

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

MONTHLY MEETING of the VILLAGE BOARD OF TRUSTEES

**Tuesday, April 3, 2006**

President Whowell called the 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: Larson, Pollitt, O’Connell, Bromfield, President Whowell, Petersen

**Trustee absent:** Turner

**Also present:** Cheryl Bartz, Police Lt. Brad Buchholz, Jim Feeney, Tom Gruenwald, Village Administrator Kelly Hayden-Staggs, Library Director Nancy Krei, Village Clerk Dennis Martin, CDA Executive Director Joseph McHugh, Lynne Novak, Building Inspector Ron Nyman, Police Chief Steve Olson, Arlene Patek, Treasurer Peg Pollitt, Don Roberts, Bob Sandy, Chris Schultz, Paul Sloth, Tim Swatek, Village Attorney Dale Thorpe, John Tracy, Public Works Director Craig Workman

**Visitors Heard**

Don Roberts stated that according to his interpretation of Chapter 10 of the state statutes, the Village Board could have amended the referendum question at its February 23, 2006 meeting even though it was certified to the Walworth County Clerk for the April 4, 2006 election. At the February 23, 2006 meeting, Trustee O’Connell asked if the wording, “not to exceed” could be added to the referendum question. Hayden-Staggs responded to Roberts that according to Chapter 8.37 of the state statutes, the certified question for the referendum has to be submitted to the county clerk’s office no later than 42 days prior to the election.

**Announcements**

Hayden-Staggs announced that the Spring Election and Referendum on the Main Lift Station will be held Tuesday, April 4, 2006, with polls open from 9:00 am to 8:00 pm; the CDA Board’s monthly meeting will be held Wednesday, April 5, 2006, at 6:00 pm; the Fontana Public Library will host its Toddler Time Program on Thursday, April 6, 20 and 27 beginning at 10:30 am; Accurate Appraisal will hold office hours at the Village Hall on Friday, April 7, 2006, from 10:00 am to 4:00 pm; the Police and Fire Commission will be meeting Saturday, April 8, 2006, at 10:30 am; the Fontana Public Library National DEAR Day – on Wednesday, April 12, 2006; the annual Easter Egg Hunt will be held at the Duck Pond Recreation Area on Saturday, April 15, 2006, at 10:15 am; the second annual Chris Schwenn Memorial Golf Outing will be held at the Abbey Springs Golf Club and Abbey Resort (Fish Fry Buffet & Silent Auction) on Friday, May 19, 2006; the Plan Commission submittal deadline has been moved up to Thursday, April 13, 2006, because of the holiday, the Village Hall and Library will be closed on April 14 and 15, 2006; the Village is now offering an automatic Pay Plan for Village of Fontana Utility Bills; the new FontanaWear Line is available; Accurate Appraisal will hold office hours at the Village Hall on Friday, June 9, 2006, from 1:00 am to 4:00 pm; Open Book is scheduled for Tuesday, June 13, 2006, from 4:00 to 6:00 pm; the Board of Review will be held Thursday, June 29, 2006, at 2:00 pm; Accurate Appraisal will hold office hours at the Village Hall on Friday, August 4, 2006, from 10:00 am to 4:00 pm; and Highway 67 construction will cause the road to be closed from May 1 to June 30 and then again from August 21 to early November.

**Approval of Minutes**

Bromfield/Larson 2<sup>nd</sup> made a MOTION to approve the minutes for the meetings held March 7, 2006, and the MOTION carried without negative vote.

**Village Treasurer’s Report**

Petersen/O’Connell 2<sup>nd</sup> made a MOTION to accept the Treasurer’s Report for February 2006 and to place it on file for the audit, and the MOTION carried without negative vote.

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

Pollitt/Bromfield 2<sup>nd</sup> made a MOTION to approve the payables as presented, and the MOTION carried without negative vote.

### **Protection Committee – Trustee Bromfield**

#### **Approve Operator’s License Applications Filed by Tanya Ann Schuckman and Kristen Marie Welsh (Rollette Oil) and Eric Burke (Novaks’ Deli)**

The Police Department completed background checks on the applicants.

Bromfield/Pollitt 2<sup>nd</sup> made a MOTION to approve the issuance of Operator’s Licenses to Tanya Ann Schuckman and Kristen Marie Welsh, Rollette Oil employees, and Eric Burke, Novak’s Deli, and the MOTION carried without negative vote.

