

CITY OF LAKE GENEVA REGULAR COMMON COUNCIL
MONDAY, MAY 28, 2024 - 6:30 PM
LAKE GENEVA CITY HALL; COUNCIL CHAMBERS (MAIN LEVEL)

Members:

Mayor Todd Krause, Council President, Mary Jo Fesenmaier, Council Vice President, Cindy Yager, Alderpersons: Sherri Ames, Peg Esposito, Linda Frame, Joel Hoiland, Ken Howell, and Shari Straube.

Mayor Krause called the meeting to order at 6:30 p.m.

Pledge of Allegiance

Alderperson Fesenmaier led the Council in the Pledge of Allegiance.

Roll Call

Present: Ames, Esposito, Fesenmaier, Frame, Hoiland, Howell, and Yager.

Absent: Straube (excused)

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

Kathy Rongey, 402 Cadence Circle, Lake Geneva spoke in favor of agenda items eleven through thirteen.

Ralph Kelse, 412 Cadence, Lake Geneva spoke in favor of agenda items eleven through thirteen.

Judy Derra, 414 Gallant, Lake Geneva spoke in favor of agenda items eleven through thirteen and addressed the terms of the development agreement.

Spyro Condos, 1715 Hillcrest Drive, Lake Geneva spoke in favor of agenda items eleven through thirteen.

Anthony LaPorte, 213 Cappella, Lake Geneva spoke in favor of agenda items eleven through thirteen.

Christine Moran, 417 Gallant, Lake Geneva spoke in favor of agenda items eleven through thirteen.

Lynn Donnan, 207 Cadence, Lake Geneva, spoke in favor of agenda items eleven through thirteen.

Marilyn Noettl, 306 Debussy Drive, Lake Geneva, spoke in favor of agenda items eleven through thirteen.

Mike Corlino, 306 Cadence, Lake Geneva, spoke in favor of agenda items eleven through thirteen.

Dennis Loeser, 336 Lori Street, Lake Geneva, spoke in favor of agenda items eleven through thirteen but also discussed various concerns he had regarding the developer.

Pete Peterson, 601 Evergreen, Lake Geneva spoke against agenda items eleven through thirteen, and stated various concerns he had points contained in the development agreement.

Cindy Flower, 533 Haskin Street, Lake Geneva spoke in support of agenda items eleven through thirteen and expressed concerns about Bloomfield's attempts to expand towards the City of Lake Geneva.

Doug Skates, 1133 Bonnie Bray, Lake Geneva spoke in support of agenda items eleven through thirteen. Skates also addressed the potential negative impact of not annexing the property and allow Bloomfield to develop this and other properties in the surrounding area.

Acknowledgement of Correspondence

City Administrator Nord reported that the City Clerk has received a total of fifteen items of correspondence which were included in the meeting packet. It was noted by Mayor Krause that all fifteen items were in support of agenda item thirteen.

Approve the Regular Council Minutes of May 13, 2024, as prepared and distributed

Howell moved to approve. Second by Hoiland. No discussion. Motion carried by unanimous voice vote.

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.

Request from the YMCA for admission waiver for eighty (80) Beach Passes for the Summer Youth Swimming Program

Request for admission fee waiver 20 students and 2 adults on June 3, 2024 for Eastview School's 4th & 5th grade student council members

Frame moved to approve the consent agenda. Second by Ames. Brief discussion among the council members. Motion carried by unanimous voice vote.

Items removed from the Consent Agenda.

None.

Discussion/Action regarding the Pre-Annexation and Development Agreement filed by Bloomfield Holdings, LLC, for the property located at 875 Townline Road, Tax Key No. No. MB 500003
Motion by Hoiland to approve to the pre-annexation agreement and development agreements, second by Frame. Brief discussion among the Council members.

At 7:04 p.m. Hoiland moved to waive the rules to allow Symphony Bay 8 developer Brian Pollard to address the Council. Second by frame. Motion carried by unanimous voice vote.

Question from the Council concerning the annexation agreement and the development agreement. Attorney Draper stated that the agreements cannot be separated and must be addressed at the same time.

