

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

MONTHLY MEETING of the VILLAGE BOARD OF TRUSTEES

**Monday, March 3, 2008**

President Pollitt called the monthly meeting of the Village Board to order at 6:01 pm in the Village Hall, 175 Valley View Drive, Fontana, Wisconsin.

**Trustees present:** Roll call vote: Spadoni, President Pollitt, Petersen, Kenny, Youngquist

**Trustee late:** Turner (arrived at 6:02 pm)

**Trustee absent:** O'Connell

**Also present:** Steve Beers, John Bromfield, Robert Carlson, Chad and Pam Carper, Village Administrator Kelly Hayden-Staggs, Rob Ireland, Don, Joe and Kathleen Ketterhagen, Library Director Nancy Krei, Diane Lewis, Lou Loenneke, Assistant Zoning Administrator Bridget McCarthy, CDA Executive Director Joseph McHugh, Building Inspector Ron Nyman, Police Chief Steve Olson, Treasurer Peg Pollitt, Village Attorney Dale Thorpe, Director of Public Works Craig Workman

**Visitors Heard**

Pam and Chad Carper stated that they wanted to introduce themselves and announce that they will be opening Georgie B's Restaurant in the Mill Street Commercial Building at 441 Mill Street. Pam Carper stated that she has been working with developer Brian Pollard of FairWyn, Ltd., to complete the planning and permitting process. Pam Carper stated that she has submitted to Building Inspector Ron Nyman the state-approved construction plans. Pam Carper stated that they hope to be open for business in May 2008. Chad Carper presented a copy of the business plan and menu for the new restaurant. Sharon resident Robert Carlson stated that he wanted to announce that he is seeking election April 1, 2008 to the new District 9 seat on the Walworth County Board of Supervisors. Carlson stated that he has been involved with local government for nine years and he welcomes input from the Village of Fontana elected officials. Lou Loenneke stated that he would like to thank Director of Public Works Craig Workman and his crew for their assistance with the recent Northwest Ice Yachting Association regatta staged on Fontana Bay. Loenneke stated that he wanted to present a check for \$200 to the Village of Fontana from the association in appreciation for supporting the event. Loenneke stated that Geneva Lake is one of the only lakes in the area that has suitable conditions for ice yachting, and there are three more events planned for this season on Geneva Lake.

**Announcements**

Hayden-Staggs stated that the monthly meeting of the CDA will be held Wednesday, March 5, 2008, with a Closed Session at 5:30 pm and an Open Session at 6:00 pm; the Big Foot High School Honor Society will host a Candidate's Forum on Tuesday, March 11, 2008, from 6:00 to 8:00 pm at Big Foot High School; the quarterly newsletter article deadline is Friday, March 14, 2008, at Noon; the monthly meeting of the Park Commission will be held Wednesday, March 19, 2008, at 6:00 pm; the Geneva Lake West Chamber of Commerce will host a Candidate's Forum at the Lodge at Geneva Ridge (former Interlaken Resort) on Thursday, March 20, 2008, from 6:00 to 8:00 pm; the Village Hall will be closed for the Easter holiday on Friday and Saturday, March 21 and 22, 2008; the annual Easter Egg Hunt will be held at the Duck Pond Recreation Area on Saturday, March 22, 2008 at 10:00 am; the test of the electronic voting equipment for the April 1, 2008 Spring Election will be held on Wednesday, March 26, 2008 at 2:00 pm; the Plan Commission will hold its next monthly meeting on Monday, March 31, 2008 at 5:30 pm; and the Spring Election and Village of Fontana Third Avenue Project Referendum will be held on Tuesday, April 1, 2008, from 7:00 am to 8:00 pm.

**Approval of Minutes**

Petersen/Spadoni 2<sup>nd</sup> made a MOTION to approve the minutes for the meeting February 4, 2008, as

presented, and the MOTION carried without negative vote.

### **Village Treasurer's Report**

Spadoni/Petersen 2<sup>nd</sup> made a MOTION to accept the Treasurer's Report for January 2008 as presented and to place it on file for the audit, and the MOTION carried without negative vote.

### **Approval of Village and Utility Payables**

Petersen/Spadoni 2<sup>nd</sup> made a MOTION to approve the Village and Utility Payables as distributed and with seven additional bills presented at the meeting, and the MOTION carried without negative vote.

