

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

SPECIAL MEETING of the VILLAGE BOARD OF TRUSTEES

**Thursday, August 23, 2007**

President Pollitt called the special meeting of the Village Board to order at 6:30 pm in the Village Hall, 175 Valley View Drive, Fontana, Wisconsin.

**Trustees present:** Roll call vote: Bidwill, O'Connell, Spadoni, President Pollitt, Petersen

**Trustee late:** Turner (arrived at 6:34 pm)

**Trustee absent:** Youngquist

**Also present:** Police Lieutenant Brad Buchholz, Jim Feeny, Bill Gage, Village Administrator Kelly Hayden-Staggs, Library Director Nancy Keri, Village Clerk Dennis Martin, Treasurer Peg Pollitt, Bill Morrison, Tom Whowell,

**General Business**

**Resolution to Authorize Geneva Lake Law Enforcement Agency to Issue Citations for Violation of "Slow No Wake" Regulation**

The meeting was called in order for the Village Board to consider the adoption of a resolution similar to the resolution adopted in the Town of Linn and the Mayoral Proclamation adopted in the City of Lake Geneva. Trustee O'Connell made a motion to adopt the resolution as presented, and it was seconded by President Pollitt. Martin read the proposed resolution into the record. Spadoni stated that he agrees with a memo written by Police Chief Steve Olson that states the high water level of Geneva Lake does not meet criteria for an emergency in the state statute cited. Spadoni stated another reason why the Slow No Wake order should be imposed on a voluntary basis is because it would be very difficult to enforce. President Pollitt stated that the four lake municipalities already have posted signs that request boaters to voluntarily abide by the Slow No Wake order, and the notice has been emailed to the presidents of the Village subdivision associations. Spadoni stated that the Village should be more concerned with flooded basements and other residential problems that have been generated by the recent heavy rains, and the Slow No Wake order will be effective on a voluntary basis until the water level recedes. Tom Whowell stated that the Geneva Lake Level Corporation Board of Directors held a meeting earlier in the day and it was agreed by the members that the current lake level is very high. Whowell stated that the members also were in agreement that the high water level mainly will adversely affect row boat ramps and wave runner ramps. Whowell stated that in order to lower the lake level to the 30-inch mark as measured by the spillway in Lake Geneva, the Lake Level Corporation Board voted to increase the output over the dam into the White River. Whowell stated that lowering the lake level by releasing water over the dam is a slow process; however, the level will go down by about one inch a day. Bill Gage stated that his company has only received three or four service calls related to the high water level. Gage stated that the damage occurring to lakefront piers and ramps is mainly from storm conditions and high winds, not wake produced from boats. Gage stated that other lakes in southeastern Wisconsin are being closed down; however, the water level on those lakes is over all of the piers and up onto the shore. Gage stated that if there aren't any more severe rain storms, the lake level will drop back down to the 30-inch mark in a few days. President Pollitt stated that if the resolution is adopted, it would be rescinded as soon as the lake level has receded to the 30-inch mark, which could be as early as Sunday. Hayden-Staggs stated that Slow No Wake notices have been sent out, but some residents are still concerned. Residents of Belvidere Park have called the Village and indicated that the association pier is under water and the association supports the proposed resolution and the levying of \$100 fines to any person who violates the order. President Pollitt stated that he is concerned that the weekend visitors are informed of the Slow No Wake order. President Pollitt stated that Linn Town Board Chairman David Bollweg urged the Village to adopt the proposed resolution because of the extensive damage the lakeshore has experienced in the Town of Linn. Treasurer Peg Pollitt stated that she received three phone calls at the Village Hall from residents who support the adoption of the resolution as

proposed. Peg Pollitt stated that Kevin Kirkland, operator of the Lake Geneva Marine, stated that he supports the proposed resolution, and that the piers at Glenwood Springs are under water. Bidwill stated that he agrees with Gage and the damage sustained by the piers is caused by the storms and high winds, not boat wake. Bidwill stated that the resolution would be very difficult to enforce and the weather forecast has indicated that the rainy weather should be clearing up by the beginning of next week. Petersen stated that the Geneva Lake Law Enforcement Agency Boat Patrol officers and Geneva Lake Water Safety Patrol crew members are doing a good job of talking to boaters who are creating wake and are suggesting that they slow down. Petersen stated that the boat patrol and Water Safety Patrol crew members are not “chasing down” the boats creating wake, and are doing a good job intercepting the boats. Gage stated that the Geneva Lake Cruise Line has adjusted its tour schedule and rates to shorten the routes of the scheduled tours and to eliminate areas of the lake that are more adversely affected by boat wake. Turner stated that the Village should consider making the Slow No Wake order voluntary rather than imposing a fine for violators. Turner stated a notice could be prepared and distributed to residents and at the boat launch areas. The Village Board was in consensus that Turner’s proposal would adequately address the situation. The Village will monitor the lake level and rescind the order when the lake level is receded to the 30-inch high-water mark as measured at the post mounted at the spillway in Lake Geneva. O’Connell and President Pollitt then rescinded the motion on the floor.

Turner/Spadoni 2<sup>nd</sup> made a MOTION to adopt a voluntary regulation that prohibits all boats from producing wake until the lake level has receded to the 30-inch high-water mark as measured at the post mounted at the spillway in Lake Geneva, and to direct the Village staff to prepare a notice to post at the boat launches and to distribute to residents and visitors. The MOTION carried without negative vote.

#### **Fireworks Display Permit for Funeral Friday, August 24, 2007**

Hayden-Staggs stated that the application for approval of a fireworks display was filed under extraordinary circumstances. The applicants would like to stage a fireworks display as part of the funeral services for Geneva Lake resident Peter Nauert, who passed away this week. The display would be held Friday, August 24, 2007, beginning at 9:30 pm, and staged by J&M Displays, the company that puts on the Village of Fontana fireworks show on the Fourth of July. Hayden-Staggs stated that the normal approval process was not followed because of the timing of the application and the event date; however, the Fire Department and Police Department have been notified and are on board with the proposal. The display will last for about 10 minutes. Turner stated that he has sympathy for the Nauert family for their loss; however, there are way too many fireworks displays approved for Geneva Lake.

Spadoni/O’Connell 2<sup>nd</sup> made a MOTION to approve the application for permit to display fireworks as submitted, and the MOTION carried without negative vote.

#### **Adjournment**

Spadoni/Turner 2<sup>nd</sup> made a MOTION to adjourn at 6:58 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: 09/04/07