

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

(Official Minutes)

SPECIAL MEETING of the VILLAGE BOARD OF TRUSTEES
Monday, June 22, 2009

Village President Arvid Petersen called the special meeting of the Village Board to order at 5:00 pm in the Village Hall, 175 Valley View Drive, Fontana, Wisconsin.

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

Also present: Bob Allen, Steve Beers, Jonathan Cameron, Joe Eberle, Village Administrator Kelly Hayden, Bob Hehr, Rob Ireland, Library Director Nancy Krei, Village Clerk Dennis Martin, Building Inspector/Zoning Administrator Ron Nyman, Steve Olson, Mike Poivey, Michael Sheyker, Ed Snyder, Village Attorney Dale Thorpe, Carol and Jamie Whowell, Tom Whowell, Public Works Director Craig Workman

General Business

Engineering Presentation on Stormwater Utility District Creation & Funding

Ruekert-Mielke engineers Joe Eberle and Jonathan Cameron presented a PowerPoint program on the benefits of creating a stormwater utility district; comparing stormwater management charges under the general tax levy versus a stormwater utility; and potential credits for properties under a stormwater utility. Cameron stated that a system can be established by the Village that gives credits to property owners for the development stormwater management facilities on their properties. Spadoni asked Cameron if any other municipalities that are located on Geneva Lake have stormwater utility districts, and Cameron responded he does not know. Spadoni then stated that the other municipalities that are located on Geneva Lake do not have stormwater utility districts. Spadoni stated that if the proposed \$4.5 million in initial projects was added to the General Fund, residential property owners could receive an income tax credit. Steve Beers asked for information on how the impervious surface area and Equivalent Runoff Units are calculated. Michael Sheyker asked how golf courses would be calculated, and Cameron responded that parking lots and buildings are calculated for total ERUs. Carol Whowell asked if the Village was planning to fix stormwater problems in private subdivisions with the stormwater utility district project plan. Workman stated that five initial hot spots have been determined, and those spots do include areas in Glenwood Springs and Indian Hills, but those projects are not solving stormwater runoff problems that are just specific to the subdivisions. Workman stated that the stormwater treatment systems also affect areas that are located above and below the actual development sites. Tom Whowell asked what government body would consider the proposal for credits. Eberle stated that an existing committee could make recommendations to the Village Board, or a new committee could be established to make the recommendations to the Village Board. Bob Hehr asked what benefit the other property owners who do not have stormwater management problems would be receiving for funding a new stormwater utility district. Hehr stated that property owners in the hot spot areas will be receiving new curb and gutters, etc., but the owners of the rest of the parcels in the Village will be paying for the bonding. Steve Olson asked if the zoning ordinance will have to be amended to allow for all property owners to develop some type of stormwater management system on their properties to earn credits. Olson stated that setback requirements and other zoning regulations may prohibit some property owners from pursuing ERU credits. President Petersen stated that there are a lot of details that need to be worked out with a credit system and the required ordinance that would establish a stormwater utility district. Spadoni stated that he is opposed to creating a new stormwater utility district, which will become another billing entity that will never go away. Spadoni stated that the stormwater management projects should be bonded for and funded through the General Fund in the same manner as other capital improvement projects. Lewis stated that she is concerned about determining potential ERU credits on a case-by-case basis. Thorpe stated that the Village also could consider funding some of the proposed projects with special assessments, and a developer's impact fee can be created to cover some of the stormwater utility costs. Eberle stated that stormwater management

impact fees are common in many state municipalities. Eberle stated that special assessments could cover some of the project costs; however, portions of the capital projects and the continuing operating and management costs would be not be eligible for special assessment funding. President Petersen thanked Eberle and Cameron for their time and stated that the Village Board will review the information. Petersen stated that no decisions would be made that night.

Approval of State of Wisconsin Board of Commissioners of Public Lands Application for State Trust Fund Loan & Resolution

Hayden stated that the next step in acquiring loans through the State of Wisconsin Trust Fund and qualify for Build American Bonds reimbursement is the approval of the Board of Commissioners of Public Lands application and a Resolution authoring the designation of a loan as a Build America Bond for Federal Tax Purposes.

Trustee Spadoni/Trustee O'Connell 2nd made a MOTION to approve Resolution 062209-01, authoring the designation of a loan as a Build America Bond for Federal Tax Purposes, as presented, and the MOTION carried without negative vote.

Trustee Spadoni presented the preamble and resolutions for the State of Wisconsin Board of Commissioners of Public Lands Application for a State Trust Fund Loan for the sum of \$3,534,545 for the purpose of financing street, utility and TID No. 1 improvements.

Trustee Spadoni/Trustee McGreevy 2nd made a MOTION to approve the State of Wisconsin Board of Commissioners of Public Lands Application for State Trust Fund Loan as presented, and the Roll Call vote followed:

Trustee Lewis – Aye

Trustee O'Connell – Aye

Trustee Spadoni – Aye

President Petersen – Aye

Trustee McGreevy – Aye

Trustee Kenny – Aye

The MOTION carried on a 6-0 vote, with Trustee Turner absent.

Adjournment

Trustee Spadoni/Trustee Lewis 2nd made a MOTION to adjourn the meeting at 5:52 pm, and the MOTION carried without negative vote.

Minutes prepared by: Dennis L. Martin, village clerk

Note: These minutes are subject to further editing. Once approved by the Village Board, the official minutes will be kept on file at the Village Hall.

APPROVED: 7/6/2009