

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

MONTHLY MEETING of the VILLAGE BOARD OF TRUSTEES
Monday, March 7, 2011

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: Cindy Wilson, Micki O'Connell, George Spadoni, President Arvid Petersen, Tom McGreevy, Pat Kenny, Peg Pollitt

Also Present: Jay Babowice, Bob Chanson, Joe Corso, Tom Dunn, Ray Fitzgerald, Bill Gage, Administrator/Treasurer Kelly Hayden, Rob Ireland, Laura Kinerk, Library Director Nancy Krei, Village Clerk Dennis Martin, Assistant Zoning Administrator Bridget McCarthy, Building Inspector/Zoning Administrator Ron Nyman, Police Chief Steve Olson, Rick Pappas, Andy Pearce, Ed Snyder, Donna Spadoni, Village Attorney Dale Thorpe, Geri and Tom Whowell, Bruce Wilkinson, Director of Public Works Craig Workman, Brian Wright

Visitors Heard

None

Announcements

1. Read & Romp Program at Public Library – **Thursdays, March 10, 17 & 24, 2011, 10:30 am**
2. Human Resources Committee – **Monday, March 14, 2011, 6:00 pm**
3. Plan Commission Staff Meeting – **Wednesday, March 16, 2011, 1:00 pm**
4. Park Commission Meeting – **Wednesday, March 16, 2011, 6:00 pm**
5. Protection Committee Meeting – **Monday, March 21, 2011, 5:45 pm**
6. Finance Committee Meeting – **Tuesday, March 22, 2011, 6:00 pm**
7. Plan Commission Monthly Meeting – **Monday, March 28, 2011, 5:30 pm**
8. Lakefront and Harbor Committee Meeting – **Wednesday, March 30, 2011, 4:30 pm**

Approval of Village Board Minutes

Trustee Spadoni/Trustee O'Connell 2nd made a MOTION to approve the minutes for the meeting held February 7, 2011 as presented, and the MOTION carried without negative vote.

Village Treasurer's Report, Cash Flow Statement, Vendor Report, & Payroll Overtime Report

Petersen stated that the reports were distributed and/or emailed to the Village Board members.

Trustee Spadoni/Trustee Kenny 2nd made a MOTION to acknowledge the receipt of the January 2011 treasurer's reports and the current Cash Flow Statement, Vendor Report and Payroll Overtime Report and to place them on file for the audit. The MOTION carried without negative vote.

Approval of Village and Utility Payables

Payables were distributed and presented at the meeting. Pollitt asked why a \$50 invoice for maintaining the CDA website on the lakefront building proposal was being paid. Hayden stated that the fee keeps the domain registered with the Village of Fontana for two more years, and if the CDA pursues the proposal again in the future, they may want to use the website again to disseminate information. Wilson stated that the invoice may be a duplicate. Following discussion, the Village Board directed staff to not pay the invoice and to further investigate the issue.

Trustee Spadoni/Trustee Kenny 2nd made a MOTION to authorize the payment of the payables as distributed, with the exception of the \$50 invoice for the CDA website domain registration renewal fee, and the MOTION carried without negative vote.

Park Commission – Trustee Wilson

Big Foot Lions Club 2011 Reid Park Events

Wilson stated that the Park Commission recommended approval of the three Big Foot Lions Club fund-raising events in Reid Park, scheduled for July 4, 2011, July 30, 2011 and September 10, 2011.

The Saturday, September 10, 2011 breakfast tent will only be set up if there is an event held in the park that morning.

Trustee Spadoni/Trustee Kenny 2nd made a MOTION to approve the Big Foot Lions Club Reid Park events scheduled for July 4, 2011; July 30, 2011; and September 10, 2011 as recommended, and the MOTION carried without negative vote.

Lions Club member Andy Pearce presented a \$6,000 check to President Petersen and stated that the funds were the club's annual commitment to the Park Commission's Little Foot Playground pirate ship fund. Pearce stated that the Lions Club appreciates the village allowing it to run its fund-raising events in the park and the club members are happy to support the Village projects and other charitable causes.

