

CITY OF LAKE GENEVA REGULAR COMMON COUNCIL MINUTES
MONDAY, SEPTEMBER 11, 2023 - 6:00 PM
LAKE GENEVA CITY HALL; COUNCIL CHAMBERS (MAIN LEVEL)

Members: Mayor Charlene Klein, Council President, Mary Jo Fesenmaier, Council Vice President, Cindy Yager, Alderpersons: Tim Dunn, Peg Esposito, Linda Frame, Ken Howell, Shari Straube, 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 Howell
Alderperson Howell led the Council in the Pledge of Allegiance.

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

Awards, Presentations, Proclamations, and Announcements

Moment of Silence for the Fallen of the 9/11 Tragedy
Mayor Klein led the Council in a moment of silence to honor those fallen in the 9/11 tragedy.

Re-consider business from previous meeting

Reconsideration of the motion to continue indefinitely the Discussion/Action regarding the Parks/Facilities Superintendent Job Description and to develop a separate committee to review
Attorney Draper explained what the reconsideration referred to. He stated that the reconsideration would be on only the continuation and the creation of a separate committee.
Motion to amend by Yager to develop a meeting with the Chairs of the Avian Committee, Cemetery Board, Board of Park Commissioners, Tree Board, and one alder (from one of those committees) and Public Works liaison, City Administrator, HR and Comptroller, purpose of this meeting is to review the position and make a recommendation on the placement of this position on the City organizational chart, to be presented at the September 25, 2023 Common Council meeting, second by Fesenmaier.
Yager stated that this would just be a meeting of those people and not the creation of another committee and volunteers.

Motion by Dunn to amend the amendment of the motion to include the Chair of the Personnel Committee, second by Howell. Motion to amend the amendment carried 7-0.

Motion by Howell to call the question, second by Dunn. Motion to call the question carried 7-0.
First amended motion as amended carried 7-0.

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
Mayor Klein asked that anyone wishing to address the Council during this time or post anything City related on social media, to only speak facts and truth.

Fred Walling; Building & Zoning Administrator; Spoke in regards to the proposed software by Granicus in relation to the short-term rental program. He noted that he spoke to other communities that use that particular program and most communities did not have a favorable opinion of the product.

Luke Pfeifer; 1091 S Lake Store Dr; Spoke in opposition of the amendments to the Short Term Rental ordinance as presented in the packet.

Sherri Ames; 603 Center St; Spoke in opposition of the current short-term rental ordinance and spoke in favor of the proposed changes as presented in the packet. She further then stated that she was responsible for the posting of short-term rental information on Facebook. She then spoke in regards to the length of time the Trick or Treating held City-wide. She asked that the time be shorten to about three hours.

Susan Salazaric; 672 W Main St; Spoke in opposition of the amendments to the Short Term Rental ordinance as presented in the packet.

David Widzisz; 748 N Andria Ct; Spoke in opposition of the current short-term rental ordinance and spoke in favor of the proposed changes in the packet.

Carol Pearson; 932 George St; Spoke in opposition of the current short-term rental ordinance and spoke in favor of the proposed changes in the packet.

John Schnurr; 701 Joshua Ln; Spoke against the Mayors remarks at the start of public comment.

Joetta Studco; 921 George St; Spoke in opposition of the current short-term rental ordinance.

Jessica Joos; 712 Joshua Ln; Spoke in opposition of the current short-term rental ordinance.

Denise Schnurr; 701 Joshua Ln; Spoke in opposition of the current short-term rental ordinance.

Acknowledgement of Correspondence

None

Approve the Regular Council Minutes of August 28, 2023 and the Special Council Minutes of September 6, 2023 as prepared and distributed

Motion by Yunker to approve the minutes of the August 28, 2023 Regular Common Council and September 6, 2023 Special Common Council meetings, second by Dunn.

Motion by Esposito to amend the August 28, 2023 minutes to note that Alliant Energy offered a depiction of what an updated substation could look like at the current location and while it looked very pleasing, the majority of the Council voted to place it on the east side of the dog park, second by Yager. Motion to amend carried 5-2, with Straube and Yunker voting no.

Original motion as amended carried 6-1, with Straube voting no.

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.

Agent change for Zaab Corner Bistro Corp, d/b/a Zaab Corner Bistro to Sumalee Brewer

Agent Change for Aldi INC d/b/a Aldi #56 to Crystal Bauman

Fireworks Permit Application filed by the Badger Student Council for the event of Badger Homecoming to take place on October 13, 2023

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

Items removed from the Consent Agenda

None

Discussion/Action regarding the City of Lake Geneva Insurance Policy Renewal for 2023-2024

Paul Lessila addressed the Common Council concerning the City's policy renewal for 2023-2024.

Motion by Howell to approve the renewal, second by Yunker.