### **Fireworks Ordinance from Lake Use Committee and GLLEA**

After hearing concerns voiced by Ken Bell, the Village of Fontana representative on the Geneva Lake Use Committee, the Village Board decided to table the issue until more information is available.

Bromfield/Pollitt 2<sup>nd</sup> made a MOTION to table the matter, and the MOTION carried without negative vote.

### **Lake Street Traffic Flow Variation Ordinance Correction**

Hayden-Staggs stated that the Protection Committee recommended amending the Lake Street signage to reflect the village ordinance. New signage will be erected to direct motorists on Lake Street. After Petersen made a motion to approve the ordinance amendment as presented, and it was seconded by O’Connell, Pollitt stated that he wanted the inserted “exception” language to include “when the ramp is manned by a village employee.” One other correction to the “exception” language in the ordinance amendment as presented is “excluding holidays.”

Petersen/O’Connell 2<sup>nd</sup> made a MOTION to approve Ordinance 04-03-06-02 as presented, with the addition “when the ramp is manned by a village employee” and “excluding holidays” to the exception clause, and the MOTION carried without negative vote.

### **Staffing Update**

Chief Olson stated that the Police and Fire Commission will meet to finalize the eligibility list for the Police Department officer positions.

### **Abbey Ridge Burn Request**

Bromfield stated that he has not met with Fire Chief Jon Kemmett to schedule a date for the previously approved burn at the Abbey Ridge. Since it has been approved, the burn will be conducted as soon as weather permits.

### **Squad Car Repairs**

Bromfield stated that although the warranty just recently expired on the 2003 Ford Crown Victoria squad car, Kunes’ Country Ford has offered to repair the engine for \$2,000. The Protection Committee recommended authorizing the repairs since the automobile only has 75,000 miles on it.

Bromfield/Larson 2<sup>nd</sup> made a MOTION to approve the \$2,000 repair expenditure, and the MOTION carried without negative vote.

### **Finance Committee – Trustee Pollitt**

#### **Sewer Rates Increase Ordinance**

Trustee Pollitt stated the Finance Committee recommended a 3 percent increase on the sewer use rates. Larson stated that the Village should consider allowing residents to install second water meters for irrigation purposes, so that sewer rates aren’t charged when the water is being used on landscaping. Petersen stated that the Public Works Committee has voted against the proposal on an annual basis for many years.

Pollitt/Bromfield 2<sup>nd</sup> made a MOTION to approve Ordinance 04-03-06-03 as presented, and the MOTION carried without negative vote.

### **Approve Renewal of League of Wisconsin Municipalities Mutual Insurance Liability, Auto &**

### **Property Policies**

Trustee Pollitt stated that the Finance Committee received a renewal bid from the League of Wisconsin Municipalities Mutual Insurance program and a bid from Wausau Signature Agency. The LWMMI bid of \$92,159 was more than \$9,697 lower than Wausau's total bid, and the coverage also is more extensive with the LWMMI program.

Pollitt/O'Connell 2<sup>nd</sup> made a MOTION to approve the renewal of the League of Wisconsin Municipalities Mutual Insurance Liability, Auto and Property policies, and the MOTION carried without negative vote.

### **2006 Bonding Update**

Trustee Pollitt stated that the Finance Committee met with Jim Mann to discuss 2006 bonding options. A meeting also was held with Walworth State Bank President Tobias Steivang, who stated the bank will work with the village on its refinancing plan.

Pollitt/O'Connell 2<sup>nd</sup> made a MOTION to authorize general obligation bonding with a refinancing plan, and the MOTION carried without negative vote.

### **Authorize Filing the Simplified Rate Increase for Water With Public Service Commission**

Hayden-Staggs stated that the proposed 3 percent increase for water utility rates has to be published as a Class 1 Notice prior to adoption by the Village Board. The proposed increase also has to be approved by the Public Service Commission.

Pollitt/Bromfield 2<sup>nd</sup> made a MOTION to approve the application process with the Public Service Commission for a 3 percent increase for the water utility rates, and the MOTION carried without negative vote.

### **General Business/Administrator's Report – President Whowell/Administrator Hayden-Staggs**

#### **Change Meeting Dates for May through August – Return to Mondays**

President Whowell stated that he would like the Village Board to switch the regular meeting dates back to Mondays for the summer months.