Alder Fesenmaier expressed concern about adding model homes to phase eight of the project as well as how long before the Home Owner Association is turned over to the residents of Symphony Bay. Pollard indicated his willingness to eliminate the model homes in phase one and to reduce the number of model homes in phases one through eight to two (2) total. Pollard expressed concern turning over the HOA too early.

Fesenmaier moved to limit the number of model homes at Symphony Bay to two (2) total. Second by Frame. General discussion including Hoiland stating that the motion was unnecessary for various reasons. Attorney Draper read Section 8.3 to the Council regarding this specific topic. Pollard stated he was fine with the amendment. Motion carried by a 6-1 voice vote with Hoiland voting no.

Fesenmaier then addressed Section 12.2 and the meaning of the wording. Attorney stated this was to avoid issues if the City were to adopt new codes / ordinances which conflict with the approved General Development Plan and Precise Implement Plan for the Symphony Bay development.

Fesenmaier then addressed the topic of denying occupancy of a home without the driveway being installed. Pollard responded that he builds homes year-round and cannot pour driveways during winter weather conditions, especially during the months of January through April. This proposal would result in no homes being built for six months out of the year.

Fesenmaier then addressed Section 11.2 regarding a one-year structural warranty. Pollard stated there is already a one-year warrant in place.

General discussion was held between the council members and the developer. Some expressed concern about additional information they would like to have, including the affordability of the homes, impact on the local schools, impact on the City services, the lack of communication from Bloomfield and other topics. Pollard reminded the Council that the original proposal was submitted in the Fall of 2023 and that this proposal is consistent with the City of Lake Geneva's Comprehensive Plan.

Fesenmaier asked about item six in the developer's agreement regarding traffic signals. Pollard responded that the agreement is addressing phase eight and the fact that a traffic signal will not be required. Pollard stated he has agreed to a payment of one thousand dollars (\$1,000) per unit in phase eight to go towards the cost of a traffic signal at the Townline and Edwards intersection.

Frame stated her support of the annexation agreement and warned of the consequences of allowing this parcel to be developed in Bloomfield.

Fesenmaier inquired about the impact of construction traffic on adjoining roads. Mayor Krause stated that the north side of Bloomfield Road belongs to the City of Lake Geneva with the south side of the road is under Bloomfield's jurisdiction.

Yager expressed concerns about this development and how much growth the City is able to accommodate. Pollard stated that Lake Geneva's future growth is limited; particularly with Bloomfield moving north towards Lake Geneva.

Ames stated her concerns with Symphony Bay, but supports this development being under the jurisdiction of Lake Geneva instead of Bloomfield. Hoiland stated this is a watershed moment and believes the residents of Lake Geneva want this parcel brought into the City limits. He further stated his objection to Town of Bloomfield islands within the City limits of Lake Geneva. He also reminded the Council that the topic at hand, at this moment, is the annexation of the property. Frame stated her support of annexation.

Fesenmaier again stated her belief that the City should be compensated for the wear caused by construction traffic on City roads. Fesenmaier moved to amendment Section five of the agreement to read “no improvements to east Townline Road or North Road will be required unless those roads are used by construction traffic. Improvements to the north half of north Bloomfield Road shall be required of the developer” Second by Yager. General discussion concerning the motion among the council members and the developer and a representative of Kapur Engineering.

At 7:45pm Howell called the question on the amendment. Howell moved to close debate. Second by Frame. Motion carried by majority voice vote.

Nord read back the amendment. Mayor Krause called for a roll call vote. Motion failed on a 3-4 roll call vote with Esposito, Yager and Fesenmaier voting yes.

Howell called the question Second by Frame. Motion carried by majority voice vote.

Nord restated the original motion and the one amendment regarding the maximum of two (2) model homes within phase 1 through 8 of Symphony Bay. Motion carried by 7-0 unanimous roll call vote.

Discussion/Action regarding Resolution 24-R45 a resolution authorizing the issuance of permanent zoning for Bloomfield Holdings LLC for permanent zoning of the property located at 875 Townline Road, Tax Key No. No. MB 500003

Motion by Hoiland to approve to agreement., Second by Howell. No discussion. Motion carried by unanimous voice vote.

