

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

MONTHLY MEETING of the VILLAGE BOARD

**Tuesday, November 1, 2005**

President Whowell called the monthly meeting of the Village Board to order at 5:34 pm in the Village Hall, 175 Valley View Drive, Fontana, Wisconsin.

**Trustees present:** Roll call: Petersen, Larson, Pollitt, Turner, O'Connell, Bromfield, President Whowell

**Also present:** Village Administrator Kelly Hayden-Staggs, Village Clerk Dennis Martin, Village Attorney Dale Thorpe

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

Bromfield/Larson 2<sup>nd</sup> made a MOTION for the Village Board to go into closed session pursuant to Chapter 19.85 (1) (g) Wis. Stats. for the purpose of "conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved," and the roll call vote followed:

Larson – Yes

Pollitt – Yes

Turner - Yes

O'Connell – Yes

Bromfield – Yes

President Whowell – Yes

Petersen – Yes

**Adjourn Closed Session**

Bromfield/O'Connell 2<sup>nd</sup> made a MOTION to adjourn the closed session of the Village Board and reconvene in open session at 6:11 pm, and the MOTION carried without negative vote.

President Whowell announced the Village Board was in session at 6:14 pm.

**Also present:** Police Lt. Brad Buchholz, Officer Mark Chalcoff, Bruce Jensen, Librarian Nancy Krei, CDA Executive Director Joseph McHugh, Building Inspector Ron Nyman, Police Chief Steve Olson, Treasurer Peg Pollitt, Paul Sloth, Director of Public Works Craig Workman

**Visitors Heard**

None

**Announcements**

Hayden-Staggs announced that the CDA Board monthly meeting will be held Wednesday, November 2, 2005, at 6 pm; Children's Book Week will be held at the Fontana Public Library from November 14 to 18, 2005; the 2006 Budget Public Hearing will be held Monday, November 21, 2005, at 5 pm; Village Hall will be closed for the Thanksgiving holiday on November 24, 25 & 26, 2005; the Plan Commission monthly meeting will be held on Tuesday, November 29, at 5:30 pm; the next Village Board monthly meeting will be held Tuesday, December 6, 2005, at 6:00 pm; and the First Quarter 2006 Newsletter article deadline is Friday, December 9, 2005. Hayden-Staggs also announced that a Town Hall meeting will be held Saturday, November 12, 2005, at 8:00 AM in the Village Meeting Room to present to the residents an inquiry letter that the Village Board had submitted to the Walworth County Sheriff's Department that sought preliminary information with regard to the Sheriff's Department providing policing services to the Village.

### **Approval of Minutes**

Bromfield/O'Connell 2<sup>nd</sup> made a MOTION to approve the minutes for meetings held October 3, 17 and 25, 2005, and the MOTION carried without negative vote.

### **Village Treasurer's Report**

Pollitt/Bromfield 2<sup>nd</sup> made a MOTION to accept the Treasurer's Report for September 2005 and to place it on file for the audit, and the MOTION carried without negative vote.

### **Approval of Village and Utility Payables**

Bromfield/Larson 2<sup>nd</sup> made a MOTION to approve the Village and Utility Payables as presented with the addition of the \$14,874 monthly bill from Thorpe, Compton & Christian, S.C., and the MOTION carried without negative vote.

### **Public Works - Trustee Petersen and Public Works Director Workman**

#### **Hillcrest Project Update**

Workman stated that the project is almost finished and the residential mailboxes and street signage will be put back up this week.

#### **Main Lift Station Project Update**

Workman stated that a preconstruction meeting was held and preliminary tasks are being taken care of prior to the commencement of excavation work in Reid Park. The plans call for having the new lift station up and running by March 31, 2006. The park is scheduled to be restored and ready for public use by June 15, 2006. The eastern portion of the village's boat trailer parking lot will be used to store equipment during the project.

#### **Fontana Boulevard Project Contract**

Workman stated that a preconstruction meeting was held with the project contractor, Mann Brothers, Inc. The western portion of the village's boat trailer parking lot will be used to store equipment during the project. All of the necessary pipe has been ordered and the project is scheduled to be finished by late March 2006.

