

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

MONTHLY MEETING of the VILLAGE BOARD OF TRUSTEES

Monday, June 2, 2008

President Pollitt 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: O'Connell, Spadoni, President Pollitt, Petersen, Kenny, Lewis, Turner

Also present: Jerry and Sandy Ames, Allen Anderson, Village Administrator Kelly Hayden-Staggs, Kristy Kramer, Village Clerk Dennis Martin, Assistant Zoning Administrator Bridget McCarthy, CDA Executive Director Joseph McHugh, Anthony Miceli, Peter Novak, Building Inspector/Zoning Administrator Ron Nyman, Police Chief Steve Olson, Treasurer Peg Pollitt, Patrick Romenesko, Rick Rosenow, Terry Tavera, Andrew Westbrook, Carol and James Whowell, Director of Public Works Craig Workman

Visitors Heard

Anthony Miceli, 293 Kinzie Avenue, stated that he has owned his residence for 20 years and he has been a fulltime resident for the past six years. Miceli stated that the Village has a noise pollution problem caused by noise devices on motorcycles. Miceli stated that is it impossible to hear when 10 to 12 motorcycles are being driven in the area. Miceli stated that he also is concerned about all the construction truck traffic that is creating noise in the residential neighborhoods. Miceli stated that the Village should consider hiring two or three more police officers to work from Memorial Day to Labor Day to enforce a noise ordinance and help curb the motorcycle traffic. Miceli stated that the city of Lake Geneva is considering the adoption of an ordinance that prohibits loud mufflers. President Pollitt stated that he has a copy of an article from the Lake Geneva Regional News about the proposed Lake Geneva ordinance and he will distribute copies to the Village Board members. President Pollitt stated that the Protection Committee discussed the issue and the members determined that in order to enforce a noise ordinance, officers would have to be stationed along the Highway 67 corridor to monitor a decibel measuring device. Turner and Petersen stated that they would like the item to be on the next Village Board agenda for consideration.

Announcements

Hayden-Staggs stated that the monthly meeting of the CDA will be held Wednesday, June 4, 2008 at 6:00 pm; the Fontana Public Library will host its Story Time Program on Thursdays, June 12, 19 & 26, 2008 at 10:00 am; the VOF Assessor will have Village Hall office hours on Friday, June 13, 2008, from 10:00 am to 2:00 pm; a Geneva Lake West Chamber of Commerce Music in the Park performance featuring Diane Lewis and Laura Bursh will be held on Saturday, June 14, 2008, from 6:00 to 8:00 pm; Accurate Appraisal will commence the Market Revaluation Field Work the week of Monday, June 16, 2008; Heidi Hancock will present a Summer Reading Program event at the Fontana Public Library on Monday, June 16, 2008 at 10:00 am; the next meeting of the Ad Hoc Joint Services Committee Meeting will be at the Fontana Village Hall on Tuesday, June 17, 2008 at 5:00 pm; the Summer Storywagon Series Program will commence at the Fontana Village Hall on Tuesday, June 24, 2008 at 10:00 am; the Fontana Public Library will host a Summer Reading Program Bug Walk at the Hildebrand Nature Conservancy on Wednesday, June 25, 2008 at 10:00 am; the next monthly meeting of the Plan Commission will be held Monday, June 30, 2008 at 5:30 pm; a Special Meeting of the Plan Commission will be held Monday, July 7, 2008 at 5:00 pm; and the next monthly meeting of the Village Board will be held Monday, July 7, 2008 at 6:00 pm.

Approval of Minutes

Spadoni/Petersen 2nd made a MOTION to approve the minutes for meetings held May 5 and 8, 2008, as presented, and the MOTION carried without negative vote.

Village Treasurer's Report

Petersen/Spadoni 2nd made a MOTION to accept the Treasurer's Report for April 2008 and to place it on file for the audit, and the MOTION carried without negative vote.

Approval of Village and Utility Payables

O'Connell/Kenny 2nd made a MOTION to approve the Village and Utility Payables as submitted, including a \$4,000 appropriation to the Geneva Lake West Chamber of Commerce for the Fourth of July fireworks display (\$2,500) and the Music in the Park Program (\$1,500), and the MOTION carried without negative vote.

General Business/Administrator's Report – President Pollitt/Administrator Hayden-Staggs Auditor Patrick Romenesko 2007 Audit Report

Romenesko presented the 67-page audit for the year ended December 31, 2007 and the internal accounting control and operating matters letter. Romenesko stated that according to the Budget to Actual figures of the audit, the Village added \$35,000 to its fund balance last year, and the total General Fund balance at the end of the year was \$720,000. Romenesko stated that the undesignated fund balance of \$420,000 is a strong level for emergency reserve funds, but not too excessive. Romenesko stated that the TIF fund year-end balance was \$527,181. Romenesko stated that the comments and recommendations regarding internal accounting control and other operating matters include: negative net assets on the Statement of Net Assets; long-term planning for maturing debts; insuring Village bank deposits; and required disclosure regarding financial statement preparation.

Petersen/Spadoni 2nd made a MOTION to accept the 2007 Audit Report as presented, and the MOTION carried without negative vote.

