

VILLAGE OF FONTANA ON GENEVA LAKE
WALWORTH COUNTY, WISCONSIN
(Official Minutes)
MONTHLY MEETING of the VILLAGE BOARD OF TRUSTEES
Monday, June 1, 2015

Village President Patrick Kenny called the monthly meeting of the Village Board to order at 6:00 pm in the Village Hall, 175 Valley View Drive, Fontana, Wisconsin.

Trustees Present: Roll call vote: Tom Whowell, Rick Pappas, Dave Prudden, George Spadoni, Arvid Petersen, Pat Kenny, Tom McGreevy (arrived at 6:01 pm)

Also Present: Greg Blizard, Jade Bolack, Merilee Holst, Jon Kemmett, Clerk Theresa Linneman, Administrator Dennis Martin, DPW Manager Brett McCollum, Fire and Rescue Dept. Chief Wolfgang Nitsch, Police Chief Steve Olson, Scott Peterson, Ed Snyder, Dale Thorpe, Treasurer Scott Vilona

Visitors Heard

Spadoni received an email request from Abbey Villas Association property owner Al Davis who requested to have the street addresses for the parcels in the Abbey Villas subdivision changed from Fontana Boulevard to Abbey Ridge Court. The Village staff has worked with the association several times during the last several years on the official street addresses for the buildings, which are located on private driveways and not dedicated public streets. Davis wrote there was recently an emergency situation, and due to confusion over the street name and address, the first responder was unable to find the residence. Spadoni recommended the request be deferred to Public Works for follow-up. Village Attorney Thorpe recognized it is a very important safety issue but noted there are many layers of changing street names and/or addresses including the County GIS System, Postmaster, Property Lister, etc. Martin stated that village staff will again work with the association to provide the street addresses and to come up with a plan for signage for the driveways to help visitors locate the individual units. There are no concerns with the Walworth County 911 System or emergency services providers as long as the property owners and/or their guests use the official street addresses, which are all Fontana Boulevard because that is the closest adjacent street to the buildings.

Announcements

None

Approval of Village Board Minutes

The minutes for the May 4, 2015 meeting were distributed.

Trustee Spadoni/Trustee Prudden 2nd made a MOTION to approve the minutes for the meeting held May 4, 2015 as presented, and the MOTION carried without negative vote.

Village Treasurer's Report, Vendor Report, & Payroll Overtime Report

The May 2015 Treasurer's, Vendor and Payroll Overtime reports were distributed.

Trustee Spadoni/Trustee McGreevy 2nd made a motion to approve the Vendor Report and Payroll Overtime Report as distributed and to place them on file for the audit, and the MOTION carried without negative vote.

Approval of Village and Utility Payables

A \$2,016 invoice from Collins Engineers, Inc. for the South Lakeshore Drive bridge replacement design services was added after the meeting packets were sent on Friday.

Trustee Spadoni/Trustee McGreevy 2nd made a MOTION to approve the Village and Utility payable list as distributed, with the addition of \$2,016 Collins Engineers, Inc., invoice, and the MOTION carried without negative vote.

General Business

Approval of Published Liquor License Applications for 2015-2016

Abbey Harbor Yacht Club, Inc., located at 271 Fontana Boulevard, RENEWAL CLASS "B" BEER

license. Agent: Edwin L. Snyder, IV, 124 Prairie Drive, Walworth, WI.

There were no concerns with the required background checks and inspections, the service premises is the same as last year, and the DOR website indicates the Seller's Permit is active and in good standing. Trustee Spadoni/Trustee McGreevy 2nd made a MOTION to approve the renewal of Class "B" Beer Liquor License for Abbey Harbor Yacht Club, Inc., and its agent, Edwin L. Snyder, IV, 124 Prairie Drive, Walworth, WI. The MOTION carried without negative vote. As an officer of the Abbey Harbor Condominium Association, Trustee Prudden abstained.

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 concerns with the required background checks and inspections, the serving premises is the same as last year, and the DOR website indicates the Seller's Permit is active and in good standing. Trustee Spadoni/Trustee McGreevy 2nd made a MOTION to approve the renewal of the Class "B" Beer and "Class B" Liquor License for Abbey Provident Hotel Manager, LLC, and its agent, Timothy G. Somerville, 528 Jefferson Street, Lake Geneva, WI, as filed. 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 was a minor concern with the required inspections which will be addressed prior to the issuance of the licenses and no concerns with the background checks. The serving premises is the same as last year and the Wisconsin DOR website indicates the Seller's Permit is active and in good standing. Trustee Spadoni/Trustee McGreevy 2nd made a MOTION to approve the renewal of the Class "B" Beer and "Class B" Liquor License with the condition the police inspection concerns are rectified for Abbey Springs, Inc. and its agent, Nancy Dlabal, 439 Forest Drive, Williams Bay, WI, as filed. 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: Alan L. Johnston, 340 Frost Drive, Williams Bay, WI.