Park Permit Applications Filed by Community Church of Fontana & Indian Hills First Addition Association

Wilson stated that the Park Commission approved motions to recommend Village Board approval of the two applications, with the fees waived. The Community Church application is to authorize the use of the Reid Park gazebo platform for its annual Easter Sunrise Service on Sunday, April 24, 2011; and the Indian Hills First Addition Association application is to authorize the use of the Park House for its annual meeting on Saturday, May 21, 2011 at 9:00 am.

Trustee Spadoni/Trustee McGreevy 2nd made a MOTION to approve the Park Permit applications filed by the Community Church of Fontana and the Indian Hills First Addition Association, as recommended, and the MOTION carried without negative vote.

Big Foot Recreation District 2011 Summer Movies on the Beach Program Dates

Wilson stated that the Park Commission recommended approval of the Big Foot Recreation District summer movie program on the Fontana Municipal Beach on Saturday nights, June 11 and 25, July 9 and 23, and August 6 and 20, 2011, beginning at dusk.

Trustee Wilson/Trustee Spadoni 2nd made a MOTION to approve the Big Foot Recreation District summer movie program on the Fontana Municipal Beach on Saturday nights, June 11 and 25, July 9 and 23, and August 6 and 20, 2011, beginning at dusk. The MOTION carried without negative vote.

Plan Commission – Trustee Spadoni

Sanitary Sewer Easement for Stephen P. Beers 1994 Revocable Trust, Unit 1, Hawks Woods Condominium Association

Spadoni stated that the Plan Commission approved a motion to recommend Village Board approval of the sanitary sewer easement filed for the Stephen P. Beers 1994 Revocable Trust, Unit 1, Hawks Woods Condominium Association.

Trustee McGreevy/Trustee Spadoni 2nd made a MOTION to approve the sanitary sewer easement for the Stephen P. Beers 1994 Revocable Trust, Unit 1, Hawks Woods Condominium Association, as recommended, and the MOTION carried without negative vote.

Resolution Approving Fifth Amendment to the Precise Implementation Plan for Cliffs of Fontana Planned Development & Fifth Amendment to Development Agreement

Spadoni stated that the Plan Commission approved a motion to recommend Village Board approval of a fifth amendment to the Cliffs of Fontana Planned Development PIP. The amendment was filed to authorize a new Brentwood ranch model home, which will be sold in the \$337,000 range. Thorpe stated that the staff suggested conditions for approval have been incorporated into the distributed resolution amending the PIP.

Trustee Spadoni/Trustee McGreevy 2nd made a MOTION to approve Resolution 030711-01, amending a previously approved and previously amended Precise Implementation Plan for the project known as the Cliffs of Fontana, as recommended, and the MOTION carried without negative vote.

Trustee Spadoni/Trustee McGreevy 2nd made a MOTION to approve the Fifth Amendment to the Development Agreement for the Cliffs of Fontana Planned Development as recommended, and the MOTION carried without negative vote.

Report on March 5, 2011 Workshop for Chapters 17 & 18 Rewriting Project

Spadoni stated that Mike Slavney and Brandy Howe of Vandewalle and Associates did a great job

presenting the zoning code information at the workshop, and there were some very good comments made by the participants. Spadoni stated that the turnout was low, but the program was very well presented and it was a good start to the rewriting process.

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

Lions Club Temporary Liquor License & Temporary Operator's License Applications Approval for July 4, 2011 & July 30, 2011 Reid Park Events

Petersen stated that the applications for Temporary Liquor Licenses and Operator's Licenses for the Big Foot Lions Club July 4, 2011 and July 30, 2011 events in Reid Park were reviewed and approval is recommended. Temporary Operator's License applications were filed for Anders Pearce and Richard Murphy. The club requested that the application fees be waived for the fund-raising events. President Petersen/Trustee Kenny 2nd made a MOTION to approve the Temporary Liquor License applications filed by the Big Foot Lions Club for its July 4, 2011 and July 30, 2011 events in Reid Park, and the Temporary Operator's License applications filed by Anders Pearce and Richard Murphy for July 4, 2011 and July 30, 2011, with the application fees waived. The MOTION carried without negative vote.