Lessila stated that the liability premium would not be affected allowing people to enter the Hillmoor property, but that the safety concerns would still be an issue. Mayor stated that she would like to work with LWMMI about addressing the possible hazards at Hillmoor.

Motion carried 7-0.

First Reading of **Ordinance 23-09** an ordinance amending subsection (d), Parking; Penalty for Prohibited Parking, Section 10, Snow Emergencies, Chapter 74, Traffic and Vehicles, of the City of Lake Geneva Municipal Code; as relates to on street parking during a snow emergency

Mayor Klein offered Ordinance 23-09 as a first reading. No action taken.

Discussion/Action regarding referral to the Plan Commission of an Annexation Petition filed by Ron Amann for a parcel located at N3219 County Road H, Tax key # JA 54900001 for recommendation and assignment of temporary zoning for the subject parcel

Motion by Yunker to refer this agenda item to the Plan Commission, second by Dunn.

Motion by Yager to suspend the rules to allow Ron Amann to address the Council, second by Dunn.

Amann stated that he is looking to annex to obtain City services and that no homes will be built; it is strictly a business.

Motion carried 7-0.

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

Discussion/Action regarding **Resolution 23-R45** a resolution authorizing the implementation of a moratorium regarding the Council's consideration of special waiver of fees for Parking Fees as it relates to Special Event Permit applications

Motion by Howell to approve, second by Yunker. Howell stated that this would take away the Council's ability to waive parking fees as it relates to special events. Motion carried 7-0.

Discussion/Action regarding proposed amendments to the City of Lake Geneva Short Term Rental Ordinance to refer to the Plan Commission for consideration

Motion by Howell to refer to the Plan Commission for consideration, second by Esposito. Yager hopes that the Plan Commission takes into consideration all of the comments that were made today. Attorney Draper stated that the short-term rental ordinance will need to be considered by the Plan Commission for public hearing and then it will come straight back to Council for action. Straube stated that she has been told of many issues of short-term rentals and stated that there needs to be a way to control the rentals in the residential areas. Fesenmaier stated that the City shouldn't be using the Police for enforcement and added that enforcement of the rentals needs to be addressed. Esposito added that the enforcement issue needs to be explored in the budget process. Motion carried 7-0.

Discussion/Action regarding setting the 2023 City of Lake Geneva Trick or Treat date and time to Sunday, October 29, 2023 to be held Noon to 5:00 p.m.

Motion by Howell to approve holding city-wide trick or treating on October 29, 2023 from Noon to 5:00 p.m., second by Yunker.

Motion to amend by Howell to change the time to 3:00 p.m. to 5:30 p.m., second by Fesenmaier.

Motion to amend the amendment by Straube, to change the Trick or Treating to be held on October 31, 2023 from 4:00 p.m. to 7:00 p.m., second by Yager. Straube stated that this should be done for the local kids and will be beneficial to the parents as well.

Motion to amend the amendment carried 6-1, with Esposito voting no.

Motion on the amended amendment carried 6-1, with Esposito voting no.

Original motion as amended carried 6-1, which Esposito voting no.

Discussion/Acceptance of the pre-paid and regular check reports approved by the Finance, Licensing, and Regulation Committee on September 5, 2023

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

Mayoral Appointments

Confirming the appointment of Bill Binn to the Utility Commission with a term to expire October 1, 2026

Motion by Howell to confirm the appointment, second by Esposito. No discussion. Motion carried 7-0.

Motion to go into Closed Session pursuant to Wisconsin Statutes Sec. 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 owners of the property at 1790 Conant St and pursuant to Wisconsin Statutes Sec. 19.85(1)(e) for the purpose of deliberating

or negotiating the sergeant's contracts for the City of Lake Geneva Police Department for competitive or bargaining reasons which requires a closed session

Motion by Howell to convene the Council into Closed Session to include the City Administrator, City Attorney, City Clerk, and City Comptroller, second by Dunn. Motion carried on a roll call vote 5-2, with Fesenmaier and Yager voting no. The Council convened into Closed Session at 7:36 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 Yager. Motion carried 7-0 on a roll call vote. The Council reconvened into Open Session at 7:55 p.m.

Motion by Yager to accept the employment contracts for Sean Hinzpeter, Jason Hall, Daniel Derick, and Glen Nettesheim, second by Yunker. Motion carried 7-0.

Motion by Howell to authorize the City Attorney to bring a nuisance action against the owners of 1790 Conant St, second by Yager. Motion carried 7-0.

Motion by Howell to refer the issue of the City Attorney rate to the Finance, Licensing, and Regulation Committee, by Fesenmaier. Motion carried 7-0.

Adjournment

Motion by Yager to adjourn, second by Yunker. Motion carried 7-0. The meeting adjourned at 7:59 p.m.