

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

SPECIAL MEETING of the VILLAGE BOARD OF TRUSTEES  
**Friday, September 13, 2013**

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

**Village Board members present:** (Roll Call) President Petersen, Tom McGreevy, Pat Kenny, Rick Pappas, George Spadoni, Cindy Wilson (arrived at 5:01 pm)

**Village Board member absent:** Bill Gage

**Also Present:** Director of Streets Ron Adams, Director of Utilities Dennis Barr, Administrator/Treasurer Kelly Hayden, Clerk Dennis Martin

**General Business**

**2013 Public Works Budget Unused Funds – Allocation for Infrastructure Projects**

McGreevy stated that he requested the agenda item to discuss the reallocation of any budgeted funds for the Public Works Department salary expenses that will not be needed in 2013. McGreevy stated that because one budgeted Street Department crew member position was not filled until spring, there will be budgeted funds that could be used for necessary infrastructure projects. Spadoni stated that Hayden can run the 2013 budget line item reports with year-to-date expenses to determine if and how much of the budgeted funds are available for reallocation. Hayden stated that some of the salary budget for the DPW is included in the General Fund, and some is included in the Utility Fund; and, some of the infrastructure expenses and capital projects are in the General Fund, some are in the Utility Fund, and some are in both. Pappas stated that the past practice of simply transferring any unused budgeted funds to the Contingency Fund in the Village budget should not be followed with the unused DPW budgeted funds, and instead the funds should be allocated for necessary infrastructure projects before they stack up and the Village gets behind a financial “8-ball.”

McGreevy stated that there was at least \$32,000 in DPW funds that were unused last year, and with the labor expense savings and other remaining funds, there should be about \$65,000 this year.

Hayden stated that the budget reports are emailed out throughout the year, and the annual budget planning documents have been emailed out for the 2014 budget. A discussion followed on the Stearns Road booster pump and the need to have the pump rehabilitated. There is \$10,000 in the 2013 budget for the Stearns Road pumping station that was initially budgeted for a new radio for the pumping station; however, Barr stated that the radio was not purchased because it would not have adequately solved the warning communication system problem. The Village Board directed Barr to allocate the \$10,000 in the 2013 budget for the pump rehabilitation project that was approved by the Public Works Committee at its monthly meeting August 17, 2013. At the committee meeting Barr presented an \$8,345 quote to have the 1,000-gallon Stearns Road backup pump rebuilt. Barr informed the committee members that for several years the pump has had to be started by hand when needed for emergency situations, such as for firefighting, in that area of the Village. The committee approved a motion to approve the \$8,345 cost estimate received for rebuilding the Stearns Road 1,000-gallon backup pump, as presented, and to have the project completed as soon as the funding is available. At the September 13, 2013 Board meeting, Barr stated that to complete the project there also will have to be a new valve purchased and installed for approximately \$4,000 to \$5,000. Following further discussion, Pappas stated that he wanted to make a motion to authorize the entire proposal so the project can be completed as soon as possible.

Trustee Pappas/Trustee Kenny 2<sup>nd</sup> made a MOTION to approve the proposal to have the 1,000-gallon Stearns Road backup pump rebuilt by L.W. Allen, Inc., Madison, for \$8,345, and to approve the purchase and installation of a replacement valve as necessary, with the total project cost not to exceed \$15,000, and subject to final review by the Public Works Committee. The MOTION carried without negative vote.

**Director of Public Works Position(s)**

Spadoni stated that he requested the agenda item because he wanted to make a motion to authorize

