

VILLAGE OF FONTANA ON GENEVA LAKE
WALWORTH COUNTY, WISCONSIN
(Official Minutes)
MONTHLY MEETING of the VILLAGE BOARD OF TRUSTEES

Monday, April 5, 2010

President Arvid Petersen called the monthly meeting of the Village Board to order at 5:00 pm in the Village Hall, 175 Valley View Drive, Fontana, Wisconsin.

Trustees present: Roll call vote: Patrick Kenny, Diane Lewis, Micki O'Connell, George Spadoni, President Petersen

Trustees absent: Thomas McGreevy, William Turner

Also present: Administrator/Treasurer Kelly Hayden, Village Clerk Dennis Martin, Village Attorney Dale Thorpe

Announcement for Board of Trustees to Consider Going Into Closed Session

Trustee O'Connell/Trustee Kenny 2nd made a MOTION to go into closed session to consider employment, promotion, compensation or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility, specifically possible layoffs among non-union Village of Fontana staff members, and 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 properties located at 531 Mill Street and 543 Valley View Drive, and the Roll Call vote followed:

Trustee Lewis – Aye

Trustee O'Connell – Aye

Trustee Spadoni – Aye

President Petersen – Aye

Trustee Kenny - Aye

The MOTION carried on a 5-0 vote with Trustees McGreevy and Turner absent.

Adjournment of Closed Session

Trustee O'Connell/Trustee Kenny 2nd made a MOTION to adjourn the Closed Session at 5:38 pm, and the MOTION carried without negative vote.

President Petersen called for a recess until 6:00 pm.

Also present: Skip Bliss, Pam Carper, Charles and Porter Harrett, Rob Ireland, Library Director Nancy Krei, Alex Koldeway, David Lindelow, Assistant Zoning Administrator Bridget McCarthy, Joseph McHugh, Adam Neisendorf, Building Inspector Ron Nyman, Police Chief Steve Olson, Peg Pollitt, Mike Sheyker, Tim Vowell, Cindy Wilson, Public Works Director Craig Workman

Closed Session Business

Trustee Spadoni/Trustee Kenny 2nd made a MOTION to direct the Village attorney to invoke the appraisal contingency and withdraw the Offer to Purchase the properties at 531 Mill Street and 543 Valley View Drive, subject to approval by the CDA Board, and the MOTION carried without negative vote.

Trustee O'Connell/Trustee Lewis 2nd made a MOTION to end the discussion and take no action on possible layoffs of non-union employees, and the MOTION carried without negative vote.

Visitors Heard

Tim Vowell, Charter Communications

Charter Communications Director of Government Relations Tim Vowell stated that he was in attendance to answer any further questions on the cable television service in the Village. In response to a question if the Village would be able to again receive the Chicago PBS channel which was eliminated a few years ago, Vowell stated that copyright and Milwaukee market issues prevent

Charter from offering the channel in the Walworth County market. Vowell stated that because the Neilson Rating Company has determined that the Village of Fontana and Walworth County are in the Milwaukee market, all the Chicago stations will be eventually eliminated from the cable offerings. Vowell stated that the Village of Fontana could petition the Neilson Ratings Company for a redetermination of the market. Spadoni stated that Charter Communications is not serving the Fontana market properly, and if necessary, fees should be increased to allow subscribers to pay to receive the Chicago channels. In response to a question about the cable television franchise agreement, Vowell stated that Charter's agreement is no longer with the Village, it is with the state.

Country Club Estates resident Charles Harrett stated that he had just learned that day that an old tree on the North Lakeshore Drive parcel owned by Gary Neilson and Trudy Havens is scheduled to be cut down. Harrett stated that it is appalling to him that a tree that is more than 300 years old is going to be cut down. Harrett stated that he is also concerned that the construction of a boat house also has been approved for the lot. Both matters were subjects of public hearings held January 25, 2010 before the Plan Commission. According to an arborist's report filed by the applicants, the tree is diseased and dying.

