

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

MONTHLY MEETING of the VILLAGE BOARD OF TRUSTEES

Monday, May 7, 2007

President Pollitt called the monthly meeting of the Village Board to order at 6:02 pm in the Village Hall, 175 Valley View Drive, Fontana, Wisconsin.

Trustees present: Roll call vote: Youngquist, O'Connell, Spadoni, President Pollitt, Petersen

Trustee late: Turner arrived at 6:04 pm

Trustee absent: Bidwill

Also present: Lieutenant Brad Buchholz, Skip Bliss, Joe Capelli, Jim and Megan Feeney, Village Administrator Kelly Hayden-Staggs, Germaine Hehr, Judith Hehr, Robert Hehr, Robert Ireland, Library Director Nancy Krei, Art Larson, Village Clerk Dennis Martin, Maureen Mayrand, CDA Executive Director Joseph McHugh, Treasurer Peg Pollitt, David Rasmussen, Don Roberts, Michele Teale, Ed Thompson, Village Attorney Dale Thorpe, Dennis Warne, Director of Public Works Craig Workman

Visitors Heard

President Pollitt welcomed Trustee Youngquist and thanked him for volunteering his service to the Village. Youngquist thanked President Pollitt and stated that he will work hard to represent all of the people and he will try to help the Village Board to do something nice for the community. Youngquist stated that although he was described at the Organizational Meeting as being independent, he is very dependant on his wife and family, his religious beliefs and the entire community.

Announcements

Hayden-Staggs stated that the Park Commission will conduct walking tours of the Hildebrand Conservancy, Headwaters Park and Fontana Fen on Thursday, May 10, 2007, beginning at 5:30 pm, and of the Duck Pond Recreation Area on Thursday, May 17, 2007, beginning at 5:30 pm; the third Annual Chris Schwenn Memorial Golf Outing will be held at the Abbey Springs and Abbey Resort on Friday, May 18, 2007, with a 12:30 pm golf start; the annual Fontana Garden Club Plant Sale will be held at the Park House on Saturday, May 26, 2007, from 9:00 am to 4:00 pm and Sunday, May 27, 2007 from 9:00 am to noon; the next monthly meeting of the Plan Commission will be held Tuesday, May 29, 2007, beginning at 5:30 pm; Open Book will be held Saturday, June 16, 2007, from 10:00 am to noon and Monday, June 18, 2007, from 2:00 to 4:00 pm; and the Board of Review will be conducted on Friday, July 20, 2007, from 2:00 to 4:00 pm.

Approval of Minutes

O'Connell/Petersen 2nd made a MOTION to approve the minutes as presented for meeting held April 2, 2007, Open and Closed Sessions; April 9, 2007, Special Meeting; and April 30, 2007, Organizational Meeting, and the MOTION carried without negative vote.

Village Treasurer's Report

Petersen/O'Connell 2nd made a MOTION to accept the Treasurer's Report for March 2007 and to place it on file for the audit, and the MOTION carried without negative vote.

Approval of Village and Utility Payables

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

General Business/Administrator's Report – President Pollitt/Administrator Hayden-Staggs Published Original Alcohol Beverage License Application Filed by Lake Geneva Yacht Club, located at W4780 South Lakeshore Drive, ORIGINAL CLASS “B” BEER and CLASS “C” WINE license. Agent: John R. Schnupp, 205 Plafield Court, Walworth, WI

Hayden-Staggs stated that the Lake Geneva Yacht Club application for the beer and wine licenses was filed contingent to the pending approval of the annexation petition, which has been filed with the state, the Linn Township clerk and the Village of Fontana clerk. The Yacht Club has a Sportsmen License issued by the State for the sale and consumption of liquor. Hayden-Staggs stated that a license for the 2006-2007 licensing year will be needed if the annexation is approved and finalized by June 30, 2007. The Yacht Club also has filed a Renewal application for the 2007-2008 licensing year, which runs from July 1, 2007 to June 30, 2008. The Yacht Club has completed the application process and all of the required inspections were completed. The licenses will be issued for a prorated fee for the period from the date of the annexation approval until June 30, 2007.