Operator's License Applications Filed by Aubrey E. Schilthelm (Scotty's Eatery & Spirits) and Austen E. Racette (Abbey Resort)

The Operator's License applications were reviewed by Chief Steve Olson and there were no concerns in the background checks.

President Petersen/Trustee McGreevy 2nd made a MOTION to approve the Operator's License applications filed by Aubrey E. Schilthelm, an employee at Scotty's Eatery & Spirits, and Austen E. Racette, an employee at the Abbey Resort, and the MOTION carried without negative vote.

2011 Mooring Lease Rates Approved September 9, 2010 & Lease Holder Correspondence

President Petersen stated that the agenda item was requested by Trustees Spadoni and McGreevy, and correspondence submitted to the Village by some of the current slip lease holders was distributed. Petersen stated that he was opening the floor for comments from anyone in the audience who desired to address the 2011 mooring lease rates. Ray Fitzgerald stated that he has been one of the slip holders since they were installed back in the 1990s. Fitzgerald stated that the initiative to have the piers, slips and shore stations installed was undertaken by the Village to provide a benefit to the residents who had no lake rights. Fitzgerald stated that the slips were installed to give residents access to the lake at no cost. Fitzgerald stated that the initial construction and installation costs were paid back to the Village by the slip holders over a five-year period, and the shore stations were purchased by the slip holders. Fitzgerald stated the current slip holders do not own the piers, but the Village has no money tied up in them, while the slip holders have a vested interest. Fitzgerald stated that when the slips were first installed, former Trustee John Eck was in charge of the project, and Eck stated that there was going to be a "use fee" established for the slip holders after the initial five-year deal expired. Fitzgerald stated that the "use fee" was supposed to just cover village expenses, and it has been increased well beyond that level over the years. Fitzgerald stated that the 31 percent increase approved for the boat slips on September 9, 2010 is not reasonable in this economy. Fitzgerald stated that he submitted to the village emails from 15 of the slip holders and there were about a half dozen other slip holders present at the meeting, and all of them are opposed to the extreme slip lease rate increase. Fitzgerald stated that the lease holders are also extremely worried that the Village will approve another 31 percent increase in the slip lease fee again next year. Jay Babowice stated that he is a current slip lease holder and he asked why the Village Board and Lakefront and Harbor Committee members voted to increase the slip lease rate by 31 percent, compared to 6 and 4 percent increases for the ramp and buoy lease rates. Babowice stated that the slip lease holders were singled out and he wanted to know which "aldermen" voted for the increase and why. Bruce Wilkinson stated that he is a slip lease holder and his concern is why only the slip lease fees were increased by 31 percent, when the other fees charged by the village for the buoy and ramp leases and for the boat launch, parking and municipal beach admission were not increased by the Village Board at an equal percentage. Wilkinson asked the Village Board members why all the fees were not increased by 31 percent across the board, instead of singling out just the slip holders. Wilkinson stated that the logic appears to be predatory against the slip holders. Wilkinson stated that he understands the logic of