Storm Water Management Study Presentation – Ruekert-Mielke

Terry Tavera presented a PowerPoint program titled "Storm Water Management Planning." Tavera stated that the initial step if the Village Board decides to initiate the study would be to form an advisory committee. Tavera stated that the cost of the study as proposed would be \$55,000, with an additional \$25,000 allowance for the required surveying work. Tavera stated that the surveying work may cost much less than \$25,000, but since there are not any records of exactly what features are existing, the cost for the surveying work can't be determined until the actual field work is being completed. Tavera stated that the study will take about five months to complete. In response to a question, Tavera stated that the current storm water management surveying work being completed in the Country Club Estates subdivision could be added as one of the five targeted "hot spots" in the overall storm water management study. President Pollitt asked the Village Board members to review the proposal prior to next month's meeting. Spadoni stated that the cost for the proposal is not in the budget. Tavera stated that the cost of the study could be recouped through a storm water utility charge, if the Village Board decides to establish a storm water utility district.

Storm Water Utility Study Presentation – Ruekert-Mielke

Kristy Kramer presented a PowerPoint program on storm water utility districts. Kramer stated that revenue derived from storm water utility districts could be used to fund the initial study and to fund capital improvements related to storm water management. Kramer stated that the revenue derived from water utility district user charges also can be used to fund items currently included in the General Fund of the Village budget. Kramer stated that the Ruekert-Mielke can complete the process of establishing a storm water utility for \$33,000, and the funds can be recouped through the storm water utility charges. Kramer stated that Ruekert-Mielke will be able to complete the storm water management and storm water utility studies at the same time, and have the district ready for implementation in 2009. President Pollitt asked if grant funds are available. Kramer stated that funds would not be available through the related grant programs until the next funding cycle in 2010. Spadoni stated that he is concerned about creating another tax burden for property owners. Spadoni stated that the storm water management should remain in the General Fund so that the expenses would remain part of the property tax levy and deductible on property's owner's income taxes. Turner stated that the establishment of a water utility district and associated user charges would be a more fair method than adding the cost to the general fund for owners of the larger lakefront lots, which don't contribute to the storm water run-off problems. Turner stated that the owners of land with higher property values end up paying a larger percentage of the tax levy, and to add the storm water management expenses to the general fund would unfairly result in those landowners paying the

majority of the costs. In response to a question, Kramer stated that a water utility district is allowed to offer financial incentives to property owners for undertaking storm water management projects. President Pollitt stated that the Village Board members should review the proposal and action can be taken at a future meeting. Turner stated that the storm water management proposal is an important project that should be pursued. Turner stated that one of the CDA TID projects is to clean up Van Slyke creek, and the cleanup efforts cannot commence until the storm water problem is addressed. Turner stated that the TID project plan includes funds for storm water management planning.

Letter of Credit Reduction Request for the Cliffs of Fontana

Hayden-Staggs stated that Par Development has requested a reduction in the \$4 million Letter of Credit amount for the public improvements in the Cliffs of Fontana project. To date, \$2,384,455 of the public improvement work has been completed in the development, and there is approximately \$802,465 of work remaining. Using the 25 percent contingency figure, and including the initial contingency of \$16,348, the Letter of Credit amount would be \$1,019,430. Hayden-Staggs stated that staff recommended approval of the Letter of Credit reduction request as submitted.

Petersen/Turner 2nd made a MOTION to approve the reduction of the Letter of Credit amount for the public improvements in the Cliffs of Fontana project from \$4 million down to \$1,019,430 as recommended, and the MOTION carried without negative vote.

Human Resource Committee Appointment – Brandon Marvin (Tabled 5/8/08)

President Pollitt stated that he was recommending the appointment of Brandon Marvin to fill the open position on the Human Resource Committee.

President Pollitt/Spadoni 2nd made a MOTION to approve the appointment of Brandon Marvin to the Human Resource Committee, and the MOTION carried without negative vote.

Water Rate Ordinance

President Pollitt stated that the new water rates and system were dictated by the Wisconsin Public Service Commission and those rates are reflected in the proposed ordinance.

O’Connell/Turner 2nd made a MOTION to approve Ordinance 060208-01 as presented, and the MOTION carried with one negative vote cast by Trustee Spadoni.

Reimbursement Resolution

Hayden-Staggs stated that the resolution is required to authorize the payment of project costs prior to bonding for the funds. The resolution authorizes the Village to allocate funds on hand on an interim basis to pay the costs for the street improvements, utility extension and improvements, TID related projects and TID referendum approved projects.

President Pollitt/Spadoni 2nd made a MOTION to approve Resolution 060208-01 as presented, and the MOTION carried without negative vote.

Mill House Pavilion Change Order – Fairchild Residential

President Pollitt stated that Stan Fairchild is seeking an increase of \$3,824 to the contract for construction of the new Mill House Pavilion. Fairchild states in the proposed contract change order that due to rising gas prices since December 6, 2007, and since his proposal was not accepted within 60 days of submission, that he cannot afford the original contract price of \$51,225.40. Fairchild also cites shipping costs, material costs, delivery charges and the lack of electrical service at the site in his request for a contract increase of \$3,824 for a new total of \$55,049. Hayden-Staggs stated that the change order request was reviewed by Par Development and they reluctantly agreed that the requested amount for a change order is appropriate.

Petersen/Kenny 2nd made a MOTION to approve the Mill House Pavilion construction contract change order submitted by Stan Fairchild calling for an increase of \$3,824 for a new total of \$55,049, and the MOTION carried without negative vote.

