

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

MONTHLY MEETING of the VILLAGE BOARD OF TRUSTEES
Monday, February 4, 2013

Village President Arvid Petersen called the monthly meeting of the Village Board to order at 6:00 pm in the Village Hall, 175 Valley View Drive, Fontana, Wisconsin.

Trustees present: Roll call vote: President Arvid Petersen, Tom McGreevy, Pat Kenny, Rick Pappas, Cindy Wilson, George Spadoni, Bill Gage

Also Present: Joe Abell, Michael Bohn, Sheree Carlson, Merilee Holst, Ted Johnson, Library Director Nancy Krei, State Representative Amy Loudenberg, Village Clerk Dennis Martin, Assistant Zoning Administrator Bridget McCarthy, Gretchen McCarthy, Mark Moertl, Building Inspector Ron Nyman, Police Chief Steve Olson, Andy Pearce, Scott Peterson, Dale Thorpe

Visitors Heard

Big Foot High School Board of Education member Gretchen McCarthy stated that there will be a referendum question on the April 2, 2013 Spring Election ballot seeking authorization for the Big Foot High School District to exceed the state imposed revenue limit by \$300,000 for the 2013-14 school year and on a recurring basis by an additional \$350,000 for the 2014-15 school year for recurring purposes consisting of maintaining educational programming, safety and maintenance. Gretchen McCarthy stated that the state reduced the annual shared revenue aid the Big Foot district receives to almost nothing for the 2012-13 school year, and the amount is expected to be even less in 2013-14 school year and beyond. Gretchen McCarthy stated that the school also has to address educational deficiencies identified in a new federal report card by hiring additional teachers for math and science. Gretchen McCarthy stated that the debt service for the loan the district received for an additional project will be paid off next year, so the additional tax levy revenue would make less of an impact on the Big Foot High School District's annual tax rate if the referendum is approved. Gretchen McCarthy stated that the total valuation of the school district is high enough that the additional levy revenue will result in the tax rate being increasing by 2 or 3 cents over the current rate. State Representative Amy Loudenberg stated that she was at the meeting to distribute her new business cards for people to contact her with local issues and concerns. Loudenberg stated that she received a copy of the recently adopted village resolution regarding the lake level situation with the Wisconsin DNR and she has become involved in the ongoing negotiations to resolve the issue.

Announcements

1. Assessor Local Office Hours – **Friday, February 8, 2013, 10:00 am to 2:00 pm**
2. Fontana/Walworth Water Pollution Control Commission Meeting – **Tuesday, February 12, 2013, 7:30 pm**
3. GLEEA Monthly Board Meeting – **Wednesday, February 13, 2013, 10:00 am**
4. Plan Commission Staff Meeting – **Wednesday, February 13, 2013, 1:00 pm**
5. CDA Monthly Meeting Tentative Date – **Wednesday, February 13, 2013, 5:30 pm**
6. Protection Committee Meeting – **Monday, February 18, 2013, 5:30 pm**
7. Statewide Primary Election for Supreme Court Justice – **Tuesday, February 19, 2013, 7:00 am to 8:00 pm**
8. Library Board Meeting – **Wednesday, February 20, 2013, 10:00 am**
9. Park Commission Meeting – **Wednesday, February 20, 2013, 5:30 pm**
10. GLEEA Board Meeting – **Thursday, February 21, 2013, 7:00 pm**
11. Plan Commission Monthly Meeting – **Monday, February 25, 2013, 5:30 pm**
12. Lakefront and Harbor Committee Meeting – **Wednesday, February 27, 2013, 5:30 pm**
13. Village Board Monthly Meeting – **Monday, March 4, 2013, 6:00 pm**

Approval of Village Board Minutes

Trustee Pappas/Trustee Gage 2nd made a MOTION to approve the minutes for the meetings held January 7 and 21, 2013, as presented, and the MOTION carried without negative vote.

Village Treasurer's Report, Vendor Report, & Payroll Overtime Report

Trustee Kenny/Trustee Spadoni 2nd made a MOTION to approve the reports as distributed and to

place them on file for the annual audit, and the MOTION carried without negative vote.

Approval of Village and Utility Payables

Additional payables totaling \$24,508 were distributed at the meeting.

Trustee Spadoni/Trustee McGreevy 2nd made a MOTION to approve the Village and Utility payables as distributed and presented at the meeting, and the MOTION carried without negative vote.

