

VILLAGE OF FONTANA ON GENEVA LAKE
WALWORTH COUNTY, WISCONSIN
(Official Minutes)

MONTHLY MEETING of the VILLAGE BOARD OF TRUSTEES

Wednesday, January 3, 2007

President Whowell called the monthly meeting of the Village Board to order at 6:32 pm in the Village Hall, 175 Valley View Drive, Fontana, Wisconsin.

Trustees present: Roll call vote: Turner, President Whowell, Petersen, Bidwill, Pollitt

Trustees absent: Bromfield, O'Connell

Also present: Police Lt. Brad Buchholz, Frank Dobbs, Brad Drefcinski, Joe Eberle, Carolyn Esswein, Village Administrator Kelly Hayden-Staggs, Robert Ireland, Library Director Nancy Krei, Lou Loenneke, Village Clerk Dennis Martin, CDA Executive Director Joseph McHugh, Gail Nichols, Peter Novak, Treasurer Peg Pollitt, Donald Roberts, Jan Whitler, Director of Public Works Craig Workman

Visitors Heard

None

Announcements

Hayden-Staggs announced that the joint Tree Ordinance Revision Workshop Meeting with the Park Commission, Plan Commission and Village Board will be held on Tuesday, January 9, 2007, at 5:30 pm; the next Lakefront and Harbor Committee meeting will be held Wednesday, January 10, 2007, at 4:30 pm; the next Finance Committee meeting will be held Thursday, January 18, 2007, at 5:00 pm; the 2006 Village Audit will be conducted at the Village Hall from January 22 to 24, 2007; and the next monthly meeting of the Plan Commission will be held Monday, January 29, 2007, at 5:30 pm. During announcements, Martin provided the Spring Election Update agenda item and the Village Board directed staff to schedule a Town Hall meeting for a trustee candidate's forum on Saturday, February 10, 2007, beginning at 9:00 am.

Approval of Minutes

Turner/Petersen 2nd made a MOTION to approve the minutes for the open and closed session meetings held December 4, 2006, and the MOTION carried without negative vote.

Village Treasurer's Report

Turner/Petersen 2nd made a MOTION to accept the Treasurer's Report for November 2006 and to place it on file for the audit, and the MOTION carried without negative vote.

Approval of Village and Utility Payables

Petersen/Pollitt 2nd made a MOTION to approve the Village and Utility Payables as submitted and presented at the meeting, and the MOTION carried without negative vote.

CDA – Trustee Turner

Gilbank Construction Change Order No. 2 for Beach House Contract

Turner stated that the proposed change order will resolve the dispute with Gilbank Construction, Inc., Clinton, with regard to the extra cost incurred for moving the bridge and abutments at the site of the new beach house. In order to resolve the matter, the CDA Board recommended splitting the \$5,220 cost with Gilbank.

Turner/Petersen 2nd made a MOTION to approve Change Order No. 2 totaling \$2,610 as compensation for the removal of the former bridge and abutments, and the MOTION carried without negative vote.

Fontana Boulevard Water Main Extension Engineering Services Contract

Turner stated that the CDA recommended approval of the contract for design work for the water main extension project. Turner stated that the project will be funded by the TID. The engineering services contract is for \$24,000 to \$29,000. Petersen stated that once the preventative maintenance project is completed, the project will loop the entire water main system in the Village. Trustee Pollitt stated that he was concerned that the construction schedule and process will cause the road to be closed and disrupt through-traffic. Workman stated that the project is scheduled to commence in the fall of 2007 or spring of 2008. Workman stated that once the engineering has been completed, staff will be able to determine how much traffic disruption will be required to complete the project. Workman stated that there are construction method alternatives that can be explored to minimize the project's affect on traffic. Turner stated that the Village should move forward with the approval process for the project to bury the utility lines in the area so the construction schedules can be coordinated to cause minimum traffic disruption.

Turner/Petersen 2nd made a MOTION to approve the Fontana Boulevard Water Main Extension Engineering Services Contract with Ruckert-Mielke, Waukesha, for \$24,000 to \$29,000, and the MOTION carried without negative vote.

