that the Council members should be at the next Planning Commission meeting to voice concerns. Motion carried 8-0.

Discussion/Action regarding **Resolution 21-R45** a resolution authorizing the issuance of a Conditional Use Permit (CUP) filed by Jeffery and Diane Wayne, 2305 Greenwood Ave. Wilmette, IL 6091 for the property located at 886 Maytag Rd., to allow allowing for the utilization of the Single Family-4 (SR-4) zoning in the Estate Residential-1 (ER-1) land use, Tax Key No. ZCE00019

Motion by Dunn to approve, second by Howell. Attorney Draper noted that the only SR-4 Zoning use would be for the setbacks. Motion carried 8-0.

Discussion/Action regarding **Resolution 21-R46** a resolution authorizing the issuance of a Conditional Use Permit filed by Peggy Klingenberg, 927 Bayview Dr. Lake Geneva for the property located at 927 Bayview Dr., Lake Geneva, WI, 53147 to install alterations and reconfiguration to the existing pier in the Estate Residential – 1 (ER-1) zoning district, Tax Key No. ZGB00002

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

Discussion/Action regarding **Resolution 21-R47** a resolution authorizing the issuance of a Conditional Use Permit (CUP) filed by Lara L. Delheimer Trust, 3928 Johnson Ave., Western Spring, IL 60558 for the property located at 1875 Geneva Bay Dr., to allow for the utilization of the Single Family-4 (SR-4) zoning in the Estate Residential-1 (ER-1) land use, Tax Key No. ZGB00010

Motion by Dunn to approve, second by Howell. Attorney Draper commented that the only SR-4 Zoning use would be for the setbacks. Motion carried 8-0.

Discussion/Action regarding **Resolution 21-R48** a resolution authorizing the issuance of a Conditional Use Permit (CUP) filed by McDonalds Corporation, 711 Jorie Blvd. 3rd Floor, Oak Brook, IL 60523 for the property located at 104 Wells St., to allow for the installation of an additional bypass drive through lane in the General Business (GB) zoning, Tax Key No. ZOP00376

Motion by Dunn to approve, second by Fesenmaier. Dunn added that this would be to add an additional drivethru lane. Flower questioned the queue of the drivethru and if this would impact the traffic on Wells St. The applicant's representative, Steve Jeske, noted that he is available for questions.

Motion by Howell to allow Mr. Jeske to speak, second by Halverson. Mr. Jeske explained that the ordering area is in the same place and as the slowest part of the drivethru process, it would not affect the traffic on Wells Street. Motion carried 8-0.

Discussion/Action regarding **Resolution 21-R49** a resolution authorizing the Zoning Map Amendment filed by Justin W. Lanasa, 723 Williams St. Lake Geneva WI 53147 for the property located at 723 Williams St., to allow for the zoning classification change from General Business (GB) to Central Business (CB) for, Tax Key No. ZF00028

Motion by Dunn to approve, second by Howell. Attorney Draper noted that this change is in accordance with the City's future land use. Motion carried 8-0.

Discussion/Action regarding **Resolution 21-R50** a resolution authorizing the issuance of a Conditional Use Permit (CUP) filed by Justin W. Lanasa, 723 Williams St. Lake Geneva WI 53147 for the property located at 723 Williams St., to allow for the Commercial Apartment on the second floor of the property located in the Central Business (CB) zoning classification, Tax Key No. ZF00028

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

Motion to go into Closed Session pursuant to Wis. Stat. 19.85(1)(b) considering dismissal, demotion, licensing or discipline of any public employee or person licensed by a board or commission or the investigation of charges against such person, or considering the grant or denial of tenure for a university faculty member, and the taking of formal action on any such matter; provided that the faculty member or other public employee or person licensed is given actual notice of any evidentiary hearing which may be held prior to final action being taken and of any meeting at which final action may be taken. The notice shall contain a statement that the person has the right to demand that the evidentiary hearing or meeting be held in open session regarding: Operator License Denial for Kendra Holmes and Elizabeth Gardner

Motion by Hedlund to convene the Council into Closed Session to include all City Staff along with Kendra Holmes, second by Fesenmaier. Motion carried on a roll call vote 8-0. The Council convened into Closed Session at 7:27 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 Flower. Motion carried 8-0 on a roll call vote. The Council reconvened into Open Session at 7:31 p.m.

Motion by Flower to deny the operator license to Kendra Holmes and Elizabeth Gardner unless they complete the application and resubmit, second by Straube. Motion carried 8-0.

Adjournment

Motion by Howell to adjourn, second by Flower. Motion carried 8-0. The meeting adjourned at 7:32 p.m.