Park Commission – Trustee Wilson

Big Foot Lions Club 2013 Reid Park Events

Big Foot Lions Club members Andy Pearce and Joe Abell were in attendance seeking approval of the annual Fourth of July concession stand and Lobster Boil and Steak Fry in Reid Park. Wilson stated that the Park Commission recommended approval of the events as presented.

Trustee McGreevy/Trustee Kenny 2nd made a MOTION to approve the Big Foot Lions Club 2013 Reid Park events on July 4, 2013 and July 27, 2013, as recommended, and the MOTION carried without negative vote.

Memorial Tree List Addition of Reid Park Evergreen Tree

Wilson stated that an evergreen tree that was planted in Reid Park by the late Thel Shoberg about 10 years ago, in the middle of the night, has been recommended to be added to the Memorial Tree List. Wilson stated that the Park Commission was informed the tree was planted as a memorial when Stacey Yarmo-Schiesser inquired at the December 19, 2012 meeting why it was not decorated for the holidays like the other evergreen trees in Reid Park. Yarmo-Schiesser also informed the Park Commission that Shoberg had the tree planted in memory of Dr. Irwin Yarmo. At the January 16, 2013 meeting, the Park Commission approved a motion to have the evergreen tree added to the Memorial Tree List with the understanding that since the tree was planted without initial approval that the Village reserves the right to have the tree removed and relocated in the future if necessary. Wilson also stated that the village landscaping contractor has indicated that it will not be a problem to run an electrical source to the tree next year so that it can also be decorated for the holiday season. Trustee Kenny/Trustee McGreevy 2nd made a MOTION to approve the Park Commission recommendation as presented, and the MOTION carried without negative vote.

Park Commission/Park House Website and Facebook Pages Authorization

Wilson stated that Bridget McCarthy has been kind enough to accept the Park Commission's request to help market the Park House and other Village park facilities on a new website and Facebook page, as well as any other appropriate social media outlets like Twitter. Wilson stated that Bridget McCarthy will help with the design and layout of the website and Facebook page, and Park Commissioner Sandra Hibbard will be working with her to develop promotional ideas.

Trustee Spadoni/Trustee McGreevy 2nd made a MOTION to authorize the development of a Park Commission website and Facebook page and any other social media, and the MOTION carried without negative vote.

General Business/Administrator's Report – President Petersen/Administrator-Treasurer Hayden

Big Foot Lions Club Temporary Liquor License for Lobster Boil in Reid Park Saturday, July 27, 2013

Trustee Spadoni/Trustee Pappas 2nd made a MOTION to approve the Temporary "Class B" Liquor License for the Big Foot Lions Club Lobster Boil and Steak Fry in Reid Park Saturday, July 27, 2013, as recommended, and the MOTION carried without negative vote.

Temporary Operator's License Applications Filed by Joe Abell, Anders Pearce, Richard Murphy for Big Foot Lions Club 30th Annual Lobster Boil

Trustee McGreevy/Trustee Spadoni 2nd made a MOTION to approve the Temporary Operator's License applications filed by Joe Abell, Anders Pearce and Richard Murphy, and the MOTION carried without negative vote.

Following the vote, Joe Abell stated that it was his pleasure to present the Village Board with a \$6,000 check in appreciation for the Village of Fontana allowing the club to use the park facilities for

its annual fund-raising events. Abell stated that the check was the club's last annual payment for the pledge it made to help support the purchase of the new pirate ship at Little Foot Playground.

Authorize Sending Letters for Village Mooring Lease Renewals with Lake Level Warning

Pappas stated that the Lakefront Committee has been discussing the lake level situation and the possibility that the lower level of Geneva Lake may result in the loss of some of the village pier slips and ramp spaces for motorized watercrafts. Pappas stated that proposal is to add warning information to the village mooring lease renewal letters in case the lake level situation is not resolved. Trustee Spadoni/Trustee McGreevy 2nd made a MOTION to authorize the sending of an additional lake level warning letter with the annual mooring lease renewal applications, and the MOTION carried without negative vote.

Authorize Advertisement for DPW Employee Hiring

Trustee Spadoni/Trustee McGreevy 2nd made a MOTION to authorize advertisements for the hiring of a Department of Public Works employee, and the MOTION carried without negative vote.

Update on Applications Received for DPW Director Position

There were 40 applications submitted by the January 25, 2013 deadline and Voorhees is screening the applicants down to 12, who will be interviewed by the Human Resources Committee and others.

Authorize Hiring for Beach and Launch Summer Employees

Trustee McGreevy/Trustee Spadoni 2nd made a MOTION to authorize staff to proceed with hiring the summer staff employees, and the MOTION carried without negative vote.