supply and demand and that there are only 30 slips with a long waiting list; however, the same logic should be applied to the parking fees as residents are unable to find an open parking stall at the lakefront throughout the summer months. Wilkinson stated that the Village Board did not approve a Lakefront and Harbor Committee recommendation to increase the commercial launch rate for the marine operators. Wilkinson stated that the supply and demand position for justifying the 31 percent increase is a weak argument, and if the Village Board does not vote to rescind the increase, the Village Board should set a 31 percent across-the-board fee increase. Laura Kinerk stated that she is pier slip renter and this is the second year she and her husband have had the lease with the Village. Kinerk stated that the Village mismanaged the waiting list for several years, and when the Village started to manage the waiting list right, "we got to the top of the list last year." Kinerk stated that the fee increase this year is inconsiderate "to the few of us lucky enough to have a slip." Brian Wright stated that he leases one of the slips and he supports the other comments made by the other lease holders. Wright stated that the cost of living is going down and he asked why the Village Board voted to increase the slip lease fee. Tom Dunn stated that he is lease holder and the 31 percent increase in the lease fee bothers him and the lease holders are upset with the decision Dunn stated that the Village should install more boat slips and the decision to increase the slip lease fee is pathetic. Trustee Spadoni stated that he distributed a packet of documents he titled "2011 Lease Increase for Slips, Comparing Apples to Oranges." Spadoni stated that the packets contain copies of a statement he then read. Spadoni stated that he voted no on the September 9, 2010 motion to approve the resolution that set the 2011 mooring lease rates and he wanted the Village Board to reconsider the 31 percent increase in the boat slip lease rate. Spadoni stated that he opposed the increase "due to the fact that a number of Village officials when asked why the 31 percent increases versus a 3 percent or 4 percent increase stated, 'Because we can,' and 'Because we have 160 names on the waiting list' and the best one of them all is, 'If they don't like it, let them give their slips to someone else.'" Spadoni stated that Trustee Kenny also is opposed to the 31 percent rate increase, but Kenny is a slip lease holder and cannot vote on the issue. Petersen asked Hayden to provide a summary of the fees that were increased this year. Hayden stated that the parking rate in the lakefront lots and for on-street stalls was increased from 50 cents per hour to \$1 per hour; the annual lease rates for buoys was increased by 6 percent, for ramp spaces was increased by 4 percent, and for slips was increased by 31 percent; the daily admission fee for the beach was increased from \$6 to \$7 for adults; and the season beach pass for nonresidents was increased from \$60 to \$70. Hayden stated that the fee increases and the village's other sources of revenue were discussed at six or seven meetings during the annual budgeting process from September through November. In response to a question on why the village did not increase its boat launch fees, Hayden stated that the Wisconsin DNR sets the maximum rates for boat launches and Fontana is currently at the maximum levels. Spadoni then made a motion to rescind the 31 percent increase for the boat slip lease fee, and the motion was seconded by the McGreevy. McGreevy stated that he voted yes on the motion to approve the fee increase on September 9, 2010; however, he didn't know the history of the installation of the pier slips and the fact that the lease holders subsidized the initial construction costs. McGreevy stated that he thinks a 31 percent increase is not fair. McGreevy stated that if the Village needs to come up with \$20,000 more in revenue, the fees for the municipal beach could be increased. McGreevy stated that increasing beach fees would increase revenue from nonresidents, and the taxpaying slip lease holders would not be burdened with more taxes. McGreevy stated that the Village of Fontana does need to get some of the people off the current waiting list and could do so by installing another pier or by converting the current pier designated for parking into a pier with slips. McGreevy stated that half the pier currently leased to Kevin Kirkland also could be converted for more boat slips. Wilson stated that the decision to increase the lease fees for the village moorings came from the lakefront committee and she asked what the recommendation was based on. Lakefront and Harbor Committee Chairman Trustee O'Connell stated that the committee discussed the mooring lease rates at two meetings held in August 2010 in conjunction with the 2011 budget planning. O'Connell stated that non-levy revenue was a concern of the Finance Committee in drafting this year's budget and the Lakefront and Harbor Committee considered increases for all the lakefront fees. Some of the recommended increases were not approved by the Village Board, but the recommendation on the mooring lease fees was approved as recommended. O'Connell stated that the recommendation to increase the slip lease fees by 31 percent was not an easy decision to make, and that statements made that the lease holders are not voting residents so they were targeted are not true. O'Connell stated that the Lakefront and Harbor Committee members treat all the fulltime residents, nonresident