Petersen/Bromfield 2<sup>nd</sup> made a MOTION to change the Village Board monthly meetings dates to May 1, June 5, July 10 and August 7, 2006, and the MOTION carried without negative vote.

### **Amend Village's Emergency Management Plan - Language addition for Emergency Water Production**

Workman stated that the Emergency Management Committee recently met and recommended the addition of the Emergency Water Production procedures to the Village's Emergency Management Plan. The water production plan is required by the DNR. Workman stated that now that the Village of Fontana-Village of Walworth emergency water line is connected, the committee directed him to come up with draft which was presented to the Village Board for adoption.

Petersen/Bromfield 2<sup>nd</sup> made a MOTION to approve the addition of the Emergency Water Production plan as presented, and the MOTION carried without negative vote.

### **Ordinance Amendment to Section 14-65 – Schedule of Permit Fees**

Nyman stated that the amendment to the fee schedule for building permits was changed to address some inadequate rates and language corrections.

Pollitt/O'Connell 2<sup>nd</sup> made a MOTION to approve Ordinance 04-03-06-04 as presented, and the MOTION carried without negative vote.

### **CITGO Redesign Request**

Attorney Tom Greenwald stated that his client, Rollette Oil Company, would like to meet with village officials, Wisconsin Department of Transportation officials and a designer hired by Paul Simon, owner of the Fontana Citgo gas station. Greenwald stated that his client would like the approved design for the new Highway 67 be changed to eliminate a median that would prevent motorists from turning north out the east driveway of the gas station. Greenwald stated that the DOT has indicated it would be willing to talk more about the redesign proposal if the Village of Fontana was willing. President Whowell stated that members of the professional staff, the CDA and Public Works could represent the village at a meeting. President Whowell then asked the village

professional staff members to comment on the request. Workman stated that the reconstruction project has been completely designed and bids have been opened for the contract. Workman stated that the Village has met with Rollette Oil representatives and it has been a stated goal of the village throughout the designing process of the new Highway 67 to have a median. Workman stated that the DOT requires medians to be raised and to run without break from intersection to intersection. Workman and Trustee Petersen stated that the other alternative presented by Rollette's consultant, a turn-around circle at the intersection of Highway 67/Fontana Boulevard/Porter Court, also was considered and rejected at the beginning of the planning process. McHugh stated that the median was incorporated into the design during the early planning stages to reduce the potential conflict between pedestrians and traffic. Trustees Bromfield and O'Connell stated that they would be willing to attend a meeting with the Rollette representatives and the DOT. Trustees Petersen, Larson and Pollitt stated that at this very late stage in the process, with construction scheduled to begin May 1, 2006, that the village should stick with the plan as approved. Greenwald was directed to Hayden-Staggs to schedule a meeting with Trustees Bromfield and O'Connell, the professional staff, McHugh, DOT representatives and Rollette's consultants.

#### **Tax Payer Amendment Informational Only**

Walworth Times reporter Cheryl Bartz asked for the Village Board member's opinion on this proposed state legislation. The trustees were in consensus that the legislation is not a good idea for municipalities.

#### **Conservation Easement for Hildebrand Property**

Hayden-Staggs stated that the easement was ready for adoption following the reconciliation of language by Thorpe and the Geneva Lake Conservancy. Petersen/Bromfield 2<sup>nd</sup> made a MOTION to approve the Conservation Easement with the Geneva Lake Conservancy, Inc., for the Hildebrand Property as presented, subject to a positive endorsement from the Plan Commission, and the MOTION carried without negative vote.

#### **Amendment to Tracy Group Pre-Annexation Agreement to Allow a 30-Day Extension**

Larson/O'Connell 2<sup>nd</sup> made a MOTION to approve a 30-day extension of the pre-annexation expiration date and to set a public hearing for the petition to amend the zoning ordinance and zoning map on April 20, 2006, beginning at 6:00 pm, and the MOTION carried without negative vote.