Petersen/Spadoni 2nd made a MOTION to approve the issuance of a Class “B” Beer and Class “C” Wine license to the Lake Geneva Yacht Club, W4780 South Lakeshore Drive, contingent on the approval of the Petition for Direct Annexation filed by the Lake Geneva Yacht Club, and the MOTION carried without negative vote.

Lake Geneva Yacht Club Preannexation Agreement Extension

Hayden-Staggs stated that although the Petition for Direct Annexation has been filed by the Lake Geneva Yacht Club, the approval process will not be finalized by the initially set deadline in the Preannexation Agreement. The applicant requested that the deadline be extended to June 15, 2007. O’Connell/Spadoni 2nd made a MOTION to approve the extension of the Lake Geneva Yacht Club Preannexation Agreement deadline until June 15, 2007, and the MOTION carried without negative vote.

Appointment of Jennifer Pollitt, Beach Manager, Sam Fredrickson, Harbormaster, and Bill Morrison, Assistant Harbormaster

Hayden-Staggs stated that approval was needed for the summer lakefront management employees. Hayden-Staggs stated that the salaries approved are \$13,500 for the harbormaster and \$12 per hour for the assistant harbormaster. Hayden-Staggs stated that the salary for the beach manager position, which includes one shift working at the beach house, is proposed to be \$6,000; however, the salary has to be added as an amendment to the salary Resolution.

O’Connell/Spadoni 2nd made a MOTION to approve the appointment of Jennifer Pollitt as Beach Manager, and the MOTION carried without negative vote. President Pollitt abstained.

Petersen/O’Connell 2nd made a MOTION to approve the appointment of Sam Fredrickson as Harbormaster, and the MOTION carried without negative vote.

Youngquist/Petersen 2nd made a MOTION to approve the appointment of Bill Morrison as Assistant Harbormaster, and the MOTION carried without negative vote.

Approve Appointments: Library Board (Trustee position); Police and Fire Commission (Replace Youngquist); Health Officer (Dale Jacobsen); CDA Trustee Position

President Pollitt recommended the appointment of Trustee O’Connell to the Library Board.

President Pollitt/Turner 2nd made a MOTION to approve the appointment of Trustee O’Connell as the Village Board liaison on the Library Board, and the MOTION carried without negative vote.

President Pollitt recommended the appointment of Ken Ryndak to the Police and Fire Commission to replace Trustee Youngquist. Ryndak was a fire chief for a department in Illinois and previously served on the Protection Committee.

President Pollitt/Turner 2nd made a MOTION to approve the appointment of Ken Ryndak to the Police and Fire Commission, and the MOTION carried without negative vote.

President Pollitt stated that the annual appointment of a Health Officer is required and he recommended the reappointment of Dr. Dale Jacobsen.

President Pollitt/O’Connell 2nd made a MOTION to approve the appointment of Dale Jacobsen as Health Officer, and the MOTION carried without negative vote.

President Pollitt recommended the reappointment of Trustees Petersen and Turner to the CDA Board of Directors.

President Pollitt/Spadoni 2nd made a MOTION to approve the appointment of Trustees Petersen and Turner to the CDA Board of Directors, and the MOTION carried without negative vote.

Approve Amendment to AFSCME Contract Initially Approved March 19, 2007

Hayden-Staggs stated that the initially approved three-year contract with the AFSCME Union was amended following a misunderstanding on the terms for the lead pay bonus rate. Hayden-Staggs stated that the initial proposal was for a base rate of \$1.55 an hour for all three years, and the union employees thought the rate increased at the same percentage that the wage levels will increase in the second and third years of the contract. Hayden-Staggs stated that the Human Resource Committee negotiating team and union representatives reached a compromise at a rate of \$1.60 for all three years of the contract.

President Pollitt/Petersen 2nd made a MOTION to approve the amendment to the AFSCME contract initially approved March 19, 2007 as negotiated by the Human Resource Committee and ratified by the union, and the MOTION carried without negative vote.