### **Contested Water Bills**

#### **Robert Brandt**

Workman stated that the Village received a letter from Robert Brandt that contests the water bill he received for 423 S. Lakeshore Drive. Workman stated that upon investigation, the Public Works Committee recommended waiving a portion of the sewer charges because of a broken water main. Following discussion, the Board was in consensus that a \$1,700 credit for the sewer charge would be appropriate with the conditions that it is verified that the water main leak has been repaired and that the water that leaked from the water main break did not enter the sewer.

Turner/Petersen 2<sup>nd</sup> made a MOTION to approve the granting of a \$1,700 credit to Robert Brandt for the sewer charges on the utility bill for 423 S. Lakeshore Drive, with the conditions that it is verified that the water main leak has been repaired and that the water that leaked from the water main break did not enter the sewer, and the MOTION carried without negative vote.

#### **Bill and Sharon Conklin**

Workman stated that the Public Works Committee has not investigated a claim submitted by Bill and Sharon Conklin that contests the recent \$975 utility bill they received for their residence at 123 Big Foot.

Petersen/Bromfield 2<sup>nd</sup> made a MOTION to table the matter until the next monthly meeting of the Village Board, and the MOTION carried without negative vote.

#### **William Huck**

Workman stated that the Public Works Committee recommended approval of a credit for a portion of the sewer charges William Huck received on his recent utility bill for the residence at 363 N. Lakeshore Drive. Workman stated that the water bill was higher than usual because of a bad water valve that leaked. Upon investigation, it was determined that the water that leaked did not enter the

sewer line. Following discussion, the Board was in consensus that a \$250 credit for the sewer portion of the bill was appropriate.

Turner/Petersen 2<sup>nd</sup> made a MOTION to approve granting a \$250 credit to William Huck for the sewer charges on the utility bill for 363 N. Lakeshore Drive, and the MOTION carried without negative vote.

### **Pipe Freezer**

Workman stated that National Waterworks, Inc., Belvidere, IL submitted a bid of \$419 for a Quick Freeze Unit pipe freezer. The purchase of the equipment is in the current budget.

Turner/O'Connell 2<sup>nd</sup> made a MOTION to approve the purchase of the pipe freezer for \$419 from National Waterworks, Inc., and the MOTION carried without negative vote.

### **Shop Asphalt**

Workman stated that the project to put on a new 2-inch layer of binder asphalt at the Village Shop was expanded to address areas of concern. Workman stated that although the \$6,958 total price for the project as proposed is \$4,000 over the budget, the funds can be derived from other areas of the Public Works budget.

Petersen/Turner 2<sup>nd</sup> made a MOTION to approve the \$6,958 bid from B.R. Amon & Sons, Inc., Elkhorn, and the MOTION carried without negative vote.

### **Well No. 3 Rehabilitation**

Workman stated that the Public Works Committee recommended approving pump and well work at Well No. 3, in addition to the work already approved for Well No. 1.

Petersen/Bromfield 2<sup>nd</sup> made a MOTION to approve the agreement with Layne-Northwest, Pewaukee, to perform the pump and well work on Well No. 3 as proposed, and the MOTION carried without negative vote.

### **General Business/Administrator's Report – President Whowell/Administrator Hayden-Staggs**

#### **Keizer Garbage Contract Rate Adjustment (Tabled 10/03/05)**

Hayden-Staggs stated that Jack Keizer submitted a proposal to increase the rate for garbage collection services by 3 percent for the next year. The Village Board was in consensus that a 3 percent increase is reasonable, and that Keizer and Sons provide great service.

Bromfield/Larson 2<sup>nd</sup> made a MOTION to approve the 3 percent rate increase for the Garbage Collection Contract with Keizer and Sons, and the MOTION carried without negative vote.

#### **Amendment to Ordinance Section 2-37 – Regular Village Board Meeting Date**

An ordinance amendment was necessary to ratify the Village Board's decision to hold its regular monthly meetings on the first Tuesday of each month, instead of the first Monday.

Bromfield/Turner 2<sup>nd</sup> made a MOTION to approve Ordinance No. 11-01-05-01 as presented, and the MOTION carried without negative vote.

