

**VILLAGE OF FONTANA ON GENEVA LAKE
WALWORTH COUNTY, WISCONSIN**

(Official Minutes)

SPECIAL JOINT SESSION MEETING of the VILLAGE BOARD OF TRUSTEES, FINANCE
COMMITTEE & PUBLIC WORKS COMMITTEE

Thursday, May 21, 2009

Village Clerk Dennis Martin called the special 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: O'Connell, Spadoni, Turner, McGreevy, Kenny, Lewis

Trustee absent: President Petersen

Finance Committee members present: Trustee Kenny, Jim Feeney, Arlene Patek, Drew Gilchrist, Lou Loenneke

Finance Committee member absent: Rick McCue

Public Works Committee members present: Trustee McGreevy, Mark Kennedy, Jan Whitler

Public Works Committee members absent: Bruce Adreani, Ken Pariser, Marvin Solars, Bob Stewart

Also present: Jonathan Cameron, Joe Eberle, Village Administrator Kelly Hayden, Jim Mann, Village Clerk Dennis Martin, Terry Tavera, Village Attorney Dale Thorpe, Public Works Director Craig Workman

Elect President Pro Tem

Trustee O'Connell/Trustee Spadoni 2nd made a MOTION to elect Bill Turner the president pro tem for the meeting, and the MOTION carried without negative vote.

Joint Session Business

Action to Authorize Submission of a Municipal Application Request for a State Trust Fund Loan for Purposes of Financing TID No. 1 Improvements, Street Improvements, and Utility Improvements in the Amount of \$3,000,000 – Jim Mann, Ehlers & Associates

Turner stated that the CDA Board approved a motion at its last meeting to authorize Ehlers and Associates to apply for Build America Bonds through the State Trust Fund for the borrowing to fund the 2009 TID projects. Hayden stated that the Village can apply for up to a maximum of \$5 million in Build America Bonds to fund the TID projects, the Village capital improvement and utility projects and General Fund borrowing. Mann stated that with the utility projects added and the reimbursement to the Fontana/Walworth Water Pollution Control Commission, the total proposed borrowing is \$3,534,545, and the interest rate would total 3.5 percent taking into consideration the rebates through the Build America Bonds program. Mann stated that with all the interest and administrative fees over the 20-year borrowing period, the village will end up paying 3.575 percent on the borrowing. Mann stated that if the Village were to pursue the borrowing by selling bonds in the traditional method, the Village would be paying about 4.4 to 4.5 percent interest. Mann stated that the plan will save the Village about \$300,000 by acquiring the Build America Bonds instead of selling bonds in the traditional method.

Finance Committee member Feeney/Trustee Kenny 2nd made a MOTION for the Finance Committee to recommend approval of authorizing Ehlers and Associates to apply for a State Trust Fund Loan for the purposes of financing TID No. 1 improvements, street improvements, utility improvements and the reimbursement to the Fontana/Walworth Water Pollution Control Commission in the amount of \$3,534,545, and the MOTION carried without negative vote.

Trustee Spadoni/Trustee McGreevy 2nd made a MOTION to authorize Ehlers and Associates to apply for a State Trust Fund Loan for the purposes of financing TID No. 1 improvements, street improvements, utility improvements and the reimbursement to the Fontana/Walworth Water Pollution Control Commission in the amount of \$3,534,545, and the MOTION carried without

negative vote.