Bank Resolutions Approving Signatory Changes

Hayden-Staggs stated that the Village Board has to approve resolutions to change the signatories for the Village accounts at First Banking Center and Walworth State Bank and to notify the State Investment Pool of the new signatories. President Pollitt, Treasurer Peg Pollitt and Clerk Dennis Martin are the signatories.

Petersen/O'Connell 2nd made a MOTION to approve resolutions changing the Village of Fontana signatories to President Ron Pollitt, Treasurer Peg Pollitt and Clerk Dennis Martin for the accounts at First Banking Center and Walworth State Bank and to notify the State Investment Pool of the new signatories, and the MOTION carried without negative vote.

Plan Commission – Trustee Spadoni

Condo Plat, Declarations, Bylaws Filed by Robert Hehr for Property at 636 S. Lakeshore Drive (Tabled 4/2/07)

Spadoni stated that the Plan Commission recommended approval of the condominium plat, declarations and bylaws filed by Robert Hehr for the property at 636 S. Lakeshore Drive. Thorpe presented the background on the proposal. Thorpe stated that if approved, the condominium plat will create two units out of the two existing residences located on the lot. Thorpe stated that the former building administrator improperly issued building permits for the construction of a caretaker's unit, which has been used as a year-round residence by Robert Hehr and his family since it was constructed. Robert Hehr's mother, Germaine Hehr, lives in the other residence on the lot. President Pollitt stated that since there were people in the audience who wished to make comments about the issue, he would open the floor for comments, with a five-minute maximum time period for each person. Skip Bliss stated that he owns the neighboring property, and for the past five years the second home constructed on the lot has been used as a fulltime single-family residence. Bliss stated that it was constructed to be a part-time caretaker's residence, and the Village has never issued a citation or enforced a penalty for the zoning violation. Bliss stated that it would be wrong for the Village Board to approve the proposal just to rectify the initial wrong decision that allowed the residence to be constructed. Attorney Joe Capelli stated that he is representing Bliss with regard to the issue. Capelli stated that if approved, the condominium plat proposal will create the possibility for Bob Hehr to sell his unit to a non-family member. Capelli stated that in his opinion, the proposal flies as nonconforming under the standards of the RS-1 zoning district and it should be denied. Attorney David Rasmussen, representing Robert Hehr, stated in response to concerns stated about the one-foot common strip of land on the lakefront that the existing status of the lakefront will not change. Rasmussen stated that the second residence constructed on the lot is not the only situation in the Village where there is a second home located on the back of a lakefront lot. Rasmussen stated that the condominium plat proposal is not a zoning issue and the home has been there for five years. Trustee Spadoni then made a motion to approve the Plan Commission recommendation to approve the Condominium Plat, Declarations and Bylaws filed by Robert Hehr for the property at 636 South Lakeshore Drive, and the motion was seconded by President Pollitt. President Pollitt then opened the floor for comments from the Trustees. Spadoni stated that the Plan Commission has had long discussions on the proposal, and it is in conformance with all of the setback and density standards of the zoning ordinance. Spadoni stated that the proposal is within the property owner's rights and