There were no concerns with the required background checks and inspections, the serving premises is the same as last year, and the DOR website indicates the Seller's Permit is active and in good standing. Trustee Spadoni/Trustee McGreevy 2nd made a MOTION to approve the renewal of the Class "B" Beer and "Class B" Liquor License for Big Foot Country Club, and its agent, Alan L. Johnson, 340 Frost Drive, Williams Bay, WI, as filed. 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. Howell, W6267 Willow Bend Road, Walworth, WI.

There was a minor concern with the required inspections which will be addressed prior to the issuance of the licenses and there were no concerns with the background checks. The serving premises is the same as last year and the Wisconsin DOR website indicates the Seller's Permit is active and in good standing. Trustee Spadoni/Trustee McGreevy 2nd made a MOTION to approve the renewal of the Class "B" Beer and "Class B" Liquor License with the condition the police inspection concerns are rectified for Chucks Lakeshore Inn, Inc., and its agent Carol J. Howell, W6267 Willow Bend Road, Walworth, WI as filed. The MOTION carried without negative vote.

Country Club Estates Golf Association, located at 365 Pottawatomie Drive, RENEWAL CLASS "B" BEER and "CLASS C" WINE license. Agent: Wesley G. Toton, W3282 Willow Road, Lake Geneva, WI.

There was a minor concern with the required inspections which will be addressed prior to the issuance of the license and there were no concerns with the background checks. The serving premises is the same as last year and the Wisconsin DOR website indicates the Seller's Permit is active and in good standing. Trustee Spadoni/Trustee Prudden 2nd made a MOTION to approve the renewal of the Class "B" Beer and Class "C" Wine License for Country Club Estates Golf Association, and its agent, Wesley G. Toton, W3282 Willow Road, Lake Geneva, WI as filed. The MOTION carried without negative vote. As an officer on the Country Club Estates Association Board of Directors, Trustee McGreevy abstained.

Fontana Shell, Inc., W3323 Lake Forest Lane, Lake Geneva, WI 53147, d/b/a Fontana Mart, Inc., located at 286 Valley View Drive, Fontana, WI, 53125, RENEWAL CLASS “A” BEER and CLASS “A” LIQUOR license. Agent: Deepak Gill, W3323 Lake Forest Lane, Lake Geneva, WI.

There was a minor concern with the required inspections which will be addressed prior to the issuance of the license and there were no concerns with the background checks. The serving premises is the same as last year and the Wisconsin DOR website indicates the Seller’s Permit is active and in good standing.

Trustee Spadoni/Trustee McGreevy 2nd made a MOTION to approve the renewal of the Class “A” Beer and “Class A” Liquor License for Fontana Shell, Inc., doing business as Fontana Mart, Inc., and its agent, Deepak Gill, W3323 Lake Forest Lane, Lake Geneva, WI, as filed, with the condition all noted concerns are addressed. The MOTION carried without negative vote.

Gordy’s Boat House, Inc., located at 320, 336 & 342 Lake Street, RENEWAL CLASS “B” BEER and “CLASS B” LIQUOR license. Agent: Trallee Whowell Chupich, N1844 Six Corners Road, Walworth, WI.

Minor issues were found during the required inspections and will be addressed prior to the issuance of the licenses and there were no concerns with the required background checks. The serving premises was approved at last month’s Village Board meeting and has been expanded to include the small grass area and pier on the lake side, and an expansion of the outdoor seating area on the restaurant side. The Wisconsin DOR website indicates the Seller’s Permit is active and in good standing.

Trustee Spadoni/Trustee McGreevy 2nd made a MOTION to approve the renewal of the Class “B” Beer and “Class B” Liquor for Gordy’s Boat House, Inc., and its agent, Trallee Whowell Chupich, N1844 Six Corners Road, Walworth, WI, as filed, with the condition all noted concerns are addressed, and the MOTION carried without negative vote. Trustee Whowell abstained.

Gordy’s Boat House, Inc., d/b/a Gordy’s Bait Shop, located at 341 Lake Street, RENEWAL CLASS “B” BEER and “CLASS C” WINE license. Agent: Trallee Whowell Chupich, N1844 Six Corners Road, Walworth, WI.