Gage Marine Lease Renewal

Hayden-Staggs stated that the lease with Gage Marine for the use of a Village pier expired and staff is recommending a 4 percent increase for each year of the proposed three-year lease. Hayden-Staggs stated that the proposed new lease has not been approved by Bill Gage, so if the Village Board voted to approve the lease it would be subject to approval by Gage. Turner asked if the village was breaking even with pier installation and removal expenses compared to the revenue received for the lease. Following discussion,

Turner stated that he supports the proposed three-year lease that calls for an initial annual sum of \$6,068 to be increased by 4 percent for the second year and the third year of the lease.

O’Connell/President Pollitt 2nd made a MOTION to approve the proposed three-year lease with Gage Marine as presented, subject to approval by Bill Gage, and the MOTION carried without negative vote. Trustee Petersen abstained.

Charter Franchise Agreement and State Legislature Update

Hayden-Staggs stated that an article in the Wisconsin League of Municipalities magazine addressed the recently adopted state legislation concerning cable television franchise agreements. Hayden-Staggs stated that the new law dictates that franchise agreements are no longer with the municipalities, they are between the cable companies and the state. Hayden-Staggs stated that the Village currently has a 15-year franchise agreement with Charter; however, Charter has applied for a state franchise agreement. Hayden-Staggs stated that if approved, the franchise agreement will be with the state, but the Village will still receive franchise fee revenue from the cable company. Hayden-Staggs stated that the new state franchise agreements also will allow for more than one cable company to offer services in a municipality. Hayden-Staggs stated that more research is required on the matter before any Village Board action.

DNR Maximum Launch Size Correspondence

Hayden-Staggs stated that the Village was contacted by the Wisconsin Department of Natural Resources with regard to the 29-foot maximum boat length restriction for the municipal launch. The current Village ordinance only allows commercial permit holders to launch boats 30 feet or longer at the municipal launch on weekdays and non-holidays. Hayden-Staggs stated that she has not received a response since she submitted information to the DNR.

Abbey Resort and Lake Geneva CVB Update

Hayden-Staggs stated that she and President Pollitt met with Allen Anderson from the Abbey Resort and George Hennerley, the executive director of the Lake Geneva Area Chamber of Commerce and its Convention and Visitors Bureau, to further discuss the Abbey’s request for the Village to divert some its room tax revenue to the Lake Geneva CVB in order to make the resort eligible for related marketing services. Turner stated that he thinks the Village should support the CVB at some level in order to help promote the Village of Fontana businesses. President Pollitt stated that if the Village approves an appropriation to the Lake Geneva CVB, it should be funded on an even split with the Abbey Resort. Hayden-Staggs stated that the meeting was preliminary and further information will be forwarded to the Village Board members after more meetings are held.

Arrowhead One Way Traffic – Back to Two Way

Hayden-Staggs stated that the Village Board adopted an ordinance in February 2008 to change the traffic pattern on Arrowhead Drive to one-way. The Village Board approved the ordinance in response to a “petition” submitted to the Village by Raymond Garlanger, 753 Arrowhead Drive, who claimed that the petition was signed by all of the property owners on the street. In May 2008, the Village was contacted by Jim Cogan, 746 Arrowhead Drive, who stated that almost all of the property owners on Arrowhead Drive oppose the decision to change the street to one-way. Peter Novak, 731 Arrowhead Drive, stated that when he signed the petition submitted by Garlanger the petition did not state it was for a proposal to change Arrowhead Drive to a one-way street. Novak stated that Garlanger told him the petition was for the Village to just discuss the traffic situation on Arrowhead. Hayden-Staggs stated that other property owners on Arrowhead have indicated that they did not even sign the petition and they do not know how their names got on the petition. President Pollitt stated that the Village should contact each of the property owners to determine exactly what they want before the Village Board acts on the matter again.

Petersen/President Pollitt 2nd made a MOTION to table the matter and to direct Village staff to poll the Arrowhead Drive property owners to determine a consensus on the traffic pattern, and the MOTION carried without negative vote.

Protection Committee – President Pollitt

Approval of Published Liquor License Applications for 2008-2009

Martin stated that the applications were published, all of the required inspections were completed and the Wisconsin Department of Revenue indicated that all of the license holders have active Wisconsin Seller’s Permits that are in good standing. 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.

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/O’Connell 2nd 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/O’Connell 2nd 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: 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.

Kenny/O’Connell 2nd 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: Robert Timm, 480 Fox Lane, 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.

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.

Petersen/Kenny 2nd 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 Pottawatomie Drive, RENEWAL CLASS “B” BEER and CLASS “C” WINE license. Agent: Scott Berg, 1093 Sauganash Drive, 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 2nd made a MOTION to approve the Renewal application filed by the Country Club Estates Golf Association, located at 365 Pottawatomie 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. Petersen stated that he does not think the Village should allow the selling of carryout liquor products from gas stations.

Spadoni/Lewis 2nd 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 with one negative vote cast by Trustee Petersen.

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 same as previously approved. 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 2nd 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, Suite 102, 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/O’Connell 2nd 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: John R. Schnupp, 205 Plafield Court, Walworth, WI.

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

Kenny/Spadoni 2nd 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: John R. Schnupp, 205 Plafield Court, 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.