there is no legal basis to deny the proposal. Petersen stated that if the Village Board votes to approve the proposal, it would set a bad precedent. Petersen stated that the second home was constructed as a caretaker's unit, and it has never been used as a caretaker's unit. Petersen stated that two wrongs do not make a right. Turner stated that he would vote no on the proposal because he has not received enough information and the matter is a big decision for the Village Board. Turner asked Thorpe if a one-foot strip of land constitutes riparian rights, and Thorpe stated that he has not researched the issue. Turner stated that he owns a lakefront lot and he could add other parcels and create a condominium association with one-foot of common land along the lakefront. Turner asked if there is any limit to the number of units that can be included in a condominium association. Turner asked if the Clear Sky Lodge Planned Development has a condominium declaration, and Hayden-Staggs responded yes. Turner stated that he would like to compare the Clear Sky Lodge condominium declarations to Hehr's proposed declarations. Thorpe stated that the Hehr proposal is being made for a zoning district that has approved and published regulations, and if a property owner submits a proposal that follows the rules, it is approvable. Thorpe stated that if a proposal complies with the zoning regulations and it is denied, it will be tough to defend the decision in front of a judge. Thorpe stated that riparian rights that are shared in common areas are an allowable form of lakefront ownership. Youngquist stated that he read all of the background information on the proposal and he would vote yes on the motion. Youngquist stated that the proposal adheres to the zoning code and he believes in protecting the rights of property owners. Youngquist stated that he would like to see the lakefront zoning regulations changed to protect the lakefront from further subdivisions. Hayden-Staggs stated that the same discussion at last month's Village Board meeting led to the establishment of a temporary moratorium on the acceptance, review and approval of land divisions and subdivision applications and condominium plat applications for lakefront properties while the zoning ordinance is being amended. Hayden-Staggs stated that as pointed out at last month's meeting, the moratorium does not affect the Hehr application or the CUP application filed by Barton and Joan Love because they were filed prior to the establishment of the moratorium. O'Connell stated that she is opposed to the proposal because she was in the audience at the Plan Commission meeting four years ago when it was learned that the second home on the lot was constructed as a caretaker's unit. O'Connell stated that the Village should have ordered that the home be razed at that time. Turner stated that the Village attorney stated that he has not contemplated whether a one-foot strip of land can constitute riparian rights, and he would like to review the Clear Sky Lodge condominium association declarations, so he wanted to table the motion on the floor. Turner requested that the copies of the Clear Sky Lodge condominium declarations be distributed to the Village Board members for review and that Thorpe research whether a one-foot strip of common land can constitute riparian rights for a condominium association. Thorpe stated that according to the Village code, failure to take action on a submitted plat within 60 days of its filing would automatically cause the plat to be approved. Thorpe asked Attorney Rasmussen if his client would agree to another 60 day extension on the approval process. Rasmussen stated that his client does agree to another extension of 30 days on top of the extension granted at the April 2, 2007 Village Board meeting.

Turner/O'Connell 2nd made a MOTION to table the motion on the floor until the June 4, 2007 Village Board meeting, and the Roll Call vote followed:

Turner – Yes

O'Connell – Yes

Spadoni – Yes

President Pollitt – Abstain

Petersen – Yes

Youngquist – Yes

The MOTION carried on a 5-0 vote.

Ordinance Amendment to Section 18-27(f)(1), Fencing Ordinance

Hayden-Staggs stated that the proposed amendment makes the maximum height of fences in setback areas a consistent 4 feet throughout the code and it addresses other inconsistencies and coordinates fencing regulations in the Zoning Ordinance. There currently is a section that states the maximum height of fences in setback areas is 3.5 feet. The amendments also coordinate the regulations for temporary, snow and swimming pool fences.

Spadoni/O'Connell 2nd made a MOTION to approve Ordinance 05-07-07-02 as presented, and the MOTION carried without negative vote.

Ordinance Amendments to Chapter 18 to Correct Recodification Errors

Trustee Spadoni stated that the Plan Commission recommended approval of the ordinance amendment as presented. Thorpe stated that the Plan Commission was not considering an entire spreadsheet of recodification errors that he researched, just the 10 sections included in the proposed ordinance. Thorpe stated that the spreadsheet delineates the unauthorized changes that were made to the approved Municipal Code, and the proposed ordinance restores the initial language approved in 1998 to portions of 10 of those sections.

Spadoni/O'Connell 2nd made a MOTION to approve Ordinance 05-07-07-01 as presented, and the MOTION carried without negative vote.

Announce May 29, 2007 Public Hearings:

Hayden-Staggs stated that the Plan Commission has scheduled public hearings for its next monthly meeting for a Conditional Use Permit application filed by M. Bruce Wilkinson to remove in excess of 30 percent of existing protected trees on Lot 49 in the Country Club Estates Subdivision; for a Conditional Use Permit application filed by Thomas Freytag, 533 North Lakeshore Drive, to erect two entry pillars adjacent to the driveway; and for a Petition to Amend the Zoning Ordinance to adopt a temporary moratorium on the acceptance, review and approval of land divisions and subdivision applications and condominium plat applications for lakefront properties.

