

**VILLAGE OF FONTANA ON GENEVA LAKE**  
Walworth County, WI

**Lakefront and Harbor Committee**  
Wednesday, August 24, 2011  
**(Official Minutes)**

The monthly meeting of the Lakefront and Harbor Committee was called to order at 4:30 pm on August 24, 2011 by Chairman Thomas McGreevy.

**Roll Call:** Trustee McGreevy, Lee Eakright, Joel Bikowski, Rick Pappas, Ed Snyder

**Committee Members Absent:** Bob Chanson, Steve Beers

**Also Present:** Jay Babowice, Stu Bagni, Tom Dunn, Ray Fitzgerald, Administrator/Treasurer Kelly Hayden, Village Clerk Dennis Martin, Therese Miller, Micki O'Connell, Dolly Schneidwind, Eddie Snyder, Phil Van Kuiken, David Werner, Tom Whowell

**Visitors Heard**

None

**General Business**

**Approval of Minutes for Meeting Held July 27, 2011**

Snyder/Pappas 2<sup>nd</sup> made a MOTION to approve the July 27, 2011 minutes as presented, and the MOTION carried without negative vote.

**Chapter 54-125 Regulations – Ordinance Amendment for DNR Approval**

The Municipal Code section was submitted to the Wisconsin Department of Natural Resources for an advisory review as recommended by the Village attorney, and an amendment to subsection (6)(e)(2) was the only area of concern noted by the DNR. After the amendment is adopted, following a required 60-day review period, the ordinance must be published and an executed copy as well as proof of publication provided to the DNR. The amendment would require that a mooring of a boat 20-feet or longer at a buoy be at least 25 feet from any pier, dock, raft, wharf or any other structure or from any other moored boat. The committee recommendation will be presented to the Village Board at its monthly meeting in October 2011.

Pappas/Eakright 2<sup>nd</sup> made a MOTION to recommend Village Board approval of the DNR recommended amendment to Section 54-125 (6)(e)(2) as presented, and the MOTION carried without negative vote.

**Concern Regarding Space Between Boats on Buoys and Village Launch Channel Markers**

Following review of the concerns noted by Bob Chanson at last month's committee meeting, Pappas stated that he looked at the lakefront buoys and the ones that need to be addressed are the red colored buoys on the Fontana Shores side of the village launch ramp area. Following discussion, Ed Snyder stated that he will address the situation with Darrell Fredrick of Austin Pier Service. Bikowski stated that there is plenty of room between the Gordy's buoys, and there is enough space for the Gage Marine cruise boats to make it through the open area with no problem. Tom Whowell also presented digital images of the buoys that showed a 40- to 50-foot space between the piers and buoys for boats to travel through.

**Village Mooring Lease Rates 2012 Recommendation**

McGreevy stated that the committee directed village staff of invite the village mooring lease holders to the meeting to discuss the 2012 lease rate recommendation. David Werner stated that he leases one of the 30 village pier slips and there was no justification for the severe increase in the slip lease rate in 2011, and he asked that the committee consider reducing the rate back to the

2010 level. Phil Van Kuiken stated that he is one of the original pier slip lease holders and he also objects to the increase approved last year for the pier slip lease rate. Van Kuiken stated that he would like to see the rate reduced back to the 2010 rate, which was \$2,096.75 (not including state sales tax). Van Kuiken stated that the dramatic rate increase approved last year is not in the spirit of the initial arrangement approved in 1991-92. Jay Babowice stated that he is a pier slip lease holder and he wanted to remind the committee members of the facts and figures presented by Ray Fitzgerald at the March 7, 2011 Village Board meeting after the rate increase was included in the mailed out 2011 lease agreements. Babowice stated that the bottom line is that the pier slip lease holders feel that they were treated unjustly and they were singled out with a 31 percent lease rate increase. Babowice stated that the pier slip lease holders are property owners and citizens of Fontana, they are not weekend visitors just renting rooms. Babowice stated that the Village should consider other areas to generate revenue and reduce the pier slip lease rate. Fitzgerald stated that the committee's recommendation for the 31 percent increase last year was not appropriate for slips located on public piers. Fitzgerald stated that to compare what the Village charges for its pier slip lease rate to the Abbey Marina is not proper, even if the Village has a long waiting list for pier slip leases. Fitzgerald stated that the Village of Fontana should compare its pier slip lease rates with the rates in Williams Bay and Lake Geneva. Fitzgerald stated that the 2011 increase should be rescinded and the rate dropped back to the level it was in 2010. Pappas stated that the committee members are charged with representing the entire village, not just the 30 people who have pier slip leases on the Village piers. Pappas stated that the pier slip lease rate recommended by the committee and approved by the Village Board last year was based on the fair market value after reviewing the rates in Lake Geneva and Williams Bay and at some of the private marinas on the lake. Pappas stated that the slip lease rates in Williams Bay do not include extra expenses the lease holders have to pay the village for installation, removal and storage of the shore stations; and almost all of the slips on the Lake Geneva piers do not have shore stations. Pappas stated that all of the village moorings, including the pier slips, buoys and ramp spaces, were rented this year, so the Village rates must be fair. Pappas stated that the recommendation was not based on the total profit the village could make on its lakefront moorings; it was based on the fair market value. Tom Dunn stated that he is an original pier slip lease holder and the initial arrangement was for the village to recoup its initial construction costs and annual maintenance expenses. Tom Whowell stated that the biggest concern with the Village approving the 31 percent rate increase last year was that the lease holders were not notified of the decision until they received the 2011 lease agreement documents in the mail. Whowell suggested that the committee recommend a three-year lease agreement that phases in a reasonable rate increase and some reimbursement for this year's dramatic increase. Whowell stated that other fees have been arbitrarily set by the Village, such as the launch rates, and it's not fair for the slip lease holders to be charged a 31 percent increase. Babowice stated that he would not object to a lease rate increase if it truly were based on the fair market value. Pappas stated that the committee recommendation last year was based on research of the other lake municipalities and he thinks it is currently at the fair market rate. Pappas then made a motion to recommend that the Village Board adopt the same lease rates for 2012 for the village slips, buoys and ramp spaces as 2011; however, the motion died for lack of a second. McGreevy stated that he would like to see the Village reduce the pier slip lease rates back to the 2010 level, plus 3 percent, and made that motion. McGreevy's motion also died for lack of a second. Hayden stated that she wanted to point out that the state reduced the total amount of aid the Village of Fontana will receive in 2012 by about \$80,000, which will impact the 2012 budget. Hayden stated that if the lakefront fees are reduced, the total revenue also will decrease and other lakefront operational expenses may have to be cut. McGreevy stated that there are other lakefront fees that the Village could increase to recoup some of the revenue. Ed Snyder asked if the village could enter into multiyear contracts with the pier slip lease holders, and collect the total fee up front. Hayden stated that it would be allowable; however, the village has always entered into one-year leases for the moorings.

Snyder/Eakright 2<sup>nd</sup> made a MOTION to direct staff to draft a viable plan with rates for one-, two- and three-year mooring lease agreements for the ramp, buoy and pier slip spaces, with savings incentives for multiyear agreements; and to direct staff to notify the current mooring lease holders of the committee recommendation after it is approved at the next monthly meeting. The MOTION carried without negative vote.

**Set Next Meeting Date**

The next monthly meeting will be held Wednesday, September 28, 2011, beginning at 4:30 pm.

**Adjournment**

Pappas/Snyder 2<sup>nd</sup> made a MOTION to adjourn the meeting at 5:11 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 Lakefront and Harbor Committee, the official minutes will be kept on file at the Village Hall.

APPROVED: 9/28/11