Announcements

1. Spring Election – **Tuesday, April 6, 2010, Polls Open 7:00 am to 8:00 pm**
2. CDA Board Monthly Meeting – **Wednesday, April 7, 2010, 6:00 pm**
3. Read and Romp Program at Library – **Thursdays, April 8, 15, 22 & 29, 2010, 10:30 am**
4. Village Hall Reopening Date for Saturday Mornings – **Saturday, April 10, 2010, 8:00 am to Noon**
5. Plan Commission Staff Meeting – **Wednesday, April 14, 2010, 1:00 pm**
6. Protection Committee Meeting – **Monday, April 19, 2010, 4:00 pm**
7. Park Commission Meeting – **Wednesday, April 21, 2010, 6:00 pm**
8. Walworth County Highway Safety Committee Meeting – **Thursday, April 22, 2010, 9:00 am at County Sheriff's Department Conference Room**
9. Finance Committee Monthly Meeting – **Thursday, April 22, 2010, 5:00 pm**
10. Plan Commission Monthly Meeting – **Monday, April 26, 2010, 6:00 pm**
11. Lakefront and Harbor Committee Meeting – **Wednesday, April 28, 2010, 4:30 pm**
12. Village Board Monthly Meeting – **Monday, May 3, 2010, 6:00 pm**

Approval of Minutes

Trustee Spadoni/Trustee Lewis 2nd made a MOTION to approve the minutes for the meetings held March 1, 2010, March 3, 2010, March 11, 2010, March 12, 2010, March 15, 2010, and March 18, 2010 as presented, and the MOTION carried without negative vote.

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

The treasurer's report for March 2010 and the current Cash Flow Statements, Vendor Report and Payroll Overtime Report were distributed.

Trustee Spadoni/Trustee Kenny 2nd made a MOTION to acknowledge the receipt of the March 2010 treasurer's reports and the current Cash Flow Statement and to place them on file for the audit. The MOTION carried without negative vote.

Approval of Village and Utility Payables

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

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

Approval of Temporary Class B Licenses for Big Foot Lions Club 2010 Events

The Big Foot Lions Club filed applications for Temporary Class B beer and wine licenses for its 2010 events in Reid Park, scheduled for July 3 and 4, 2010, and July 31, 2010.

Trustee Kenny/Trustee Spadoni 2nd made a MOTION to approve the Temporary Class License applications as filed by the Big Foot Lions Club for the July 3 and 4, 2010, and July 31, 2010 events. The MOTION carried without negative vote.

Resolution Requesting Walworth County Highway Safety Committee to Install Four LED Flashing Stop Signs at Highway 67 & County Highway F

Spadoni stated that there have been four serious motor vehicle accidents at the intersection and the proposed resolution requests the installation of flashing, LED stop signs at all four approaches to the intersection. Spadoni stated that he would like to present the resolution to the Walworth County Highway Safety Committee at its next meeting. Spadoni stated that the other local municipalities also are considering the adoption of the resolution. Spadoni stated that there are also petitions being distributed that he will present to the committee.

Trustee Spadoni/Trustee Kenny 2nd made a MOTION to approve Resolution 04-05-10-02, in support of flashing stop signs at the intersection of Highway 67 and County Highway F in the Town of Walworth, as presented, and the MOTION carried without negative vote.

Resolution Authorizing Less Than Seven Poll Workers at Elections

Martin stated that the adoption of a resolution is required to authorize the Village to have less than seven poll workers on duty at an election.

President Petersen/Trustee O'Connell 2nd made a MOTION to approve Resolution 04-05-10-03, authorizing reducing the number of election officials for the Village of Fontana on Geneva Lake polling place, as presented. The MOTION carried without negative vote.

Ordinance Adopting Split Shift for Poll Workers

Martin stated that the adoption of an ordinance is required to authorize the Village to have its poll workers work in split shifts at elections.

President Petersen/Trustee Spadoni 2nd made a MOTION to approve Ordinance 04-05-10-01, establishing split shifts for election workers, as presented, and the MOTION carried without negative vote.

Parking Fee Resolution Modifying Hourly Rate for Boat Trailers

Hayden stated that the resolution was drafted to authorize hourly parking rates in the boat trailer parking lot. Hayden stated that the new parking pay stations can only accommodate hourly parking or daily parking rates, not both. Hayden stated that only the automobile side of the boat trailer parking lot is proposed to be changed, and the trailer side of the lot will remain stalls for the flat fee launch rate.