#### **Geneva Lake West Chamber of Commerce Lease**

Hayden-Staggs stated that the proposed lease for the Geneva Lake West Chamber of Commerce to use the assessor's office at Village Hall initially was approved by the Village Board for a one-year period; however, the Chamber of Commerce requested a two-year period because this summer's construction schedule will make it difficult to determine the impact and ramifications of the office relocation from Williams Bay. Petersen then made a motion to approve the lease as presented, for two-year term, and it was seconded by Bromfield. Thorpe stated that he has some concerns with the Chamber of Commerce employees being allowed access to the building when the Village Hall is not open for regular business hours. Trustee Pollitt stated that the proposed lease does not seek a reduction in the village's annual appropriation to the Chamber of Commerce, nor does it charge rent. Hayden-Staggs stated that the proposal to provide office space in the centrally located Fontana Village Hall was initiated during discussions with the Chamber of Commerce on their request for an increase in our contribution as a result of additional room tax revenue from the Abbey. In exchange for the free rent, the Chamber of Commerce will not seek additional funding. Pollitt stated that he was opposed to a two-year term, and suggested a 30-day lease cancellation period. Thorpe stated that 90 days is a reasonable term for lease cancellation, and either party should be able to initiate the cancellation clause. Following discussion, Petersen and Bromfield agreed to amend their motion to include the addition of a 90-day lease cancellation clause. Petersen/Bromfield 2<sup>nd</sup> made a MOTION to approve the lease as presented for a two-year term, with the condition a 90-day cancellation clause is added to the lease, and the MOTION carried without negative vote.

#### **Tree Removal Replacement Fee Resolution**

Nyman stated that Assistant Zoning Administrator Bridget McCarthy drafted the tree removal

replacement fee resolution at the direction of Park Commission President Rick Treptow. Bromfield stated that the fees seemed expensive, and Larson responded that the fees included the cost of the tree and labor expenses. Hayden-Staggs stated that the fees were proposed at a expensive rate in the same manner as the weed control/lawn cutting rates in an effort to keep the village out of the tree planting and lawn mowing businesses.

O'Connell/Larson 2<sup>nd</sup> made a MOTION to approve Resolution 04-03-06-01 as presented, and the MOTION carried without negative vote.

### **CDA – Trustee Turner**

#### **Amendment No. 2 to State Highway 67 Project Agreement with the Wisconsin DOT**

Workman stated the amendment is necessary to address an issue with the Geo-Foam fill that will be used in the Porter Court area of the project. The amendment has been approved by the DOT.

Bromfield/Petersen 2<sup>nd</sup> made a MOTION to approve Amendment No. 2 to State Highway 67 Project Agreement with the Wisconsin DOT as presented, and the MOTION carried without negative vote.

### **West Main Street Contract Change Order**

Workman stated that the change order with Mann Brothers for the Main Street reconstruction project totals \$4,700. The change order is for concrete deck and steps and a boulder wall at Lucy's, for curb and gutter work, and for an additional concrete step at 171 W. Main Street.

Petersen/Bromfield 2<sup>nd</sup> made a MOTION to approve the West Main Street Contract Change Order totaling \$4,700, and the MOTION carried without negative vote.

### **Plan Commission – President Whowell**

#### **Tracy Group--Highlands of Fontana (Announce Rezone Public Hearing, Plat and Related Condo Plats, Condo Declarations, Annexation Petition, and Developer's Agreement)**

Attorney Swatek stated that the Plan Commission voted in favor of the submitted documents and set the zoning petition for a public hearing before the Plan Commission, to be held Thursday, April 20, 2006. Swatek stated that Tracy was seeking comments on the submitted documents. Also, the approved pre-annexation agreement has an expiration date of April 30, 2006 that has to be extended until after the Village Board meets to make its final vote on the project. Trustee Pollitt asked for clarification on the phasing clause in the developer's agreement, and Thorpe responded that the agreement calls for the public improvements to be completed by the developer in the one phase. Swatek stated that the Tracy Group agrees to a 30-day extension of the pre-annexation agreement in order to accommodate the time frame for the public hearing.

Larson/O'Connell 2<sup>nd</sup> made a MOTION to approve a 30-day extension of the pre-annexation expiration date and to set a public hearing for the petition to amend the zoning ordinance and zoning map on April 20, 2006, beginning at 6:00 pm, and the MOTION carried without negative vote.

