

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

MONTHLY MEETING of the VILLAGE BOARD OF TRUSTEES
CLOSED and OPEN SESSIONS

Monday, July 11, 2005

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

Trustees present: Roll call: Trustee O'Connell, Trustee Bromfield, Trustee Petersen, Trustee Larson, Trustee Pollitt, President Howell, Trustee Turner (5:43pm)

Trustees absent: none

Also present: Kelly Hayden-Staggs, Village Administrator; Dale Thorpe, Village Attorney (5:35pm)

Announcement for Board of Trustees to Consider Going Into Closed Session - President Howell

Trustee Petersen/Trustee Bromfield 2nd made a MOTION for the Village Board to go into closed session pursuant to Chapter 19.85 (1) (c) Wis. Stats., for the purpose of "considering employment, promotion, compensation or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility," and the roll call vote followed:

O'Connell – Yes

Bromfield - Yes

Petersen – Yes

Larson – Yes

Pollitt – Yes

President Howell-Yes

Adjourn Closed Session

Trustee Petersen/Trustee Bromfield 2nd made a MOTION to adjourn the Village Board's Closed Session at 6:14 pm and to reconvene in open session, and the MOTION carried without negative vote.

President Howell announced the Village Board was still in session at 6:17 pm

Also Present: Lieutenant Brad Buchholz, Bob Chanson, Bruce Jensen, Librarian Nancy Krei, Building Inspector Ron Nyman, Jennifer Pollitt, Patrick Romenesko, Cindy Wilson, Public Works Director Craig Workman

Visitors Heard

Bruce Jensen stated that he wanted to discuss "the proper procedure" for a referendum on the new site for the main lift pumping station. Jensen stated that even though it would be expensive, a referendum is required to have the new Main Lift Station constructed in a different location than approved in the 2004 referendum. Thorpe stated that no "poll vote" of the Village Board could be taken as Jensen requested because the new referendum proposal was not on the agenda. Thorpe stated that no member of the Village Board requested to put the issue on a future agenda so there was nothing more to discuss.

Announcements

Hayden-Staggs announced that the Elva Hoffman Dedication at the Park House will be held Monday, July 18, 2005, at 6 pm; Accurate Appraisal will be at the Village Hall for Office Hours on Friday, July 22, 2005, from 10 am to 3 pm; the monthly Plan Commission Meeting will be held

Monday, July 25, 2005, at 6 pm; the Lakeshore Idol Contest in Reid Park will be held Thursday, July 28, 2005, at 7 pm; the Big Foot Lions Club Lobster Boil & Steak Fry will be held in Reid Park on Saturday, July 30, 2005; and the monthly Village Board Meeting will be held Monday, August 1, 2005, at 6 pm. Craig Workman announced the first round of non-toxic smoke tests to show leaks in sewer lines will begin July 12 at about 9:00 am. President Whowell stated the construction project on Main Street was addressed in a letter received from Lucy Sandy. President Whowell stated that summer is the best time to repair the road and the school area, and that Lucy's restaurant is still open even though the road is closed.

Approval of Minutes

Trustee Bromfield/Trustee Petersen 2nd made a MOTION to approve the minutes for the June 27, 2005 Special Village Board meeting, and the MOTION carried without negative vote.

Village Treasurer's Report

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

Approval of Village and Utility Payables

Trustee Bromfield/Trustee Pollitt 2nd made a MOTION to approve the Village and Utility Payables with one correction, and the MOTION carried without negative vote.

Administrative Report/Finance Committee – Administrator Hayden-Staggs and Trustee Pollitt

2004 Audit Presentation- Patrick Romenesko

Romenesko distributed the audit documents to the Village Board and presented a standard overview letter, a management letter, and the final report. Romenesko reported that \$360,000 is available as excess funds to help balance budget or finance the purchase of capital items. Romenesko suggested that the Village periodically reconcile its Municipal Court bond account. Also, the Village owes \$200,000 to the state for unfunded retirement liability. Romenesko suggested that the Village look into paying off this debt because of its 7.8 percent interest rate. From the finalized report, Romenesko highlighted the Budget to Actual Comparison report, in that the general fund has fallen short of its approved budget by \$42,000 -- mainly because of building permits. Furthermore, the Long Term Debt of general category/obligations is \$5,456,000. For utilities/proprietary, the Long Term Debt totals \$2,645,000. Audits on the CDA can be found on page 35 of the report. Trustee Pollitt stated he is very satisfied by the expedience and precision of the audit completed by Romanesko.