Trustee Spadoni/Trustee Kenny 2nd made a MOTION to approve Resolution 04-05-10-04, establishing fees and charges for the Village of Fontana to allow for an hourly parking charge in the boat trailer parking lot, as presented, and the MOTION carried without negative vote.

Schedule Organizational Meeting

The annual organizational meeting of the Village Board will have to be scheduled after Tuesday, April 20, 2010, when the newly elected officials take office.

Plan Commission – Trustee Spadoni

Conditional Use Permit Application Filed for Frontier Flowers, 531 Valley View Drive

Spadoni stated the following a public hearing on March 29, 2010, the Plan Commission recommended approval of the CUP with four conditions.

Trustee Spadoni/Trustee Lewis 2nd made a MOTION to approve the Conditional Use Permit application as filed by Renee Cerny for additional signage at Frontier Flowers, 531 Valley View Drive, with the following four conditions:

1. In addition to previously approved signage (through the BSOP process), signage for Frontier Flowers shall be approved as follows:
 - a. One 7-by-2.25-foot on-building sign, to be located on the front rail, left, not lit; not to exceed 15.75 square feet.
 - b. One 7-by-2.25-foot on-building sign, to be located on the front rail, right, not lit; not to exceed 15.75 square feet.
2. A complete submittal for building and zoning permits for signage shall be applied for.
3. All outstanding cost recovery fees billed to date shall be paid prior to the issuance of any permits.

4. Building and Zoning permits shall not be issued prior to the issuance of all applicable and necessary permits for the primary structure on this lot.

The MOTION carried without negative vote.

Village of Fontana Park and Open Space Plan Additional Elements

Spadoni stated the following a public hearing on March 29, 2010, the Plan Commission recommended approval of the additional elements for the updated Park and Open Space Plan as recommended by the Park Commission.

Trustee Spadoni/Trustee O'Connell 2nd made a MOTION to approve Resolution 04-05-10-05, authorizing the additional elements in the Park and Open Space Plan, as recommended, and the MOTION carried without negative vote.

Cliffs of Fontana Condominium Plat Amendment, Fourth Amendment to PIP & Fourth Amendment to Developer's Agreement

Spadoni stated the following a public hearing on March 29, 2010, the Plan Commission recommended approval of the plat amendment, the amendment to the Precise Implementation Plan and the fourth amendment to the Developer's Agreement with conditions. Thorpe stated that the Resolution he drafted authorizes the amendment to the PIP. Thorpe also presented the Fourth Amendment to the Development Agreement that he drafted.

Trustee Spadoni/Trustee Kenny 2nd made a MOTION to approve Resolution 04-05-10-01, authorizing a previously approved and previously amended Precise Implementation Plan for the Project Known as the Cliffs of Fontana, as recommended, with the following six conditions for the new floor plan designs:

1. The Bayhill plan shall be approved
2. The Wynbrooke plan should be approved with the condition that a minimum one window, sized appropriately, shall be added to the garage side elevation on the Wynbrooke plan.
3. All units in the development shall continue to use previously approved exterior materials (i.e., cedar, stone, brick). Vinyl siding as proposed shall not be used as an alternative.
4. All units shall have a basement. Crawl space foundations or slab-on grade foundations shall not be allowed.
5. Since there is an added variation to sizes (optional 3-car garage), all units shall conform to the originally approved building separation. Building separation shall not be decreased in any case.
6. Models shall be located at those sites indicated by the applicant.

With the following nine conditions for the signage proposal:

1. Only one marketing sign should be allowed as previously approved (in regards to location, time frame, size, etc.).
2. The applicant may replace the existing copy of the existing marketing sign.
3. The "Models Open" phrase should be used on the new Highway 67 marketing sign instead of "New Ranch Plans."
4. A maximum number of eight temporary directional signs, no greater than 30-by-24-inches each, located along Highway 67, shall only be installed on Saturdays and Sundays from 9:00 am until 5:30 pm until the end of 2010.
5. Directional signs shall be placed at the locations provided by the applicant.
6. No more than six total internal signs shall be allowed.
7. Internal signs shall be placed at the locations within the development as determined by the applicant, as long as no more than six total internal signs are erected.
8. Maximum size shall be no more than 6 square feet each and no taller than 3-feet-high, as measured from existing grade.
9. Signs shall be removed at the completion of 80 percent of total units within the development, or in five years from the date of this approval, whichever comes first.