Highway 67 Landscaping Update

Carolyn Esswein of PDI presented the landscaping plans for the Highway 67 corridor and for the Porter Court Plaza to the Village Board and the CDA Board prior to the adjournment of the CDA monthly meeting and the beginning of the Village Board meeting. The Highway 67 plantings will begin in the spring. The plan includes the planting of 80 trees and the installation of an irrigation system along Highway 67 and Porter Court. The Porter Court landscaping, which includes a pedestrian bridge over the creek and a water fountain, was planned in conjunction with the FairWyn Ltd. development. The FairWyn Ltd. commercial/professional building currently is scheduled to be constructed by mid-summer, at which time the landscaping work will begin on the Porter Court plan. Turner stated that he directed PDI to add the necessary landscaping work for the creek portion of the Porter Court plan to the bid specifications that will be solicited for the Highway 67 landscaping project. The Board was in consensus that the creek landscaping work should be completed at the same time as the rest of the Highway 67 landscaping work to cause minimum traffic disruption.

General Business/Administrator's Report – President Howell/Administrator Hayden-Staggs

Triathlon Date September 8, 2007

Frank Dobbs stated that he was seeking approval to schedule the 18th annual event for Saturday, September 8, 2007. Hayden-Staggs stated that she wanted to make the Village's annual request for the event to be renamed the Fontana Triathlon, instead of the Lake Geneva Triathlon – since the event is held in and around the Village of Fontana, not the city of Lake Geneva. Dobbs stated that he will consider the request, but the event has been established under the current name. Dobbs thanked the Village for working with him in establishing alternative routes last year while multiple Village construction projects were underway. Dobbs stated that the plan is to go back to the traditional routes this year. In response to a question from Bidwill, Hayden-Staggs stated that a joint planning meeting is scheduled the month prior to the triathlon to coordinate the event and the meeting date has not yet been scheduled.

Turner/Petersen 2nd made a MOTION to approve the September 8, 2007 date for the triathlon, and the MOTION carried without negative vote.

Ramsden Claim Denial Recommendation

Hayden-Staggs stated that the Village insurance provider completed an investigation of the incident and recommended that the Village Board deny the claim pursuant to Wisconsin Statute 893.80(1g) and on the basis that there was no negligence on the Village of Fontana and the area was open and obvious.

Petersen/Pollitt 2nd made a MOTION to deny the claim filed by Kim Ramsden, N1571 Fairview Lane, Fort Atkinson, WI, pursuant to Wisconsin Statute 893.80(1g), on the basis that there was no negligence on the Village of Fontana and the area was open and obvious, and the MOTION carried without negative vote.

Non Union Employee Insurance Language – Renewal of Non Union Employee Contracts

Hayden-Staggs stated that the language amendment for non union employee contracts was ready for the consideration. Hayden-Staggs stated that the Board will still have to act on a salary resolution proposal to compensate non union employees for the increase in insurance premium contributions. The proposal was forwarded by the Village Board to provide salary compensation to non union employees while the union employees “catch-up” on the initiative to have all Village employees pay up to 15 percent of their health insurance premium. Non union employees have been paying 5 percent of their monthly health insurance premiums for the last nine months. The proposed language, which was taken from the language in the Police Department union contract, is as follows: “Effective January 1, 2007 the Employer agrees to pay ninety percent (90%) of the monthly premium cost of the least costly qualified HMO, health insurance plan, within the service area of the Employer, for the Wisconsin Public Employees Group Health Insurance. In the event, the Employee elects coverage of a higher premium cost qualified HMO plan, that Employee shall pay a portion of the premium as stated above, plus the amount of the premium costs of the more expensive plan, which exceeded one hundred and five percent (105%) of the premium costs of the lowest qualified plan. Effective January 1, 2008 the Employer agrees to pay eighty-five percent (85%) of the monthly premium cost of the least costly qualified HMO, health insurance plan, within the service area of the Employer, for the Wisconsin Public Employees Group Health Insurance. In the event, the Employee elects coverage of a higher premium cost qualified HMO plan, that Employee shall pay a portion of the premium as stated above, plus the amount of the premium costs of the more expensive plan, which exceeded one hundred and five percent (105%) of the premium costs of the lowest qualified plan.”

Turner/Petersen 2nd made a MOTION to approve the language addition to the non union employee contracts as presented, and the MOTION carried without negative vote. Trustee Pollitt abstained.

