

CITY OF LAKE GENEVA REGULAR COMMON COUNCIL MINUTES
MONDAY, JUNE 13, 2022- 6:00 P.M.
LAKE GENEVA CITY HALL; COUNCIL CHAMBERS (MAIN LEVEL)

Members: Mayor Charlene Klein, Council President, Rich Hedlund, Council Vice President, Ken Howell, Alderpersons: Tim Dunn, Mary Jo Fesenmaier, John Halverson, Shari Straube, Cindy Yager, and Joan Yunker

Mayor Klein called the meeting to order at 6:00 p.m.

Alderpersion Yager led the Council in the Pledge of Allegiance.

Roll Call

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

Absent:

Awards, Presentations, Proclamations, and Announcements

None

Re-consider business from previous meeting

None

Motion by Fesenmaier to suspend the rules to move the public comment period to the next item, second by Howell.
Motion carried 8-0.

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

Marcie Hollman; 1566 Orchard Ln; Read aloud a letter from Dr. Gottinger regarding additional funds for the traffic light to be placed at Bloomfield Rd and Highway 120.

Barbara Dinnan; 500 S Edwards Blvd #59; Spoke in favor of the additional funds for the traffic light to be placed at Bloomfield Rd and Highway 120.

Carrie Spiegelhoff; W3474 Royal Lynn Ct; Spoke in favor of the additional funds for the traffic light to be placed at Bloomfield Rd and Highway 120.

Discussion/Action regarding reconsideration of motion to approve additional funding in an amount not to exceed \$50,000.00 for the traffic light to be placed at Bloomfield Rd and Highway 120 (Motion to reconsider carried 4-3, at the May 23, 2022 Common Council meeting)

Attorney Draper explained that this motion would be to reconsider the allocation of the \$50,000, while Resolution 22-R32 would potentially approve the use of contingency funds for the allocation.

Motion by Howell to approve the \$50,000 allocation, second by Straube. Hedlund stated that he agrees that a light needs to be placed at that intersection, but feels that the City alone should be contributed additional funds. He feels that the school should pay for it, so that all affected tax payers of the school would share the cost.

Fesenmaier stated that it is unusual that a school would pay for any kind of traffic light and that it really should have been paid for by the state. She added that this could have been avoided if impact fees would have been collected for the development in that area.

Dunn stated that the area in question is not in the City limits and that there are many intersections in the City that could really use a light as well. He added that it isn't proper to use City tax payer funds for this project. Yager added that this project should continue as the City already made a pledge for the money and before the school could collect any additional tax funds, they would need to go to referendum.

Hedlund explained that the City has already committed \$150,000, prior to this request. He added that the City doesn't have enforcement power over that intersection either. Fesenmaier stated that there is over \$130,000 in the contingency and the City can afford to allocate the money to this project. Dunn expressed concerns about using

contingency at this time and not having that money available to the City. Fesenmaier stated that the school will be paying over \$700,000 and the City will be paying \$150,000. Motion carried 5-3 on a roll call vote, with Hedlund, Dunn, and Yunker voting no.

Discussion/Action regarding **Resolution 22-R32** a resolution authorizing the use of Contingency Funds, for an additional contribution for the traffic light, to be placed at Bloomfield Rd and Edwards Blvd. (Highway 120), to be paid from the Contingency fund in an amount not to exceed \$50,000 (*Motion to continue carried 7-0, at the May 23, 2022 Common Council meeting*)

Motion by Howell to approve, second by Straube. Motion carried 5-3, on a roll call vote with Hedlund, Dunn, and Yunker voting no.