And with the following condition for the American Flag and flagpole: Flagpoles are allowed on residential sites so this technically does not need to be approved. Technically each unit could potentially install a flagpole to fly the American and State flags; however, flying signage – "flags" that advertise through a logo or copy -- is not allowed in the Village of Fontana. The MOTION carried without negative vote.

Trustee Spadoni/Trustee Kenny 2nd made a MOTION to approve the condominium plat amendment, with the following seven conditions:

1. The applicant must provide written confirmation that the amendment has been made in accordance with Wisconsin Statute 703.11(5).
2. The amendment affects only Units 4, 13, 23, 39, 40, 41 and 42. The balance of the units shall be conveyed as units in the original plat.
3. The applicant shall be responsible for properly recording the amendment with Walworth County Register of Deeds.
4. The applicant shall be responsible for any and all recording fees.
5. The applicant shall pay in full all Village fees, including but not limited to, cost recovery, in regards to this amendment proposal within 30 days.
6. The applicant shall provide the Village of Fontana with one recorded copy of the amended condominium plat within 30 days from this approval, which shall constitute final Village approval of the condominium plat amendment proposed.
7. The applicant acknowledges that a condominium plat amendment is required on an annual basis, per the original approval, and shall, from this point forward, be applied for no later than February 1 of each future year in regards to all completed units from January 1 of the previous year through December 31 of that year. (For example, a condominium plat amendment for all units completed between January 1, 2010 and December 31, 2010, shall be applied for no later than February 1, 2011.)

and the Fourth Amendment to the Development Agreement as recommended. The MOTION carried without negative vote.

Park Commission – Trustee Lewis

Ordinance Amending Section 2-336 of Village of Fontana Municipal Code, Park Commission Membership – Tabled 3/1/10

Lewis stated that the Park Commission approved a motion at its last monthly meeting to recommend approval of an amendment to make the trustee liaison a voting member of the Park Commission; however, the Park Commission was opposed to having the Village president appoint the chairman of the Park Commission. Lewis stated that the Park Commission members want to appoint the chairman of the committee from its members. Hayden stated that all of the other committees and commissions have an elected trustee serving as the chairman. President Petersen stated that the proposed amendment would authorize the Village Board president to appoint the trustee chairman and the Village Board members to approve the nomination. O’Connell stated that the Park Commission members should be able to appoint a representative to the Plan Commission. Hayden stated that the proposed amendments still call for a Park Commission member to be appointed to the Plan Commission. O’Connell stated that she opposes the proposed amendments because they do not reflect the Park Commission’s recommendation.

Trustee Spadoni/President Petersen 2nd made a MOTION to approve Ordinance 04-05-10-02, amending the Park Commission membership section of the Municipal Code, as presented, and the MOTION carried on a 4-1 vote, with Trustee O’Connell opposed, and Trustees Turner and McGreevy absent.

Ordinance Amending Section 42-7 (a) of Village of Fontana Municipal Code to Allow Liquor in Porter Court Plaza with Permit

The Park Commission approved a motion at its last meeting to recommend Village Board approval of the ordinance amendment that would allow the consumption of beer or wine in Porter Court Plaza with the proper permits. The amendment was proposed to enable the Village to approve the request of Georgie B’s Restaurant to offer beer at its fund-raising event in Porter Court Plaza Saturday, May 29, 2010.

Trustee Spadoni/Trustee Kenny 2nd made a MOTION to approve Ordinance 04-05-10-03, amending Section 42-7 (a) of the Municipal Code, as recommended, and the MOTION carried on a 3-2 vote, with President Petersen and Trustee O’Connell opposed, and Trustees Turner and McGreevy absent.