Due to construction, no inspections were completed and issuance of the liquor licenses will be subject to passing the required inspections. There were no concerns with background checks and the Wisconsin DOR website indicates the Seller’s Permit is active and in good standing.

Trustee Spadoni/Trustee McGreevy 2nd made a MOTION to approve the renewal of the Class “B” Beer and “Class C” Wine for Gordy’s Boat House, Inc., doing business as Gordy’s Bait Shop, and its agent, Trallee Whowell Chupich, N1844 Six Corners Road, Walworth, WI, as filed, with the condition all inspections are passed and any noted concerns are addressed. The MOTION carried without negative vote. Trustee Whowell abstained.

Lake Geneva Yacht Club, located at 1250 South Lakeshore Drive, RENEWAL CLASS “B” BEER license, Agent: Michael P. Moore, 128 N. Walworth Street, Williams Bay, WI.

Due to ongoing construction of a new clubhouse, no inspections were completed and issuance of the liquor license will be subject to passing the required inspections. There were no concerns with background checks and the Wisconsin DOR website indicates the Seller’s Permit is active and in good standing.

Trustee Spadoni/Trustee McGreevy 2nd made a MOTION to approve the renewal of the Class “B” Beer Liquor License for the Lake Geneva Yacht Club, and its agent, Michael P. Moore, 128 N. Walworth Street, Williams Bay, WI, as filed with the condition all inspections are passed and any noted concerns are addressed. The MOTION carried without negative vote.

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

There were no concerns with the required background checks and inspections, the service premises is the same as last year, and the DOR website indicates the Seller’s Permit is active and in good standing.

Trustee Spadoni/Trustee McGreevy 2nd made a MOTION to approve the renewal of the Class “B” Beer and “Class B” Liquor License for Novaks’ of Fontana, LLC, and its agent, Peter Novak, 731 Arrowhead Drive, Fontana, WI, as filed. The MOTION carried without negative vote.

Pie High Pizza, LLC, for the premises located at 441 Mill Street, ORIGINAL CLASS “B” BEER and “CLASS C” WINE license. Agent: John K. Karabas, 425 N. Lower Gardens Road, Fontana,

WI.

An application for an Original License was filed this year because the beer and wine license for the restaurant is proposed to be issued to the LLC of the tenant, John Karabas, and no longer the owner, Brian Pollard. Several concerns were noted with the inspections conducted at Pie High Pizza, LLC. The report issued by Building Inspector Ron Nyman report indicated the business has been warned by the Wisconsin Department of Health regarding ongoing health concerns which they will continue to monitor.

Additionally, minor building alterations have taken place without approval or permits. The police inspection report indicated minor concerns as well as a major concern with no licensed servers on premise although the business had been open several hours and multiple customers were consuming alcoholic beverages. Police Chief Olson indicated this was the first documented instance of a violation. The fire inspection noted several code violations, most of which were minor; however, there were two violations noted during the fall inspection last year and they have still not been rectified. The owner has been warned and given 30 days to remedy the fire code violations. The board advised the police department should conduct frequent checks of the premise and report any further issues with the operator's license state statutes. The state and the village are monitoring ongoing health and code violations and the board agreed to renew the license provided all code concerns and violations have been addressed.

Trustee Spadoni/Trustee McGreevy 2nd made a MOTION to approve the Original Class "B" Beer and "Class C" Wine License for Pie High Pizza, LLC, and its agent John K. Karabas, 425 N. Lower Gardens Road, Fontana, WI, as filed with the condition all Building/Zoning, Police, and Fire Department concerns are addressed and remedied for Pie High Pizza, and require the Police Department increase inspections of the property and report to the board any future violations. The MOTION carried without negative vote.

Steve O's LLC, for the premises located at 268 Reid Street, d/b/a Steve O's Park Place Lounge, RENEWAL CLASS "B" BEER and "CLASS B" LIQUOR license. Agent: Stephen Fairchild, 149 Third Avenue, Fontana, WI.

There were only minor concerns with the required inspections which will be addressed prior to the issuance of the license and there were no concerns with the background checks. The serving premises is the same as last year and the Wisconsin DOR website indicates the Seller's Permit is active and in good standing.

Building owner John Tracy informed staff the Stephen Fairchild has an active lease for the premises.

Trustee Spadoni/Trustee McGreevy 2nd made a MOTION to approve the renewal of the Class "B" Beer and "Class B" Liquor License for Steve O's LLC, and its agent, Stephen Fairchild, 149 Third Avenue, Fontana, WI, for the lower level premises only with the condition all noted concerns are addressed. The MOTION carried without negative vote.