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.

Kenny/Spadoni 2nd 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, d/b/a 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.

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.

Turner/Kenny 2nd 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. Trustee Petersen abstained.

Approval of Operator’s Licenses for 2008-2009

President Pollitt stated that he would entertain separate motions for each establishment to approve the Renewal and New applications filed for Operator’s Permits for the licensing period from July 1, 2008 through June 30, 2009. All of the applications were recommended for approval following background checks completed by the Fontana Police Department. Martin stated that the applications that had to be amended to address concerns noted during the background checks have all been amended by the applicants.

The Abbey Resort

Spadoni/President Pollitt 2nd made a MOTION to approve the New Operator’s License applications filed by Abigail E. McLaren and Jenna R. Schultz, and the Renewal applications filed by Gregory L. Bonhotal, Rita A. Bouras, Valerie L. Caithamer, James A. Gill, Christine A. Gollwitzer, Kristine J. Granahan, Stephanie E. Kinas, Shawn K. McGuire, Nichole P. Paladino, Lory Resendez, Maria G. Rios, Marilyn C. Shepherd, Marlene M. Stang, Stephanie M. Thomson and Chris W. Wissell. The MOTION carried without negative vote.

Abbey Springs

Petersen/Spadoni 2nd made a MOTION to approve the New Operator’s License applications filed by Emmy J. August, Becky J. Brunner, Sherry L. Strissel and David J. Vreeke, and the Renewal applications filed by Megan E. Banaszynski, Daniel J. Dlabal, Erika V. Hanson, Michael P. Koehnke, Robert B. Oliver, John R. Shoger, Cindy K. Tabor-Rogers and Nicholas J. Vail. The MOTION carried without negative vote.

Big Foot Country Club

Spadoni/O’Connell 2nd made a MOTION to approve the Renewal Operator’s License applications filed by Walter L. Erhard, Stephen W. Fairchild, Kim A. Fox, Loretta J. Fox, Lon T. Gellerman, Pamela J. Keeler, Lyle M. Kula, Jacob J. McHugh, Eric A. Stauffacher, Robert E. Timm and Rodney A. Wright, and the MOTION carried without negative vote.

Chuck’s Lakeshore Inn

Spadoni/Kenny 2nd made a MOTION to approve the Renewal Operator’s License applications filed by Jack C. Brown, Michael T. Brown, Gregg C. Christenson, Vickie S. DeGryse, Keith C. Edwards, John C. Friestad, Julie G. Friestad, Jamie J. Hanson, Thomas S. Judd, Darin J. Lottig, Jacob J. McHugh, Rebecca R. Millar, Kim E. Minette and Julie K. Whowell, and the MOTION carried without negative vote.

Country Club Estates

Spadoni/Petersen 2nd made a MOTION to approve the Renewal Operator’s License applications filed by Sandra Hibbard, Joanne Johnson, Maria Kebbekus and Gail Nelson, and the MOTION carried without negative vote.

Fontana Corner Market

O’Connell/Spadoni 2nd made a MOTION to approve New Operator’s License applications filed by Sherri L. Stoker and Martha E. Swanson, and Renewal applications filed by Mary A. Chamberlain, Rachel M. Jutz, Connie M. Patten, Sarah V. Reszler, Timothy J. Voskuil and Kristen M. Welsh. The MOTION carried without negative vote.

Georgie B’s

O’Connell/Petersen 2nd made a MOTION to approve New Operator’s License applications filed by Chad Carper and Cheryl A. Heule, and the MOTION carried without negative vote.

Gordy’s Boat House

Spadoni/Petersen 2nd made a MOTION to approve the New Operator’s License applications filed by Scott P. Bychowski, Elizabeth A. Leibsle, Ryan T. Mosher, Rebecca L. Muisenga, Colleen E. Trybula and Devon A. Williams, and the Renewal applications filed by Chase D. Brugger, Melissa S. DeBuck, Kelley L. Faytle, Emily E. Gaul, Philip R. Porter, Kimberly A. Ries, Kelson K. Schmidt, Gregory T. Spende, Joseph R.

Wehrenberg, Steele G. Whowell, Thomas G. Whowell and Tigrr T. Workman. The MOTION carried without negative vote.

Lake Geneva Yacht Club

Spadoni/Petersen 2nd made a MOTION to approve the Renewal Operator's License application filed by Erik J. Kahl and the New applications filed by Rebecca D. Breach, Jessica J. Finster and Cory A. White, and the MOTION carried without negative vote.

Novaks' of Fontana

O'Connell/Lewis 2nd made a MOTION to approve the New Operator's License applications filed by Kelsey E. Albrecht, Monica J. Albrecht, Linden L. Houghtby and Luana M. Olsen, and the Renewal applications filed by Matthew L. Greben and Deborha A. Sawtelle. The MOTION carried without negative vote.

Park Place LLC

Spadoni/Kenny 2nd made a MOTION to approve the New Operator's License applications filed by Justin W. Kibler, Ralph M. Kibler and Richard M. Sutich and the Renewal application filed by Patricia J. Yeager. The MOTION carried without negative vote. Trustee Petersen abstained.

Approve Resolution for Updated MABAS Wisconsin Contract

The resolution is required to officially adopt the Mutual Aid Box Alarm System Wisconsin Contract. Spadoni/Petersen 2nd made a MOTION to approve Resolution 060208-02 as presented, and the MOTION carried without negative vote.