Park Permit Application Filed by Georgie B’s Restaurant for Beer Service in Porter Court Plaza Anniversary/Geneva Lake Conservancy Fund-Raising Event, Saturday, May 29, 2010

Lewis stated that the Park Commission recommended approval of the fund-raising event, including the service of beer in Porter Court Plaza. The plan calls for a double-fenced-in area to be erected for the event.

Trustee Spadoni/Trustee Lewis 2nd made a MOTION to approve the park permit application as recommended, and the MOTION carried without negative vote.

Proposal for Arbors on West Side of Beach House

Lewis stated that the Park Commission approved a motion at its last meeting to recommend Village Board approval of the \$250 proposal to install arbors on the west side of the beach house. The proposal is to install arbors on the west side of the building and then plant bittersweet vines and morning glories on the arbors to soften the appearance of the building and provide green accents. Trustee Spadoni/Trustee Kenny 2nd made a MOTION to approve the \$250 proposal to install arbors on the west side of the building and plant bittersweet vines and morning glories on the arbors, as recommended. The MOTION carried without negative vote.

Blackstone Landscaping Contract Renewal

Workman stated that Blackstone Landscape, Inc. amended its contract renewal proposal to eliminate the request for marketing signage in the Village mediums; however, the new proposal requests the use of the Duck Pond yard waste dump site for Blackstone's local customers, and one free season pass for the Village boat launch. Workman stated that the contract renewal proposal is still for a three-year term at the fixed annual rate of \$29,225, and the proposal includes work in the Village parks and landscaped areas – including Pioneer Park as directed by the Park Commission. Areas covered by the contract include the Fontana Boulevard beds, the Highway 67 islands, Pioneer Park, the boat launch parking lot, the Porter Court Plaza, and Reid Park, Little Foot Playground and the beach house. Workman stated that the amount of yard waste that Blackstone would be dumping at the Duck Pond would not be a concern. Spadoni stated that the Village should not get in the business of trading boat launch passes for services, and he suggested Blackstone Landscaping raise its proposed contract fee to cover the cost of a launch pass.

Trustee O'Connell/Trustee Kenny 2nd made a MOTION to approve the proposed three-year contract with Blackstone Landscape, Inc. as amended, with the exceptions that no signage will be authorized and no free launch pass will be issued. The MOTION carried without negative vote.

Arbor Day Proclamation

The annual proclamation is a requirement of the Tree City U.S.A. recertification. The annual program will be held at the Fontana Elementary School on Friday, April 30, 2010 at 11:30 am.

Trustee Spadoni/Trustee O'Connell 2nd made a MOTION to approve the Village of Fontana Arbor Day Proclamation as presented, and the MOTION carried without negative vote.

Public Works – Trustee McGreevy

Timber Ridge Easement Update

Workman stated that Thorpe and the attorney representing the Adreani family have been working on finalizing the easement, and the document is almost ready for adoption.

Protection Committee – President Petersen

Ordinance Amendment to Section 42-42

Chief Olson stated that the proposed minor amendments bring the code section into compliance with the state statutes regarding dangerous weapons and firearms.

Trustee Spadoni/Trustee Kenny 2nd made a MOTION to approve Ordinance 04-05-10-04, amending Section 42-42 as presented, and the MOTION carried without negative vote.

Adoption of State Smoking Prohibition

Chief Olson stated that a new state law will take effect on July 5, 2010 and no smoking will be allowed in bars or restaurants. Following discussion, the Village Board members directed Olson to set the fine for violations the same as the state statute.

Trustee Spadoni/Trustee Kenny 2nd made a MOTION to adopt the state smoking prohibition and to set the fine on the same scale as the state statute, and the MOTION carried without negative vote.

Operator's License Applications – Tyler J. Meyer (Fontana Corner Market), Anastasia G. Adams (Country Club Estates Golf Course)

Background checks were completed for the applications and approval was recommended. Trustee Spadoni/Trustee Kenny 2nd made a MOTION to approve the Operator's License applications for Tyler J. Meyer and Anastasia G. Adams as recommended, and the MOTION carried without negative vote.