Approval of Operator's Licenses for 2015-2016

Approval was recommended for all submitted Operator's License applications with the conditions all background checks come back without concern, all fees are paid, and all required documents are submitted.

Trustee Spadoni/Trustee McGreevy 2nd made a MOTION to approve the issuance of Operator's Licenses for 2015-16 for Abbey Harbor Yacht Club employees Samantha H. Herely, Margaret L. Kivlin, Edwin L. Snyder, IV, and Lindsay Worland; Abbey Resort Employees Jeremy M. Ahrens, Jack D. Beals, Sharon F. Blau, Annalissa J. Block, David Casillas, Jayce A. Clark (Brown), Katelyn C. Clark, Kelsey N. Cole, William R. Dalzell, Jessica M. Dobersztyn, Robert J. Gibson, Christine A. Gollwitzer, George F. Gonzalez, Kristine J. Granahan, Irena Kazaniwskyj, Toni V. Koutnik, Darryl Lonzeaga, Cynthia A. Macaulay, Matthew B. Marzahl, Dora Morena, Dylan Phillips, Toni M. Ramirez, Maria G. Rios, Mayra Rodriguez, William L. Roman, Andrew S. Rousonelos, Danica L. Rowan, Matthew W. Timmons, Danielle M. Walbrandt, Taylor J. Webster; Abbey Springs employees Michael R. Bentley, Becky J. Brunner, Marion M. Cuculi, Daniel J. Dlabal, Jared G. Hocker, Michael W. Jernegan, Jacqueline F. Radtka, Jessica Reiff, Cindy K. Tabor-Rogers; Big Foot Country Club employees Lon T. Gallerman, Pamela J. Keeler, Kim A. Luetzgen, Eric A. Stauffacher, Kyle R. Woods, Rodney A. Wright; Chuck's employees Jack C. Brown, Keith E. Edwards, John C. Friestad, Julie G. Friestad, Roy A. Hanson, Julie K. Ieronimo, May A. Manley, Jacob J. McHugh, Rebecca R. Millar, Sarah E. Oglesby; Country Club Estates employees Jack Kaye, Joanne K. Johnson, Fred J. Knutsen; Fontana Shell employees Nav K. Thind, Prabhsimran Singh Thind, Kulmeet S. Badhan; Gordy's employees Kelley L. Bergmann, Frank W. Blum, Amy C. Einhaus, Adam R. Glogovsky, Deborah L.T. Grand, Renee M. Pihl, Kayla C. Richards, Kimberly A. Riew, Thomas G. Whowell; Novak's employees Autumn S. Kniseley, Mari L. Hubanks; Steve O's Park Place Lounge employees Kelli Bonkoski, Grace C. Guillebeau, and Lynn M. Ketterhagen, with the conditions the background checks are completed without concern, all fees are paid, and all required documents are submitted and the MOTION carried

without negative vote.

Provide Direction on Gordy's Outdoor Dining/Alcohol Service Area Proposal to Cover Grass with Boardwalk

The proposal to install boardwalk over a current green space at Gordy's was considered at last month's Village Board meeting and subsequently discussed at last month's Plan Commission staff meeting. After researching the issue, a proposal was developed by staff to amend the Village Center District to allow for the unique situation with the lakefront properties. The proposal to amend the zoning district will be presented at the next Plan Commission meeting scheduled for Monday, June 29, 2015. Thorpe said because lakefront properties are occupied, operated, and accessed differently, staff supports the modification of requirements. Since the Village does not have a provision in the code for temporary permits while the zoning amendment is being authorized, Thorpe suggested the board allow provisional type permits and direct the Village Attorney to abate enforcement while the section is being amended so that Gordy's can develop the new outdoor seating area as soon as possible this summer season. Martin requested that if the board does not object, they allow Nyman to move forward with the permitting process since the season is underway, and without early permits, the project would likely not be completed until fall.

Trustee Spadoni/Trustee McGreevy 2nd made a MOTION to approve the issuance of temporary permits building permits to Gordy's to establish the new the Outdoor Dining/Alcohol Service area and cover the grass area with boardwalk, and to direct Village staff to abate enforcement of the Municipal Code section while it is being amended, and the MOTION carried without negative vote. Trustee Whowell abstained.

Fourth of July Fireworks Contract Approval – J&M Displays

The Village is in the final year of a multi-year contract with J&M Displays. Spadoni questioned when the Village would start negotiating for another contract and recommended Martin pursue another agreement as soon as possible.

