

# Village of Fontana on Geneva Lake Newsletter

Summer 2005



## President's Report: Closed Sessions... Open Minds

*"As scarce as the truth is, the supply has always been in excess of the demand."*

~Josh Billings

Periodically, you'll see on a Village Board agenda a "closed session" listed. These sessions usually precede the regular meeting and are not open to the public. What goes on in a closed session? What topics are discussed and why are they closed?

Well, let me share a few secrets with you. The first thing that happens is that we all speak Latin. Since the early days of democracy in the Roman Senate, elected officials would speak Latin so that the peasants would not understand their debate, particularly if the debate was about how many peasants would be fed to the lions. This tradition has been handed down from generation to generation and now presidents say cool things like "veni, vidi, vici" and the board answers "semper fi" while the attorney adds "non sequitor" and the administrator retorts "quod erat demonstrandum" while the clerk continues to conjugate verbs "ad infinitum." By now, even the board doesn't know what's going on.

A second misconception about closed sessions is that the Free Masons have infiltrated the board and are plotting to overthrow the village. Ever since Dan Brown's "DaVinci Code" everybody sees Templar Knights in the closet who are poised to steal our

inalienable rights. There is a paranoia that closed sessions are actually spent circumventing state statutes, ordinances and resolutions. A very romantic, but inaccurate view. There is not enough time for such Machiavellian maneuvering, particularly among politicians. "Sic semper tyrannis."

What does happen in closed sessions? In the simplest terms, matters are discussed that are too sensitive for open debate.

These topics are specifically laid out in Chapter 19

of the Wisconsin State Statute 19.85 (1), A through E.

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**VILLAGE PRESIDENT** Tom Howell goes into a closed session of the Board of Trustees.

## Administrator's Report: Legislation Expenses Mount Referendum Requirement Adds Rigorous Review for Bonding Process

**By Kelly E. Hayden-Staggs**  
Village Administrator

On April 6, 2004 the voters of the Village of Fontana passed a direct legislation ordinance that requires the Village to hold a referendum prior to the start of any physical construction of any municipally financed project requiring a Village capital expenditure which aggregates \$1 million or more. Many supporters felt the

ordinance was necessary to work with the trustees in controlling spending, but what I don't believe most people realized was how expensive the legislation would become.

Previously we talked about how the referendum would potentially create the need for special elections, which cost about \$2,000 each, and we forecasted that the Village's bonding interest rate would increase around a one-quarter of a percent. However, the true impact was really felt last month

when we attempted to close on the Village's first bonding under the new legislation.

The Village went through a very rigorous legal review with the bond counsel and the financial advisors which added approximately \$70,000 to the bonding total. In addition to the legal and financial consultants' expenses, the Village also had to fund about \$10,000 in engineering fees for staff meetings that were required to answer the bond counsel's ques-

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# DPW: Ignoring the Surgeon General? Not Really!

**By Craig Workman, P.E.**  
Director of Public Works

Perhaps you've heard that we are designing a new Main Lift Pumping Station here in the Village of Fontana. I'm beginning to think of the Main Lift Pumping Station Project like a bottle of really good wine, constantly evolving and gaining complexity. Yet, also like a great bottle of vino, I feel this project is also gaining clarity.

One of the challenges we currently are facing with the project is blending DNR regulations that mandate the lift station accommodate our maximum daily flows, with the creation of an efficient product. The problem exists due to the age and construction of the Village's sanitary sewer system. To make a long story short, because of some rather significant infiltration and inflow (I/I) problems, which I've discussed in previous articles, our maximum wet weather flows are as much as 10 times greater than our average daily flows. Designing a lift station to accommodate these maximum flows would result in a rather inefficient lift station.

However, there is an option that would allow us to design a new MLPS that is

more in line with our average daily flows. By including some I/I reduction efforts to the project, such as sewer main lining and man-hole rehabilitation, we could cut the horsepower requirements of the station nearly in half.

Another key to successful I/I reduction is the elimination of illegal connections to the sanitary sewer system, such as downspouts and sump pumps. Putting this type of clear water in the sanitary sewer system not only costs the village thousands of dollars in unnecessary pumping and treatment costs, but it also starves Geneva Lake of its most valuable resource -- water. The key to a successful I/I reduction will be to focus our efforts on areas where the clear water infiltration and inflow is the worst.

Unfortunately, I don't have a wine analogy to explain this process, but I will tell you about a method known as "Smoke Testing." The testing consists of forcing a special, non-toxic smoke into the sewer lines. The smoke is manufactured for this purpose and leaves no residuals or stains and has no effect on plants or animals.

Believe it or not, this smoke will help locate



**DEPARTMENT** of the Public Works Director Craig Workman (right) and Water Department employee and Rescue Squad Chief Tom Westphal were two of the participants in the first annual Chris Schwenn Cancer Foundation Golf Outing and Silent Auction.

places where clear water is entering the Village's sanitary sewers. The smoke fills the sewer main and all of its ancillary connections; then follows the path of a leak to the ground surface, quickly revealing the source of the problem. Interestingly, as long as openings exist for the smoke to follow, smoke tests are effective, regardless of surface type, soil type and depth of lines.

Smoke testing is the most efficient and cost effective way to locate and identify where clear water is entering the sewer systems. In fact, smoke testing is

becoming a requirement nationwide for locating clear water problems that are threatening the ability to properly treat wastewater and costing millions of dollars to wastewater treatment facilities.