Acknowledgement of Correspondence

None

Approve the Regular Council Minutes of May 23, 2022 as prepared and distributed

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

CONSENT AGENDA– *Recommended by Finance, Licensing and Regulation on June 7, 2022. 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 McHenry County Farm Bureau, for the event of Tractor Trek to take place on July 16, 2022, from 10:30 a.m. to 1:30 p.m., to take in Flat Iron Park

-Tier I Event Permit Application filed by Lakeland Community Church for the event of Church in the Park to take place on Sunday, September 4, 2022, from 7:00 a.m. to Noon, located in Flat Iron Park; applicant is requesting the use of amplified sound

-Agent Change for Decorum Lake Geneva LLC d/b/a Comfort Suites Lake Geneva, located at 300 E. Main St, to Rebecca Connelly

-Agent Change for Lake Geneva Egg Harbor LLC d/b/a Egg Harbor Cafe, located at 827 Main St, to Hannah McGhee

-Massage Establishment Renewal Applications, for the term of July 1, 2022 to June 30, 2023 filed by: Healing Muscle Therapies, Element Massage Studio, and Elevate Wellness Center

-Taxi Company Renewal Applications, for the term of July 1, 2022 to June 30, 2022 filed by: Need A Ride Taxi Service and Senior Cab

-Creamery Permit Renewal Applications, for the term of July 1, 2022 to June 30, 2023 filed by: Constant Cravings and Scoops Ice Cream (*four tables only as approved by the Finance, Licensing, and Regulation Committee*)

-Sidewalk Café Renewal Application, for the term of July 1, 2022 to June 30, 2023 filed by: Heart and Sol Café

Howell requested to remove item 11f: Taxi Company Renewal Applications, for the term of July 1, 2022 to June 30, 2022 filed by: Need A Ride Taxi Service and Senior Cab

Motion by Howell to approve the consent agenda, second by Halverson. No discussion. Motion carried.

Items removed from the Consent Agenda

Taxi Company Renewal Applications, for the term of July 1, 2022 to June 30, 2022 filed by: Need A Ride Taxi Service and Senior Cab

Motion by Howell to approve with the corrected expiration date of June 30, 2022, second by Hedlund. No discussion.

Motion carried 8-0.

First Reading of **Ordinance 22-04** an ordinance amending Sections 98-102 Standard Zoning Districts and Standard Zoning District categories; 98-105 purpose and intent of Standard Zoning Districts; section 98-203 tables of Land Uses; section 98-204 table of Land Uses permitted in permanently protected green space areas; section 98-206 Detailed Land Use Descriptions and Regulations; and Section 98-905 Conditional Use review and approval all of Chapter 98: Zoning Ordinance of the City of Lake Geneva Zoning Code, concerning Conditional Uses and Procedures

Mayor Klein offered Ordinance 22-04 as a first reading.

Motion by Hedlund to allow Sonja Kruesel, from Vandewalle Planning Services, to address the Council, second by Dunn. Motion carried 8-0.

Kruesel addressed the Council regarding the changes within the ordinance. She added that state legislation changed the way Cities can review and approve/deny conditional use permits. This change would shorten the list of allowed conditional uses. These have all been reviewed and approved by the City of Lake Geneva Plan Commission. She reviewed all of the changes to the various businesses that would no longer be subject to the conditional use permit and that a new zoning district would be created. No action taken.

First Reading of **Ordinance 22-05** an ordinance amending Sub-Section (a)(1), No Parking, Standing or Stopping Zones of Section 74-210, Parking Regulations, of Article VI, Traffic Code, of Chapter 74, Traffic and Vehicles, of the City of Lake Geneva Municipal Code; as it relates to the disallowance of parking on Wild Ridge Drive

Mayor Klein offered Ordinance 22-05 as a first reading.

Motion by Hedlund to suspend the rules and have a second reading, second by Yunker. Hedlund stated that there is an urgency to get this approved to help cut down on the vandalism in that area. Motion carried 8-0.

Mayor Klein offered Ordinance 22-05 as a second reading.

Motion by Yunker to approve Ordinance 22-05, second by Hedlund. No discussion. Motion carried 8-0.

Discussion/Action regarding Emergency Services Agreement between the Town of Geneva and City of Lake Geneva

Attorney Draper stated that this is the agreement for shared services with the Town of Geneva. There was concerns about if the agreement would impact the levy limit, but that he added a clause prohibiting them from adding these fees to their levy limit worksheet.