### **Ordinance to Amend Section 17-7 (3) – Design Standards**

Hayden-Staggs stated that the ordinance amendment is being proposed to put the provision back into the Municipal Code as initially planned. Trustee Pollitt asked if by approving the amendment the Village was allowing more private roads. Thorpe stated that the development of a new private road would have to receive village approval.

Petersen/O'Connell 2<sup>nd</sup> made a MOTION to approve Ordinance 04-03-06-05 as presented, and the MOTION carried without negative vote.

### **Ordinance Amendments to Sections 18-17, 18-84, 18-86, 18-150 and 18-151 - Nonconforming Lots**

Hayden-Staggs stated the amendments to the nonconforming lots ordinance as recommended by the Plan Commission were drafted into five separate ordinances, one for each section amended.

Pollitt/Bromfield 2<sup>nd</sup> made a MOTION to approve Ordinances 04-03-06-06, 04-03-06-07, 04-03-06-08, 04-03-06-09 and 04-03-06-10 as presented, and the MOTION carried without negative vote.

### **Approve CSM and Ordinance to Amend Zoning Code and Zoning Map filed by Diane and Anthony Urlakis**

Attorney Swatek stated that the Plan Commission and Joint ETZ Committee voted to recommend

approval of the zoning amendment and CSM.

Larson/O'Connell 2<sup>nd</sup> made a MOTION to approve the zoning amendment, Ordinance 04-03-06-01 as presented, and the CSM, with the conditions that a note be made on the CSM that states the lots cannot be further subdivided and that a Deed Restriction be placed on the lots so that they may not be further subdivided, and the MOTION carried without negative vote.

### **Bear Trap Final Plat, Declaration of Restrictions, and Articles of Incorporation**

Thorpe stated that the Plan Commission voted to recommend approval of the final plat, declaration of restrictions and articles of incorporation for the five-lot subdivision with conditions. The lots range in size from 3.6 acres to 8.65 acres. Thorpe stated that the applicants have indicated they will change the proposed road design to adhere to the conditions suggested by the Plan Commission and Fire Chief Jon Kemmett.

Larson/O'Connell 2<sup>nd</sup> made a MOTION to approve the final plat, declaration of restrictions and articles or incorporation as presented, with the conditions that Outlot 1 shall remain a non-buildable lot and shall be so noted on the face of the Certified Survey Map; that Outlot 1 shall be used only for the improvement of a private roadway; that a subdivision variance be granted by the Plan Commission to waive the cul-de-sac maximum length requirement; that the private roadway be designed to fully comply with private road standards to ensure the safe use and passage of emergency and safety equipment and vehicles; that the private roadway be designed to ensure all angles are 90 degrees or more, and eliminate any angles 90 degrees or less, to ensure the safe use and passage of emergency and safety equipment and vehicles; that building and/or zoning permits for development shall not be issued until such time as the private roadway (labeled in Outlot 1) has been improved and fully complies with all private roadway standards, and any other private roadway conditions described herein; that a 10-foot access easement along the southern most portion of the property, adjacent to Whitetail Ridge Subdivision and parallel to Highway 67, shall be received; that the submitted final survey shall reflect the proper ownership name/title; and that the existing portion of the access road be brought up to meet private road standards of the Municipal Code. The MOTION carried without negative vote.

### **Fontana Village Inn Condo Plat and Declaration**

Thorpe stated that proposal does not call for a change in zoning or a change in use. The units will be privately owned for short-term stays, with no rentals. There is a limit of 29 consecutive days for owners to occupy the units. President Whowell stated that the Plan Commission recommended approval of the Condo Plat and Declaration with conditions suggested in the staff report.

O'Connell/Larson 2<sup>nd</sup> made a MOTION to approve the Condo Plat and Declaration as submitted, with the conditions that a conditional use permit is required for hotel/motel use (a previous conditional use permit may be on file and could possibly be amended instead of seeking a new CUP); a building, site and operational plan shall be submitted for approval and must meet the requirements described in Article IV, Performance Standards, of the Village of Fontana Municipal Code; any proposed signage changes shall be submitted for approval through the BSOP process; any proposed lighting changes shall be submitted for approval through the BSOP process; the existing dumpster shall be screened to comply with current performance standards within 30 days; any change in the location of the dumpster must be approved; any proposed outdoor grilling areas shall be clearly defined in the BSOP, and subject to approval; clarification of commercial units is required; a condition defining the process of converting units into commercially-defined units should be created; and any proposed new business/commercial use, signage, remodeling, other than what is depicted on the applicant's current submittal shall be amended through the conditional use permit approval/amendment and BSOP approval/amendment process. The MOTION carried without negative vote.

