

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

MONTHLY MEETING of the VILLAGE BOARD OF TRUSTEES

**Monday, June 1, 2009**

President Petersen called the monthly meeting of the Village Board to order at 5:32 pm in the Village Hall, 175 Valley View Drive, Fontana, Wisconsin.

**Trustees present:** Roll call vote: McGreevy, Kenny, Turner, O'Connell, Spadoni, President Petersen  
**Trustee absent:** Lewis

**Also present:** David Audino, Amber Benson, Greg Blizard, Ray Fitzgerald, Village Administrator/Treasurer Kelly Hayden, Rob Ireland, Bill King, Kevin Kirkland, Lou Loenneke, Village Clerk Dennis Martin, Assistant Zoning Administrator Bridget McCarthy, Joseph McHugh, Police Chief Steve Olson, Fire Chief Wolf Nitsch, Sharon O'Brien, Michael Sheyker, Dennis Tweedale, Carol and Jamie Whowell, Cindy Wilson, Public Works Director Craig Workman

**Visitors Heard**

**League of Wisconsin Municipalities Mutual Insurance Program Official's Liability DVD Presentation – LWMMI CEO Dennis Tweedale and Bill King**

League of Wisconsin Municipalities Mutual Insurance Program CEO Dennis Tweedale and R&R Insurance Account Representative Bill King presented a DVD on public official's liability and answered questions.

**Motorcycle Noise Concern – Kinzie Avenue Property Owner Anthony Miceli**

Mr. Miceli requested to be placed on the agenda, but did not attend the meeting.

**Announcements**

1. Storm Water Subcommittee Workshop Meeting – **Wednesday, June 3, 2009, 9:00 am**
2. CDA Monthly Meeting – **Wednesday, June 3, 2009, 6:00 pm**
3. Village Comprehensive Master Plan Public Event at St. Benedict Church – **Saturday, June 6, 2009, 9:00 to 11:00 am**
4. VOF Assessor Village Hall Office Hours – **Friday, June 12, 2009, 10:00 am to 2:00 pm**
5. Protection Committee Meeting – **Monday, June 15, 2009, 5:00 pm**
6. Library Board Meeting – **Wednesday, June 17, 2009, 10:00 am**
7. Plan Commission Staff Meeting – **Wednesday, June 17, 2009, 1:00 pm**
8. Park Commission Meeting – **Wednesday, June 17, 2009, 6:00 pm**
9. Evening Book Club at the Fontana Library – **Thursday, June 18, 2009, 6:00 pm**
10. VOF Quarterly Newsletter Article Deadline – **Friday, June 19, 2009**
11. Lakefront and Harbor Committee Meeting – **Wednesday, June 24, 2009, 4:30 pm**
12. Plan Commission Monthly Meeting – **Monday, June 29, 2009, 5:30 pm**
13. Summer Story Wagon Program at the Fontana Village Hall – **Tuesday, June 30, 2009, 9:00 am**

**Approval of Minutes**

Spadoni/O'Connell 2<sup>nd</sup> made a MOTION to approve the minutes for the meetings held May 4, 2009 and May 21, 2009 as presented, and the MOTION carried without negative vote.

**Village Treasurer's Report**

Hayden stated that the Treasurer's Report is not ready with the monthly meeting date being so early in the month and the necessity to reconcile the monthly bank statements.

**Approval of Village and Utility Payables**

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

## **Lake Use Committee**

### **Update on Meeting – Lou Loenneke**

Loenneke stated that the Lake Use Committee discussed a proposal by the Geneva Lake Water Safety Patrol to sell red warning flags to boaters at the municipal launch sites. Boaters would be able to display the red warning flags when pulling people who are water skiing or tubing. Loenneke stated that the committee also would like the Village to send a letter to the Geneva Lake Law Enforcement Agency to have the boat patrol increase its enforcement efforts of the slow/no-wake zones on the lake. The Lakefront and Harbor Committee already sent a letter to the GLEA a few months ago, and a response has been received by the Village. Petersen stated that the request for the Water Safety Patrol to sell red flags at the municipal launch site will be forwarded to the Lakefront and Harbor Committee for a recommendation.