Spring Election Update

Martin stated that the Spring Election story on the Village of Fontana Website is updated daily. As of January 3, 2007 the election update stated: After six years of service as the Village President, Tom Whowell announced he will not seek a fourth-consecutive term in the Spring Election. Whowell, 384 N. Lakeshore Drive, filed a Notification of Noncandidacy Friday, December 22, 2006. President Whowell served for four years as a Trustee from April 1973 to April 1977. He was elected Village President in April 2001. Trustee Ronald E. Pollitt, 442 Harvard Avenue, filed his Nomination Papers on December 19, 2006 to run for the Village President’s position. Pollitt is serving his second two-year term as a Trustee after being elected in April 2004 and reelected in April 2006. He is the chairman of the Finance Committee and serves as the Village Board’s representative on the Geneva Lake Law Enforcement Agency Board of Directors. Trustees John Bromfield, Merilyce “Micki” O’Connell and Arvid “Pete” Petersen also are facing reelection this spring. Bromfield did not file a Declaration of Noncandidacy by December 22, 2006, or a Declaration of Candidacy by January 2, 2007, so the Nomination Period for the Trustee positions has been extended by 72 hours to Friday, January 5, 2007, at 5:00 pm. Pete Petersen, 351 E. Waubun Drive, filed his Nomination Papers on December 18, 2006 for a fourth two-year term as Village Trustee. Petersen was first elected in April 2001 and earned reelection in April 2003 and April 2005. Petersen currently is the chairman of the Public Works Committee and serves as a Village Board representative on the CDA Board of Directors and the Fontana/Walworth Water Pollution Control Commission Board of Directors. Micki O’Connell, 611 Agaming Road, filed her Nomination Papers on December 15, 2006 for a third two-year term as Village Trustee. O’Connell was first elected in April 2003 and earned reelection in April 2005. O’Connell currently serves on the Plan Commission and the Fontana/Walworth Water Pollution Control Commission Board, is the chairman of the Lakefront and Harbor Committee, and is an advisor to the Park Commission and Finance Committee. Donald R. Roberts, 1056 Jenkins Drive, filed his Nomination Papers on December 28, 2006 for Village Trustee. Roberts, a retired systems analyst for the McHenry County Court System, has been a resident of the Village for 10 and one-half years. George Joseph Spadoni, Jr., 540 Oak Street, filed his Nomination Papers on December 29, 2006 for Village Trustee. Spadoni is a former Village Trustee, having served from April 1997 to April 2003. He is a current member of the Village of Fontana Plan Commission. Michele Lynn Teale, 436 Waubun Drive, filed her Nomination Papers on December 29, 2006 for Village Trustee. Teale is the current chairman of the Village of Fontana Zoning Board of Appeal and is a licensed practical nurse. She has been a volunteer Emergency Medical Technician on the Fontana

Rescue Squad since September 2005. Jan Evan Whitler, 164 Fontana Avenue, filed a Declaration of Candidacy on December 29, 2006 and his Nomination Papers on December 30, 2006 for Village Trustee. Village of Fontana Fire Chief Jon A. Kemmett, 844 Featherstone Drive, filed a Declaration of Candidacy on December 27, 2006, and his Nomination Papers on January 2, 2007 for Village Trustee. Kemmett has been a member of the Fontana Fire Department since 1983. John Lopeman, 154 Fontana Avenue, filed a Declaration of Candidacy on January 3, 2007 and is circulating Nomination Papers for Village Trustee. Residents initially could declare their candidacy and circulate nomination papers from December 1, 2006 through Tuesday, January 2, 2007; however, since Bromfield did not abide with the statutory deadlines, the nomination period for the Trustees positions has been extended by 72 hours to Friday, January 5, 2007, at 5:00 PM. Since seven or more residents filed Nomination Papers for the three Village Trustee positions that are up for election, a primary election will be held Tuesday, February 20, 2007. The six candidates who receive the most votes in the primary will be put on the ballot for the Spring Election. The Spring Election will be held Tuesday, April 3, 2006. Following discussion, the Village Board was in consensus that a Town Hall meeting for the public to meet the Trustee candidates in the primary election should be scheduled for Saturday, February 10, 2007, beginning at 9:00 am.

Public Works – Trustee Petersen

Magill Pay Request No. 6 for Reid Park Pavilion

Workman stated that the pay request was reviewed and it is in order. Petersen stated that the Public Works Committee recommended payment of the bill as submitted.

Petersen/Turner 2nd made a MOTION to approve the pay request totaling \$39,604 to Magill Construction Company Inc., and the MOTION carried without negative vote.