Trustee Pappas/Trustee Spadoni 2nd made a MOTION to approve the 2015 contract with J&M Displays for the Fourth of July fireworks display, and the MOTION carried without negative vote.

Town Hall Meeting for Snow Plow Issue Update – Authorize Village Attorney to Proceed with Drafting Maintenance Easements

The Town Hall Meeting regarding the Village snow plow issue was held Saturday morning, May 30, 2015. Whowell stated the meeting was run very successfully, distributing a lot of information, and said he received very positive feedback. Thorpe indicated the process will need to come back to the board on a regular basis until the appropriate updates and changes have been made.

Trustee Spadoni/Trustee Prudden 2nd made a MOTION to authorize Village Attorney Thorpe to proceed with drafting maintenance easement agreements for the snow plowing services to be continued in the homeowner associations, and the MOTION carried without negative vote.

DPW Manager Probation Culmination

McCollum's six-month probationary period ended June 1, 2015, and the Human Resources Committee which met last month recommended approval of McCollum's probationary completion. The conditions of approval are recorded in his employment contract. Martin and several trustees commented on the great job McCollum has done so far.

Trustee McGreevy/Trustee Prudden 2nd made a MOTION to approve the successful completion of DPW Manager Brett McCollum's six-month probationary period, and the MOTION carried without negative vote.

LGYC Extension of Parking A-Boats in Village Boat Trailer Lot

The board voted at last month's meeting to allow parking for up to five A-Boats in the boat trailer parking lot while the Lake Geneva Yacht Club is under construction. Due to the unknown completion date, the board instructed staff to continue working with the Yacht Club for as long as they need assistance. Martin added the LGYC is working with Kevin Kirkland and the Village to use a portion of Reid Park and the adjacent area from Kevin Kirkland's building while the Geneva Lake Sailing School is in session for two weeks in June.

Trustee Petersen/Trustee Spadoni 2nd made a MOTION to approve the extended use of the Boat

Trailer Parking lot for the Lake Geneva Yacht Club to park A-Boats, authorized the Village staff to keep working with LGYC until construction is completed and allow the LGYC to use Reid Park for the Geneva Lake Sailing School two-week program, and the MOTION carried without negative vote.

Police Officer Engagement Program Proposal – Trustee Spadoni

Spadoni stated that he would like to enact a program to foster a positive relationship between citizens/visitors and the police officers. He requested the Village fund \$1,000 worth of \$20 gift cards which the police officers could give away when they see something positive such as someone wearing their seatbelt, or a family crossing the street in a crosswalk rather than jaywalking. Spadoni stated he would donate the remainder of this year's Village earned salary to fund the program if the Finance Committee does not approve the funds. After discussion, the board had concerns that it might scare citizens to be pulled over and also suggested other options instead of gift cards such as providing bicycle helmets to children. The idea was deferred to the Protection Committee for further discussion.

Trustee McGreevy/Trustee Pappas 2nd made a MOTION to defer the Police Officer Engagement Program Proposal to the Protection Committee for consideration, and the MOTION carried without negative vote.

Plan Commission – Trustee Spadoni

Accept Resignation of Plan Commission Member Cynthia Nickolai

Nickolai submitted a letter of resignation stating she and her family were moving to William's Bay as of June 1, 2015, and would no longer be eligible to serve on the Plan Commission.

Trustee Spadoni/Trustee Petersen 2nd made a MOTION to accept the resignation of Cynthia Nickolai from the Plan Commission, and the MOTION carried without negative vote.

Appointment to Fill Plan Commission Open Position

Spadoni nominated Robert "Bob" Grant, 1106 Sauganash Drive, who has been a resident for several decades, to fill the open position. Martin stated that Grant has been a registered voter since 1982.

Trustee Spadoni/Trustee Prudden 2nd made a MOTION to appoint Robert "Bob" Grant to the Plan Commission to fill the position vacated by Cynthia Nickolai, and the MOTION carried without negative vote.

Protection Committee – Trustee Prudden

Recommendation to Amend Municipal Code Regarding Carryout Beer and Liquor Hours to Match State Statutes

The Fontana Shell gas station and convenience store submitted a request to the Protection Committee for an amendment to the Municipal Code to adopt the state statute services hours for beer and liquor sales. The ordinance currently allows sales starting at 9:00 am under Section 6-22, and Fontana Shell requested to have the ordinance amended to reflect state statutes which allow sales beginning at 6:00 am. The Protection Committee recommended approval of the amendment.

Trustee Spadoni/Trustee Pappas 2nd made a MOTION to approve Ordinance 060615-01, amending Section 6-22(b) to reflect the Class "A" retail intoxicating liquor or fermented malt beverage licensed premise hours for sale to match the State of Wisconsin statutes, and the MOTION carried without negative vote.