## **Park Commission – Trustee Lewis**

### **Hildebrand Nature Conservancy Compliance Monitoring Report**

Park Commission and Plan Commission member Sharon O'Brien led a group of Fontana Elementary School students in a clean-up project at the conservancy on May 22, 2009, and all of the areas cited in the monitoring report have been addressed. The junk and debris collected by the students was hauled away by the Village DPW crew.

## **Plan Commission – Trustee Spadoni**

### **Announce June 29, 2009 Public Hearing for Proposed Amendments to Tree Ordinance**

Spadoni stated that the public hearing has been scheduled for the proposed amendments to the Tree Ordinance. McCarthy will send out the final revisions to the proposed amendments prior to the June 11, 2009 public hearing notice publication date.

### **Recommendation to Approve Ordinance Amending Section 18-311 (c)**

Spadoni stated that following the May 26, 2009 public hearing, the Plan Commission recommended approval of the proposed amendment as presented.

Spadoni/O'Connell 2<sup>nd</sup> made a MOTION to approved Ordinance 06-01-09-01 as presented, and the MOTION carried without negative vote.

### **Recommendation to Approve Ordinance Amending Section 18-79 (e)(1)**

Spadoni stated that following the May 26, 2009 public hearing, the Plan Commission recommended approval of the proposed amendment as presented.

O'Connell/McGreevy 2<sup>nd</sup> made a MOTION to approved Ordinance 06-01-09-02 as presented, and the MOTION carried without negative vote.

### **Recommendation to Approve Conditional Use Permit Application Filed by James Whowell to Add Boat Service to the Existing Business at W6175 Willow Bend Road, Walworth, WI in the A-4 ETZ Zoning District**

Spadoni stated that following a May 26, 2009 public hearing, the Plan Commission and Joint ETZ Committee recommended approval of the proposed amendment as presented, with three conditions.

Kenny/McGreevy 2<sup>nd</sup> made a MOTION to approve the Conditional Use Permit application as recommended, with the conditions that all previous approval conditions shall remain in effect; boat service shall take place within Building No. 4A only; and all outstanding cost recovery fees billed to date applicable to this project shall be paid within 15 days. The MOTION carried without negative vote.

### **Certified Survey Map Filed by Myron and Geraldine Audino & Subdivision Variance Requests – Tabled 11/3/08, 12/1/08, 1/5/09, 2/2/09 & 3/2/09**

Spadoni stated that Village Attorney Dale Thorpe indicated he reviewed the easement and maintenance agreement documents submitted by David Audino and Par Development that were part of the required conditions for approval of the proposed CSM. Hayden stated that final approval of the CSM was held up until the documents were drafted, reviewed and signed by the applicant and Par Development. There is a pedestrian path that crosses both properties that will be open to the public, but maintained by Par Development and Audino.

McGreevy/Kenny 2<sup>nd</sup> made a MOTION to approve the Certified Survey Map and subdivision

variances to Sections 17-7(3) and 17-7(6)(f) with the conditions that the CSM be modified with regard to the driveway access/easement to include an extended area where Dade Road ends, but does not meet up to the depicted easement area; that the incorrectly labeled Wild Duck Road is corrected to read Dade Road; that note number 6 under General Notes on the proposed CSM with regard to site and native vegetation preservation and maintenance is further expanded and clarified in a separate recordable document; that the verbiage and suggestions related to the conservation areas and the pedestrian path made by Village Attorney Thorpe in a correspondence dated October 21, 2008 be incorporated; that all covenants and other recordable documents are submitted to the village for review; and that the CSM will not be released until all recordable documents have been accurately recorded and received by the village. The MOTION carried without negative vote.

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

**Works of Mercy “Duathlon” Event Proposal – Saturday, September 19, 2009 – Tabled 5/4/09**

Hayden stated that she checked with Par Development and there are no concerns with the proposed route of the Duathlon Event that encompasses the pedestrian path that crosses the Cliffs of Fontana subdivision.

Spadoni/Kenny 2<sup>nd</sup> made a MOTION to approve the proposal as presented, and the MOTION carried without negative vote.

**Approve Appointments to Finance Committee & Protection Committee**

President Petersen stated that he is nominating Michael Sheyker to fill the open position on the Finance Committee.

Spadoni/McGreevy 2<sup>nd</sup> made a MOTION to approve the appointment of Michael Sheyker to the Finance Committee, and the MOTION carried without negative vote.