Update on Lake Level

Gage stated that he spoke with Larry Larkin of the Geneva Lake Level Corporation Board of Directors and talks are continuing with the DNR executive board. Gage stated that the entire situation created when the DNR ordered the corporation to open the Geneva Lake dam was initiated by Governor Scott Walker's declaration of a drought emergency last summer. Gage stated that DNR employees decided to target the Geneva Lake dam and the couple hundred feet of the White River that is affected by the water that spills over the dam in Lake Geneva at the expense of the entire Geneva Lake watershed. Gage stated that because of recent precipitation, the lake level is back up to about 4-inches below optimum level, as compared to the 14- to 16-inches below level the lake was at last fall.

Report on eBay Sales

The three historic pier signs were sold to three different bidders for a total of \$868.50, and the old parking meters continue to sell for \$25 for single-headed and \$40 for double-headed meters.

CDA – President Petersen

CDA Commissioner Appointment for Expired Four-Year Term

The four-year term of Skip Bliss expired.

President Petersen/Trustee Pappas 2nd made a MOTION to approve the reappointment to a four-year term of Skip Bliss on the CDA Board of Commissioners, and the MOTION carried without negative vote.

West End Holdings, LLC Development Proposal Negotiations Update

The CDA Board is negotiating with West End Holdings, LLC on a development proposal for the Duck Pond site.

Trustee Spadoni/President Petersen 2nd made a MOTION to refer the item back to the CDA, and the MOTION carried without negative vote.

Finance Committee – Trustee Kenny

Community Research Results on Legal Retainers

Kenny stated that the Finance Committee reviewed municipal attorney and court prosecution expenses information compiled by Village staff from other local municipalities at the request of Trustee Wilson. Wilson stated that after attending a League of Wisconsin Municipalities conference

she requested at budget time that the legal services cost information be reviewed and compared to the other local municipalities. Wilson stated that the Village may be able to save expenses by using a retainer method instead of an hourly rate method to pay for attorney services. Wilson stated that she could review the monthly bills provided by Thorpe & Christian, S.C. and determine if there are some items that could be reduced or eliminated. Kenny stated that the monthly bills and payables are reviewed by a Finance Committee member, and the committee reviewed the research information but did not direct any further action at this time.

Protection Committee – President Petersen

Overnight Parking Proposal for Village Lakefront Lots During Winter Months

The Protection Committee recommended approval of the proposal; however, upon review of the Municipal Code, there is no need for an amendment to authorize the Police Officers to allow vehicles to remain parked in the lakefront lots overnight on Thursdays through Sundays from October 15th through April 15th.

Trustee Spadoni/Trustee Pappas 2nd made a MOTION to reinforce the Protection Committee recommendation that motorists be allowed to leave their vehicles parked in the municipal lakefront lots overnight on Thursdays through Sundays from October 15th through April 15th, and the MOTION carried without negative vote.

Safety Building Garage Heater Repair Proposal

The committee recommended approval of a proposal submitted by Peck & Weis, Inc., Lake Geneva, to replace a tube that is leaking on the garage heater for \$1,100 and to re-vent the unit for \$595. The proposal includes an additional \$100 rental fee for a lift that will be needed to complete the work.

Trustee Spadoni/Trustee Kenny 2nd made a MOTION to approve the proposal submitted by Peck & Weis, Inc., Lake Geneva, to replace a tube that is leaking on the garage heater for \$1,100, to re-vent the unit for \$595, and to rent a scissors lift for \$100, as recommended, and the MOTION carried without negative vote.

Full Time Vs. Part Time Police Department Staffing Decision – Tabled 12/3/12

The Protection Committee recommended changing one part-time officer to a three-quarters time flex officer for a period of six months, and at that time, review the situation and continue with the three-quarters time flex officer position or change it to a fulltime flex position.

President Petersen/Trustee Pappas 2nd made a MOTION to authorize the change of one part-time officer to a three-quarters time flex position for a period of six months, and at that time, review the situation and continue with the three-quarters time flex officer position or change it to a fulltime flex position. The MOTION carried without negative vote.

Paratech Ambulance Service Contract Recommendation Refer Back to Committee

Trustee Spadoni/Trustee Kenny 2nd made a MOTION to refer the item back to the Protection Committee, and the MOTION carried without negative vote.