### **General Business/Administrator's Report – President Pollitt/Administrator Hayden-Staggs Approval of State Trust Fund Loan Resolution**

Hayden-Staggs stated that the proposed resolution finalizes the \$500,000 borrowing approved a few months ago to assist the Abbey Resort with its Spa renovation plan. President Pollitt presented the preamble and resolution of the Board of Commissioners of Public Lands of Wisconsin.

Spadoni/Kenny 2<sup>nd</sup> made a MOTION to approve Resolution 030308-01 as presented, and the MOTION carried on a 5-1 vote, with Trustee Youngquist voting no and Trustee O'Connell absent.

### **Approval of Resolution Establishing Policy for Grant Application Referral to Village Board Prior to Submission**

Turner stated that he suggested having a policy dictate that all grant applications should be referred by the appropriate committees and commissions to the Village Board for final approval prior to submission. Library Director Nancy Krei stated that the policy would not affect the Library Board because of its autonomous status dictated in the state statutes. Attorney Thorpe stated that the Library Board does have duties and powers that are autonomous from the Village Board. Workman stated that the policy should not present a problem for grant applications filed by the Department of Public Works if an opportunity comes up that does not require immediate submission of the application. Youngquist stated that if one of the Village departments learns of a potential grant opportunity and there is a quick turn-around for the application submission date, a special meeting of the Village Board could be called to approve the application. Hayden-Staggs stated that with the exception of the Library Board, which will not be affected by the policy, the proposed new procedure should not pose a problem.

Spadoni/Turner 2<sup>nd</sup> made a MOTION to approve Resolution 030308-02 as presented, and the Roll Call vote followed:

Petersen – No

Kenny – Yes

Youngquist – Yes

Turner – Yes

Spadoni – Yes

President Pollitt – No

The MOTION carried on a 4-2 vote, with Trustee O'Connell absent.

### **208 Dewey Avenue Two-Month Residential Lease Extension**

Hayden-Staggs stated that Nancy Krei requested a two-month extension from the March 1, 2008 expiration date of the residential lease for the Village of Fontana's residence at 208 Dewey Avenue because her relocation plan fell through at the last moment and she is searching for another option.

Petersen/Spadoni 2<sup>nd</sup> made a MOTION to approve a two-month extension until May 1, 2008 of the residential lease with Nancy Krei for the residence at 208 Dewey Avenue, and the MOTION carried without negative vote.

### **Plan Commission – Trustee Spadoni**

#### **Conditional Use Permit Application Filed by All For Ewe, 148 Fontana Boulevard**

Spadoni stated that the staff members did a great job working with the applicant and the Plan Commission recommended approval of the CUP application as presented with 11 conditions.

Spadoni stated that the applicant indicated that the 11 conditions recommended for approval by the Plan Commission and outlined in the staff report will not present a problem. Turner stated that

Bridget McCarthy does an outstanding job writing the staff reports, which are very thorough and informative.

Spadoni/President Pollitt 2<sup>nd</sup> made a MOTION to approve the Conditional Use Permit Application filed by All For Ewe, 148 Fontana Boulevard, as presented, with the following 11 conditions: 1. One new group sign not to exceed 16-feet-4-inches by 2-feet-9-inches for All For Ewe and Posh Threads shall be allowed, to be located on the balcony railing at the south (front) of the building. Building and zoning permits are required and shall not be issued until all signage ordered removed has been completely and permanently removed. 2. The temporary All For Ewe banner shall be removed prior to the installation of the approved proposed group sign. 3. The on-building Posh Threads sign shall be removed prior to the installation of the approved proposed group sign. 4. Two new “Fire Lane No Parking” signs not to exceed 12-inches-by-18-inches shall be allowed, to be located one on the east building wall and one on the west building wall. Building and zoning permits are required and shall not be issued until all signage ordered removed has been completely and permanently removed. 5. Two existing “Tenant Parking Only” signs shall be relocated from the east side of the building; to be mounted one on the east side of the carport and one on the west side of the carport. 6. In the event that either or both of the two “1-Hour Customer Parking” signs are reinstalled, they shall be installed at an overall height not to exceed 3 feet from grade. 7. Existing window signage of the property (at this time existing window signage is located only at Posh Threads) shall not be increased. 8. CUP signage approval is being sought as a combined agreement between two separate businesses located at 148 Fontana Boulevard. To that end, this CUP approval and all conditions described herein shall pertain to the property as a whole and shall not be considered specific to any one particular business or residential use area. 9. A complete submittal for building and zoning permits shall be applied for and issued prior to the commencement of construction of and/or installation of any and all of the three proposed new signs. CUP approval shall not alleviate the applicant from securing all required permits. Proposed signage shall be made in accordance with the approved CUP. 10. All outstanding cost recovery fees billed to date applicable to this project shall be paid prior to the issuance of any building and zoning permits. This condition does not alleviate the applicant from any cost recovery fees not yet billed. 11. Any future proposed modifications of signage shall require Village of Fontana approval in the form of an amendment to the approved Conditional Use Permit and its conditions. The MOTION carried without negative vote.