Trustee Pollitt/Trustee O'Connell 2nd made a MOTION to approve the audit, and the MOTION carried without negative vote.

Revisit Main Lift Station Funding

Hayden-Staggs stated that the Village Board's previous vote to have the sewer fund charge an interest rate on itself is not appropriate. Hayden-Staggs suggested that the Board update their minutes to state the sewer fund will be funding the expansion of the sewer treatment, as to reword their previous commitment.

Trustee Petersen/Trustee O'Connell 2nd made a MOTION to update minutes to reflect the commitment, and the MOTION carried without negative vote.

General Business – President Whowell

Appointment of Bob Chanson to Lakefront and Harbor Committee

Trustee O'Connell/Trustee Bromfield 2nd made a MOTION to appoint Bob Chanson to the Lakefront and Harbor Committee, and the MOTION carried without negative vote.

Winter Meeting Schedule

A tentative schedule for meeting dates of the Village Board was presented. Trustee Turner asked if the November 7, 2005 meeting can be moved back to October 31, 2005. President Whowell asked the trustees to look the schedule over and to report back with any problems with the dates.

ETZ Boundary Amendment - Town of Linn

Attorney Thorpe stated that the Village Board received a petition to amend the ETZ jurisdiction for the Village of Fontana. Thorpe stated that the petition filed by William Grunow for Majestic Ski Hill could be forwarded for review by the Joint ETZ Committee for a binding recommendation with the Plan Commission if the Village Board approved a resolution. The resolution would only authorize the petition to be forwarded for review, and would not be approving the petition.

Trustee Bromfield/Trustee Larsen 2nd made a MOTION to approve Resolution 07-11-05-02 and forward the petition for review and a recommendation by the Joint ETZ Committee and Plan Commission, and the MOTION carried without negative vote.

Ordinance Amendment Regarding Permit Lapses

Nyman presented an ordinance amendment to change the wording on permit lapses. Currently, building permits are valid for 24 months; however, there are projects that take longer than the two-year period. Nyman stated that the amendment proposes to have permits renewed after two years. Nyman stated that this would give the building inspectors control and the builders a push to finish their projects. To help urge the finalization of the project, there would be a fee for each renewal. The renewed permits would be valid for six months.

Trustee Bromfield/Trustee Petersen 2nd made a MOTION to approve Ordinance 07-11-05-01, and the MOTION carried without negative vote.

Ordinance Amendment Regarding Building Permits, Inspections

Nyman presented an ordinance amendment that would require topographical surveys for project approval. Trustee Turner stated the Village should require an Engineered Site Plan as another document for project approval. Trustee Bromfield stated that state statutes already cover these issues. Trustee Turner/Trustee Larson 2nd made a MOTION to approve ordinance amendment 07-11-05-02 with additions to section (d), and the MOTION carried with one negative vote from Trustee Bromfield.

Amendment to Section 14.65 Regarding New Fee Schedule for Natural Resources Conservation Ordinance (Tabled June 6, 2005)

Trustee Petersen/Trustee O'Connell 2nd made a MOTION to table this issue, and the MOTION carried without negative vote.

Public Works - Trustee Petersen and Public Works Director Workman **Country Fairway Lift Station Rehabilitation**

Workman reported that the project has been budgeted for \$60,000. If approved, the station will be replaced and rehabilitated. Workman stated that the Country Fairway station is the Village's oldest lift station, and it is not connected to the SCADA station. LW Allen is the Village's current service provider. No responses have been received in request for quotes from other service providers.

Trustee Petersen/Trustee Pollitt 2nd made a MOTION to approve the LW Allen proposal, and the MOTION carried without negative vote.

Tarrant Drive Project Update

Workman provided an update.

Main Lift Station Project Update

Workman provided an update.

Mill Street Project Update/Main Street Project Update

Workman stated that water and sewer work on Mill Street has been finished. The curbs and gutters are scheduled to be finished soon. Blacktop work will begin after the curbing is completed. On Main Street, the water main will be finished by July 12, 2005. A sidewalk will be constructed on Main Street from Fontana Elementary School to Highway 67.