Storm Water Utility District Third Avenue Centralized Pay Station Parking Meter Proposal Presentation – Ruckert-Mielke

Terry Tavera, Joe Eberle and Jonathan Cameron of Ruckert-Mielke presented a PowerPoint program on the creation of a storm water utility district. The report is the culmination of eight months of meetings by the storm water advisory subcommittee that was established to facilitate the planning process. Following the presentation, the committee members and Village Board members were asked if they wish to continue with the formation of the district. In response to a question from Turner, Cameron stated to implement the entire work plan, the district would have to borrow \$4.4 million. The proposal is for the district to be created on a Village-wide basis, with bills to be issued to all property owners like the current Village water and sewer bills. The main areas to be addressed in the initial storm water management plan for the district are located in the Indian Hills and Country Club Estates subdivisions and in two areas off North Lakeshore Drive. The projects include 12,000 feet of new storm sewer, 1,500 feet of ditching, 8,000 feet of curb and gutter, five storm water detention ponds, a bioretention facility/rain garden, and land acquisition and easements. Turner asked if any of the committee or Village Board members had any major concerns with regard to the proposal. Spadoni stated that he is concerned that all of the property owners will see a new tax if the district is created. Spadoni stated that the proposed projects can be completed by budgeting for them in the General Fund, which is funded by property taxes. Spadoni stated that he has a problem with using total surface area of a parcel to determine the new storm water utility tax, and it will adversely affect the Abbey Resort and St. Benedict Church properties. Thorpe stated that there will still be an opportunity to determine how to assess the individual parcels in the new district. Thorpe stated that the decision that had to be considered at the meeting is whether or not to move forward with the planning, and the debate on how to best recoup the bonds could be determined at a later date. Turner stated that all of the Village officials agree that something has to be done to address the storm water problems in the Village, and the options on how to repay the bonds can be considered at a future meeting. Eberle stated that the work completed to date by Ruckert-Mielke was authorized eight months ago, and the next steps would be moving into the implementation phase of the contract. Cameron stated that the method of calculating bills that was recommended by the subcommittee members is using Equivalent Runoff Units (ERU). The Village would calculate a total of 2,896 ERUs and they will be divided between all of the Village parcels based on the total impervious surface area of each parcel. In response to a question from Spadoni, Cameron stated that the average charge per household would be about \$200 on their quarterly bills. The charge estimate does not include administrative expenses, which would be calculated after a four-year budget is drafted and approved. Spadoni stated that he would like to see more scenarios for funding the district besides the ERU method recommended by the committee. In response to a question, Workman stated that there are \$300,000 worth of projects scheduled for commencement this year that the Finance Committee recommended to have included in the budget for the new storm water utility district. Turner stated that the committees and Village Board had two issues to consider at the meeting: if the Village should move forward with the remaining engineering work required to address the six or seven “hot spots” in the Village; and how to pay for the project borrowing. Turner stated that if the Village approves the creation of a storm water utility district, the borrowing should be funded with the ERU based rates. Hayden stated that staff can provide more information on scenarios to fund the storm water projects; however, the establishment of a storm water utility district will allow the Village to meet state mandated levy limits for the annual property tax levy. Trustee Turner/Trustee O’Connell 2nd made a MOTION to direct Ruckert-Mielke and Village staff to finish the required engineering to create a storm water utility district, to prepare an analysis of the economic impact of the new utility district for the 25 largest ERU properties in the Village, and to provide information on different funding methods for Village Board review. The MOTION carried without negative vote.

Third Avenue Centralized Pay Station Parking Meter Proposal – Presentation

Representatives from Digital Payment Technologies brought a demonstration model of a “LUKE” pay station that could replace the individual parking meters. The model can be set for motorists to pay by space number or to be issued a receipt to be displayed on the parked vehicle. One machine can handle up to 99,000 parking spaces, and multiple units can be integrated into one system. The