property owners and nonresidents the same. Bob Chanson, a member of the Lakefront and Harbor Committee and a pier slip lease holder, stated that the committee discussed how much slip leases cost at the Abbey Harbor and the fact that the waiting list for the Village slips was hundreds of people long. Lakefront and Harbor Committee member Rick Pappas stated that the committee considered that there are 1,890 residents in the Village and about 6,000 property owners, and there are 30 people who have village slips. Pappas stated that considering the village amenity was only available to the small group of people, the committee members felt that the slip lease rate should be brought up closer to the market rate as a matter of fairness to all the residents of the village. A lengthy discussion ensued on the terms of the original five-year leases and what was paid by the pier slip holders and the original \$3,500 cost of the shore stations, which are owned by the individual pier slip holders. A discussion then ensued on the motion on the floor to rescind the rate increase for the slips and to reduce the rate back to the 2010 rate. Spadoni stated that he was willing to compromise and he agrees it is unreasonable to approve no increase in the slip lease rate for 2011. Spadoni stated that he would amend his motion on the floor to add that the lease rate for the slips for 2011 should be increased by 3.5 percent over last year's rate, and McGreevy stated that he would amend his second. O'Connell stated that the Finance Committee and Lakefront and Harbor Committee members spent a lot of time at up to eight meetings in recommending the village rates for 2011, and the budget has been set and adopted with the revenue projections. Hayden stated that this year's budget had revenue cuts for the CDA's annual contribution, for the triathlon that used to be conducted in Fontana, and for room tax receipts. Hayden stated that reducing the pier slip lease fee would require an equal reduction in expenses. O'Connell stated that at this point in the year, the rate increase can't be rescinded, but it could be considered next year. McGreevy stated that the Village should have another pier installed, and the construction of the new slips would be paid off in five years. McGreevy stated that the village would then be in a position to increase its revenue from the additional mooring leases. Wilson stated that if the pier slip lease fee is reduced, the Village Board will have to find about \$20,000 in revenue to balance the current budget. Petersen stated that if approved, it would be up to the Village Board to make some budget cuts. Petersen stated that the current state budget situation also will be impacting the Village budget due to the reduction in Highway Funds and Shared Revenues. Pollitt stated that the mooring lease rates are considered every year during the budget preparation meetings. Pollitt stated that the Finance Committee was directed to hold the line on the tax levy and to not borrow any funds in 2011, so fees had to be increased or services or personnel eliminated. Pollitt stated that the decision was made to keep the level of services and personnel and to increase the user fees. Pollitt stated that she asked every pier slip lease holder who called her on the issue during the last several days if the current value of the pier slip is equal to the lease rate, and none of them answered the question. Pollitt stated that the increased rate is equal to fair market value and the only mistake the Village made was not notifying the pier slip lease holders of the increase when it was approved back in September 2010, instead of having them learn about it when they received the 2011 lease agreements in the mail. Pollitt stated the some of the lease holders have already paid this year's rate. Pollitt stated that the committee members and Village trustees do the best job they can for everybody in the Village and they have to consider all of the residents when dealing with the village assets and when making some very difficult choices. Pollitt stated that giving a select group of 30 village residents an asset for less than the market rate is not fair for the rest of the village residents and property owners. President Petersen then called for a roll call vote on the motion on the floor.

Trustee Spadoni/Trustee McGreevy 2nd made a MOTION to rescind the 31 percent increase in the 2011 boat slip lease rate and to approve a 3.5 percent increase for the 2011 boat slip lease rate, and the Roll Call vote followed:

Trustee McGreevy – Aye

Trustee Kenny – Abstain

Trustee Pollitt – No

Trustee Wilson – Aye

Trustee O'Connell – No

Trustee Spadoni – Aye

President Petersen – No

The MOTION failed to earn approval on a 3-3 vote, with Trustee Kenny abstaining.

Following the vote, Pollitt stated that she would like to give the pier slip lease holders more time to pay for the 2011 lease and that the late fees should be waived this year.

Trustee Pollitt/Trustee Wilson 2nd made a MOTION to direct staff to not charge late fees or a penalty this year for slip lease payments, and the MOTION carried without negative vote.

Following the vote, Wilson stated that she would like the Lakefront and Harbor Committee to redistribute the total mooring lease fee increases so that they are equally applied to all the slip, buoy and ramp space holders. President Petersen stated that he is going to direct the Lakefront and Harbor Committee to not increase any of the mooring lease fees in 2012.

Summer Hiring Timeline & Approvals

Hayden stated that the majority of summer staff employees for the beach, parking lots and boat launch who worked last season are coming back this season. The launch and parking employees will start on April 15, and the beach is scheduled to be open for the season on Memorial Day weekend. Pollitt asked if a list of the employees can be provided to the Village Board members.