### **Conditional Use Permit Application Filed by Fontana Corner Market, 286 Valley View Drive**

Spadoni stated that staff also did a great job working with Don Ketterhagen on the CUP application for the Fontana gas station and convenience store. As well as the 13 conditions outlined in the staff report, the Plan Commission recommended approval of the CUP application as presented with a 14<sup>th</sup> condition that the applicant continues to meet with the CDA to work out a Facade Improvement Plan to add gables to the exterior of the building. Turner suggested that a 15<sup>th</sup> condition be added that the applicant meet with the Park Commission to finalize the landscaping plan.

Spadoni/Kenny 2<sup>nd</sup> made a MOTION to approve the Conditional Use Permit application filed by Fontana Corner Market, 286 Valley View Drive, as presented with the following 15 conditions: 1. Canopy lighting shall be brought into full compliance with the Village of Fontana Municipal Code within 12 months from the date of this approval. The applicant shall be required to submit a photometric plan prior to lighting replacement, which shall be reviewed by the Village Building Inspector for compliance, approval and permit issuance. 2. Twenty-four hour pump service shall not be allowed until canopy lighting is brought into full compliance. 3. Approval for 24-hour pump service shall be granted when canopy lighting is brought into full compliance and with the condition that directional lighting only be used after retail business hours, and all other canopy lights are turned off from 10:00 pm until start of business the next day. 4. The grease trap shall be repaired or replaced within 30 days from the date of this approval. Documentation shall be submitted to the Director of Public Works for review and approval. 5. The removal and relocation of the described outside storage shall be completed within 30 days from the date of this approval. 6. Deliveries and parking along Porter Court shall be prohibited. 7. A complete submittal for all applicable building, zoning and electrical permits shall be applied for and issued prior to the commencement of construction of, and/or installation of, any signage. CUP approval shall not alleviate the applicant from securing all required permits. 8. Approved signage shall consist of the signage detailed on Attachment 1 and all other conditions herein. 9. All neon signage shall be removed within 30 days from the date of this approval. 10. The two directional signs shall be removed within 30 days from the date of this

approval. 11. Message Board signage requires a separate CUP application and further information, and shall not be considered at this time. 12. All illuminated signage and canopy lights shall be extinguished at the close of business conducted within the building or upon the premises to which the sign is attached or located, whichever is earlier. 13. All outstanding cost recovery fees billed to date applicable to this project shall be paid prior to the issuance of any building and zoning permits. This condition does not alleviate the applicant from any cost recovery fees not yet billed. 14. The applicant shall continue to meet with the CDA to work out a Facade Improvement Plan to add gables to the exterior of the building. 15. The applicant shall meet with the Park Commission to finalize the landscaping plan. The MOTION carried without negative vote.

**One-Year Extension to October 2008 of Temporary BSOP Approved July 25, 2005 for Jerry's Marine, 102 W. Main Street**

Spadoni stated that Carol and Jamie Howell indicated they need one more year to work with the CDA on a permanent plan for the site. Spadoni stated that the Plan Commission recommended Village Board approval of a one-year extension to October 2008 of the Temporary Building, Site and Operational Plan approved July 25, 2005 for the Jerry's Marine signage and boat display at 102 W. Main Street. Turner stated that he is concerned that one of the 14 initial conditions for approval calls for a maximum of 10 boats on the lot. Turner stated that the lot could resemble a used boat lot. Nyman stated that the applicant has only displayed about two or three boats at the most since the BSOP was approved. Turner stated that he again wanted to compliment all of the Village of Fontana professional staff members for their excellent work.