Lakefront & Harbor – Trustee Pappas

Ordinance & Mooring Lease Contract Amendment Recommendation for Section 54-49

Fueling Regulations – Tabled 12/3/12

Pappas stated that Lakefront and Harbor Committee reviewed its November 28, 2012 recommendation as directed at the December 3, 2012 Village Board meeting. Pappas stated that following a presentation by Dockside Solutions, Inc., a fueling barge business that operates on Geneva Lake, the committee voted to change its November 28, 2012 recommendation that the Municipal Code Section 54-49 fueling regulations be amended to prohibit fueling of watercrafts by any means at the Village owned lakefront or piers. Pappas stated at the January 23, 2013 committee meeting that he reviewed the current ordinance section with Village Attorney Dale Thorpe, and Thorpe informed him that if the ordinance section was not amended, the Dockside Solutions business would not be prohibited from refueling boats moored on the Village piers. The section only prohibits refueling of watercraft from portable cans or containers at the village owned lakefront or at any municipally owned pier. The Lakefront and Harbor Committee approved a motion at its January 23, 2013 meeting to recommend that Section 54-49 of the Municipal Code be left written as it currently is, and the motion carried on a 3-2 vote, with Trustee Pappas and Joel Bikowski opposed,

Ed Snyder abstained, and Don Holst absent.

Trustee Spadoni/Trustee McGreevy 2nd made a MOTION to approve the Lakefront and Harbor Committee January 23, 2013 recommendation to not amend Section 54-49 of the Municipal Code and to leave it as it is currently written. The MOTION carried on a 4-1 vote, with Trustee Pappas opposed. Trustee Gage and President Petersen abstained.

Committee Directive to Mail Letter to Waiting List Members Announcing February Review of Village Mooring Waiting List Policy & 128 St. Andrews Court/Gerald Pepping Waiting List Status

Trustee Pappas/Trustee Spadoni 2nd made a MOTION to table the item, and the MOTION carried without negative vote.

Austin Pier Service Annual Repair Proposal for Village Piers

Pappas stated that Austin Pier Service submitted a \$9,503 proposal for the annual repair work, which is standard and addresses the normal wear concerns.

Trustee Spadoni/Trustee McGreevy 2nd made a MOTION to approve the \$9,503 proposal submitted by Austin Pier Service for the annual repair work on the village piers, as recommended, and the MOTION carried without negative vote.

Austin Pier Service Rip Rap Repair Proposal

Pappas stated the committee reviewed the \$8,955 proposal, which includes all applicable work and permitting services, including DNR required landscaping work. Pappas stated that the initial proposal submitted at budget planning time did not include the permitting work or the landscaping required by the DNR, so it only totaled \$7,800, which is what was put in the budget for the project. Pappas stated that Administrator/Treasurer Kelly Hayden indicated that the extra \$1,155 is not a significant amount and can be transferred from another budget line item later in the year. At the committee meeting, Darrell Frederick stated that if the Village desires to do so, the \$705 landscaping portion of the project can be taken out of the proposal and contracted for separately by the Village. Frederick stated that he hires a subcontractor for landscaping work, so it doesn't matter to him if the Village wants to use its own subcontractor or the DPW crew to complete the work. The committee decided to recommend approval of the proposal as submitted and to leave it up to the staff and Village Board if the landscaping portion will be handled by the Village or by Austin Pier Service.

Trustee Pappas/Trustee Spadoni 2nd made a MOTION to approve the \$8,955 proposal submitted by Austin Pier Service for the rip rap repair project, as recommended, and the MOTION carried without negative vote.

Public Works – Trustee McGreevy

Update – See Administrator's Report

McGreevy stated that a written report was distributed in the meeting packets.

Plan Commission – Trustee Spadoni

Codification of Existing ETZ District Zoning Code

Spadoni stated that the Plan Commission and Joint ETZ Committee unanimously recommended approval of the ordinance, which recodifies the existing ETZ Zoning Code and Map. Thorpe stated that the existing ETZ code was renumbered to match the updated Village of Fontana Zoning Code, which was rewritten and approved last year.

Trustee Spadoni/Trustee Pappas 2nd made a MOTION to approve Ordinance 02-04-13-01, as recommended, and the MOTION carried without negative vote.

Local Business Committee – Trustee Spadoni

Update

Spadoni stated that the committee is making special promotional plans for the annual Park Commission/Big Foot Recreation District Easter Egg Hunt on Saturday, March 30, 2013, and for a Christmas tree lighting event on the Saturday of Thanksgiving weekend.

F/W WPCC – President Petersen

Update

Petersen stated that business is operating as usual at the wastewater treatment facility.

Adjournment

Trustee Spadoni/Trustee Kenny 2nd made a MOTION to adjourn the Village Board meeting at 6:39 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 kept on file at the Village Hall.

APPROVED: 3/4/13