### **Big Foot Street Vacation - Discussion Only**

Attorney Robert Leibsle requested that the Village Board table the matter until the applicants, Jamie and Carol Whowell, return from a trip. Jamie and Carol Whowell are proposing to have the Village vacate the remaining portion of Big Foot Street that was not previously vacated. The small remaining portion of the street currently is used for parking. The portion of Big Foot Street abutting the Whowell's property will be used in part to help accommodate a renovation plan for their apartment building. The Whowells would like to renovate one of the bedrooms. A public hearing will be

required before the Village Board in order to approve the vacation of the street. A 40-day notice is required to schedule the required public hearing.

Bromfield/O'Connell 2<sup>nd</sup> made a MOTION to table the issue, and the MOTION carried without negative vote.

### **Outdoor Liquor Consumption - Discussion Only**

Nyman presented the report he compiled for the Plan Commission on outdoor liquor service, or beer gardens. Nyman compared model ordinances from other state municipalities. Nyman suggested a staff meeting with Chief Olson and Fire Chief Jon Kemmett to finalize a proposal for Plan Commission and Village Board consideration. Larson stated that she wants the approval criteria for outdoor liquor service to be tied into food sales. Larson and O'Connell both stated that outdoor music and large speakers also should not be allowed in the outdoor liquor service areas. Bromfield stated that the local bar owners should be contacted for their input. Following discussion, the Village Board directed Nyman to move forward in preparing a draft proposal with input from the two chiefs and the planning staff.

### **Announce Public Hearings for April 20, 2006 Plan Commission Meeting**

Because of a quorum issue, public hearings initially scheduled for April 25, 2006 have been rescheduled for Thursday, April 20, 2006. The public hearings will be to consider a Petition to Amend the Zoning Ordinance and Zoning Map of the Village of Fontana filed by the Tracy Group for The Highlands of Fontana Planned Development; a Conditional Use Permit Application filed by the Geneva Lake Conservancy, 398 Mill Street, to erect a community information sign; and a Petition to Amend Section 18.27 of the Zoning Ordinance and Zoning Map of the Village of Fontana. A public hearing initially scheduled before the Plan Commission and Joint ETZ Committee for April 25, 2006 to consider a Petition to Amend the Zoning Ordinance and Zoning Map of the Village of Fontana to Create a Planned Residential District (PRD) in the ETZ Zoning District, has been cancelled.

### **GLLEA – Trustee Pollitt**

#### **Monthly Update**

Pollitt stated that the Board of Directors has not met since the last Village Board meeting.

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

#### **Fontana Boulevard Utility Project Pay Request No. 2 – Mann Brothers & Project Update**

Workman updated the Village Board on the pay request, which does not require another approval vote, and on the status of the project. The large pipes that were sitting in the beach parking lot for several weeks have been installed and work has commenced on the storm sewer on Douglas Street at Fontana Boulevard. Workman stated the project is on schedule for final blacktopping to be completed by the end of April. Workman stated that the baseball field in Reid Park also should be restored by the end of April.

#### **Highway 67 Project Update**

Workman stated that the project bids have been opened and the low bid was submitted by Mann Brothers. The first phase of the project will include the closure of the highway from Fontana Boulevard to Wild Duck Road from early May until late June. The new road will be opened until the end of August, at which point it will be closed from Fontana Boulevard to Dewey Avenue. The project is scheduled to be completed by the middle of November.

#### **Main Lift Station Update and Pay Request No. 2 – Kovilic**

Workman stated that the site excavation work has been completed on the project and the bottom slab of concrete, measuring 2.5-feet thick, has been poured. The Village has received the second pay request from Kovilic totaling \$187,245.

Bromfield/Larson 2<sup>nd</sup> made a MOTION to approve Pay Request No. 2 in the amount of \$187,245 to Kovilic, and the MOTION carried without negative vote.