#### **Resignation/Appointment to Protection Committee**

Bromfield announced that Ken Ryndak submitted his resignation from the Protection Committee.

Bromfield/Petersen 2<sup>nd</sup> made a MOTION to accept Ken Ryndak's resignation from the Protection Committee, and the MOTION carried without negative vote.

#### **AFCSME Union Contract 2005-2006 (Tabled 10/03/05)**

Workman stated that the time frame for the negotiated Department of Public Works contract was only proposed to extend through 2006 in order to prevent it from expiring the same year as the union contract for the Police Department officers. The contract calls for a 4 percent pay rate increase for 2005 and a 3 percent increase for 2006. Trustee Pollitt stated that he was concerned that the Human Resources Committee did not have a roll in the negotiations for the current contract. Trustee Pollitt stated that the committee should be involved next year when the negotiations begin for the next contract.

Turner/Bromfield 2<sup>nd</sup> made a MOTION to approve the AFCSME Union Contract for 2005-2006 as presented, and the MOTION carried without negative vote.

### **Holiday Party – December 12, 2005**

Hayden-Staggs reported that the low bid for the annual Holiday Party was submitted by Chuck's Lakeshore Inn.

Petersen/Bromfield 2<sup>nd</sup> made a MOTION to approve holding the annual Holiday Party on Monday, December 12, 2005, at Chuck's Lakeshore Inn, and the MOTION carried without negative vote.

### **Amendment to Village Board Resolution Authorizing CDA Review of Projects Exceeding \$10,000 (Tabled 10/24/05)**

Hayden-Staggs stated that the proposed amendment to the Resolution implementing Redevelopment Area No. 1 further defines construction projects that require a recommendation from the CDA Board of Commissioners as "construction requiring a building permit and permanent in nature." There also is an additional clause that states the resolution does not apply to temporary structures. An Ordinance also will have to be adopted by the Village Board in order to ratify the amendment. Bromfield/Turner 2<sup>nd</sup> made a MOTION to approve Resolution 11-01-05-02 as presented, and the MOTION carried without negative vote.

### **Resignation/Appointment of Board of Appeals Member**

President Whowell stated that it was recently determined that since George Spadoni is a member of the Plan Commission, he would not be in a good position to act as the chairman of the Board of Appeals, since the Board of Appeals acts on matters that initially were acted on by the Plan Commission.

Bromfield/Turner 2<sup>nd</sup> made a MOTION to accept the resignation of George Spadoni from the Board of Appeals, and the MOTION carried without negative vote.

### **Accurate Appraisal, LLC Contract – Maintenance**

Hayden-Staggs stated that the proposed maintenance contract delineates the scope of services Accurate Appraisal, LLC will provide from 2006 through 2010, unless another revaluation will be necessary. The contract will be amended if a revaluation is necessary. The contract calls for an annual sum of \$15,500 in 2006, \$16,000 in 2007, \$16,500 in 2008, \$17,000 in 2009, and \$17,500 in 2010. Bromfield/Pollitt 2<sup>nd</sup> made a MOTION to approved the maintenance contract with Accurate Appraisal, LLC for 2006 through 2010 as presented, and the MOTION carried without negative vote.

### **CWD Resolution – Country Club Estates Request for Amendment**

Britt Isham, the former president of the Country Club Estates Board of Directors, stated that the current Board voted unanimously, with one member absent, to seek Village approval to participate in the DNR's annual CWD Eradication Hunt. Isham distributed copies of the signs that will be posted at the trail entrances to the Country Club Estates property. The land owner representative would be Scott Berg, and authorized hunters would be Britt Isham, Dave Foster and Peter Novak. Larson stated that she did not see a single sign posted in the area last year, and the hunting proposal is very concerning with regard to the safety of children and dogs in the area. As well as having a concern with regard to the proper posting of warning signs, Larson stated she is generally opposed to hunting in the Country Club Estates woods. Larson made a motion to deny the proposal, but the motion died for lack of a second.