Authorize Sale of Rescue Squad 1989 Chevrolet Truck

The Protection Committee recommended sale of the old truck, which is no longer used.

Trustee Spadoni/Trustee Pappas 2nd made a MOTION to authorize the sale of the Rescue Squad 1989 Chevrolet Truck, and the MOTION carried without negative vote.

Authorize Fire Chief to Issue Letter of Support for Cobalt Farms Building No. 5

Fire Chief Wolfgang Nitsch and Building Inspector Ron Nyman required authorization to sign off on letters of support and an application to the Wisconsin Building Plan Reviewer, Division of Industry Services, seeking a waiver of the state fire sprinkler requirements to construct the previously approved Cobalt Farms Building No. 5. The letter requests a variance from the state mandated sprinkler system requirement because none of the other four buildings were required to have interior

sprinkler systems installed.

Trustee Spadoni/Trustee McGreevy made a MOTION to authorize Fire Chief Wolfgang Nitsch and Building Inspector/Zoning Administrator Ron Nyman to sign letters of support requesting a waiver of the fire sprinkler regulation for Building No. 5, and the MOTION carried without negative vote. Trustee Whowell abstained.

Public Works – Trustee McGreevy

Upper Brookwood & Lake Geneva Yacht Club Water Main – Payment Recommendation #2

The \$256,164.35 pay request submitted by the Wanasek Corp., Burlington, for the Lake Geneva Yacht Club water main & Upper Brookwood water main construction project was reviewed by the village engineer and approval is recommended by the Public Works Committee

Trustee Spadoni/Trustee McGreevy 2nd made a MOTION to approve the \$256,164.35 Pay Request No. 2 submitted by The Wanasek Corp., Burlington, for the Lake Geneva Yacht Club water main & Upper Brookwood water main construction project, as recommended, and the MOTION carried without negative vote.

Church Drive and Van Slyke Drive Reconstruction – Payment Recommendation #5

The \$119,179.09 pay request submitted by Payne & Dolan, Inc., for the Church Drive and Van Slyke Reconstruction project was reviewed by the village engineer and approval is recommended by the Public Works Committee.

Trustee Spadoni/Trustee McGreevy 2nd made a MOTION to approve \$119,170.09 Pay Request No. 5 submitted by Payne & Dolan, for the Church Drive and Van Slyke Drive Reconstruction project, as recommended, and the MOTION carried without negative vote.

Second Avenue Water Main Project Bids

Martin stated four bids were received but requested the item be tabled until after further discussion with the Village Engineers.

Trustee Spadoni/Trustee McGreevy 2nd made a MOTION to table the Second Avenue Water Main Project bids, and the MOTION carried without negative vote.

Bridge Reconstruction Contract Bid Results

Two bids came in for the bridge reconstruction project, Zenith Tech, Inc. at \$1,711,960.84 and Scherrer Construction Company, Inc. at \$1,957,413.55. The bids were reviewed by Ruckert-Mielke and Collins Engineers, Inc., and staff and the Public Works Committee recommended approval of Zenith Tech, Inc., as the low bidder. Spadoni thanked Scherrer for the emergency repair construction work done last summer on the bridge.

Trustee McGreevy/Trustee Whowell 2nd made a MOTION to approve the bid submitted by Zenith Tech, Inc., for the Bridge Reconstruction Project at a base cost of \$1,711,960.84, and the MOTION carried without negative vote.

Bridge Construction Management Contract Proposal – Collins Engineers

Martin indicated he spoke with Thorpe earlier in the day regarding the contracts with Collins Engineers, LLC for engineering services for the bridge projects which were broken into at least three separate contracts – for design services, for bidding services, and for construction management and inspection services. Pappas said the contracts are for a lot of money and a lot of hours, including 24 hours per week on sight inspection by Collins. He suggested since Collins designed the bid contract per unit pricing, if it ends up way off from original design, they should be held accountable.

McGreevy indicated Public Works recommended approval with the condition Attorney Thorpe reviews the contract.

Trustee McGreevy/Trustee Spadoni 2nd made a MOTION to approve the Bridge Construction Management Contract as submitted by Collins Engineers, Inc., subject to Village Attorney Thorpe's review, and the MOTION carried without negative vote.