President Petersen stated that he is nominating Greg Blizard to fill the open position on the Protection Committee.

Spadoni/McGreevy 2<sup>nd</sup> made a MOTION to approve the appointment of Greg Blizard to the Protection Committee, and the MOTION carried without negative vote.

**Resolution Adopting A Natural Hazards Mitigation Plan**

The Walworth County Board adopted a countywide natural hazards mitigation plan on April 21, 2009. The proposed plan culminated an 18-month process initiated on behalf of the municipalities in the county. The county requested that the individual municipalities adopt the plan in the form of the proposed resolution.

Spadoni/Kenny 2<sup>nd</sup> made a MOTION to approve Resolution 060109-01 as presented, and the MOTION carried without negative vote.

**Claim Filed by Susan Jacobsen – Midwest Claims Recommendation to Deny**

Midwest Claims recommended denial of the claim.

Spadoni/McGreevy 2<sup>nd</sup> made a MOTION to deny the claim filed by Susan Jacobsen as recommended, and the MOTION carried without negative vote.

**Approval of GLLEA Boat Patrol Officers**

The Protection Committee recommended approval of the 2009 Geneva Lake Law Enforcement Agency Boat Patrol Officers as submitted.

Spadoni/McGreevy 2<sup>nd</sup> made a MOTION to approve 2009 GLLEA Boat Patrol Officers Jacob Buer, Damon Burger, Brian Clarke, Lloyd “Steve” Cole, Katherine Daniels, Kyle Dilley, Thomas Hausner, Peter Idzikowski, Timothy Mackesey, Terry Martorano, Richard Moncher, Michael Mugnani, Craig Rasmussen, Jon Robinson, Robert Rowland, Michael Stern and Julie Walters. The MOTION carried without negative vote.

**Shabbona Path Proposal to Clear Brush – Tabled 5/21/09**

Hayden stated that the CDA is still considering the development options for the path, which include addressing the storm water runoff problem in the area. Hayden stated that there is a request to allocate \$1,000 to have the path cleared of brush as soon as possible; however, there are liability issues with “opening” the path. Turner stated that the engineering designs were considered by the

CDA last month, but the \$120,000 to \$160,000 cost estimate seemed to much money to spend on the path. Turner stated that following the meeting, the Foth engineer suggested working with Boy Scouts on the development of the path as Eagle Badge projects. Turner stated that with the engineered plans, the path could be developed by the Boy Scouts. Turner stated that the Village could purchase the supplies and take advantage of free labor from the Boy Scouts. Turner stated that in the meantime, the Village can't open the path without first addressing the storm water management plan. The matter is scheduled to be discussed at the June 3, 2009 CDA meeting. Workman stated that it will cost about \$80,000 to handle the storm water runoff problem in the area. In response to concerns stated by Ray Fitzgerald that pedestrians are walking across his property because the "path" is overgrown, Turner stated that the Protection Committee and Public Works Committee should look at erecting a temporary fence. Spadoni/Turner 2<sup>nd</sup> made a MOTION to keep the path closed until the storm water management project is completed, and the MOTION carried without negative vote.

#### **Parking Meter Pay Station System – Update**

Hayden stated that she talked to City of Lake Geneva Administrator Dennis Jordan and he indicated that the City of Lake Geneva is investigating the purchase of a parking meter pay station system for one of its municipal lots. Hayden stated that if the Village of Fontana and the City of Lake Geneva combine their purchase, there may be some cost savings available. Hayden stated that other pay station system vendors also have been contacted. Turner stated that the CDA may be able to fund the new system if the final cost of the Third Avenue Project comes in under budget. Turner stated that the CDA also could consider providing the initial funding the project and having the Village reimburse the CDA.

#### **Protection Committee – President Petersen**

##### **Approval of Published Liquor License Applications for 2008-2009**

Martin stated that the required background checks and premises inspections were completed and the applicants all have active Wisconsin Seller's Permits that are in good standing.

***Abbey Provident Hotel Manager, LLC, d/b/a The Abbey Resort, located at 269 Fontana Blvd., RENEWAL "CLASS B" BEER and "CLASS B" LIQUOR license. Agent: Timothy G. Somerville, 528 Jefferson Street, Lake Geneva, WI.***

There were no issues following the completion of the required inspections and the premises serving area is the same as previous years.