Protection Committee – President Pollitt

Police Officer Week Proclamation

President Pollitt stated that the Police Department submitted a proposed proclamation that designates May 15, 2007 as Peace Officers Memorial Day and the week in which May 15 falls as National Police Week. Martin read the proclamation into the record.

President Pollitt/O'Connell 2nd made a MOTION to approve the Police Officer Week Proclamation as presented, and the MOTION carried without negative vote.

Operator's License Applications filed by Brittany M. Baker (The Abbey Resort and Abbey Springs); Veronica B. Iossifova, John Peter Rich and Brittany A. Iungerich (Rollette Oil); Cortney P. Shiroda (Gordy's); Megan K. Repp, Jennifer A. Marquardt and Samantha J. Kick (Park Place); and Holly A. Paulsboe and Donna M. Volbrecht (Country Club Estates)

President Pollitt stated that completed background checks were completed on all of the applications and approval was recommended. Spadoni stated that he had a question with regard to the application filed by Samantha J. Kick, so the Board deferred action on the application until its next meeting.

O'Connell/Spadoni 2nd made a MOTION to approve the Operator's License applications filed by Brittany M. Baker, an employee at the Abbey Resort and Abbey Springs; Veronica B. Iossifova, John Peter Rich and Brittany A. Iungerich, employees at Rollette Oil; Cortney P. Shiroda, an employee at Gordy's; Megan K. Repp and Jennifer A. Marquardt, employees at Park Place; and Holly A. Paulsboe and Donna M. Volbrecht, employees at Country Club Estates. The MOTION carried without negative vote.

Approve Hiring of Ryan Halsted, CSO, and Dennis Warne, part time/LTE Police Officer

President Pollitt stated that the Police and Fire Commission recommended approval of the hiring of Ryan Halsted as the community service officer and Dennis Warne as a part-time officer. Hayden-Staggs stated that the agenda item was incorrect with regard to the approval of Warne for the LTE Police Officer position; the Police and Fire Commission has only acted on the recommendation to hire Warne for a part-time position at this time. Lt. Buchholz introduced Warne to the Village Board members and presented Warne with his official badge.

President Pollitt/Spadoni 2nd made a MOTION to approve the hiring of Ryan Halsted for the Community Service Officer position, and the MOTION carried without negative vote.

O'Connell/Turner 2nd made a MOTION to approve the hiring of Dennis Warne as a part-time Village of Fontana Police Officer, and the MOTION carried without negative vote.

CDA – Trustee Turner

Reid Park – Little Foot Park Swingset Addition

Turner stated that the Park Commission and CDA recommended moving forward with the plan to

replace the swingset in Little Foot Park. Prairie Tree Landscaping Inc., Elkhorn, submitted a bid of \$14,200 to supply and install the swingset. The project includes excavation work, installation of a gravel base and fabric, and restoration of the disturbed lawn areas.

Turner/Petersen 2nd made a MOTION to approve the \$14,200 bid from Prairie Tree Landscaping Inc., for installation of a swingset in Little Foot Park, and the MOTION carried without negative vote.

Work Change Directive: State Highway 67 Street Tree Substitution/Change Order for Trees

Turner stated that the CDA Board recommended approval of a change order for the trees to be planted along Highway 67. Only three of the nine 4-inch caliper Katsura trees called for in the contract were available, but the contractor, Prairie Tree Landscaping, Inc., was able to secure six additional 3-inch caliper Katsura trees. The estimated decrease in the total contract price is \$1,140 because of the change order.

Turner/Petersen 2nd made a MOTION to approve the work change directive for the State Highway 67 street tree substitution and change order as submitted, and the MOTION carried without negative vote.

Professional Engineering Services for Kinzie Avenue Water Main Relay and Street Reconstruction (Tabled 4/2/07)

Turner stated that he would like all the Trustees to take a tour of Kinzie Avenue from Highway 67 to the parking lot at the Fontana Community Church. Turner stated that the road is in bad shape and in need of reconstruction.

Turner/Spadoni 2nd made a MOTION to table the item until the June 4, 2007 Village Board meeting, and the MOTION carried without negative vote.