First Reading of Ordinance 24-03 and ordinance providing for Direct Annexation by unanimous consent of electors and property owners of territory located in the Town of Bloomfield, Walworth County, Wisconsin, to the City of Lake Geneva, Walworth County, Wisconsin

Motion by Hoiland to suspend the rules and move this to a second reading. Second by Howell. Motion carried 7-0 by unanimous roll call vote.

Second Reading of Ordinance 24-03 and ordinance providing for Direct Annexation by unanimous consent of electors and property owners of territory located in the Town of Bloomfield, Walworth County, Wisconsin, to the City of Lake Geneva, Walworth County, Wisconsin

Motion by Howell to approve. Second by Frame. No discussion. Motion carried 7-0 by unanimous roll call vote.

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

Discussion/Action regarding Resolution 24-R40 a resolution approving to open custodial account(s) with Pershing Advisor Solutions LLC and engage Ehlers Investment Partners as investment advisor.

Motion by Howell to approve. Second by Frame. No discussion. Motion carried by unanimous voice vote.

Discussion/Action regarding a budget amendment request by the Downtown Business Improvement District (BID) for an increase to the Murals line item offset the expenses for marketing before the reimbursable grants and sponsorship revenues are collected.

Motion by Howell to approve the budget amendment. Second by Frame. No discussion. Motion carried by unanimous voice vote.

Discussion/Acceptance of the pre-paid and regular bills approved by the Finance, License, and Regulation Committee on May 21, 2024.

Motion by Howell to approve. Second by Frame. No discussion. Motion carried by unanimous voice vote.

Recommendation of the Plan Commission- Ald. Esposito

Discussion/Action regarding Resolution 24-R41 a resolution authorizing the issuance of a Permanent Zoning for RJ Amann Properties LLC. N3219 Cty Rd H Lake Geneva for a permanent zoning of the property located at N3219 Cty Rd H Tax Key No. JA54900001

Motion by Esposito to approve. Second by Howell. No discussion. Motion carried by unanimous voice vote.

Discussion/Action regarding Resolution 24-R42 a resolution authorizing the issuance of a Conditional Use Permit (CUP) for Jennifer Klemke 1020 Lake Geneva Blvd. Lake Geneva for a proposed Physical Activities Studio of the property located in the Central Business (CB) zoning district Tax Key Nos. ZOP00112; ZOP00113; & ZOP00114

Motion by Esposito to approve. Second by Hoiland. No discussion. Motion carried by unanimous voice vote.

Discussion/Action regarding Resolution 24-R43 a resolution authorizing the issuance of a Conditional Use Permit (CUP) for Jennifer Klemke 1020 Lake Geneva Blvd. Lake Geneva for a proposed Commercial Indoor Lodging of the property located in the Central Business (CB) zoning district Tax Key Nos. ZOP00112; ZOP00113; & ZOP00114

Motion by Esposito to approve, second by Ames. Brief discussion among the council members. Motion carried by unanimous voice vote.

Discussion/Action regarding Resolution 24-R44 a resolution authorizing the issuance of a Conditional Use Permit (CUP) for Christine and Robert Hau 1614 Lake Shore Dr. Lake Geneva for a proposed home renovation to the property located in the Estate Residential – 1 (ER-1) zoning district Tax Key No. ZLM00035

Motion by Esposito to approve. Second by Ames. Brief discussion among the Council members.
Motion carried by unanimous voice vote.

Discussion/Action regarding a General Development Plan by Canyon Development Group 937 Tarrant Dr. Fontana WI 53125 for the property located at 817 N. Knoll Ln. zoned Planned Development (PD) Tax Key Nos. ZA442700001 & ZA442700002

Motion by Esposito to approve. Second by Frame. Brief discussion among the Council members. It was noted that there were no objections by neighboring property owners. Motion carried by unanimous voice vote.

Adjournment

At 7:59 p.m. Hoiland moved to adjourn. Second by Ames. No discussion. Motion carried by unanimous voice vote.

David Nord
City Administrator