Pollitt/Turner 2<sup>nd</sup> made a MOTION to approve Resolution 11-01-05-01 to add the Country Club Estates land to the CWD Resolution with the same approved hunting hours as set for all the other Village of Fontana parcels, and the MOTION carried on a 5-1 vote, with Larson voting no and O'Connell abstaining.

### **Highway 67 Property Acquisition**

Turner stated that landscaping and irrigation will be installed by the Village on the parcel being purchased from Geneva Lakes Travel, 127 Valley View Drive, because the land will be in the public right-of-way for the new Highway 67. The offer made by the appraisal company working on the land acquisitions for the project totaled \$15,230.

Turner/Bromfield 2<sup>nd</sup> made a MOTION to approve the purchase of the parcel from Geneva Lakes Travel for \$15,230, and the MOTION carried without negative vote.

### **Park Commission - Trustee Larson**

#### **Mill House Demolition/Preservation**

Larson stated that she and Workman discussed the situation and determined that the Mill House should be razed under the supervision of the DPW in order to save portions of the historic building. Workman stated that the floor joice and some large 12-by-12-foot posts may be saved during the razing process. The low bid for razing the structure was submitted by Bob Stewart. Turner stated that he will propose to the CDA Board of Commissioners that the CDA pay for part of the contract. The project is not in the current budget.

Bromfield/Larson 2<sup>nd</sup> made a MOTION to approve the \$7,800 contract with Bob Stewart to raze the Mill House with the assistance of the Department of Public Works, and the MOTION carried without negative vote.

### **Lakefront and Harbor - Trustee O'Connell**

#### **Recommendation for Harbormaster \$250 Bonus**

O'Connell stated that the Lakefront and Harbor Committee recommended a \$250 bonus for Sam Fredrickson for a job well done this past season.

Bromfield/Turner 2<sup>nd</sup> made a MOTION to approve the \$250 bonus, and the MOTION carried without negative vote.

### **Protection Committee - Chief Olson**

#### **Operator's License Approval for Cheryl L. Hoffman (Novak's)**

Bromfield stated that Chief Olson completed the background check on the Hoffman application and indicated there were no problems.

Turner/O'Connell 2<sup>nd</sup> made a MOTION to approve the issuance of an Operator's License to Cheryl L. Hoffman, and the MOTION carried without negative vote.

### **1996 Squad Disposal**

Bromfield stated that the Protection Committee recommended advertising the 1996 squad car for sale on the Internet through Ebay.

Turner/Petersen 2<sup>nd</sup> made a MOTION to approve the disposal of the 1996 Police Department squad car by offering it for sale on the Internet through Ebay, and the MOTION carried without negative vote.

### **Pay Raise for Lieutenant 2005/2006**

Bromfield stated that the Protection Committee recommended sticking with the 3 percent pay raise for Lt. Buchholz in 2005 as previously approved and adopted by the Village Board, and recommended an 8 percent increase in 2006. Hayden-Staggs stated that if approved as recommended by the Protection Committee, Lt. Buchholz's total salary package with fringe benefits would total \$52,706 for 2005 and \$80,105 for 2006. Lt. Buchholz distributed a report he prepared and requested a 13.7 percent pay increase for 2006. Trustee Pollitt stated that the Finance Committee recommended a pay increase of 10 percent for 2006, which he said is more reasonable than the 8 percent recommended by the Protection Committee.

Turner/Petersen 2<sup>nd</sup> made a MOTION to approve a pay raise for the lieutenant's position of 3 percent in 2005 and 8 percent in 2006, and the MOTION carried with one negative vote cast by Pollitt.

### **Pay Raise for Chief 2005**

Bromfield stated that the Protection Committee voted to table the matter until its next scheduled meeting on Saturday, November 19, 2005.

O'Connell/Turner 2<sup>nd</sup> made a MOTION to table the matter until the December 6, 2005 Village Board meeting, and the MOTION carried without negative vote.

### **Part-time Officer Pay Raise 2006**

Bromfield stated that the Protection Committee recommended an increase at the same rate as approved in the police union contract. The 68-cent increase per hour would bring the total rate up to \$15.53. The Protection Committee voted to table a request for longevity pay.