Town of Walworth Brick Church Road Project Cost Share Proposal

Martin stated the Public Works Committee favored the cost sharing proposal that came from the Town of Walworth Board of Supervisors for the reconstruction of Brick Church Road. The proposed \$22,500 cost for the Village of Fontana portion of the road was not budgeted by the

Village of Fontana and only an informal sketch was submitted to Martin. At its monthly meeting held May 29, 2015, the Public Works Committee directed staff to solicit more information on the cost of the project, verify the designated portion that is located in the Village, and determine who is doing the work and whether it was put to bid.

Trustee McGreevy/Trustee Spadoni 2nd made a MOTION to authorize staff to work with the Town of Walworth on the cost-share proposal for reconstruction of Brick Church Road, with the condition the additional information is obtained as directed and that the funds are available in the current budget. The MOTION carried without negative vote.

Utility Dept. Crew Member Salary Increases – Water License Certification and Additional Job Duties

The Public Works Committee recommended to add job duties to the two Utility Department crew members, Daniel Gonzalez and Luke Perepell, with an accompanying \$2 per hour increase in pay. Both employees have obtained their DNR required Water License and were not compensated for the completion, and Martin stated that PSC mandated cross connection inspections are proposed to be added to their job duties. The state PSC required that cross connection inspection be conducted for roughly 10 percent of residences each year. Many other municipalities charge a fee of \$50–\$100 for the inspections and the Public Works and Finance Committees have recommended a fee for the inspections is something the Village Board should consider. Martin stated that fee will help offset the cost of the wage increases. Other duties recommended to be added to the job descriptions for Perepell and Gonzalez include working with the administrator to provide services to the beach house employees and for the Village soda machines. The salary increase has not went through the Finance Committee yet and it was recommended for approval with the condition the Finance Committee favors the proposal.

Trustee McGreevy/Trustee Whowell 2nd made a MOTION to authorize additional job duties and increase the salaries for Utility Department Crew Members Daniel Gonzalez and Luke Perepell by \$2 per hour, subject to Finance Committee’s review, and the MOTION carried without negative vote.

DPW Part-time Employee Authorize Hiring Process

McCollum requested hiring one to two part-time employees for the summer months. Currently, Blackstone employees and DPW crew members are working overtime and on the weekends during the summer months. Hiring additional part-time help would alleviate the overtime cost.

Trustee McGreevy/Trustee Pappas 2nd made a MOTION to approve the hiring of one or two part-time, limited term DPW employees as determined by the ETF, and the MOTION carried without negative vote.

Water Invoice Credit Requests for Main Break Incidents

Requests for invoice credits for the water portion of the bills, due to main break incidents for Robert Gee at 507 N. Lakeshore Drive and Nicolae Pastiu at 531 Mill Street, were reviewed by the Public Works Committee, which recommended denial since sewer credit already was previously given on both parcels.

Trustee McGreevy/Trustee Pappas 2nd made a MOTION to deny the water utility invoice credit requests received from Robert Gee at 507 N. Lakeshore Drive and Nicolae Pastiu at 531 Mill Street, as recommended, and the MOTION carried without negative vote.

Park Commission – Trustee Whowell

Big Foot Recreation District Park House Summer Programs

The Big Foot Recreation Department requested use of the Park House on June 11, June 25, July 16 and August 6, 2015 from 9:30 to 10:30 am. There are no conflicts with these dates and approval was recommended by the Park Commission.

Trustee Whowell/Trustee McGreevy 2nd made a MOTION to approve the Big Foot Recreation District Park House Summer Program dates on June 11, June 25, July 16 and August 6, 2015 as recommended, and the MOTION carried without negative vote.

Park Permit Application Filed by Geneva Lake United Soccer Club, Duck Pond Pavilion, June 6, 2015

Trustee Whowell/Trustee Prudden 2nd made a MOTION to approve the Park Permit application

filed by Geneva Lake United Soccer Club for the Duck Pond Recreation Area Pavilion on June 6, 2015, and waive the fee as requested, and the MOTION carried without negative vote.

Park Permit Application Filed by Derrick Goetsch, Duck Pond Pavilion with Beer/Wine Permit, June 27, 2015

Trustee Whowell/Trustee Pappas 2nd made a MOTION to approve the Park Permit application filed by Derrick Goetsch for the Duck Pond Recreation Area Pavilion on June 27, 2015 at the resident rate as recommended, and the MOTION carried without negative vote.