Spadoni/McGreevy 2<sup>nd</sup> made a MOTION to approve the Renewal application filed by Abbey Provident Hotel Manager, LLC, d/b/a The Abbey Resort, located at 269 Fontana Blvd., "CLASS B" BEER and "CLASS B" LIQUOR license, and the Agent: Timothy G. Somerville, 528 Jefferson Street, Lake Geneva, WI, with the condition that the license not be issued until the application process has been completed and all fees paid. The MOTION carried without negative vote.

***Abbey Springs, Inc., located at 1 Country Club Drive, RENEWAL "CLASS B" BEER and "CLASS B" LIQUOR license. Agent: Nancy Dlabal, 439 Frost Drive, Williams Bay, WI.***

There were no issues following the completion of the required inspections and the premises serving area is the same as previous years.

Spadoni/McGreevy 2<sup>nd</sup> made a MOTION to approve the Renewal application filed by Abbey Springs, Inc., located at 1 Country Club Drive, "CLASS B" BEER and "CLASS B" LIQUOR license, and the Agent: Nancy Dlabal, 439 Frost Drive, Williams Bay, WI, with the condition that the license not be issued until the application process has been completed and all fees paid. The MOTION carried without negative vote.

***Big Foot Country Club, Inc., located at 770 Shabbona Drive, RENEWAL "CLASS B" BEER and "CLASS B" LIQUOR license. Agent: Philip E. Lane, 547 Pheasant Ridge Lane, Fontana, WI.***

There were no issues following the completion of the required inspections and the premises serving area is the same as previous years.

Spadoni/Kenny 2<sup>nd</sup> made a MOTION to approve the Renewal application filed by Big Foot Country Club, Inc., located at 770 Shabbona Drive, "CLASS B" BEER and "CLASS B" LIQUOR license, and the Agent: Philip Lane, 547 Pheasant Ridge Lane, Fontana, WI, with the condition that the

license not be issued until the application process has been completed and all fees paid. The MOTION carried without negative vote.

***Chucks Lakeshore Inn, Inc., P.O. Box 170, located at 352 Lake Street, RENEWAL “CLASS B” BEER and “CLASS B” LIQUOR license. Agent: Carol J. Whowell, W6267 Willow Bend Road, Walworth, WI.***

There were no issues following the completion of the required inspections and the premises serving area is the same as previous years.

Spadoni/Kenny 2<sup>nd</sup> made a MOTION to approve the Renewal application filed by Chucks Lakeshore Inn, Inc., P.O. Box 170, for the premises located at 352 Lake Street, “CLASS B” BEER and “CLASS B” LIQUOR license, and the Agent: Carol J. Whowell, W6267 Willow Bend Road, Walworth, WI, with the condition that the license not be issued until the application process has been completed and all fees paid. The MOTION carried without negative vote.

***Country Club Estates Golf Association, located at 365 Pottawatomi Drive, RENEWAL CLASS “B” BEER and CLASS “C” WINE license. Agent: Scott Berg, 1093 Sauganash Drive, Fontana, WI.***

The only issue noted during the required inspections was corrected immediately, and the premises serving area is the same as previous years.

Spadoni/O’Connell 2<sup>nd</sup> made a MOTION to approve the Renewal application filed by the Country Club Estates Golf Association, located at 365 Pottawatomi Drive, CLASS “B” BEER and CLASS “C” WINE license, and the Agent: Scott Berg, 1093 Sauganash Drive, Fontana, WI, with the condition that the license not be issued until the application process has been completed and all fees paid. The MOTION carried without negative vote.

***Fontana Corner Market, Inc., 1414 Geneva National Avenue N., Lake Geneva, WI 53147, d/b/a Fontana Corner Market, located at 286 Valley View Drive, Fontana, WI, 53125, RENEWAL CLASS “A” BEER and “CLASS A” LIQUOR license. Agent: Kathleen M. Ketterhagen, 1414 Geneva National Avenue N., Lake Geneva, WI.***

There were no issues following the completion of the required inspections and the premises serving area is the same as previously approved.