Fire Lane Ordinance

The proposed fire lane ordinance was referred back to the Protection Committee to review the changes proposed at prior committee meetings.

Spadoni/Petersen 2nd made a MOTION to refer the proposed fire lane ordinance to the Protection Committee to review the recommended changes, and the MOTION carried without negative vote.

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

The club is seeking approval for its annual fund-raising sale at the Village of Fontana Fourth of July fireworks display. The Protection Committee recommended approval of the application as submitted.

President Pollitt/Lewis 2nd made a MOTION to approve the Application for License for Peddlers, Canvassers, Solicitors and Transient Merchants as submitted, and the MOTION carried without negative vote.

Plan Commission – Trustee Spadoni

Approve Amendments to Section 18-254, Signage definitions and general signage standards, Section 18-255, General signage regulations, and Section 18-257, Temporary signs

Spadoni stated that the Plan Commission recommended Village Board approval of the proposed amendments to the signage ordinance following a public hearing at the May 27, 2008 Plan Commission meeting.

Spadoni/President Pollitt 2nd made a MOTION to approve Ordinance 060208-02, amending Sections 18-254(b), 18-255(a) and 18-257(c) of the Village of Fontana Municipal Code as presented, and the MOTION carried without negative vote.

Approve Raze Order for Residence at 731 Aweogon

Spadoni stated that the Plan Commission recommended approval of the raze order for the structure in the Indian Hills subdivision.

Spadoni/Petersen 2nd made a MOTION to approve the issuance of the Order for Razing the Principal Structure at 731 Aweogon Drive (Tax Key No. SIHB 00018) as recommended, and the MOTION carried without negative vote.

Joint Meeting Proposal With Village Board & CDA to Discuss Master Plan as it Relates to Fontana Boulevard, Main Street and Third Avenue

Spadoni stated that following the recent Randall Arendt seminar, the Plan Commission decided to schedule a special meeting for Monday, July 7, 2008, from 5:00 to 6:00 pm to discuss the master plan as it relates to the Fontana Boulevard, Main Street, Third Avenue and Highway 67 area. Spadoni stated that the Plan Commission would like the meeting to be a joint meeting with the Village Board and CDA.

President Pollitt/Turner 2nd made a MOTION to scheduled a joint meeting with the Plan Commission on Monday, July 7, 2008, beginning at 5:00 pm to discuss the Village of Fontana Master Plan at its relates to the Fontana Boulevard, Main Street, Third Avenue and Highway 67 area, and the MOTION carried without negative vote.

CDA – Trustee Turner

Third Avenue Project Approval – Bid, Contracts & Construction Administration (Tabled 5/5/08)

Turner stated that the proposed construction administration contract with Ruckert-Mielke was reviewed by Workman and McHugh and approval was recommended, subject to CDA approval.

Turner/O’Connell 2nd made a MOTION to approve the \$110,000 contract proposal for professional engineering services and construction administration submitted by Ruckert-Mielke for the Third Avenue project as submitted, subject to approval by the CDA, and the MOTION carried without negative vote.

Turner stated that Ruckert-Mielke recommended approval of the \$1,646,955 bid submitted by Mann Brothers, Inc. for the Third Avenue project. McHugh stated that the bid is about the same as the initial bid received in 2006 when the project was not approved in the required referendum. Carol Howell asked the Village Board members if they would consider changing Third Avenue back to a two-way street from Reid Street to the alley behind the businesses on Lake Street, so that delivery truck drivers could enter and leave the Village on Third Avenue instead of having to drive through residential neighborhoods. Hayden-Staggs stated that the construction plan was modified to allow for two-way traffic on Third Avenue from Reid Street to Lake Street if the decision is made to change the traffic pattern in the future.

Turner/Spadoni 2nd made a MOTION to approve the \$1,646,955 bid submitted by Mann Brothers, Inc. for the Third Avenue project as recommended, subject to approval by the CDA, and the Roll Call vote followed:

Spadoni – Yes

President Pollitt – Yes

Petersen – Yes

Kenny – Yes

Lewis – Yes

Turner – Yes

O’Connell – Yes

The MOTION carried on a 7-0 vote.

Kinzie Avenue Project Approval – Bid, Contracts & Construction Administration (Tabled 5/5/08)

Turner stated that staff recommended approval of the \$315,747 bid submitted by Odling Construction for the Kinzie Avenue reconstruction project. The Village also received bids totaling \$353,739 from Mann Brothers, Inc., and \$338,237 from Reesman’s Excavating & Grading. Workman stated that with alternate work added to the Kinzie Avenue project, the Odling bid totals \$356,323. Turner asked Workman what work was included under the alternate bid. Workman stated that the additional work includes the purchase and installation of lights in the Village Hall parking lot, curb and gutter work in the Village Hall parking lot, and other curb work on Kinzie Avenue. Workman stated that the additional work will result in the curb on Kinzie Avenue at Highway 67 being shifted 15 feet to the north. Workman stated that the lighting work includes the replacement of the demo light in the Village Hall parking lot, which will be relocated onto Kinzie Avenue. Workman stated that the extra work is warranted and needs to be completed, and if it is added to the Kinzie Avenue project, it will be less costly than completing the projects independently. Workman stated that the final contract cost for concrete will be based on the actual unit price. McHugh stated that the CDA has \$500,000 in its budget for the project, with \$395,000 budgeted for the construction costs.