Trustee Spadoni/Trustee McGreevy 2nd made a MOTION to approve the same summer employees as last season for the beach, parking lots and boat launch at the same pay rate as last season, and the MOTION carried without negative vote.

Village Email System & Policy

Hayden stated that there was a typographical error corrected, a section eliminated, and a clause added to the previously approved Village of Fontana Acceptable Use of Village Internet, Website and Email Resources Policy. Hayden stated that the new email addresses for all village committee, commission and board members is up and running, but the system is still being integrated by Village Processing Clerk Karen Dieter. Petersen encouraged the Village Board members to try to make the new email system work. Wilson stated that she understands the importance of the new policy and the need to have a backup of all village emails; however, she suggested that if an email message is simply a meeting notice, agenda or reminder from the village clerk, maybe it could still be copied to the Village Board member's personal email addresses if they don't reply or forward the messages. Wilson stated that those types of emailed messages from the village clerk are the quickest and easiest way to get the message to the elected officials. Thorpe stated that copying messages to the personal email addresses would not fulfill the purpose of the policy. Thorpe stated that he knows it is burdensome to log on and check another site, but the goal of the policy is to be able to provide a full and complete response to records request in an expedited manner. Thorpe stated that the new policy gives the Village the maximum potential to abide the state statutes at the expense of being burdensome to the Village Board and committee and commission members. Pollitt asked if nonelected officials were subject to the same open records requirements as the elected officials. Thorpe stated that an open records request could encompass the emails that nonelected committee and commission members receive and send.

Trustee Spadoni/Trustee McGreevy 2nd made a MOTION to approve the amendments to the Village of Fontana Acceptable Use of Village Internet, Website and Email Resources Policy as presented, and the MOTION carried without negative vote.

Computer RFP for Monitoring and Maintenance

Hayden stated that the Village received three proposals for the reissued Computer Monitoring and Maintenance RFP. Hayden stated that she and Karen Dieter broke down and reviewed the proposals submitted by BTO, Nyquist Engineering and the current provider, Util-IT. Hayden stated that she and Dieter reviewed the options and the past service records and are recommending the approval of the BTO proposal with the "help desk" option. Hayden stated that the BTO proposal is more expensive at an estimated \$29,340, but it is a fixed amount unless there is a server crash or onsite work required. In response to questions, Hayden stated that there is \$30,000 in the budget for the item and that the village has had difficulties with the current provider. The Util-IT proposal is an estimated \$27,372 for the year. Pollitt asked why the Village would not approve the low bid of \$24,316, which was submitted by Nyquist Engineering. Pollitt stated that Nyquist Engineering provides service to the City of Lake Geneva and the Town of Linn, and they have no complaints. McGreevy stated that maybe the RFPs should be directed to the Finance Committee for a recommendation. Kenny stated that when it comes to computer monitoring and maintenance services, if you take the lowest bid, "you get what you paid for."

Trustee Pollitt/Trustee O'Connell 2nd made a MOTION to approve the low bid submitted by Nyquist Engineering to provide computer monitoring and maintenance services, with the contract

subject to review by the village attorney, and the MOTION carried with one negative vote cast by Trustee Kenny.

Geneva Lake Use Committee Notification of Dissolving Committee

Hayden stated that the Village received a letter from a Village of Williams Bay trustee on February 16, 2011 that states the Geneva Lake Use Committee current chairman and treasurer have decided to close the books and dissolve the Geneva Lake Use Committee. The letter was signed by Williams Bay Trustee Richard Chrost, the current chairman of the committee, and by committee treasurer Jeffrey Fry, a Williams Bay resident and appointed member to the committee. As well as the letter, the Village of Fontana received a check for \$2,111 and a copy of the “final bank statement.” Hayden stated that the committee has not met regularly since 2007, and the last time a meeting was held was in April 2009, according to Village of Fontana records. Hayden stated that she contacted the Town of Linn after the village received the letter and check, and the Town of Linn also was unaware of the proposal to dissolve the committee until the letter from Chrost and Fry was received. Thorpe stated that the committee was organized in 1994 and formed by a joint resolution of the participating municipalities. Thorpe stated that the joint resolution that formed the Geneva Lake Use Committee also may have authorized other Geneva Lake regulations and procedures, and the disbanding of the committee may require an amendment to that resolution or the adoption of a new joint resolution. Petersen stated that the issue needs further investigation and he directed village staff to look into the matter and to hold onto the check at this time.