Spadoni/McGreevy 2<sup>nd</sup> made a MOTION to approve the Renewal application filed by Fontana Corner Market, Inc., 1414 Geneva National Avenue N., Lake Geneva, WI 53147, doing business as Fontana Corner Market, located at 286 Valley View Drive, Fontana, WI, 53125, CLASS “A” BEER and “CLASS A” LIQUOR license, and the Agent: Kathleen M. Ketterhagen, 1414 Geneva National Avenue N., Lake Geneva, WI, with the condition that the license not be issued until the application process has been completed and all fees paid. The MOTION carried without negative vote.

***GBC Hospitality, Inc., DBA: Georgie B’s Restaurant, for the premises located at 441 Mill Street, Suite 102, RENEWAL CLASS “B” BEER and “CLASS C” WINE license. Agent: Pamela B. Carper, 1040 Tolman Street, Lake Geneva, WI.***

There were no issues following the completion of the required inspections and the premises serving area is the entire building at 441 Mill Street. Martin stated that although GBC Hospitality applied for an Original Class B liquor license and the application was published, the Village has issued all of the available Class B liquor licenses under the state mandated quota at this time, so there is no Class B liquor license available.

Spadoni/Kenny 2<sup>nd</sup> made a MOTION to approve the Renewal application filed by GBC Hospitality, Inc., doing business as Georgie B’s Restaurant, for the premises located at 441 Mill Street, CLASS “B” BEER and “CLASS C” WINE license, and the Agent: Pamela B. Carper, 1040 Tolman Street, Lake Geneva, WI, with the condition that the license not be issued until the application process has been completed and all fees paid. The MOTION carried without negative vote.

***Gordy’s Boat House, Inc., located at 336 Lake Street, RENEWAL “CLASS B” BEER and “CLASS B” LIQUOR license. Agent: Trallee Whowell Chupich, N1844 Six Corners Road, Walworth, WI.***

There were no issues following the completion of the required inspections and the premises serving area is the same as previous years.

Spadoni/McGreevy 2<sup>nd</sup> made a MOTION to approve the Renewal application filed by Gordy’s Boat

House, Inc., located at 336 Lake Street, “CLASS B” BEER and “CLASS B” LIQUOR license, and the Agent: Trallee Whowell Chupich, N1844 Six Corners Road, Walworth, WI, with the condition that the license not be issued until the application process has been completed and all fees paid. The MOTION carried without negative vote.

***Lake Geneva Yacht Club, located at W4780 South Lakeshore Drive, RENEWAL CLASS “B” BEER and CLASS “C” WINE license, Agent: Robert Timm, 7258 Oak Lane, Lake Geneva, WI.***

There were no issues following the completion of the required inspections and the premises serving area is the same as previous years.

Spadoni/McGreevy 2<sup>nd</sup> made a MOTION to approve the Renewal application filed by the Lake Geneva Yacht Club, located at W4780 South Lakeshore Drive, CLASS “B” BEER and CLASS “C” WINE license, and the Agent: Robert Timm, 7258 Oak Lane, Lake Geneva, WI, with the condition that the license not be issued until the application process has been completed and all fees paid. The MOTION carried without negative vote.

***Novaks’ of Fontana, LLC for the premises located at 158 Fontana Boulevard, d/b/a Novaks’, RENEWAL “CLASS B” BEER and “CLASS B” LIQUOR license. Agent: Peter Novak, 731 Arrowhead Drive, Fontana WI.***

There were no issues following the completion of the required inspections and the premises serving area is the same as previously approved, including the outdoor patio area.

Spadoni/Kenny 2<sup>nd</sup> made a MOTION to approve the Renewal application filed by Novaks’ of Fontana, LLC for the premises located at 158 Fontana Boulevard, d/b/a Novaks’, “CLASS B” BEER and “CLASS B” LIQUOR license, and the Agent: Peter Novak, 731 Arrowhead Drive, Fontana WI, with the condition that the license not be issued until the application process has been completed and all fees paid. The MOTION carried without negative vote.

***Richard C. Rosenow, DBA: Park Place, LLC, for the premises located at 268 Reid Street, RENEWAL “CLASS B” BEER and “CLASS B” LIQUOR license. Agent: Richard Rosenow, W1865 Huntington Drive, Lake Geneva, WI.***

Martin stated that the premises description on the application includes the upper level and an outdoor patio that was previously denied because the required remodeling has not been completed, and Village of Fontana Building and Zoning Department permitting conditions have not been met. Chief Olson’s inspection report states that the expired liquor license was posted, but corrected immediately. Olson stated that three video gambling machines were found on premises during the inspection, and monies/receipts were seized and the machines removed. Olson stated that the investigation is continuing and citations were issued.