Spadoni/Kenny 2<sup>nd</sup> made a MOTION to approve a one-year extension to the October 2008 Plan Commission meeting of the Temporary BOP approved July 25, 2005 for Jerry's Marine, 102 W. Main Street, with the following 14 conditions: 1. The approval of the BSOP shall be until the October 2008 Plan Commission meeting. 2. The applicant and/or property owner shall work with the CDA to develop a permanent use for the property. 3. The BSOP becomes null and void at the completion of the approved timeframe, and all use of the property shall cease until a subsequent BSOP proposal has been submitted and approved. 4. The signage shall be maintained at a maximum of 36 square feet and it shall be one-side. 5. The signage shall be temporary in nature and removed at the completion of each season. 6. No lighting shall illuminate the sign. 7. Final approval of the reduced signage is required prior to the issuance of a permit. 8. The use of the property as proposed should be restricted to May 1 through October 31, at which time all boats shall be removed from the property. 9. Sales are restricted to boats only. 10. There shall not be storage of empty boat trailers allowed. 11. A maximum of 10 boats are allowed. 12. The landscaping plan on the submitted drawing of the proposed sign shall be completed as proposed. 13. All commercial uses on the property require a 15-foot setback from the lot lines. 14. Business operations are limited to normal daylight hours. The MOTION carried without negative vote.

**Abbey Springs PIP Amendment Proposal for Boathouse Renovation**

Spadoni stated that the Abbey Springs Association received preliminary approval for an amendment to the Precise Implementation Plan about a year and half ago. The current proposal is for an alteration and remodeling plan to the existing boathouse. The construction plan includes two main components: the first being interior remodeling only of the existing boathouse, the second being the construction of a detached 11-by-16-foot accessory structure to serve as the Harbor Master's office. The Plan Commission recommended Village Board approval of the proposal with seven conditions:

1. The structure shall be constructed as depicted on the submitted construction plans. There shall be no modification of the construction plans, to include but shall not be limited to, overall size and height of the approved structure.
2. The structures shall not include any signage until a signage plan has been submitted, reviewed and approved by the Village of Fontana.
3. Approval of the PIP amendment shall not alleviate the requirements of any other plans or documentation required for building and zoning permit issuance.
4. A complete submittal for building and zoning permits shall be applied for and issued prior to the commencement of construction. PIP Amendment approval shall not alleviate the applicant from securing all required permits.

5. All outstanding cost recovery fees billed to date applicable to this project shall be paid prior to the issuance of any building and zoning permits. This condition does not alleviate the applicant from any cost recovery fees not yet billed.
6. All outstanding fees (i.e. re-inspection, cost recovery) shall be paid in full prior to occupancy permit issuance of each related construction stage.
7. The Village attorney shall draft the required documents for the Village Board to approve the PIP Amendment as proposed.

Thorpe fulfilled the terms of condition No. 7 by drafting the proposed ordinance amending Ordinance 12-15-04-01 and previous amendments thereto related to the Planned Development Zoning for the Abbey Springs Development. Youngquist stated that boathouses have to be setback from the high water mark according to standards established by the Wisconsin Department of Natural Resources. McCarthy responded that the proposed boathouse expansion meets the required setbacks established by the DNR and delineated in the Village of Fontana Municipal Code. Youngquist stated that he was concerned that the proposal calls for bathroom facilities in the boathouse, and he does not believe that is allowed. Thorpe stated that the bathroom facilities do not constitute residential status – a building would also have to feature kitchen and sleeping facilities in order for it to be considered residential. McCarthy stated that it is the understanding of the Building and Zoning Department that the plumbing was already in the building. Youngquist stated that he is concerned that if the Village Board approves the proposal, it will open the door for owners of other existing boathouses to install bathroom facilities and convert the boathouses into residences. Thorpe stated that any residential renovation proposals would have to be approved by the Village Board. Thorpe stated that any residential renovation proposal would also have to adhere to the VOF Municipal Code’s density standards and setback requirements. Spadoni stated that the proposal is amending an existing Precise Implementation Plan and the use has already been approved, so there would be no precedent setting repercussions if the Village Board votes to approve the ordinance authorizing the amendment to the PIP.