Porter Court Plaza Bidding & Construction Schedule

Turner stated that the approved schedule calls for construction to commence on the Porter Court Plaza in September 2007. Bid specifications will be finalized in the near future and the contract will sent out for bids. Turner stated that a mound of dirt currently sitting at the site will be used for the required surcharging of the area to accommodate the landscaping plan.

Referendum Recommendation

Turner stated that the CDA Board approved a motion at its last meeting to recommend that the Village Board schedule a referendum for Tuesday, September 11, 2007, and that the question to be placed on the ballot should be with regard to earning approval for the installation of a wrought iron fence along the Village of Fontana beach and the Country Club Estates beach. Turner stated that if approved, the fence project will be put out for bids in fall, the fence will be built during winter and it will be installed next spring.

Turner/Youngquist 2nd made a MOTION to schedule a referendum for Tuesday, September 11, 2007, to seek approval for the purchase and installation of a wrought iron fence along the Village of Fontana beach and Country Club Estate beach, and the MOTION carried without negative vote.

Park Commission – Trustee Bidwill

Authorize Village Attorney to Proceed with 501(c)(3) Application Process

President Pollitt stated that since Bidwill was absent, he would present the Park Commission proposal. President Pollitt stated that he attended the Park Commission meeting where the recommendation was made to direct the Village attorney to complete the application process for the Village to receive 501(c)(3) designation. Thorpe offered to donate his time for completing the applications; however, the village will have to pay application fees. President Pollitt stated that the 501(c)(3) designation will help the Village when it solicits charitable donations for projects such as the Mill House Pavilion.

President Pollitt/Turner 2nd made a MOTION to authorize Village Attorney Thorpe to proceed with the 501(c)(3) application process, and the MOTION carried without negative vote.

Public Works – Trustee Petersen

Strand Engineering Contract Amendment for Main Lift Station and Reid Park Bathrooms

Workman stated that a negotiating meeting was held with representatives from Strand Associates

regarding a proposed contract amendment for additional design work and inspections and construction delays. Workman stated that the site of the lift station building had to be shifted because a utility line was not accounted for in the initial plans. Strand Associates was seeking an increase of \$105,500 in the contract for its engineering services for the project from \$68,900 to \$174,400. Workman stated the recommendation of the Public Works Committee is to approve an increase totaling \$51,402 for the additional design and inspection services. Workman stated that the total project cost including the proposed increase for the engineering contract is \$2.8 million. Youngquist stated that he is opposed to approving a contract increase after a project has been completed. President Pollitt stated that since the proposal is with regard to a financial matter, a Roll Call vote should be taken on the motion.

Petersen/Spadoni 2nd made a MOTION to approve an amendment calling for a total increase of \$51,402 for the engineering services contract with Strand Associates, and the Roll Call vote followed:

O'Connell – Yes

Spadoni – Yes

President Pollitt – Yes

Petersen – Yes

Youngquist – No

Turner – Yes

The MOTION carried on a 5-1 vote.

Roadside Mower Purchase Approval

Workman stated that the Public Works Committee recommended the purchase of a used 2001 John Deere tractor with a side-mounted flail mower. Workman stated that the cost of a new tractor would be \$61,500; however, a used tractor and mower can be purchased for about \$32,000. President Pollitt stated that there is \$40,000 in this year's budget for the purchase.

Petersen/Turner 2nd made a MOTION to approve the purchase of a 2001 John Deere tractor from Mid-State Equipment, Janesville, for an amount not to exceed \$32,000, and the Roll Call vote followed:

Spadoni – Yes

President Pollitt – Yes

Petersen – Yes

Youngquist – Yes

Turner – Yes

O'Connell – Yes

The MOTION carried on a 6-0 vote.

Lower Gardens Project Update

Workman stated that extensive work has been completed on the project to modify and upgrade the sanitary sewer line in the Lower Gardens subdivision. Workman stated that the project is completed; however, there are a few private residential lateral lines in the area that need to be inspected. Petersen stated that the project helped to reduce the clear water infiltration in the area, which helps reduce the amount of water that is piped to the wastewater treatment facility.