Spadoni/McGreevy 2<sup>nd</sup> made a MOTION to approve the Renewal application filed by Richard C. Rosenow, DBA: Park Place, LLC, for the premises located at 268 Reid Street, “CLASS B” BEER and “CLASS B” LIQUOR license, and the Agent: Richard Rosenow, W1865 Huntington Drive, Lake Geneva, WI, with the condition that the premises serving area is only the lower level. The MOTION carried without negative vote. President Petersen abstained.

### **Approval of Operator’s Licenses for 2009-2010**

President Petersen stated that he would entertain a motion to approve the Renewal and New applications filed for Operator’s Permits for the licensing period from July 1, 2009 through June 30, 2010 for all of the applications that were recommended for approval following background checks completed by the Fontana Police Department. Olson stated that the one application that had to be amended to address concerns noted during the background check had been amended by the applicant. Martin stated that background checks were not yet completed for the applications filed by Daniel Lipinski, Jr. (Big Foot Country Club), Martha Swanson (Fontana Corner Market), and Linden Houghtby (Novak’s). If there are concerns noted in the background checks, the applications will be directed to the Protection Committee for a recommendation.

Spadoni/Turner 2<sup>nd</sup> made a MOTION to approve the Operator’s License applications filed by **Abbey Marina employees** Edwin L. Snyder, IV and Kathryn L. Snyder; **Abbey Resort employees** Eric W. Jacobs, Colleen A. Sullivan, Gregory L. Bonhotal, Emile D. Bouchez, Rita A. Bouras, James A. Gill, Christine A. Gollwitzer, Kristine J. Granahan, Irena Kazaniwskyj, Stephanie E. Kinas, Jason

A. Kurth, Rebecca S. Meade, Shawn K. McGuire, Nichole P. Paladino, Maria G. Rios, Catrina A. Sackett, Jenna R. Schultz, Marilyn C. Shepherd and Stephanie M. Thomson; **Abbey Springs employees** Becky J. Brunner, Daniel J. Dlabal, Sarah E. Hawkinson, Michael P. Koehnke, Adrian Mora, Erika R. Palcic, Ashley M. Pieters, John R. Shoger, Cindy K. Tabor-Rogers, David J. Vreeke, Jacey Wuhrman and John A. O’Laughlin; **Big Foot Country Club employees** Walter L. Erhard, Stephen W. Fairchild, Lonny Gellerman, Pamela J. Keeler, Lyle M. Kula, Kim A. Luettgen, Jacob J. McHugh, Eric A. Stauffacher and Rodney A. Wright; **Chuck’s Lakeshore Inn employees** Jack Brown, Michael T. Brown, Gregg C. Christenson, Vickie S. DeGryse, Keith C. Edwards, John C. Friestad, Julie Friestad, Jamie J. Hanson, Roy A. Hanson, Julie K. Ieronimo, Thomas S. Judd, Darin J. Lottig, Jacob J. McHugh, Rebecca R. Millar and Kim E. Minette; **Country Club Estates Golf Course employees** Joanne K. Johnson, Maria L. Kebbekus, Gail Nelson, Linda A. Fortino, Sandra L. Howe and Cristav A. Kittelson; **Fontana Corner Market employees** Mari Lyn E. Arriola, Elizabeth A. Benavides, Nicole R. Carroll, Mary Chamberlain, Angela S. Halsted, Connie M. Patten, Timothy J. Voskuil and Kristen M. Welsh; **Georgie B’s Restaurant employee** Chad B. Carper; **Gordy’s Boat House employees** Chelsey Peterson, Alan A. Swartz, Ross P. Wiemer, Kelly L. Faytle, Philip R. Porter, Kimberly A. Ries, Greg T. Spende, Steele G. Whowell, Thomas G. Whowell and Tigrr T. Workman; **Lake Geneva Yacht Club employees** Jaime M. Fischer and Todd A. Stark; **Novak’s employee** Deborah A. Sawtelle; and **Park Place employees** Daniel H. Collamore and Julie L. Collamore; and the Temporary license applications submitted by Big Foot Lions Club members Anders W. Pearce and Kevin M. Racky, with the conditions that the application process is completed and all fees are paid. The MOTION carried without negative vote.  
Spadoni/Turner 2<sup>nd</sup> made a MOTION to approve the Operator’s License applications filed by Big Foot Country Club employee Daniel D. Lipinski, Jr., Fontana Corner Market employee Martha E. Swanson, and Novak’s employee Linden L. Houghtby with the conditions that there are no concerns noted in the background checks, the application process is completed and all fees are paid. The MOTION carried without negative vote.

