

CITY OF LAKE GENEVA REGULAR COMMON COUNCIL MINUTES
TUESDAY, DECEMBER 27, 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 6:00 p.m.

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

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

Awards, Presentations, Proclamations, and Announcements

Community Input Sessions for the Hillmoor Property
Mayor Klein announced that there will be two community engagement sessions held for the Hillmoor Property. They will occur on Sunday, January 15, 2023 from 2:00 p.m. to 3:30 p.m. and Tuesday, January 17, 2023 from 6:30 p.m. to 8:00 p.m. in the Police Training room of City Hall.

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
Sherri Ames; 603 Center St; Spoke in opposition of the contract of the Vegetation Solutions contract. She spoke in favor of the Premier Resort Area Tax if the money is being used towards City infrastructure.

Acknowledgement of Correspondence
Clerk Kropf explained that several items of correspondence were received of Bret Smith, Barbara Philipps, Joel Hoiland, and Karen Yancey; all speaking in favor of the contract with Vegetation Solutions LLC. All items were distributed to the members of the Common Council.

Approve the Regular Council Minutes of December 12, 2022 as prepared and distributed
Motion by Yunker to approve, second by Yager. 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.

NONE

Items removed from the Consent Agenda
None

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

Discussion/Recommendation regarding an Original Class "B" Fermented Malt Beverage License Application filed by Cheese & Crafters LLC d/b/a Board & Brush, 262 Center St, Lake Geneva, Chelsea Rudig, Agent
Motion by Howell to approve, second by Yunker. No discussion. Motion carried 7-0.

Discussion/Action regarding **Resolution 22-R56** a resolution amending the City of Lake Geneva Fee Schedule as it relates to the 2023 Kayak, Buoy, and Slip rates

Motion by Howell to approve, second by Yunker. Yager noted that the increases are different between each category and asked if the increase difference is due to the slated pier repairs.

Harbormaster Russell addressed the Council and stated that all of the fees do go to the Lakefront Reserve Fund. That fund will be used for some of the repairs to the piers. Yager asked that a Reserve Fund be set up for the West End Pier. Motion carried 5-2, with Fesenmaier and Yager voting no.

Discussion/Action regarding authorizing the Harbormaster to issue a Request for Proposal to replace all decking on the Gas Pier at an estimated cost of \$60,000, to be paid from the Lakefront Reserve Fund

Motion by Howell to approve, second by Yunker. No discussion. Motion carried 7-0.

Discussion/Action to pursue repairs and raising the height of the Gas Pier and Elmer's Boat Rental Pier at an estimated cost of \$23,900 , to be paid from the Lakefront Reserve Fund

Motion by Howell to approve, second by Yunker. Attorney Draper confirmed that this item and the previous item will be going out for bid. Motion carried 7-0.

Discussion/Action regarding approval of advisory referendum question language, to be placed on the April 4, 2023 Spring Ballot, to read as: "To pay for street and infrastructure expenses and other eligible expenses as defined in Wis. Stats. §66.1113 (1) (a), with revenue from tourists and visitors, as well as residents, should the City of Lake Geneva impose a levy of 0.5% (½ cent on the dollar) sales tax on tourist related items sold, leased, or rented through tourist related retailers?"

Motion by Howell to approve, second by Yunker. Fesenmaier questioned if the tax will be imposed to online purchases. The City Administrator confirmed that this would applied to online purchases. Fesenmaier stated that this would be imposed not just on the tourists of the City, but the local residents as well.

Motion to amend by Fesenmaier to require the City to conduct a forensic audit before collecting any additional tax money through the Premier Resort Area Tax, second by Yager. Halverson questioned what a forensic audit would cost. Motion to amend failed on a roll call vote 1-6, with Dunn, Halverson, Howell, Straube, Yager, and Yunker voting no.

Original motion carried 6-1 on a roll call vote, with Fesenmaier voting no.

Discussion/Action regarding a contract with Vegetation Solutions LLC for Goat Grazing Services for the Hillmoor Property and to identify a funding source (*Finance, Licensing, and Regulation Committee recommended denial, on December 20, 2022*)

Motion by Yunker to approve, second by Straube. Howell stated that the City Attorney had worked with the owner to remove most of the liability from the City and the Mayor had already received pledges to cover the cost for one visit.