machines also can be used to issue boat launch tickets that could be printed for display. The pay stations are digitally operated and their Windows based computer software can be accessed online. Officers can monitor all the parking meters from laptop computers. The LUKE models cost approximately \$13,000 each. Following discussion on whether the Village would need three or four pay stations, Feeney suggested that the Village should start with two for a trial period. Hayden stated that while the Village pursues the installation of some sort of pay station system, a decision had to be made with regard to the parking meters that used to be installed on Third Avenue. Following the completion of the Third Avenue Project, the Village Board, CDA and Lakefront and Harbor Committee members directed Village staff to not reinstall the parking meters and to pursue the installation of a centralized pay station system. Hayden suggested that the Village Board could consider having signage erected along Third Avenue that states nonresident parking is limited to two hours with the exception of automobiles with "P" parking stickers until the centralized pay stations are installed. O'Connell stated that the parking meters could be erected in the dirt areas behind the new pavement. Workman stated that the Third Avenue Project included extensive landscaping and fencing that would make erecting the parking meters behind the pavement very difficult. Workman stated that the Village could pursue the lease of a pay station for this season. Turner stated that if the Village does not have the funds to purchase the pay stations in this year's budget, a lease should be pursued for two of the pay stations for \$5,000. Hayden stated that the budget is very tight this year and there is not \$5,000 available. Following a discussion on amending the budget, staff was directed to investigate the leasing of pay stations this year and amending the budget to come up with \$5,000 to pay for the lease, and to contact the City of Lake Geneva to determine if the Village of Fontana could add two more pay stations to the City of Lake Geneva's pay station project in order to secure a bargain price.

Trustee Spadoni/Trustee Kenny 2nd made a MOTION to authorize Village staff to erect "2-hour parking" signage for non-resident parking along Third Avenue, and the MOTION carried without negative vote.

FW/WPCC Wastewater Treatment Facility Capacity Purchase from Kikkoman

The Village was notified by the Fontana/Walworth Water Pollution Control Commission that the capacity reimbursement for Kikkoman Foods had to be paid within 90 days. The Village of Fontana's portion of the required refund to Kikkoman is \$554,902.

Trustee Spadoni/Trustee O'Connell 2nd made a MOTION to approve the payment of \$554,902 to the Fontana/Walworth Water Pollution Control Commission for the Kikkoman Foods capacity reimbursement, and the MOTION carried without negative vote.

Proposal to Close Tarrant Drive Cul-de-sac for Block Party May 24, 2009 from 4:30 to 10:00 pm

There were no concerns noted by staff.

Trustee Spadoni/Trustee O'Connell 2nd made a MOTION to approve the proposal to close the Tarrant Drive cul-de-sac for a block party on May 24, 2009, from 4:30 to 10:00 pm, and the MOTION carried without negative vote.

Shabbona Path Proposal to Clear Brush

Workman stated that while the CDA continues with the planning process regarding the potential development of a permanent path and a storm water runoff pipe system, the neighbors would like the path cleared because pedestrians are walking on their property. Workman stated that it would cost about \$1,000 to clear the path. Following discussion on liability issues, the Village Board decided to table the proposal.

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

Abbey Resort CVB Agreement

Hayden stated that she and Thorpe reviewed the amended agreement and approval is recommended.

Trustee Spadoni/Trustee Kenny 2nd made a MOTION to approve the Abbey Resort Convention and Visitors Bureau agreement as presented, and the MOTION carried without negative vote.

LTE Proposal

Chief Olson stated that the Protection Committee recommended approval of designating part-time Fontana Police Officers Ryan Halstead and Dennis Warren eligible for LTE positions. Chief Olson stated that Halstead or Warren could switch positions with LTE Police Officer Cathy Tietz if necessary.

Trustee Spadoni/Trustee Kenny 2nd made a MOTION to approve the Protection Committee recommendation to designate part-time Police Officers Ryan Halstead and Dennis Warren eligible for LTE positions, and the MOTION carried without negative vote.

Music in the Park

Hayden stated that Mark and Gretch Hladish withdrew their proposal for the Music in the Park summer concert series, and the concerts will be scheduled by staff within the \$1,500 budget.

Adjournment

Trustee Spadoni/Trustee Turner 2nd made a MOTION to adjourn the meeting at 6:39 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, Finance Committee and Public Works Committee, the official minutes will be kept on file at the Village Hall.

APPROVED: 06/01/09 – VB; 6/04/09 – Finance