Motion by Yunker to approve, second by Hedlund. Attorney Draper noted that there should be an amendment, that the payment schedule reflects a quarterly payment, not a semi-annual as described in the agreement.

Motion by Hedlund to amend the agreement that the township be billed quarterly, second by Yunker. Motion carried 8-0.

Original motion as amended carried 8-0.

Recommendation of the Finance, Licensing, and Regulation Committee of June 7, 2022- Ald. Howell

Discussion/Action regarding an Original Class "B" Fermented Malt Beverage License application filed by Lake Geneva Egg Harbor LLC, d/b/a Egg Harbor Café, 827 Main St, Hannah McGhee, Agent

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

Discussion/Action regarding an Original "Class A" Liquor & Class "A" Fermented Malt Beverage License application filed Going Bananas LLC, d/b/a Going Bananas, 812 Wrigley Dr Suites G & H, Donna Schroff, Agent
Motion by Howell to approve, second by Yunker. No discussion. Motion carried 8-0.

Discussion/Action regarding **Resolution 22-R30** a resolution authorizing and directing the proper city official(s) to issue the Liquor License renewals for the period of July 1, 2022, to June 30, 2023

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

Discussion/Action for Task Order #24 from Kapur Engineering for Center Street Culverts not to exceed \$32,000

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

Discussion/Action regarding the purchase of solar powered illuminated stop signs to be placed at the intersections of Geneva Street & Center Street and Geneva Street & Broad Street; in an amount not to exceed \$9,440.00
Motion by Howell to approve, second by Yunker. No discussion. Motion carried 8-0.

Discussion/Action regarding approval of placement of livestream cameras within the downtown to be paid for by Tourism Commission Grant Funds

Motion by Howell to approve, second by Halverson. Fesenmaier stated that she has concerns about the cameras and if they are live streamed or just monitored by the City. She inquired about where the cameras would be placed and expressed concerns with the beach being on a live stream feed. She would like more information about the cameras that already exist on the Riviera and the West End Pier.

Motion by Fesenmaier to continue, second by Halverson. Motion failed 2-6, on a roll call vote, with Dunn, Hedlund Howell, Straube, Yager and Yunker voting no.

Motion by Howell to approve, second by Hedlund. Yager questioned if the motion could be amended to approve the application of the grant, versus having to determine the placement.

Motion by Fesenmaier to amend to remove the camera at the Riviera Beach, no second offered. Motion failed for a lack of second.

Motion to approve carried on a roll call vote 7-1, with Fesenmaier voting no.

Discussion/Action regarding designation of July 14, 2022 as "Lake Geneva Day" and to allow City parking sticker holders to have free parking all day

Motion by Howell to approve, second by Straube. Mayor Klein added that several businesses, that are not normally accessible to the public, will be open for viewing. Motion carried 8-0.

Discussion/Acceptance of June 7, 2022 Finance, Licensing, and Regulation Committee Payment Approval Reports

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

Motion to go into Closed Session pursuant to Wis. Stat. 19.85(1)(c) Considering employment, promotion, compensation or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility regarding: 1) Finance Director/Comptroller 2) Treasurer and 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

Motion by Hedlund to convene the Council into Closed Session, second by Howell. Motion carried 8-0 on a roll call vote. The Council convened into Closed Session at 7:12 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 Halverson to reconvene the Council into Open Session, second by Yunker. Motion carried 8-0 on a roll call vote. The Council convened into Open Session at 7:31 p.m.

Motion by Hedlund to approve the hiring of Laura Pisarcik as the City of Lake Geneva Finance Director/Comptroller, to be paid at the maximum of pay grade 18, and to start in the 1-5 year for the PTO scale, second by Yunker. Motion carried 8-0, on a roll call vote.

Motion by Hedlund to approve moving the Treasurer pay to the maximum of pay grade 11, second by Yunker. Motion carried 8-0, on a roll call vote.

Adjournment

Motion by Hedlund to adjourn, second by Dunn. Motion carried 8-0. The meeting adjourned at 7:34 p.m.