#### **Approval of Walworth County Gymnastics Glow Stick Sales at Fourth of July Fireworks**

The gymnastics club members sell the glow sticks as a fund-raising event.

Spadoni/McGreevy 2<sup>nd</sup> made a MOTION to approve the application as submitted, and the MOTION carried without negative vote.

#### **Approval of Temporary Liquor License for Big Foot Lions Club July 25, 2009 Event**

The temporary liquor license is for selling beer and wine at the annual Big Foot Lions Club Lobster Boil & Steak Fry.

McGreevy/Spadoni 2<sup>nd</sup> made a MOTION to approve the Temporary Liquor License application submitted by the Big Foot Lions Club for the July 25, 2009 event, and the MOTION carried without negative vote.

#### **Public Works – Trustee McGreevy**

##### **Timber Trail Drive and Indian Hills Road Reconstruction Project Pay Request No. 6**

Workman stated that the pay request has been reviewed and approval is recommended.

Spadoni/Kenny 2<sup>nd</sup> made a MOTION to approve the \$46,103 pay order submitted by Reesman’s Excavating & Grading, Inc. for the Timber Trail and Indian Hills Road Contract as recommended, and the MOTION carried without negative vote.

#### **Construction Updates**

Workman stated that the all of the construction projects are mostly complete. There are two utility poles still erected on Third Avenue for Charter Communications that will be taken down later in the month when fiber optic work is completed. One pole on Third Avenue by the Post Office building will be remaining until the residence is razed. Turner stated that all of the projects look great and the Department of Public Works did an excellent job getting the Village ready for the Memorial Day weekend. Workman stated that some of the trees and shrubs that were planted in recent years that have now died will be replaced later in the month.

#### **Ordinance Prohibiting Use of Village Yard Waste Disposal Site by Non-Residents or Commercial Contractors**

The ordinance was amended from last month to address concerns about permits no longer being

available for non-residents or commercial contractors.

Spadoni/McGreevy 2<sup>nd</sup> made a MOTION to approve Ordinance 06-01-09-03 as presented, and the MOTION carried without negative vote.

### **Compost, Mulch & Wood Chips Fee Schedule Amendments – Resolution Approving Fees & Charges**

Workman stated that the fee schedule was amended to include separate fees for wood chips and for compost, with a resident and non-resident delivery rate. The entire fee schedule was included with the proposed resolution.

Spadoni/McGreevy 2<sup>nd</sup> made a MOTION to approve Resolution 06-01-09-02 as presented, and the MOTION carried without negative vote.

### **Announce Storm Water Subcommittee Workshop Meeting – Wednesday, June 3, 2009 at 9:00 am**

The workshop meeting was scheduled to consider all the funding options available for the Storm Water Utility District.

### **CDA – Trustee Turner**

#### **Third Avenue Reconstruction Change Order 3 & Recommendation for Payment No. 9**

Turner stated that the change order calling for a net increase to the contract of \$7,008 is for powder coating the new fence, which was recommended by the CDA Board. Approval was recommended by the Village engineer.

Turner/Spadoni 2<sup>nd</sup> made a MOTION to approve Change Order No. 3 for the Third Avenue Project as recommended, contingent on approval by the CDA Board, and the MOTION carried without negative vote.

Turner stated that the \$253,627 pay order submitted by Mann Brothers, Inc. for the Third Avenue Project Contract was reviewed by the Village engineer and approval is recommended.

Spadoni/McGreevy 2<sup>nd</sup> made a MOTION to approve the \$253,627 Pay Order No. 9 submitted by Mann Brothers, Inc. for the Third Avenue Project Contract as recommended, contingent on approval by the CDA Board, and the MOTION carried without negative vote.