Spadoni/President Pollitt 2<sup>nd</sup> made a MOTION to approve Ordinance 03-03-08-01 amending Ordinance 12-15-04-01 and previous amendments thereto related to the Planned Development Zoning for the Abbey Springs Development, with the following six conditions recommended by the Plan Commission: 1. The structure shall be constructed as depicted on the submitted construction plans. There shall be no modification of the construction plans, to include but shall not be limited to, overall size and height of the approved structure. 2. The structures shall not include any signage until a signage plan has been submitted, reviewed and approved by the Village of Fontana. 3. Approval of the PIP amendment shall not alleviate the requirements of any other plans or documentation required for building and zoning permit issuance. 4. A complete submittal for building and zoning permits shall be applied for and issued prior to the commencement of construction. PIP Amendment approval shall not alleviate the applicant from securing all required permits. 5. All outstanding cost recovery fees billed to date applicable to this project shall be paid prior to the issuance of any building and zoning permits. This condition does not alleviate the applicant from any cost recovery fees not yet billed. 6. All outstanding fees (i.e. re-inspection, cost recovery) shall be paid in full prior to occupancy permit issuance of each related construction stage. The MOTION carried without negative vote.

**Referral of Draft B Amendments to Lakefront Zoning Ordinance for Further Direction**

Spadoni stated that the Plan Commission has scheduled a public hearing for Monday, April 28, 2008 at 5:30 pm to consider the proposed Draft A amendments. Spadoni stated that there has been no consensus reached on the two proposed amendments in the Draft B document, so the Plan Commission decided to refer the Draft B amendments back to the Village Board for further direction. Thorpe stated the two Draft B amendments are more substantive than the amendments proposed in Draft A. Thorpe stated that the Draft A amendments are loophole closing items. Thorpe stated that in researching the area regulations and minimum lot width standards of other Geneva Lake municipalities it was determined that Fontana has the most liberal standards, but not to a great extent. Thorpe stated that if the Village Board members determined that they are satisfied with the current zoning code regarding lakefront area regulations and minimum lot width standards, the Draft B amendments could be dropped and the Village could just move forward with the proposed Draft A amendments. Thorpe stated that if the Village Board members do want the area regulations and minimum lot width standards issues addressed, the Plan Commission and staff

members would need more policy direction. Turner and Youngquist stated that they are opposed to the proposed area regulation amendments in Section 1 of Draft B. Turner stated that the Village of Fontana has not had any problems with over-subdividing the lakefront in 40 years, during which time the owners of the lakefront lots have been paying a lot of property taxes. Youngquist stated that the minimum lot width standards proposed in the Draft B amendments also are not proper and the current zoning standards are adequate.

Turner/Youngquist 2<sup>nd</sup> made a MOTION to direct the Plan Commission to not do any further work on the proposed Draft B amendments to the lakefront zoning ordinance, and the MOTION carried without negative vote.

#### **Protection Committee – President Pollitt**

##### **Temporary Operator’s License Application Filed by Anders Pearce (Big Foot Lions Club Lobster Boil)**

Pearce submitted an application for a Temporary Operator’s License for the Big Foot Lions Club Lobster Boil/Steak Fry on Saturday, July 26, 2008. There were no issues found in the background check.

Petersen/Spadoni 2<sup>nd</sup> made a MOTION to approve the Temporary Operator’s License application filed by Anders Pearce, and the MOTION carried without negative vote.

##### **Approve Acceptance of State DOT TraCS System Implementation/Expanded Use Sub-Grant**

Chief Olson stated that the \$9,700 grant would fund the purchase of equipment for automated ticket writing and the system would be networked to the Fontana Municipal Court and Wisconsin Department of Transportation. Olson stated that the equipment would allow the Police Department to cut down on paperwork and avoid penmanship related problems. The system allows police officers to scan driver’s licenses and print out citations or do accident reports without having to complete handwritten forms. Olson stated that the grant covers the purchase of the equipment for three squad cars, but there would be some related training expenses.