Kovilic Pay Request No. 11 for Main Lift Station

Workman stated that Pay Request No. 11 submitted by Kovilic mainly covers the acquisition and installation of the generator. The pay request totals \$111,882. Petersen stated that the Public Works Committee recommended payment of the bill as submitted.

Petersen/Turner 2nd made a MOTION to approve the pay request totaling \$111,882 to Kovilic Construction Company Inc., and the MOTION carried without negative vote.

Lower Gardens Sewer Project Bid Approval

Workman stated that two bids were received for the Lower Gardens sanitary sewer rehabilitation project. Great Lakes TV Seal, Inc. submitted a bid of \$68,801.64, and Visu Sewer Clean and Seal, Inc. submitted a bid of \$82,975.50. Workman stated that the bids were in line with the specifications prepared by Ruckert-Mielke, and the engineering firm recommended approval of the low bid submitted by Great Lakes TV Seal, Inc. Workman stated that the bid submitted by Visu Sewer Clean and Seal practically matched the estimate prepared by Ruckert-Mielke. Petersen stated that the project will provide preventative maintenance in the area.

Petersen/Turner 2nd made a MOTION to approve the \$68,801.64 bid submitted by Great Lakes TV Seal Inc., and the MOTION carried without negative vote.

Construction Project Updates

Workman stated that the generator has been installed at the new Main Lift Pumping Station in Reid Park, and work has commenced on getting the new pumps up and running. Workman stated that the lift station is scheduled to be up and running by the end of the month. Workman stated that there will be some excavation work at the Mill Street pumping station to accommodate two new pumps that will be installed. The new pumps at the Mill Street station will be able to accommodate the greater flow that will be produced by the new Main Lift Pumping Station in Reid Park. Site reclamation and landscaping work in Reid Park will resume in the spring. Workman stated that the standing seam steel roofing materials for the new restrooms/pavilion building in Reid Park have arrived and the installation work is underway. Workman stated that painting is the only exterior work yet to be completed on the new building.

Protection Committee – Trustee Bromfield

Operator's License Application Filed by Peter Novak (Novak's Deli)

Chief Olson completed the background check and recommended approval of the Operator's License

application. Trustee Pollitt stated that since Operator's Licenses expire on June 30, the Board could consider any new issues regarding the license at that time.

Pollitt/Bidwill 2nd made a MOTION to approve the Operator's License Application filed by Peter Novak, and the MOTION carried without negative vote. President Howell abstained.

Bike Path/Lane Ordinance (Tabled 11/06/06 & 12/04/06)

President Howell stated that the proposed ordinance still has not been drafted.

Petersen/Turner 2nd made a MOTION to table the item, and the MOTION carried without negative vote.

Plan Commission – President Howell

Next Meeting January 29, 2007

President Howell stated that there are no items that were forwarded to the Village Board from the Plan Commission's monthly meeting in December.

F/W WPCC-Trustee Petersen

Monthly Update

Petersen stated that the water connection project with the Village of Walworth has been completed and the new system is operable. Petersen stated that there still are some changes that were made in initial contact that have to be worked out before they are forwarded to the Village Board for approval.

Finance Committee – Trustee Pollitt

Budget Comparison Update

Trustee Pollitt stated that the Finance Committee held several meetings at which they compared the Village of Fontana and the Village of Williams Bay municipal budgets. A report will be drafted and presented to the Village Board at the February 5, 2007 meeting.

Lakefront and Harbor - Trustee O'Connell

Monthly Update

Nothing

GLLEA – Trustee Pollitt

Monthly Meeting Cancelled – Next Meeting Scheduled for February 7, 2007

Trustee Pollitt stated there will be not be a GLLEA Board meeting in January.

Park Commission – Trustee Bidwill

Monthly Update

Bidwill stated that the preliminary minutes for the Park Commission's December 13, 2006 meeting were included in the Trustee's meeting packets. There were no items forwarded to the Village Board for consideration.

Pending Items for Future Agendas

1. Big Foot Recreation Annual Update
2. 2007 Salary Resolution
3. AFSCME Union Contract

Adjournment

Petersen/Bidwill 2nd made a MOTION to adjourn the meeting at 7:18 pm, and the MOTION carried without negative vote.

Minutes prepared by: Dennis L. Martin, village clerk

Note: These minutes are subject to further editing. Once approved by the Village Board, the official minutes will be on file at the Village Hall.

APPROVED: 2/5/07