CDA – Trustee Turner

Small Business Loan Guidelines

Hayden stated that the CDA Board approved the proposed Small Business Loan Guidelines after they were reviewed and tweaked by Thorpe.

Trustee Spadoni/Trustee Lewis 2nd made a MOTION to adopt the Small Business Loan Guidelines as recommended, and the MOTION carried without negative vote.

Approval of \$5,000 Publicity Budget for Lakefront Building Proposal Referendum

Petersen stated that the CDA approved a \$5,000 budget for disseminating facts and educating the public on the building proposal that has to be taken to referendum. The budget includes funds for a website and a direct mailing.

President Petersen/Trustee Spadoni 2nd made a MOTION to approve the \$5,000 publicity budget for the Lakefront Building Proposal referendum as recommended, and the MOTION carried without negative vote.

Park Commission \$3,500 Funding for Duck Pond Disc Golf Course

Petersen stated that the CDA Board voted to approve the allocation of \$3,500 from its Duck Pond Recreation Area Redevelopment Project budget to fund the purchase of nine permanent hole baskets for a disc golf course.

Trustee Spadoni/Trustee O'Connell 2nd made a MOTION to approve the \$3,500 funding allocation from the CDA Duck Pond Recreation Area Redevelopment Project budget for the purchase of nine permanent hole baskets for a disc golf course as recommended, and the MOTION carried without negative vote.

2010 Budget

Hayden stated that the proposed budget was distributed a few months ago and no changes have been made. Hayden stated that if the Village Board members did not have any other additions or concerns with the proposed budget, they could consider approval of the budget as presented, subject to confirmation by the CDA Board.

Trustee Spadoni/President Petersen 2nd made a MOTION to adopt the 2010 CDA Budget as presented, subject to approval by the CDA Board, and the MOTION carried without negative vote.

Engineering/Planning Estimate for Lake Street Project

The estimated construction cost for the proposed Lakefront Building Project is about \$2.6 million, and with contingencies including a steel roof and geothermal HVAC options, the total is about \$2.8 million.

Trustee Spadoni/Trustee Kenny 2nd made a MOTION to approve a preliminary estimated construction cost of \$2.8 million for the Lakefront Building Proposal, subject to approval by the CDA Board, and the MOTION carried without negative vote.

Certify Referendum Question for June 15, 2010 Special Election

Hayden stated that the referendum question also has to be approved by the FROG group before it is certified for the election. Hayden distributed a draft of two options for the question and stated that a third option is for the question to be very basic. The first option is, "Shall the Village of Fontana on Geneva Lake be authorized to spend an amount not to exceed \$2.8 million to complete the following projects: Reconstruct Lake Street with new paving, underground utilities, sidewalks, landscaping, and lighting; Redesign the lakefront parking lot to allow for a bio-retention area to handle storm water drainage on site; and tear down the existing Village owned marina building to reconstruct a Lakefront Activity Center?" The second option is, "Shall the Village of Fontana on Geneva Lake be authorized to spend an amount not to exceed \$2.8 million to complete the following projects: Reconstruct Lake

Street with new paving, underground utilities, sidewalks, landscaping, and lighting; Redesign the parking lot at the intersection of Lake Street and Fontana Boulevard to allow for a bio-retention area and increased green space; and Reconstruct the Village owned marina building to a Lakefront Activity Center?” Hayden stated that a third option is, “Shall the Village of Fontana on Geneva Lake be authorized to spend an amount not to exceed \$2.8 million to reconstruct Lake Street, reconstruct the Lakefront parking lot, and construct a Lakefront Activity Center?” Spadoni stated that he thinks the question should be as simple as possible and he suggested the third option.

Trustee Spadoni/Trustee Kenny 2nd made a MOTION to approve subject CDA Board approval, option number three for the June 15, 2010 referendum question, which states: “Shall the Village of Fontana on Geneva Lake be authorized to spend an amount not to exceed \$2.8 million to reconstruct Lake Street, reconstruct the Lakefront parking lot, and construct a Lakefront Activity Center?” The MOTION carried without negative vote.