Highway 67 Landscaping Project Update

Workman stated that the Highway 67 landscaping and irrigation system project is nearly complete. The irrigation system has been installed and is operating and the landscaping project should be completed by next Friday. Workman stated that some flower beds and trees still have to be planted. Workman stated that the contractor decided to plant sod in the large median south of Fontana Boulevard, and the area looks very nice. Workman stated that there is a problem with portions of the brick crosswalks. Some of the bricks have sunk into the sand base, which has created potholes. Workman stated that the project engineer contacted the brick manufacturer and an asphalt base was recommended to correct the sinking problem. Turner stated that the CDA recommended completing the project as soon as possible for about \$30,000, and to direct the Village attorney to write a letter to the engineering firm seeking compensation for the extra project expenses. Following discussion, the Village Board was in consensus that the Village engineer should be contacted for his opinion on whether a sand base should have been used for the bricks and if a asphalt base will rectify the sinking problem.

Turner/Spadoni 2nd made a MOTION to approve the installation of asphalt bases under the brick crosswalks for an amount not to exceed \$30,000, to direct Attorney Thorpe to write a letter to the project engineers seeking payment of the additional project expense, and to confirm with the Village engineer that a sand base should not have been used for the bricks and that a asphalt base will rectify the sinking problem. The MOTION carried without negative vote.

Fontana Boulevard Watermain Project Update

Workman stated that all of the new watermain has been installed under the beach areas and the Abbey channel. Workman stated that there still is restoration work left to complete because of surface disturbance that were necessary to pull the new watermain through the underground trenches. Workman stated that the restoration work should be completed by next week. In response to a question from Spadoni, Workman stated that the plan is to plant grass seed in the dirt areas behind the beach and to fence off the area for about six weeks. Spadoni stated that sod should be planted in the area so the grass will be in good shape for people using the beach.

Reid Park Pavilion and Park Restoration Update

Workman stated that Prairie Tree Landscaping planted the trees and shrubs and some of the annuals called for in the landscaping plan. Workman stated that grass seed will be planted in the park and the area fenced off, with no public access until mid-June. Earlier in the meeting, Youngquist stated that he was concerned that many of the crab trees planted in the park have completely obscured the open space that used to be used for people playing football or catch with as baseball or Frisbee. Spadoni stated that he agrees with Youngquist and the park is becoming a forest versus an open area that provided recreational opportunities. Spadoni stated that the number of trees planted in the park will be disruptive, in the same manner that the all of the trees that were planted in front of the beach have blocked the view of the lake. Youngquist stated that a lot of local residents participate in an annual "Turkey Bowl" flag football game in Reid Park, and if the trees are not relocated, it will be impossible to play in the area. Youngquist suggested that the trees be pulled back closer to the new restroom and pavilion building. Youngquist stated that the trees would not be wasted by relocating them and the open space could be preserved. Turner stated that the Park Commission was charged with planning the landscaping for the park and new buildings and he suggested that if the Village Board wanted to make amendments to the plan, the proposal should be referred back to the Park Commission. Youngquist stated that if the trees are dug up immediately, that can be put on ice and replanted in other locations. Spadoni then made a motion to direct the Village staff to have the trees dug up, put on ice and planted in other locations, and to have the Park Commission amend the landscaping plan to preserve the open space, and the motion was seconded by Youngquist.

O'Connell asked how many trees were planted in the open area, and Youngquist responded that there were about eight small crab trees planted in front of the new building. O'Connell stated that she was opposed to ordering the trees to be dug up without referring the proposal to the Park Commission. Turner suggested that the motion be amended to refer the recommendation that the trees be relocated to the Park Commission for consideration. Spadoni stated that there is not enough time for the Park Commission to act on the recommendation and to relocate the trees before they begin germinating and their health could be put in jeopardy. Petersen stated the he was going to vote no on the motion on the floor because the Park Commission put a lot of work and consideration into the landscaping plan. Petersen stated that the trees already are planted and to order them to be dug up now is a bad idea. Workman stated that there are 12 crab trees planted in front of the new restroom and pavilion building, and they could be dug up and replanted the next day while the contractor is still working on the project. Hayden-Staggs suggested that the motion be amended to state that the trees should be dug up with the assistance of Park Commission members such as Laurie Larson and Sharon O'Brien, since Park Commission Chairman Rick Treptow was out of town. Spadoni stated that he did not want to amend the motion on the floor.