Turner/Spadoni 2<sup>nd</sup> made a MOTION to approve the acceptance of the \$9,700 Wisconsin Department of Transportation TraCS System Implementation/Expanded Use Sub-Grant as recommended, and the MOTION carried without negative vote.

#### **Public Works – Trustee Petersen**

##### **Arrowhead/Castle Terrace Pay Request No. 3**

Petersen stated that the Public Works Committee recommended approval of the \$21,754 pay request submitted by Globe Contractors, Inc. for the Arrowhead Drive and Castle Terrace Avenue reconstruction project. After the meeting, it was determined that the pay request was approved at last month’s Village Board meeting and paid.

Petersen/Spadoni 2<sup>nd</sup> made a MOTION to approve the \$21,754 pay request as submitted by Globe Contractors, Inc. for the Arrowhead Drive and Castle Terrace Avenue reconstruction project, and the MOTION carried without negative vote.

##### **Indian Hills Stormwater Plan Update**

Workman stated that a little more work is required before the item will be ready for a recommendation by the Public Works Committee. Workman stated that the Indian Hills Stormwater Management Plan was written by Liesch Environmental. The cost of the plan was partially covered by an Urban Non Point Source Grant from the Wisconsin Department of Natural Resources.

Workman stated that the introduction of the report contains a detailed description of the problem, which includes steep slopes, mowed turf, and “semi-hard” surfaces throughout the Indian Hills Subdivision. Workman stated that these factors lead to low filtration/infiltration potential for stormwater runoff in the subdivision. In addition, the absence of a drainage system forces stormwater to flow overland, causing localized flooding problems. Workman stated that unmanaged stormwater runoff then transports eroded soil and nutrients from the upland area, causing sedimentation and nutrient/chemical deposition in the lake. The report also details the natural environment (climatology, geology, hydrogeology, natural resources, etc.) and the man-made environment (development/land use, streets, water/sewer, etc.) in the study area. Workman stated that there is a brief discussion of the existing stormwater management system, which is all but non-

existent, consisting of a few driveway culverts and even fewer short stretches of storm sewer. Workman stated that the report also includes a section on stormwater management goals and policies along with a section on critical needs such as additional regulatory controls. The final section delineates an implementation program, which details the following capital improvements:

1. Construction of bio-retention and infiltration facilities adjacent to the navigable stream at South Lakeshore Drive and Indian Hills Road (Lot 4).
2. Construction of bi-retention and infiltration facilities on two upland parcels that currently flood and hold stagnant water (Lots 1 and 2, and Lot 3).
3. Construction of a network of roadside and private property line swales (approximately 135 linear feet per acre).
4. Construct or subsidize bio-retention structures, or rain gardens, on private properties that have low lying areas that currently experience temporary flooding and hold pools of stagnant water.

Workman stated that upon review of the report, the Public Works Committee members felt that the conclusions of the report were somewhat “boiler plate.” Workman stated that although the committee members agreed that there needed to be some amount of roadside swales installed, they did not feel that there was nearly enough room for the 5.8 miles of swale proposed by the report. Workman stated that it appears that the report writer simply drew swales on the side of each road without consideration of the site specific factors. The Public Works Committee felt that the report should include additional stormwater management solutions that could include sections of storm sewer/drain tile as well as the potential for some infiltrative trenches. Workman was directed to discuss these concepts with Liesch and update the Public Works Committee at the next meeting.