Turner/Larson 2<sup>nd</sup> made a MOTION to approve the 68-cent increase in the hourly pay rate for part-time police officers, and the MOTION carried without negative vote.

### **CDA – Trustee Turner**

#### **2006 Budget**

Turner stated that the budget distributed for the meeting was preliminary. The CDA's project plan is being revised and the budget will be amended before the Village Board meeting on December 6, 2005.

Bromfield/Turner 2<sup>nd</sup> made a MOTION to table the matter until the December 6, 2005 meeting, and the MOTION carried without negative vote.

#### **Overall Management Plan**

Turner stated that the CDA is working on revising the plan.

### **Finance Committee – Trustee Pollitt**

#### **Announcement of Budget Public Hearing – Monday, November 21, 2005, at 5:00 pm**

Trustee Pollitt stated that the Village will hold its 2006 budget public hearing on Monday, November 21, 2005, at 5:00 pm. Pollitt and Turner stated that they will be out of town on November 21, 2005, so they will not be able to attend the hearing; however, the other five members indicated they plan on attending the hearing, so a quorum will not be an issue.

### **Plan Commission – President Whowell**

#### **Approve Ordinance ETZ Boundary Petition Filed by William Grunow, Linn Township**

President Whowell stated that the Plan Commission and Joint ETZ Committee voted to recommend in favor of adding the Grunow parcel to the ETZ District. Even if the boundary petition is approved, Grunow still has to go through the entire approval process for a development proposal. Thorpe stated that he has concerns with the legal description and suggested that the Village Board table the matter until the concern can be resolved and the final documents amended.

Bromfield/O'Connell 2<sup>nd</sup> then made a motion to table the matter. Turner stated that the Village Board should vote to approve the ETZ Boundary petition so that the Village has some jurisdiction during the approval process for a development, and make the approval with the condition that Thorpe work out the legal description issue. Bromfield and O'Connell then withdrew their motion to table the issue.

Turner/Petersen 2<sup>nd</sup> made a MOTION to approve the ETZ Boundary Petition filed by William Grunow subject to the verification of the legal description by Thorpe, and the MOTION carried without negative vote.

#### **Approve Vandewalle & Associates Contract (Tabled 10/03/05)**

President Whowell stated that the contract initially was tabled because there was concern that Village Planner Mike Slavney had a conflict with the Plan Commission's regular monthly meeting date. Now that the Plan Commission voted to hold its meetings on the last Tuesday of each month, beginning at 5:30 pm, Slavney stated he will be able to attend all of the meetings. The contract calls for the same rates as 2005.

Bromfield/Larson 2<sup>nd</sup> made a MOTION to approve the contract with Vandewalle & Associates for 2006 as presented, and the MOTION carried without negative vote.

#### **Public Hearing Announcements for November 29, 2005 Plan Commission Meeting**

President Whowell announced that public hearings will be held Tuesday, November 29, 2005, beginning at 5:30 pm, for a Petition for Amendment of the Zoning Ordinance and Zoning Map of the Village of Fontana on Geneva Lake filed by Abbey Springs, Inc., 1 Country Club Drive, Fontana, for property located at 1 Country Club Drive; and for a Petition to Repeal and Recreate Section 18-102 (Floodplain Zoning Ordinance) and Section 18-376 (Wetland Mapping Disputes) and Repeal Section 18-103 of the Village of Fontana Municipal Code.

### **F/W WPCC-Trustee Petersen**

#### **Monthly Update**

Petersen stated that everything is working properly at the wastewater treatment plant.

**LakeUse Committee – Ken Bell**

**Monthly Update**

President Whowell announced that the committee did not meet last month.

**Pending Items for Future Agendas**

1. Abbey Bridge Study
2. Chapter 54 Ordinance Revision
3. Tracy Preannexation & Easement Request

**Adjournment**

Bromfield/Pollitt 2<sup>nd</sup> made a MOTION to adjourn the meeting at 7:48 pm, and the MOTION carried without negative vote.

Minutes prepared by: Dennis L. Martin, Village Clerk  
[villageclerk@villageoffontana.com](mailto:villageclerk@villageoffontana.com)

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

APPROVED: \_\_\_\_\_