Turner/O’Connell 2nd made a MOTION to approve the \$356,323 bid, including the alternate work, submitted by Odling Construction, subject to approval by the CDA, and the Roll Call vote followed:

Petersen – Yes

Kenny – Yes

Lewis – Yes

Turner – Yes

O’Connell – Yes

Spadoni – Yes

President Pollitt – Yes

The MOTION carried on a 7-0 vote.

Turner stated that the \$42,500 proposal for professional engineering services and construction administration submitted by Ruekert-Mielke for the Kinzie Avenue reconstruction project was reviewed by Workman and McHugh and approval was recommended. The proposal includes an additional \$5,000 allowance for coordination with private utilities for underground utility burial, village attorney and village financial consultants.

Turner/Spadoni 2nd made a MOTION to approve the \$42,500 professional engineering services and construction administration contract proposal submitted by Ruekert-Mielke, with an additional \$5,000 allowance for coordination work for the Kinzie Avenue reconstruction project as recommended, subject to CDA approval, and the Roll Call vote followed:

Kenny – Yes

Lewis – Yes

Turner – Yes

O’Connell – Yes

Spadoni – Yes

President Pollitt – Yes

Petersen – Yes

The MOTION carried on a 7-0 vote.

Beach Fence – Update

Turner stated that the new fence has arrived and it is being installed.

Porter Court Plaza – Update

Turner stated that the majority of the construction work is scheduled to be complete by the end of June, and the project is scheduled to be completed with landscaping by the middle of July.

Bury Utilities – Update

Turner stated that the project to bury the utility lines is underway and it has to be completed prior to the commencement of the road construction project. McHugh stated that the project cost estimate submitted by Verizon was included in the meeting packets for informational purposes, and the Village is still waiting for the estimates from Alliant and Charter Communications.

Verizon Utility Burial Contract

McHugh stated that the Verizon utility burial contract was included in the packets for the Village Board members to review. McHugh stated that once all of the estimates are received from the utility companies, the final scope of the project can be determined. McHugh stated that the decision if Bay View will be included in the project area can be determined after all of the estimates are submitted.

TID No. 1: Lakefront Redevelopment – Project Initiation Plan for Waterfront Activity & Tourism Center

Turner stated that he would like to have a Blue Ribbon Committee formed to determine the proposal for a new lakefront building to replace the marina building. Turner stated that the committee could make the recommendation on what type of architecture and what style of a building should be proposed. Turner stated that a seven-person committee could be formed. Turner stated that he would like some input on who should be appointed to the committee. President Pollitt suggested that Turner discuss the proposed membership of the committee with the CDA Board and then come back to the Village Board with a proposal at next month’s meeting. Turner stated that he would discuss the matter with the CDA and report back to the Village Board next month. Turner stated that the Village Board members should contact him if they are interested in serving on the committee. Turner stated that the plan is to take the final proposal to referendum in April 2009. The first step is to form the committee and complete the preliminary design work. The Blue Ribbon Committee will be finalized at the July 7, 2008 Village Board meeting.

Easement Updates: Post Office (138 Fontana Boulevard)/Schmitz Property (404 Harvard Avenue)

Turner stated that the Village is attempting to negotiate easements for the two properties and staff is continuing to work to finalize the agreements.

Randall Arendt Presentation – Review

Turner stated that he wanted to thank the Plan Commission members for participating in the Arendt seminar. The seminar prompted the scheduled the joint meeting of the Plan Commission, Village Board and CDA, to be held July 7, 2008 beginning at 5:00 pm.

Pay Request for Porter Court Plaza

Turner stated that the pay request was reviewed and approval is recommended.

Turner/Spadoni 2nd made a MOTION to approve pay request No. 3 totaling \$118,406 submitted by Mann Brothers, Inc. for the Porter Court Plaza project as presented, subject to CDA approval, and the Roll Call vote followed:

Lewis – Yes

Turner – Yes

O’Connell – Yes

Spadoni – Yes

President Pollitt – Yes

Petersen – Yes

Kenny – Yes

The MOTION carried on a 7-0 vote.

Pay Request for Dade/Wild Duck Road

Turner stated that the pay request was reviewed and approval is recommended.

Turner/Spadoni 2nd made a MOTION to approve pay request No. 6 totaling \$50,040 submitted by Mann Brothers, Inc. for the Dade and Wild Duck Road project, subject to CDA approval, and the MOTION carried without negative vote.

Abbey Escrow and Draw Update

Turner stated that the Abbey Resort has drawn money to fund the Spa construction work, which is underway. President Pollitt stated that he toured the Spa recently and the renovation work looks good so far.

Joint Review Board Appointment

Turner stated that Laurie Larson has moved out of the Village, so she has to be replaced on the TID Joint Review Board. The CDA will be considering a second amendment to the TID, which will have to be ratified by the Joint Review Board. Turner stated that he is recommending the appointment of Dan Green to replace Larson.

Turner/Spadoni 2nd made a MOTION to approve the appointment of Dan Green to the TID Joint Review Board to replace Laurie Larson, and the MOTION carried without negative vote.