#### **Porter Court Plaza Recommendation for Payment No. 9**

Turner stated that the \$13,927 pay order submitted by Mann Brothers, Inc. for the Porter Court Plaza Contract was reviewed by the Village engineer and approval is recommended.

Spadoni/McGreevy 2<sup>nd</sup> made a MOTION to approve the \$13,927 Pay Order No. 9 submitted by Mann Brothers, Inc. for the Porter Court Plaza Contract as recommended, contingent on approval by the CDA Board, and the MOTION carried without negative vote.

#### **Kinzie Avenue Recommendation for Payment No. 6**

Turner stated that the \$4,491 pay order submitted by Odling Construction for the Kinzie Avenue Contract was reviewed by the Village engineer and approval is recommended.

Turner/Kenny 2<sup>nd</sup> made a MOTION to approve the \$4,491 Pay Order No. 6 submitted by Odling Construction for the Kinzie Avenue Contract as recommended, contingent on approval by the CDA Board, and the MOTION carried without negative vote.

### **Lakefront and Harbor – Trustee O’Connell**

#### **Bid Submitted by Austin Pier Service for Abbey Channel Project**

O’Connell stated that the Lakefront and Harbor Committee reviewed the proposal and there were no concerns noted. Austin Pier Service, Inc. submitted a proposal to replace 103 feet of treated wall edging on both sides of the Abbey Harbor for \$2,400. The proposal states the Abbey Harbor is going to supply the 3-by-11-foot treated lumber and Austin Pier is going to perform the labor and provide the fasteners for the replacement project. Hayden stated that there are funds remaining in the spring repairs account that can be allocated for the project.

Spadoni/McGreevy 2<sup>nd</sup> made a MOTION to approve the \$2,400 proposal as submitted by Austin Pier Service, Inc., and the MOTION carried without negative vote.

### **Finance Committee – Trustee Kenny**



**Update – Department Budget Review June 4, 2009 at 5:00 pm**

Kenny stated that the monthly meeting was rescheduled to June 4, 2009, and first quarter budget reviews will be on the agenda.

**F/W WPCC – President Petersen**

**Two Resolutions for FW/WPCC Plant Improvement Project CWFP Financial Assistance Application**

The two resolutions are necessary to authorize the Village’s portion of the wastewater treatment facility plant improvement project and to designate a representative to file applications for financial assistance from the State for the Wisconsin Environmental Improvement Fund.

Spadoni/McGreevy 2<sup>nd</sup> made a MOTION to approve Resolution 06-01-09-03 as presented, and the MOTION carried without negative vote.

Spadoni/McGreevy 2<sup>nd</sup> made a MOTION to approve Resolution 06-01-09-04 as presented, and the MOTION carried without negative vote.

**Strand Engineering Agreement Amendment – Proposed Increased**

The Fontana/Walworth Water Pollution Control Commission Board of Directors recommended approval of the proposed amendment to the contract with Strand, which would add \$159,000 to the initial contract. The original engineering design contract was for \$198,000. With the proposed changes and new items being made to the plant improvement project, as a result of the flow and load revisions from Kikkoman and the Village of Fontana, the cost of Strand’s amended engineering design fee will increase to \$357,000.

President Petersen/Spadoni 2<sup>nd</sup> made a MOTION to approve the Strand Engineering contract amendment as recommended, and the MOTION carried without negative vote.

**Clean Water Fund Loan Application Approval**

Hayden stated that she is still working on the application with the representative from Strand, but she would like authorization to submit the application once it is completed.

Spadoni/McGreevy 2<sup>nd</sup> made a MOTION to authorize the submission of the Clean Water Fund Loan Application, and the MOTION carried without negative vote.

**Joint Services Ad Hoc Committee – Administrator Hayden-Staggs**

**Legal Fee Approval for Drafting Preliminary Agreement for Consolidated Fire and Rescue Services – Tabled 4/6/09 & 5/4/09**

Hayden stated that no legal fee information has been submitted and the committee has not met in about one month. A meeting is being scheduled for later in June.

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

**Adjournment**

Spadoni/Turner 2<sup>nd</sup> made a MOTION to adjourn the Village Board meeting at 7:11 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: 7/6/2009