Schedule Pavilion Workshop Meeting

Hayden stated that HGA Architects and Engineers, Milwaukee, has been contracted by the CDA to prepare preliminary plans to replace the old Reid Park Gazebo with a new pavilion. Hayden stated that a planning meeting will be scheduled.

Shabbona Pay Request No. 2

Workman stated that Graef has reviewed and recommended approval of the \$7,066 pay request and Change Order No. 1 calling for a net increase of \$4,725, submitted by Wilkomm Excavating and Grading, Inc. for the Shabbona Drive and Path Storm Sewer Project contract.

Trustee Spadoni/Trustee Kenny 2nd made a MOTION to approve the of the \$7,066 pay request and Change Order No. 1 calling for a net increase of \$4,725, submitted by Wilkomm Excavating and Grading, Inc. for the Shabbona Drive and Path Storm Sewer Project contract, as recommended and subject to approval by the CDA Board. The MOTION carried without negative vote.

Lakefront and Harbor – Trustee O’Connell

Portable Toilets Update

O’Connell stated that the Lakefront and Harbor Committee recommended that the Village again rent two portable toilets for placement in Pioneer Park, adjacent to the Village boat launch site. Hayden stated that there is \$1,200 in the budget for the rental of two portable toilets; however, there are bathrooms in Reid Park that are located between the launch ramp and the boat trailer parking lot. O’Connell stated that the Village could try to go with just one portable toilet in Pioneer Park this season and review the situation as the season progresses. O’Connell stated that the lakefront business owners and the launch ramp employees would like at least one of the portable toilets again placed in Pioneer Park. Spadoni stated that for a savings of \$600, the Village should just stick with two portable toilets. O’Connell stated that the boat launch employees indicated that one portable toilet would be adequate. Cindy Wilson suggested that the Village erect better signage at the launch site with a map to direct people to the nearby bathrooms in Reid Park.

Trustee O’Connell/Trustee Lewis 2nd made a MOTION to direct Village staff to rent one portable bathroom for placement in Pioneer Park during the boat launch season, and the MOTION carried without negative vote.

F/W WPCC – President Petersen

Pay Application No. 5 for Wastewater Treatment Facility Plant Improvement Project

Hayden stated that the Pay Application No. 5 for the Wastewater Treatment Facility Plant Improvement Project totals \$141,134 and approval is recommended.

President Petersen/Trustee Spadoni 2nd made a MOTION to approve Pay Application No. 5 totaling \$141,134 for the Wastewater Treatment Facility Plant Improvement Project, as recommended, and the MOTION carried without negative vote.

Finance Committee – Trustee Kenny

LWMMI Liability, Worker’s Compensation & Property Insurance Renewal Proposal

Hayden stated that the Finance Committee approved a motion at its last meeting to recommend Village Board approval of the League of Wisconsin Municipalities Mutual Insurance renewal proposal as submitted, with a 2 percent increase in the building construction values from 2009; with

the terrorism insurance rejected; and with a one-year term approved for the Provident accident and health supplemental insurance policy for the Fire Department and Rescue Squad members. Kenny stated that following the Finance Committee meeting, the Village's insurance agent Bill King indicated that the Provident policy can be approved at the same rate for a three-year term, and the Village can opt out of the policy after the first or second year if desired, with no financial penalty. Trustee Spadoni/Trustee Lewis 2nd made a MOTION to approve the League of Wisconsin Municipalities Mutual Insurance renewal proposal as submitted, with a 2 percent increase in the building construction values from 2009; with the terrorism insurance rejected; and with a three-year term approved for the Provident accident and health supplemental insurance policy for the Fire Department and Rescue Squad members. The MOTION carried without negative vote.

Abbey Letter of Credit Update

Hayden stated that the Abbey Resort will be securing a new Letter of Credit from Walworth State Bank to replace the one on file for the spa renovation loan.

RFP – 2011 Service Solicitation

Hayden stated that the Finance Committee has directed staff to prepare requests for proposals for all the Village service contracts. Hayden distributed a list of the RFPs that were sent out and received in 2007.

Adjournment

Trustee Spadoni/Trustee Kenny 2nd made a MOTION to adjourn the Village Board meeting at 7:14 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: 5/3/10