Authorize Tree and Bush Trimming on Village Well Lots

Martin described the situation as a misunderstanding regarding the trimming of trees and brush on the public land behind Village Well No. 1. The land on which the trimming took place was not park land but on public land that is covered with wood and brush. It is not a native area and not the area that Tom Vanderpoel is contracted to look after. Citations were issued by police, but will be dismissed. Following a conversation with former DPW Director Craig Workman, Martin stated Workman had previously authorized Foster to clear out an adjacent area where the utility company had cut down several trees to clear the utility lines. Martin stated that Foster had completed all the work he thought was necessary to clear walking paths, and there may be more work in the fall. Martin presented Jill Wagner's letter against Foster's actions, but Martin explained the situation was not accurately presented at the Park Commission monthly meeting and the issue had been misconstrued.

Trustee Petersen/Trustee Whowell 2nd made a MOTION to authorize the continuation of work by John Foster's on the Village owned parcel, with the condition he plans the work with village staff in advance, and the MOTION carried without negative vote.

Lakefront – Trustee Pappas

Ad Hoc Committee Recommendation on New Pier Construction Contract

The Ad Hoc Committee recommended the Village contract with Austin Pier Service for construction and installation of the new pier and its 22 slips. Thorpe indicated this type of work is not subject to the bid statute and does not have to be put out to bid. The proposal which totals \$115,953 calls for a down payment of 50 percent so the wood can be ordered.

Trustee Spadoni/Trustee Pappas 2nd made a MOTION to approve the proposal as submitted by Austin Pier Service for the construction of the new Village pier, as recommended by the Ad Hoc Committee, and the MOTION carried without negative vote.

Gage Marine Pier Lease Renewal – Update

The two-year lease renewal for use of the village owned pier between the Village and Gage Marine to use the Village's Pier was previously approved subject to the Village Attorney's review. Thorpe has not yet reviewed the document but stated he would look over it the following day. Gage initially requested a lease longer than two years, but the board declined partially because of the construction of the new pier in 2016 to determine how much space will be available between the leased side of the pier and the new pier. Martin indicated Gage will sign the two-year lease as soon as it is reviewed and supplied by the Village attorney.

Finance Committee – President Kenny

Police Records Management System Replacement

There was \$5,000 allocated to the Police Department budget in 2015 for the purchase of a new software management program. The two software programs currently being pursued are TIPPS and Pro Phoenix. The police clerk and court clerk both enter citations in each of their respective programs which heightens the likelihood of errors. The new software programs require entering data once and also has the ability to communicate with other county departments using the same program such as the Walworth County Sheriff's Department which already uses Pro Phoenix. Treasurer Vilona stated because there were no exact numbers at budget time, \$5,000 was approved with the thought the new program would be paid for over three years; however, Pro Phoenix has required a \$10,000 up front payment and the remainder paid next year. The software has come down in price from around \$90,000 to roughly \$33,000 due to a competitive market, but it is unknown how long the price will stay this low.

Trustee Kenny/Trustee Pappas 2nd made a MOTION to approve \$10,000 for a new Police Records Management System, and the MOTION carried without negative vote.

Police and Fire Commission

Authorize Captain Promotions

The Police and Fire Commission recommended the promotion of Stan Livingston and Adam Mullis for the open Fire and Rescue Department captain positions.

Trustee Spadoni/Trustee Prudden 2nd made a MOTION to promote Stan Livingston and Adam Mullis to the positions of Fire and Rescue Department captains, and the MOTION carried without negative vote.

Closed Session

Trustee Spadoni/Trustee Pappas 2nd made a MOTION at 6:47 pm to adjourn into Closed Session pursuant to Wis. Stats. Chapter 19.85 (1)(g), “conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved,” specifically for the claim filed by Gordon Reichard. The Roll Call vote was as follows:

Trustee Pappas – Aye

Trustee Prudden – Aye

Trustee Spadoni – Aye

Trustee Petersen – Aye

President Kenny – Aye

Trustee McGreevy – Aye

Trustee Whowell - Aye

The MOTION carried on a 7-0 vote.

Adjournment Closed Session

Trustee Spadoni/Trustee McGreevy 2nd made a motion at 6:49 pm to adjourn the Closed Session and to reconvene in Open Session, and the MOTION carried without negative vote.

Closed Session Business

Claim Filed by Gordon Reichard

Trustee Spadoni/Trustee Kenny 2nd made a MOTION to deny the claim submitted by Gordon Reichard, 131 St. Andrews Trail, for damage to his vehicle pursuant to Wisconsin State Statute for disallowance of claim 893.80(1g), as recommended by the Village insurance provider, and the MOTION carried without negative vote.

Adjournment

Trustee Spadoni/President Kenny 2nd made a MOTION at 6:50 pm to adjourn the meeting, and the MOTION carried without negative vote.

Minutes prepared by: Theresa Linneman, 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: 7/8/2015