Public Works – Trustee Petersen

2006 CMAR Resolution

Workman stated that adoption of the resolution is required by the Wisconsin Department of Natural Resources to certify the Compliance Maintenance Annual Report.

President Pollitt/Kenny 2nd made a MOTION to approve Resolution 060208-03, a compliance maintenance resolution required by the Wisconsin Department of Natural Resources, as presented, and the MOTION carried without negative vote.

Timber Trail/Indian Hills Project Award

Workman stated that the Village received three bids for the project, and the low bid of \$926,013 was submitted by Reesman’s Excavating & Grading, Inc. Bids also were submitted by Odling Construction, Inc., and Mann Brothers, Inc. The base bid submitted by Reesman’s was \$803,042 and the total bid was \$926,013 with the mandatory alternate bid items. Workman stated that he will be able to work with the contractor to ensure that the project is brought in under the approved budget.

Petersen/O’Connell 2nd made a MOTION to approve the \$926,013 bid submitted by Reesman’s Excavating & Grading, Inc., for the Timber Trail Drive and Indian Hills Road construction project as presented, and the MOTION carried without negative vote.

Utility Truck Purchase Approval

Workman stated that he is going to obtain three or four more bids for the purchase of the new truck and

requested that the Village Board consider a motion to approve the purchase of the truck at a cost not to exceed \$30,000.

Petersen/Turner 2nd made a MOTION to approve the purchase of a new utility truck not to exceed the budgeted amount of \$30,000, and the MOTION carried without negative vote.

Arrowhead & Castle Terrace Project Update

Workman stated that the surface layer of asphalt is scheduled to be installed this week.

Park Commission – Trustee Lewis

Lakefront Sidewalk Proposal (Tabled 5/8/08)

Lewis stated that the Park Commission recommended approval of the proposal to install a crushed granite surface for a lakefront sidewalk on the east side of Lake Street at the intersection with Third Avenue.

Workman stated that the project will cost about \$1,200 for the Department of Public Works crew to complete. Turner stated that the plan to complete and connect the public shorepath along the Fontana lakefront is the right solution to a longtime problem. Turner stated that he will request that the CDA Board approve the funding for the project.

Spadoni/Kenny 2nd made a MOTION to approve the lakefront sidewalk proposal as recommended by the Park Commission, at a cost not to exceed \$1,500, and to request that the CDA allocate the funding for the project. The MOTION carried without negative vote.

Big Foot Lions Club One-Day Extension Request for Fourth of July Concession Stand Fund-Raiser

Lewis stated that the Big Foot Lions Club would like approval to operate its Fourth of July concession stand an additional day since the holiday falls on a Friday this year and there will be a Geneva Lake West Chamber of Commerce Music in the Park event on Saturday, July 5, 2008. The club would like to open the stand at about noon on July 5, 2008 and operate until the Music in the Park performance ends at 8:00 pm. The club members will take down the tent and clean up the site the morning of Sunday, July 6, 2008. The Park Commission recommended Village Board approval of the request.

Petersen/Spadoni 2nd made a MOTION to approve the Big Foot Lions Club one-day extension request for its Fourth of July concession stand fund-raiser in Reid Park, and the MOTION carried without negative vote.

Accept Resignation of Dawn Sammons/Appoint New Member

President Pollitt stated that he was not able to contact the candidate suggested by the Park Commission to fill the position on the Park Commission vacated by Dawn Sammons.

Lewis/Petersen 2nd made a MOTION to table the item, and the MOTION carried without negative vote.

Pig Roast Map and Temporary Liquor License for August 30, 2008 Fund-Raiser

Hayden-Staggs stated that the plan is to use a smaller version of the setup used by the Big Foot Lions Club for its annual Lobster Boil & Steak Fry event in Reid Park.

Petersen/Spadoni 2nd made a MOTION to approve the setup plan and the Temporary Liquor License application for the Park Commission pig roast in Reid Park on August 30, 2008, and the MOTION carried without negative vote.

F/W WPCC – Trustee Petersen

Linn Township's Involvement with Sewer Plant

Petersen stated that the Linn Township Sanitary District has requested the Fontana/Walworth Water Pollution Control Commission Board of Directors to accept sewage from the district residences. Petersen stated that the F/W WPCC Board would have to amend the longstanding intergovernmental agreement between the Village of Fontana, the Village of Walworth and Kikkoman Foods to accommodate an expansion plan to include the limited area on the south shore of Linn Township adjacent to the Village of Fontana. Petersen stated that the Linn Sanitary District has been in existence for 40 to 45 years and all of the residences are still being serviced by private septic systems. Petersen stated that there is some capacity still available at the wastewater treatment facility, and the villages could be good neighbors by working with the Linn Sanitary District; however, the current arrangement is working very well and the proposal would be very expensive to implement. Spadoni stated that he thinks it's a wise idea to work with the sanitary