Appoint New Committee Member

Trustee Petersen recommended the appointment of Ken Pariser, a former supplier to the building industry, to be appointed to the Public Works Committee. Pariser is a full-time resident of Fontana.

Trustee Petersen/Trustee Turner 2nd made a MOTION to appoint Ken Pariser to the Public Works Committee, and the MOTION carried without negative vote.

SCADA System Update Proposal

Workman stated that the SCADA system needs to be updated. Currently, Public Works is running on the Windows '95 system. LW Allen will provide the new software and installation for \$653, and THZ3 quoted the project at \$7,000. It is budgeted for \$6,000 leaving roughly a \$1,500 budget overrun.

Trustee Petersen/Trustee Bromfield 2nd made a MOTION to approve the purchase, and the MOTION carried without negative vote.

Plan Commission – President Whowell

Informational Reports

Fontana Guide Book

The latest adjustments to the guide book were made. The most recent copy of the guide book was sent to the CDA, forwarded to Workman, and currently is being reviewed by Assistant Building Inspector Bridget McCarthy. Trustee Turner stated that it would be a good idea to order a small-run of the guide books from a professional printer, so that citizens will have access to the guidelines via the Building Inspector Office and village committees.

Fontana Highlands

President Whowell stated that the John Tracy annexation and residential development proposal is advancing. Water and sewer costs have been reduced from the initial proposal and most of the details have been worked out. General comments from the Trustees were positive and supportive of the proposal.

Fontana Village Inn Condo Hotel Unit Proposal

President Whowell stated that Bob Webster wants to purchase the Fontana Village Inn on Highway 67 at Dewey Avenue. Webster is proposing to have each room sold as a condo unit, similar to the system used at the Abbey Resort. There would be no exterior or interior changes, simply new ownership. It would add 27 new tax parcels to the Village, if approved.

Public Hearing Announcements for July 25, 2005 Plan Commission Meeting

President Whowell stated that public hearings will be held for Conditional Use Permit applications filed by David Coates for the James Winquist Property at 304 Kinzie Avenue, under the Nonconforming Lots Amendment to the Municipal Code, and by Sturges Taggart, 797 Wells Street, Lake Geneva, for property owner Margaret C. Scherb, 1737 Winona Avenue, Chicago, IL for Tax Parcel No. SGS 00031, 420 Walworth Avenue, under the Nonconforming Lots Amendment to the Municipal Code. A public hearing also will be held for a Zoning Code Amendment to Article II, Chapter 18-17 Specific Words and Phrases (Building Height Definition) of the Village of Fontana Municipal Code.

Park Commission - Trustee Larson

Proposed Ordinance Amendment Regarding One-Day Alcohol Licenses for Parks

An ordinance was proposed by President Whowell and Trustee Larson to permit one-day alcohol licenses in the parks. Presently, the only temporary alcohol permit for 2005 has been issued to the Lions Club for its annual Lobster Boil-Steak Fry. An Illinois association has proposed to have alcohol available at games in Fontana parks. They would be willing to make a contribution to the Park Commission for the temporary permit. Many of the Trustees were opposed to the proposal.

Park House Dedication - Elva Hoffman on July 18, 2005, at 6:00 pm

Trustee Larsen informed the Board that there will be a plaque mounted on the Park House in dedication to Elva Hoffman, who played a significant role in the renovation process of the Park House. Her family also made a recent donation to the Park Commission.

Fontana Boulevard Plantings

Phase 2 of a four-year plan has been finished. There are two plantings that are only in two other places in the United States: Millennium Park and Battery Park.

Protection Committee - Chief Olson

Gordy's Boat House Block Party Proposal for August 6, 2005

President Whowell proposed a Block Party for the 50th Anniversary of Gordy's. The Block Party would take place August 6, 2005 from 6:00 to 11:00 pm. President Whowell stated he wants to show a movie of pictures and footage taken from throughout the 50 years of Gordy's - projected onto the garage of the marina. The reunion would only be attended by the employees who have been there the majority of the 50 years. Security would be provided by the Sheriff's Department. The consensus of the Village Board was to deny the proposal because alcohol consumption is prohibited on public streets and in Village parks.