Spadoni/Youngquist 2nd made a MOTION to direct Village staff to have the trees removed and put on ice until they are replanted, and to refer the tree planting plan to the Park Commission to relocate the trees in a manner that preserves the open space, and the Roll Call vote followed:

President Pollitt – No

Petersen – No

Youngquist – Yes

Turner – Yes

O'Connell – No

Spadoni – Yes

The MOTION failed to earn approval on a 3-3 vote.

Turner/O'Connell 2nd made a MOTION to direct Trustee Youngquist to meet as soon as possible with representatives of the Park Commission to determine if less intrusive sites can be located for the 12 crab trees planted in front of the new restroom and pavilion building in Reid Park, and the MOTION carried without negative vote.

Finance Committee – President Pollitt

Approve Additional Coverage for Extra Expenses on Property Insurance Policy

President Pollitt stated that the Finance Committee recommended approval of a proposal to increase the Village's umbrella coverage limit from \$100,000 to \$500,000 on its property insurance policy for an additional premium of \$432. President Pollitt stated that all 18 of the Village locations that are listed on the policy would be covered by the umbrella clause.

President Pollitt/Petersen 2nd made a MOTION to approve the increase of the property insurance premium by \$432 to provide the Village with \$500,000 umbrella for extra expenses coverage on all 18 of its locations, and the MOTION carried without negative vote.

Accurate Appraisal Contract Amendment

President Pollitt stated that the contract amendment for the assessment services provided by Accurate Appraisal has to be referred back to the Finance Committee for further review.

President Pollitt/O'Connell 2nd made a MOTION to table the item until the June 4, 2007 Village Board meeting, and the MOTION carried without negative vote.

Utility Budget (Tabled 4/2/07)

President Pollitt stated that the Utility Budget is not ready for consideration.

President Pollitt/O'Connell 2nd made a MOTION to table the item until the June 4, 2007 Village Board meeting, and the MOTION carried without negative vote.

F/W WPCC – Trustee Petersen

Update

Petersen stated that there is nothing new to report and operations are running smoothly at the wastewater treatment facility.

Lakefront and Harbor – Trustee O'Connell

Update

O'Connell stated that the Lakefront and Harbor Committee will make an effort to have the seaweed and debris cleaned up at the lakefront. The seaweed and debris is accumulating on the Fontana lakefront because of the recent prevalence of westerly winds.

GLLEA – President Pollitt

Approval of 2007 Boat Patrol Officers

President Pollitt stated that the Geneva Lake Law Enforcement Agency Board of Directors recommended approval of the hiring of six new boat patrol officers and the rehiring of 10 officers. The officers also were approved by the Police and Fire Commission. President Pollitt stated that Oaths will be administered to the officers by the Village Clerk on May 19, 2007, and the hiring period will run until October 31, 2007.

President Pollitt/Spadoni 2nd made a MOTION to approve the hiring of Damon D. Burger, Brian P. Clarke, Lloyd S. Cole, Ernest H. Geballe, John R. Gutschenritter, Thomas A. Hausner, Lisa M. Kocovsky, Thomas E. Radtke, Craig A. Rasmussen, Jonathan Robinson, Daniel B. Rossmann, Robert D. Rowland, Jeremy V. Ruby, Cody J. Schwartz, Michael W. Stern and Adam T. Warsh as 2007 Geneva Lake Law Enforcement Agency Boat Patrol Officers, and the MOTION carried without negative vote.

Pending Items for Future Agendas

1. Big Foot Recreation Annual Update

2. Abbey Springs PIP Amendment for Boat Storage Plan (Tabled 2/5/07 & 3/5/07)
3. Adult Oriented Business Licensing Procedure (Tabled 3/5/07)
4. Change Order to the Fontana Boulevard Water Main Relay Project – Surcharging

Adjournment

O’Connell/Spadoni 2nd made a MOTION to adjourn at 8:17 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: 06/04/07