the chairman of the Public Works Committee to make a recommendation to the Village Board on hiring a replacement or replacements for the director of public works position; to determine and complete the drafting of the job description(s), the hiring criteria, the job posting method and the interview and selection process; and to complete any other necessary steps as determined by the chairman and the committee members. Petersen stated that he would second the motion and asked if there was any discussion. Spadoni stated that he thinks the Village Board needs to replace Craig Workman with a director of public works. Spadoni stated that the Board asked Dennis Barr and Ron Adams to switch from their lead man positions to the new Director of Utilities and Director of Streets positions; but, the administrative duties are a lot of work on top of the lead man duties. Spadoni stated that the Board needs to go with a plan that best utilizes Barr and Adams and their skills. Spadoni stated that with the salary approval situation at an impasse, it's time to move back to pursuing a new director of public works and he is convinced Trustee McGreevy and the Public Works Committee can select the best person possible. Pappas stated that the initial decision to create and the new positions and offer them to Barr and Adams was made because it was difficult to find a person who could have fit in with the chemistry of the Public Works Department. Spadoni stated if the motion is approved and McGreevy is given total control of the hiring process, he and the committee can find the right person and come back to the Village Board with a recommendation. Adams asked what would happen to him and Barr if a new DPW director is hired. Barr stated that he and Adams had been down that road before and they don't want to be hand-maidens to another incompetent director similar to one of the directors who was here prior to Workman. Following further comments made by several trustees, Barr and Adams, Barr and Adams stated that they would leave the meeting and let the Board make their decision. Wilson stated that the Village Board spent \$6,000 to \$10,000 on a consulting firm and came up with nothing when Workman resigned the position last December, and that's why the new positions were created and approved for Barr and Adams. Spadoni stated that since the salary issue has not been resolved it would be best to let McGreevy and the committee members determine how to proceed. Wilson stated that the motion is contrary to the previous approvals and asked Spadoni when he came up with his proposal. Spadoni stated that in an effort to come up with ideas to resolve the salary situation he had met with McGreevy and former Village President Tom Whowell, and Pappas also was present. Wilson stated that she did not think that was appropriate and the whole issue had been down to a matter of a couple thousand dollars. Spadoni stated that McGreevy should be given time to develop an action plan. Pappas stated that the Village is not going to be able to hire a new DPW director for \$20,000. Pappas stated that the salary range for a DPW director will have more of a budget impact than the figures that were being debated for Barr and Adams, and the Village won't know if it will improve the Department of Public Works or not. Spadoni stated that the Village Board should trust that recommendation that McGreevy and the committee come up will be best for the DPW and they should be given complete control of the process. Pappas stated that with the cost of hiring of another Utility Crew member, he doesn't see how funding the salary for a DPW director and reverting Barr and Adams back to their lead man positions will fit into the budget. Petersen stated that the planning for the 2014 budget is just starting and the director position can be fit in if necessary. Pappas asked then why did the Village Board go through all the recent special meetings to reconsider the initially approved salary recommendations. Petersen stated that he was going to call for a roll call vote on the motion on the floor.

Trustee Spadoni/President Petersen 2<sup>nd</sup> made a MOTION to authorize Public Works Committee Chairman Tom McGreevy to take total control of the process for the Public Works Committee to make a recommendation to the Village Board on hiring a replacement or replacements for the director of public works position; to determine and complete the drafting of the director of public works job description(s), the hiring criteria, the job posting method and the interviewing and selection process; and to complete any other necessary steps as determined by the chairman and the committee members. The Roll Call vote was as follows:

Trustee McGreevy – Aye

Trustee Kenny – Aye

Trustee Pappas – No

Trustee Wilson – No

Trustee Spadoni – Aye

President Petersen – Aye

The MOTION carried on a 4-2 vote, with Trustee Gage absent.

### **Closed Session**

Trustee Kenny/Trustee Spadoni 2<sup>nd</sup> made a MOTION at 5:25 pm to go into Closed Session pursuant to Wis. Stats. Chapter 19.85 (1)(c), to consider employment, promotion, compensation or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility, specifically Wages for Director of Utilities and Director of Streets, and the Roll Call vote was as follows:

Trustee Kenny – Aye

Trustee Pappas – Aye

Trustee Wilson – Aye

Trustee Spadoni – Aye

President Petersen – Aye

Trustee McGreevy – Aye

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

Trustee McGreevy/Trustee Kenny 2<sup>nd</sup> made a MOTION at 5:32 pm to adjourn the Closed Session and to reconvene in Open Session, and the MOTION carried without negative vote.

### **Closed Session Business**

Spadoni stated that he wanted to make the motion that was approved in the Closed Session regarding the pay increase for Adams and Barr for 2013. An amendment to the AFSCME union contract in the form of a memo of understanding still needs to be approved at a future meeting, and Barr and Adams still have to sign their new job descriptions that were approved May 6, 2013. The Board directed staff to add the first payment of the lump sums for Barr and Adams to their next payroll checks even if the union contract memo of understanding has not been approved, and even if the new job descriptions have not been executed.

Trustee Spadoni/Trustee McGreevy 2<sup>nd</sup> made a MOTION to approve \$16,000 lump sum salary payments for 2013 for Director of Streets Ron Adams and Director of Utilities Dennis Barr to be paid equally over the 26 annual pay periods, with the first payment to be made on the next payroll check for the first 20 pay periods of 2013, and the MOTION carried without negative vote.

### **Adjournment**

President Petersen/Trustee Kenny 2<sup>nd</sup> made a MOTION to adjourn the Village Board meeting at 5:34 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: 10/7/2013