#### **Reid Park Restroom and Pavilion Contract Change Order and Funding**

Workman stated that he worked with the low bidder on the project contract, Magill Construction, to

bring the cost down from \$430,000 to \$399,200. The Village Board previously directed Workman to negotiate a contract not to exceed \$400,000. Workman stated that the de-watering portion of the contract was adjusted and the scope of excavation work was reduced. Trustee Pollitt asked if there was any equipment removed from the plan that eventually will have to be added back into the building. Workman responded that no equipment was excluded in the contract adjustments. Petersen/Bromfield 2<sup>nd</sup> made a MOTION to approve the \$399,200 contract with Magill Construction, with the contract subject to review by the Village attorney, and the MOTION carried without negative vote.

#### **Well Abandonment Ordinance Revision**

Workman stated that the ordinance had to be amended to encompass required DNR language changes.

Petersen/Bromfield 2<sup>nd</sup> made a MOTION to approve Ordinance 04-03-06-11, and the MOTION carried without negative vote.

#### **Park Commission - Trustee Larson**

##### **Arbor Day Proclamation**

Larson stated that Arbor Day will be observed by the Village of Fontana on Friday, April 28, 2006, with a program at Fontana Elementary School.

Bromfield/Petersen 2<sup>nd</sup> made a MOTION to approve the Arbor Day Proclamation as presented, and to have it published in the newspaper the week prior to the observance program, and the MOTION carried without negative vote.

#### **Lakefront and Harbor - Trustee O'Connell**

##### **Hire Allan Kaminski as Harbormaster and Salary Determination**

O'Connell stated that the Lakefront and Harbor Committee recommended hiring Allan Kaminski as the Harbormaster at a salary of \$15,000 for the season.

Bromfield/Larson 2<sup>nd</sup> made a MOTION to approve the hiring of Allan Kaminski to serve as the Harbormaster, with a salary of \$15,000, and the MOTION carried without negative vote.

##### **Hire Assistant Harbormaster Sam Fredrickson and Salary Determination**

O'Connell stated that the Lakefront and Harbor Committee recommended hiring Sam Fredrickson as the Assistant Harbormaster at a salary of \$15 an hour. Hayden-Staggs stated that the previously approved Resolution that establishes the salaries of non-union employees will have to be amended to reflect the salaries of the Harbormaster and Assistant Harbormaster.

Larson/Bromfield made a MOTION to approve the hiring of Sam Fredrickson as the Assistant Harbormaster, with a salary of \$15 an hour, and to approve an amendment to the payroll resolution, and the MOTION carried without negative vote.

#### **Ordinance Revision for Chapter 54**

Hayden-Staggs stated that the proposed revisions still have to be finalized and requested that the matter be tabled until the annual organizational meeting of the Village Board on April 18, 2006.

Bromfield/O'Connell 2<sup>nd</sup> made a MOTION to table the matter until the April 18, 2006 organizational meeting, and the MOTION carried without negative vote.

#### **F/W WPCC-Trustee Petersen**

##### **Clean Water Fund Scoring Report**

Petersen presented the Clean Water Fund Program Project Priority Score the Village received March 8, 2006 from the Wisconsin Department of Natural Resources. The score for the Village's project was one of the highest rankings scored in the Clean Water Fund for State Fiscal Year 2007. Out of a possible number of points of 158, the Village obtained 105.4. There were very few municipalities that had a score greater than 100.

#### **Geneva Lake Use Committee**

##### **Monthly Update**

Ken Bell stated that the fireworks ordinance proposed by the Geneva Lake Law Enforcement Agency needs to be amended. Bell stated that it was the committee's intent to create uniform

guidelines that ensure the notification of approved fireworks displays to the Geneva Lake Water Safety Patrol and the GLLEA Boat Patrol. Bell stated that the ordinance that was presented to the four lake municipalities for consideration places the approval authority on the GLLEA and takes it away from the individual municipalities, and this has to be corrected.

**GLEA – Trustee O’Connell**

**Monthly Update**

O’Connell stated that there is nothing new to report from the Geneva Lake Environmental Agency.

**Environmental Committee**

**Update**

Hayden-Staggs stated that the local committee has jurisdiction over burn requests and other environmental issues; however, there is nothing to report at this time.

**Adjournment**

Bromfield/Larson 2<sup>nd</sup> made a MOTION to adjourn at 8:37 pm, and the MOTION carried without negative vote.

Minutes prepared by: Dennis L. Martin, Village Clerk

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

APPROVED: 05/01/06