Pay Stations & Lot No. 2 Involvement

Hayden stated that when discussing the placement of the new parking pay station in the beach parking lot with staff, there were concerns about pedestrian safety and vehicle damage if the station is erected in the middle of the lot as initially planned. People would have a difficult time finding the pay station and then would have to walk between automobiles to get to the pay station. Hayden stated that they are now recommending the placement of the new pay station on the south end of the beach lot, so it also can be used for the lot across the street (Lot No. 2, or the former main lift station parking lot located adjacent to the Abbey harbor). Hayden stated that the recommendation is to paint stall numbers on the individual parking stalls in the two lakefront lots and to not have “pay and display” in order to prevent people from having to walk back and forth from their parked automobile. Motorists with resident “F” stickers will be able to park free, the same as in previous years. Hayden stated that if the new pay station were erected at the north end of the beach parking lot, it would require beach users to walk back and forth through the entire length of the lot. Olson stated that it is his opinion that the safest location for the new pay station is at the south end of the lot by the beach house. Spadoni stated that a safer location that also would prevent a backup of people into the street would be in the triangle park area adjacent to the marine building by the Fontana Weeps memorial. Following discussion, the Village Board members reached a consensus that the final location for the new pay station should be in the safest possible location in the triangle area across from the beach house and adjacent to the marina building, that Lot No. 2 should also use the pay station, and that parking stall numbers should be painted in the two lots so the pay station will not be pay and display; people will have to enter their stall number when paying the parking fee. Trustee Spadoni/Trustee Pollitt 2nd made a MOTION to direct staff to have the new pay station erected in the safest possible location in the triangle area of the beach parking lot, across from the beach house and adjacent to the marine building, and to direct the Department of Public Works crew to paint stall numbers in the two lakefront lots. The MOTION carried without negative vote.

F/W WPCC – President Petersen

Approval of 12th Amendment to IGA

Petersen stated that the proposed amendment authorizes the Fontana and Walworth village boards to appoint all trustees as representatives to the Fontana/Walworth Water Pollution Control Commission Board of Directors, if desired. Currently, the village boards are required to appoint citizen members and trustees to the board; however, the Village of Walworth currently can't find a citizen to fill an open position. Petersen stated that there are Walworth Village Board members who would fill the position if authorized. Petersen stated that the FW/WPCC Board recommended approval of the amendment as presented.

Trustee Spadoni/Trustee McGreevy 2nd made a MOTION to approve Ordinance 030711-01,

adopting the 12th amendment to the Fontana Walworth Joint Sewerage Treatment Agreement Pursuant to Wisconsin Statutes 66.0301 (2007-2008) for the joint establishment, operation and administration of wastewater collection, treatment and disposal, as recommended. The MOTION carried without negative vote.

Pay Request No. 16 for Wastewater Treatment Facility Improvement Project & Disbursement Adjustment

Hayden stated that since the project is nearing completion, the 16th pay request will not be fully funded by the Wisconsin DNR Clean Water Fund Program. The DNR only authorizes payment of up to 95 percent of its financial commitment on construction projects, with the remaining 5 percent retained until contract closeout procedures have been completed. Hayden stated that the village will have to fund the shortfall totaling \$13,739 until the contract is closed out and the balance of the Wisconsin DNR Clean Water Fund Program funds are received by the village.

President Petersen/Trustee McGreevy 2nd made a MOTION to approve Pay Request No. 16 for the Wastewater Treatment Facility Improvement Project contract, with the Village funding \$13,739 of the total pay request until the contract is closed out and the final payment is received from the Wisconsin DNR Clean Water Fund Program. The MOTION carried without negative vote.