district and help improve the quality of the lake. Petersen stated that he thinks it's a stretch that the Village of Fontana should solve the problem of failing septic systems in Linn Township and now is not an appropriate time to expand the F/W WPCC service area. Petersen stated that to accommodate the Linn Sanitary District residences the sewer line in that part of the Village would have to be replaced or a new line would have to be run up Academy Road to County Highway B where it could hook into a Village of Walworth lift station. Hayden-Staggs stated that it was for the reasons being discussed at the meeting that the Village Board denied a request for the same proposal a few months ago. Workman stated that it will cost about \$6 million to run a new sewer line up Academy Road to County Highway B to the Village of Walworth interceptor. Turner stated that Kikkoman Foods, the Village of Fontana and the Village of Walworth made large initial investments into the joint wastewater treatment facility, and the Linn Sanitary District chose not to participate in the cooperative plan at that time. Turner stated that the Linn Sanitary District should have to make a substantial financial investment into the plant before an agreement is approved to add the district to the service area in order to be fair to the three initial parties to the agreement. Spadoni stated that if the Linn Sanitary District pays to fund the initial studies and concept planning proposals, the Village should be willing to meet with them to discuss the situation. Spadoni stated that if the Linn Sanitary District does not want to fund the required studies, then the Village should just say no to the inquiry. Turner stated that he would not be opposed to allowing the Linn Sanitary District to join the intergovernmental agreement, but the district would have to make an initial capital investment into the plant. Petersen stated that the Village of Fontana came up with the funds to establish the joint agreement and develop the wastewater treatment plant and the Linn Sanitary District did not want to participate. Kenny stated that if the Linn Sanitary District pays all the associated planning costs and the majority of the construction expenses, he would consider approving an expansion of the district. Petersen stated that an expansion proposal submitted by the Linn Sanitary District will be distributed and he asked the Village Board members to review it for a month.

Petersen/Kenny 2nd made a MOTION to table the item for one month so the Village Board members can review the submitted proposal, and the MOTION carried without negative vote.

Lakefront and Harbor – Trustee O'Connell

O'Halleran Violation Letter

O'Connell stated that the Lakefront and Harbor Committee directed the Building and Zoning Department to draft a violation letter to Mr. and Mrs. Michael O'Halleran, the owners of the residence at 606 South Lakeshore Drive, which is the lot off Mohr Road that is located adjacent to a Village owned lakefront parcel. McCarthy stated that the letter outlines zoning violations committed by the O'Hallerans with regard to dumping rocks on the shoreline and planting trees and shrubs on Village property. Turner stated that the Village used to install a fishing pier at the site, which was also previously used as a municipal boat launching site. McCarthy stated that following the vacation of the road, the O'Hallerans own half of the former Mohr Road, but the Village owns the other half. McCarthy stated that the letter she drafted should include other encroachments that she did not include in the draft presented at the meeting. Turner stated that the letter was well written and McCarthy should add the other encroachment items and send the letter to the O'Hallerans. Following discussion, the Village Board members were in consensus that all of the encroachments onto Village property should be included in the letter, and that the trees planted on Village property should be cut down, but not replaced. In lieu of replacing the trees per the terms of the Village Tree Ordinance, the Village Board members were in consensus that the applicants should pay into the Village Tree Replacement Fund.

Turner/Petersen 2nd made a MOTION to direct McCarthy to redraft the letter with all the encroachments added to the letter and with the direction that the trees planted on the Village of Fontana property should be cut down and the applicants should pay into the Village Tree Replacement Fund instead of planting new trees on the parcel, and to send the redrafted letter to Mr. and Mrs. Michael O'Halleran, the owners of the residence at 606 South Lakeshore Drive. The MOTION carried without negative vote.

Beach Signage

Hayden-Staggs stated that a sketch of the proposed sign for the lakefront was being presented to review the verbiage, and the format will be finalized. Hayden-Staggs asked if the Village Board would consider approving the wording on the sign and the location for its placement at the beach house. The cost of the sign is included in the CDA budget.

Spadoni/President Pollitt 2nd made a MOTION to approve the wording for the beach house sign and the location for the sign to be mounted at the entrance to the beach house as presented, and the MOTION carried without negative vote.

Chapter 54 Modifications

The proposed ordinance was drafted to reflect the recommendations of the Lakefront and Harbor Committee. Chief Olson stated that he has concerns with the ordinance as proposed with regard to provisions for the winter season and other wording issues. Hayden-Staggs stated that it would be prudent to have the proposed ordinance amendments reviewed by the Protection Committee prior to Village Board consideration.

Turner/Spadoni 2nd made a MOTION to refer the proposed amendments to Chapter 54 to the Protection Committee for a recommendation, and the MOTION carried without negative vote.

GLLEA – President Pollitt

Update

President Pollitt stated that the Board of Directors is scheduled to meet next week and he will provide an update at next month's Village Board meeting.

Joint Services Ad Hoc Committee

Update

Spadoni stated that the committee is studying the possibility of establishing a joint fire and rescue service district with the Village of Walworth, with full-time staff for EMS, fire and rescue calls. Hayden-Staggs stated that the committee is researching metro contracts for the consolidation of fire and rescue service departments and discussing possible sites for the location of the joint fire/rescue department building. Hayden-Staggs stated that the committee members are discussing all options available to consolidate services and reduce expenses. Hayden-Staggs stated that the committee also is looking into the merger of the two municipal courts. Educational material will be sent out to the officials throughout the process.

Pending Items for Future Agendas

1. Fontana Fen Property Line Delineation
2. Approve Ordinance Amendment Creating Section 74-342 (Tabled 12/3/2007)

Adjournment

Spadoni/Kenny 2nd made a MOTION to adjourn at 9:09 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: 07/07/08