#### **STS Proposal – Duck Pond (Drilling Discussion)**

Workman stated that because the area features tough soil types featuring cobbles and boulders, Leo Linnemanstons from STS recommended the sonic rotary drilling option for the next phase of the environmental investigation at the Duck Pond. At the last Public Works Committee meeting, the committee members questioned the use of sonic drilling and recommended that Workman contact STS to discuss their recommended drilling technique. In addition to discussions with Workman, Linnemanstons submitted a memo discussing the drilling technologies he reviewed, and why he recommended sonic rotary drilling option. The memo states that the soil composition at Duck Pond contains large cobbles and boulders mixed with sand. Linnemanstons was concerned that any type of hollow stem auger approach would not be successful in drilling through the presence of the cobbles and boulders. In addition, any type of mud rotary drilling would have the potential to contaminate the aquifer due to the presence of the permeable sand layers. Workman stated that in addition to the difficulty that standard drilling methods would have in dealing with the soil conditions, these methods also require the use of large drill rigs and support vehicles, whereas the rotary sonic equipment is mounted on an ATV. Workman stated that the larger rigs would make it difficult, if not impossible, to access the proposed drilling locations. After discussion, the Public Works Committee approved a motion to recommend that the Village use the rotary sonic drilling method for the project. At last month’s meeting, the Village Board passed a motion to approve the \$63,000 proposal submitted by STS for professional environmental and engineering services and groundwater investigation at the former garbage dump site with the conditions that STS provide additional details and verification to McHugh and Workman regarding drilling costs, that McHugh discuss the mediation location clause with STS, and that the proposal is approved by the CDA Board. The CDA did not meet last month, and the item is scheduled to be considered at the March 5, 2008 meeting.

#### **2008 Truck Repairs**

Workman stated that the DPW crew has encountered problems since day one with the 2003 Ford F-550 (Truck No. 14), the Village’s smallest dump truck that is used to dispense salt and sand. The Village has had to replace the plow, hydraulics and other work components. Workman stated that the plow, hydraulics, V-Box and dump box were fabricated and installed by Monroe Equipment Company. There have been issues with Monroe’s work since the day the truck was delivered in July 2003 with the fact that the plow frame was too close to the ground and the truck had to be returned to Monroe upon initial delivery for modifications. Workman stated that it was next realized that there were no angle stops installed on the plow, which caused the hydraulic rams to overextend. Workman stated that the DPW staff believes this is the root of the rest of the problems. Workman stated that

the hydraulic rams on the plow were replaced last month. Workman stated that upon replacement, it was discovered that one of the rams was filled with metal filings, which is an obvious sign of failure. Although the hydraulic system was drained and cleaned, it is impossible to remove all of the metal filings in the system. It was also indicated during a recent trip to Monroe that the hydraulic system should have been built with a hydraulic cooler, which was never installed. This is believed to be the root cause of some of the other hydraulic failures such as O-ring expansion. Although Workman had the item on the agenda for discussion purposes only, Stewart recommended that the plow be replaced. Workman stated that he and Ron Adams prepared a detailed history on the truck and it was presented to Monroe to see if they will do anything to compensate the village.

### **CDA – Trustee Turner**

#### **2008 Budget**

The 2008 budget was distributed last month to give the Village Board members time to review it. McHugh stated that the budget projects all of the potential projects for 2008; however, the Third Avenue project has to be approved in the April 1, 2008 referendum. In response to a question from Turner, McHugh stated that the proposed budget is balanced.

Turner/Spadoni 2<sup>nd</sup> made a MOTION to approve the 2008 CDA budget as presented, and the MOTION carried without negative vote.

#### **CDA Full Accounting Statement Report**

Turner stated that Treasurer Peg Pollitt and McHugh did a great job preparing the full accounting statement. Turner reviewed the statement with the Village Board members. The statement breaks down the projected increment and project budgets.

#### **Wild Duck Erosion Control Bill – Prairie Tree (Tabled 2/4/08)**

Turner stated that there have been some meetings held to resolve the unanticipated bill; however, the matter was not yet ready for action.

Turner/Spadoni 2<sup>nd</sup> made a MOTION to table the agenda item, and the MOTION carried without negative vote.

#### **Engineering Services Contract for Third Avenue Reconstruction Re-Bid**

Turner stated that the proposal is for Ruckert-Mielke to review the initial plans for the Third Avenue Reconstruction project and to update them with the bump-outs removed from the north side of the road and provisions added for one-way traffic signage. The estimated cost is \$6,800 to \$8,150. Turner stated that the Village Board should approve the proposal; however, the new engineering work should not commence until after the April 1, 2008 referendum.

Turner/Petersen 2<sup>nd</sup> made a MOTION to approve the engineering services contract with Ruckert-Mielke for a cost of \$6,800 to \$8,150, subject to the approval of the Third Avenue Reconstruction Project referendum on April 1, 2008. The MOTION carried without negative vote.