National Incident Management System (NIMS) Resolution Adoption

Lieutenant Brad Buchholz reports that NIMS is a system teaching how to handle "catastrophic events." He recommended the adoption of the proposed resolution because all of the officers will benefit from NIMS.

Trustee Turner/Trustee Bromfield 2nd made a MOTION to approve the adoption of the NIMS Resolution 07-11-05-01, and the MOTION carried without negative vote.

Operator's License Approval for Chuck's Employee Darin J. Lottig, Gordy's Boat House Employees Paulette L. Kawski and Jason D. Laidig, and Abbey Springs Employee Meagan Walsh

Trustee Bromfield/Trustee O'Connell 2nd made a MOTION to approve the operator's licenses, and the MOTION carried without negative vote. Trustee Petersen and President Whowell abstained.

GLLEA Officer Confirmation

There were 12 officers proposed, one of which being an officer previously denied by the Village Board. The officers need to be sworn in with the Village Fontana in order to be able to perform boat-specific duties.

President Whowell/Trustee Larsen 2nd made a MOTION to approve the GLLEA officers to be sworn-in with the exception of Officer Steve Kohl, and the MOTION carried without negative vote. President Whowell abstained.

Proposal to Adopt Processing Fee for Police Department Officer Applications

A \$25 fee for Police Department officer applications would be put into affect to help cover the costs of background checks and administrative processing. It would help reduce the number of applications, leaving only serious applicants to be reviewed.

Trustee Bromfield/Trustee Turner 2nd made a MOTION to charge a \$25 fee to Police Department officer applicants, and the MOTION carried without negative vote.

Lakefront and Harbor - Trustee Bromfield

Monthly Update

Trustee O'Connell noted that the July 4th statistics are not yet final. The Designated Mooring Area requests have been sent out to lakefront subdivisions to be checked with the overall DMA map for the village.

F/W WPCC-Trustee Petersen

Monthly Update

Trustee Petersen proposed a \$300 basic administrative review fee for any developers to ask for involvement by village attorneys, commissioners or engineers. The proposal was brought about by the Whitetail Ridge Conservation Development, which has cost \$8,000 in expenses. The Tracey's have paid the commission for the \$8,000. In the future, Trustee Petersen believes it would be useful to have the fee already included for proposed projects. The commission is gathering information for expansion, including requests for 20-year flow and load projections. The deadline was last week. The committee officer appointments were made with minor changes.

CDA - Trustee Turner

Appointments of New Member/Resignation of Executive Director

Trustee Turner reported to the Board that both Sue Koepsel, CDA committee member, and Cindy Wilson, Executive Director, resigned. Trustee Turner stated that Cindy Wilson would be a great member of the CDA Board to replace Sue Koepsel.

Trustee Turner/Trustee Pollitt 2nd made a MOTION to accept Cindy Wilson's resignation from the CDA Executive Director position, and the MOTION carried without negative vote.

Trustee Turner/Trustee O'Connell 2nd made a MOTION to appoint Cindy Wilson to the CDA Board, and the MOTION carried without negative vote.

Beach House Location

Trustee Turner stated that a major decision that needed to be made on the location of the new beach house. It can be built on its original foundation and footprint, or 50 feet back from the lake. Moving the new beach house 50 feet back from the lakefront would allow the facility to be expanded and not violate the Village Municipal Code.

Trustee Petersen/Trustee Bromfield 2nd made a MOTION to design for the new beach house to be set 50 feet back from the lake, and the MOTION carried with one negative vote cast by Trustee Turner.

LakeUse Committee – Ken Bell

Monthly Update

Bell was not present to give an update.

GLEA – Trustee O'Connell

Monthly Update

O'Connell stated that no update was necessary.

GLLEA- President Whowell

Update on Pending Issues

President Whowell stated that no additional update was necessary because the main issues were previously discussed.

Pending Items for Future Agendas

1. Abbey Bridge Study
2. Floodplain Designation Ordinance Amendment- Pending Approval of Model Ordinance from the NFIPA
3. Swimming Pool Discharge Ordinance

Adjournment

Trustee Bromfield/President Whowell 2nd made a MOTION to adjourn at 9:01pm, and the MOTION carried without negative vote.

Minutes prepared by: Jennifer Pollitt, Village Intern

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

Approved: 08/01/05