Motion by Howell to suspend the rules to allow Ben Robel to address the Council, second by Halverson. Motion carried 7-0.

Robel stated that he could come check the herd every day, if the City staff didn't want to, but that would cost the City an additional \$100-\$200. He added that he has worked in other park districts without any issues. Mayor Klein stated that the location of the old driving range was discussed as a starting point, but that it could be changed. Howell asked if there could be a contingency on the motion, that the contract be approved pending the money being collected in full.

Motion to approve carried on a roll call vote 5-2, with Fesenmaier and Halverson voting no.

Discussion/Acceptance of the pre-paid and regular check reports as approved by the Finance, Licensing, and Regulation Committee

Motion by Howell to accept, second by Yunker. No discussion. Motion carried 7-0.

Recommendation of the Plan Commission- Ald. Fesenmaier

Discussion/Action regarding the proposed Final Plat Review for Fairwyn SB, Inc. to allow for the acceptance of the Phase 7 of Symphony Bay in the Planned Development (PD) zoning district, Tax Key No. ZSB00335

Motion by Fesenmaier to approve, second by Yager. No discussion. Motion carried 6-1, with Fesenmaier voting no.

Discussion/Action regarding **Resolution 22-R61** a resolution authorizing the issuance of a Limited Conditional Use Permit for David Scotney, 140 Lincoln Pkwy, Williams Bay, to allow for the request of Commercial Indoor Lodging land use located at 830 Williams St. which is located in the General Business (GB) zoning district, Tax Key No. ZRA00017

Motion by Fesenmaier to approve, second by Yunker. No discussion. Motion carried 7-0.

Discussion/Action regarding General Development Plan (GDP) request for 6801 Investments LLC, 6801 Roosevelt Rd, Berwyn, IL 60402 that will permit building renovations to include a drive-thru food service window at 393 N Edwards Blvd in the Planned Development (PD) zoning district., Tax Key No. ZRED00002

Motion by Fesenmaier to approve, second by Yager. Fesenmaier stated that the Plan Commission liked the plan overall, but there are still questions about the traffic impact. The project would include the expansion of a portion at Edwards Blvd, but that area is a transition area with a higher number of accidents.

Motion to amend by Fesenmaier to send the traffic flow plan to the WI DOT for review and approval, second by Straube.

Neal Styka, with Kapur Engineering, reviewed the traffic impact study that was conducted in that area. He noted that the type of drive-through restaurant that this is will not have as much traffic as others; he also didn't feel that this new business would impact that intersection as greatly. Fesenmaier stated that the previous restaurant was a sit-down and that it didn't generate a lot of traffic, but that this drive-thru would. Naomi Rausch, City Engineer, stated that the plan could be sent to the WI DOT, but that it is not in their jurisdiction and may not consider it.

Motion carried on a roll call vote 5-2, with Halverson and Howell voting no.

Original motion as amended, carried on a roll call vote 7-0.

Discussion/Action regarding **Resolution 22-R62** a resolution authorizing the issuance of a Precise Implementation Plan (PIP) for 6801 Investments LLC, 6801 Roosevelt Rd, Berwyn, IL 60402 that will permit building renovations to include a drive-thru food service window at 393 N Edwards Blvd in the Planned Development (PD) zoning district Tax Key No. ZRED000002

Motion by Fesenmaier to approve, second by Yager. No discussion. Motion carried on a roll call vote 7-0.

Mayoral Appointments

Confirming the reappointment of Janine Osborne, Laura Thompson, and J. Alethea Salgado to the Downtown Business Improvement District Board with a term to expire January 1, 2025

Motion by Yunker to approve, second by Halverson. No discussion. Motion carried 7-0.

Confirming the appointment of Chief Gritzner to serve as the Government Emergency Director

Motion by Yunker to approve, second by Yager. No discussion. Motion carried 7-0.

Adjournment

Motion by Dunn to adjourn, second by Yager. Motion carried 7-0. The meeting adjourned at 6:57 p.m.