#### **Kinzie Street Reconstruction – Engineering Proposal & Project Cost Estimate**

McHugh stated that the project is included in the 2008 CDA Budget; however, the CDA Board has not yet approved the proposal. Turner stated that the project is eligible for TIF funding because it is an extension of the Highway 67 project. The engineering services proposal is estimated to cost between \$33,000 and \$40,000. The preliminary construction cost for the project is \$395,000.

Petersen/Turner 2<sup>nd</sup> made a MOTION to approve the proposal for Ruckert-Mielke to provide professional engineering services for the Kinzie Avenue Water Main Relay and Street Reconstruction project for an estimated cost of \$33,000 to \$40,000, with the condition that the proposal is reviewed and approved by the CDA Board. The MOTION carried without negative vote.

#### **Wild Duck Road and Pedestrian Path (Phase II) – Engineering Proposal & Project Cost Estimate**

Turner stated that Ruckert-Mielke submitted a proposal for \$15,000 to \$20,000 to provide professional engineering services for the preliminary design of the Duck Pond Recreation Area Phase II improvements. This includes reconstruction of Wild Duck Road west of the Village DPW garage, the addition of a new loop road in the park and associated parking, the extension of the pedestrian/bicycle trail, site amenities and utilities.



Turner/Spadoni 2<sup>nd</sup> made a MOTION to approve the proposal for Ruckert-Mielke to provide professional engineering services for the Duck Pond Recreation Area Phase II improvements project for an estimated cost of \$15,000 to \$20,000, with the condition that the proposal is reviewed and approved by the CDA Board. The MOTION carried without negative vote.

#### **Walworth-Fontana Pedestrian Connection Path – Update**

McHugh stated that he and Cindy Wilson have been meeting with Walworth Village Board Trustee Rich Simonson to work on the project. McHugh stated that the CDA is scheduled to discuss the project at its next meeting.

#### **Lakefront and Harbor – Trustee O’Connell Update**

Hayden-Staggs stated that the two items referred by the Village Board to the Lakefront and Harbor Committee, the Fontana Shores DMA amendment proposal and the Village DMA Ordinance review, were both tabled by the committee. The items will be addressed by the committee at its monthly meeting in March 2008.

#### **Finance Committee – President Pollitt Update**

President Pollitt stated that Finance Committee will bring its quarterly reviews of the department budgets at its next meeting on Thursday, March 27, 2008.

#### **Park Commission – Trustee Youngquist Update on Frisbee Golf Course Disc Sales**

Youngquist stated that the Park Commission has approved the installation of a nine-hole disc golf course at the Duck Pond Recreation Area with the temporary fixtures used for the hole baskets. Some cleaning work will be required and the Park Commission is planning a volunteer day at which a demonstration also will be presented. Youngquist stated that the Park Commission also approved a \$300 investment for the purchase of 50 discs through Wally Bullard, with the discs to feature the Park Commission logo and sold to the public.

#### **F/W WPCC – Trustee Petersen**

##### **Approval of Tenth Amendment to Intergovernmental Agreement**

The amendments to the contracts were necessary to record the commission’s purchase of .42 acres of land from the Ellis family. Petersen stated that the commission’s Board of Directors recommended approval of the amendments as presented.

Spadoni/Youngquist 2<sup>nd</sup> made a MOTION to adopt Ordinance 030308-02 approving the tenth amendment to the Intergovernmental Agreement as presented, and the MOTION carried without negative vote.

##### **Approval of Fourth Amendment to Kikkoman Contract**

The agenda item was a typo; the amendment to the Kikkoman Contract will be the fifth not the fourth. Petersen stated that the amendment also was necessary to record the commission’s purchase of .42 acres of land from the Ellis family.

Petersen/Spadoni 2<sup>nd</sup> made a MOTION to approve the fifth amendment to the Kikkoman Contract as presented, and the MOTION carried without negative vote.

#### **Pending Items for Future Agendas**

1. Fontana Fen Property Line Delineation
2. Approve Ordinance Amendment Creating Section 74-342 (Tabled 12/3/2007)

#### **Adjournment**

Spadoni/Kenny 2<sup>nd</sup> made a MOTION to adjourn at 7:22 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: 4/7/2008