CDA – President Petersen

Resignation Submitted by William Turner

Petersen stated that Bill Turner submitted his resignation from the CDA in an emailed message to the Village on March 2, 2011. Turner has been the CDA chairman since its inception in December 2001. Turner's resignation message states, in part, "I have served as chairman of the CDA for the last 10 or more years (who's counting when you're having such fun!), and most of our planned work has been completed. As you know, the CDA will have limited resources going forward. For all of these reasons, I am hereby resigning my position. It has been a great pleasure working with all of you. We functioned well together and accomplished a great deal. I think that we demonstrated the best of what government can be. I had a great time."

President Petersen/Trustee Kenny 2nd made a MOTION to accept the resignation of CDA Chairman William Turner with appreciation for the many years of service provided to the Village, and to honor Turner in an appropriate manner. The MOTION carried without negative vote.

Duck Pond RFP – Due March 31, 2011

Hayden stated that the RFP has been issued and there have been some inquiries; however, none have been submitted to date.

Public Works – Trustee McGreevy

Hot Spot No. 3 Storm Water Study Proposal – Ruekert-Mielke

Workman stated that Hot Spot No. 3 encompasses an area of Pottawatomie Dive and the Big Foot Country Club and the proposed study will provide alternative methods to address storm water runoff. Workman stated that once submitted, the Public Works Committee will have to review the proposal and make a recommendation to the Village Board.

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

SEWRPC Regional Water Plan

The Southeastern Wisconsin Regional Planning Commission drafted and distributed a Regional Water Supply Plan for Southeastern Wisconsin that the commission would like the municipalities to endorse in the form of a resolution. Workman stated that since the last monthly meeting of the Public Works Committee was cancelled because of quorum concerns, the committee still has not made a recommendation the Village of Fontana's portion of the plan.

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

Protection Committee – Trustee Pollitt

Update

Pollitt stated that the item the committee directed to the Village Board will be discussed in the closed

session.

Finance Committee – Trustee Kenny

Update

Kenny stated that the committee did not meet in the last month because of quorum concerns.

Monthly Meeting Date March 22, 2011 at 6:00 PM

Kenny stated the next monthly meeting has been scheduled for a Tuesday; however, the regular meeting dates will remain on Thursdays at 6:00 pm.

Lakefront and Harbor – Trustee O’Connell

Village Piers DNR Registration Status Report

O’Connell stated that it was reported at the last committee meeting that the Village’s five piers all were permitted by the Wisconsin DNR at the time they were first installed, and the Village has copies of the permits on file at the Village Hall. The issue came up with regard to the Wisconsin DNR directive regarding the registration of piers that existed prior to 2004, and registering them prior to an April 1, 2011 deadline if they were not previously permitted by the DNR.

GLLEA Board – President Petersen

Update

Petersen stated that the next meeting is scheduled for Wednesday, March 9, 2011.

Closed Session

Trustee Pollitt/Trustee Kenny 2nd made a MOTION at 7:35 pm to go into Closed Session, pursuant to Wisconsin State Statutes Chapter 19.85 (1) (e), to deliberate or negotiate the purchase of public properties, the investment of public funds, or to conduct other specified public business, whenever competitive or bargaining reasons require a closed session, specifically the Hutchinson property located at 531 Mill Street, and WPPA and AFSCME Union Contracts negotiations; and pursuant to Chapter 19.85 (1) (c), to consider employment, promotion, compensation or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility, specifically the Police Department administrative assistant position, and WPPA and AFSCME Union contracts negotiations, and the Roll Call vote followed:

Trustee Kenny – Aye

Trustee Pollitt – Aye

Trustee Wilson – Aye

Trustee O’Connell – Aye

Trustee Spadoni – Aye

President Petersen – Aye

Trustee McGreevy – Aye

The MOTION carried on a 7-0 vote.

Also Present: Protection Committee member Joe Corso, Administrator/Treasurer Hayden, Village Clerk Martin, Police Chief Olson, Village Attorney Thorpe

Closed Session Adjournment

Trustee Spadoni/Trustee McGreevy 2nd made a MOTION to adjourn the Closed Session and to Reconvene in Open Session at 8:09 pm, and the MOTION carried without negative vote.

Adjournment

Trustee Spadoni/Trustee McGreevy 2nd made a MOTION to adjourn the Village Board meeting at 8:09 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: 4/4/2011