The Village of Fontana, together with the consulting engineering firm of Ruckert/Mielke, will be conducting several smoke tests in certain parts of the Village later this summer. If your neighborhood is on the list, you will be receiving additional correspondence in the near future. Until then, In Vino Veritas!

## Watering Your Lawn Wisely

Irrigation accounts for a large percentage of Fontana's summertime water consumption, so practicing conservation in your yard is the best place to start. Over-watering is not only wasteful, it also promotes shallow root growth and makes lawns susceptible to insects and disease. To avoid wasting water, follow these important irrigation guidelines:

- Minimize the amount of water lost to evaporation by watering before 10 a.m. or after 4 p.m., and avoid sprinklers that spray a fine mist.
- Adjust sprinklers so they water the lawn, not the pavement.
- Water just a couple of times per week -- experts say this is enough to maintain healthy, green grass with a strong root system.
- Turn off sprinklers when it's raining or, better yet, install a rain shut-off device.
- Avoid watering on windy days.

### Monday Reminder

Keizer and Sons collects garbage and John's Disposal Service collects recyclable items on Monday mornings.

Residents are reminded to make arrangements to have their trash and recyclable receptacles moved back from the front curb and put back in their storage areas after collection.

# Park Commission Works to Maintain Village's Resources

After several years and input from citizens, associations, tree professionals, independent arborists, Village professionals and the Wisconsin Department of Natural Resources, the Village Board approved the new Natural Resource Conservation Ordinance.

The intent of this ordinance is to help maintain our natural tree canopy, control the cutting of trees and encourage management of these important resources throughout the Village.

As a Tree City USA for the past 18 years, this ordinance will help maintain our state recognition as a Village that values its natural environment. Copies of the new Ordinance are available at

the Village Hall.

If you have noticed the brown areas in the Fontana Fen, Headwaters Park and the Hildebrand Conservancy, it is not due to a lack of rain! The Village has contracted with Agrecol, a Madison corporation, to rid these areas of all invasive species and plant native wildflowers, shrubs and trees and do native prairie seedings. This will continue throughout the year as well as cutting, brushing and path development work. The Fen itself will get raised demonstration beds for educational purposes on specific prairie plants and communities.

Residents are encouraged to be aware of these activities, which are

being conducted in cooperation with the DNR and Walworth County.

The Park Commission has completed its Spring Park Walks and have taken action to freshen up all areas in the parks. Littlefoot Park will be getting some needed repairs, the Duck Pond area is scheduled for building enhancements, and the boat launch area will be evaluated for aesthetic improvements.

And last, but not least, work will continue on the medians centering Fontana Boulevard -- all the dense remaining shrubs will be removed and replaced with more appropriate plantings for obvious safety concerns as well as appearance.

## Village Adopts Natural Resource Conservation Ordinance

### Residents Need Permit to Remove Trees

The Village of Fontana has long been known for its beautiful woodland setting which lends itself effortlessly to the area's distinctive rural character. The Village has earned recognition as a Tree City USA since 1988 for its dedication to the preservation of trees. On June 6, 2005 the Village Board approved a Natural Resource Conservation Ordinance for the purpose of preserving and protecting this precious woodland resource.

Trees provide many benefits to Fontana's environment. They provide habitat for birds and other wildlife, naturally reduce air pollution by filtering out harmful gasses and replenishing the atmosphere with oxygen, reduce surface water runoff resulting from storms, absorb sound and buffer noise, such as vehicular traffic, and preserve and enhance property values within the Village of Fontana.

The Natural Resource

Conservation Ordinance requires that a permit be acquired prior to the removal of any tree in the Village. A tree removal permit or written authorization must be obtained from the Department of Building & Zoning. Circumstances which warrant a tree removal permit would be when trees obstruct construction activities or site improvements, are diseased or dying, or are creating a safety hazard to the property.

The Natural Resource Conservation Ordinance also applies to new developments and on alteration projects to existing structures. Plans submitted to the Village must identify all trees in or adjacent to the construction area. The Village may require remedial measures including, but not limited to, erecting protective fencing, prohibiting soil stockpiling within tree drip lines, clearly marking disturbance boundary line, and limiting site access.

In determining the

approval for tree removal the Department of Building & Zoning will evaluate the following:

- A signed narrative which includes the reason for the proposed tree removal.
- Existing tree coverage on the site and surrounding area.
- Number of trees to be removed on the entire site.
- Type, size, and condition of the tree(s) to be removed.
- Type, size, and condition of the tree(s) to be replanted as replacements for the removed trees.
- Topography, grading and drainage of the site.
- Additional documentation as determined by the scope of the project.

Failure to obtain a tree removal permit or authorization prior to cutting down a tree may result in the issuance of a citation for violation of the Village of Fontana Municipal Code. Penalties may include a tree removal permit fee double that of the initial permit fee.

In addition, any tree removed without a permit must be replaced.

A tree removal fee may be waived by the Department of Building & Zoning when a tree, due to natural circumstances, is dead or irreversibly declining. Such a tree may be removed only after the Department of Building & Zoning or a certified arborist has verified that such a condition exists. Authorizations may also be issued for trees which are in danger of falling, causing a sight-line obstruction at a road or driveway intersection, or creating a health hazard.

In the event that any tree endangers health, safety or property and requires immediate removal without delay (e.g. a tree damaged in a storm), verbal authorization may be given by the Village of Fontana, but a permit must be applied for within three business days.

Copies of the Natural Resource Conservation Ordinance can be obtained at the Fontana Village Hall.

# From the Cop Shop ...

Certain Vehicles Are Illegal in Public Areas

By Chief Steve Olson

We routinely are asked about the legality of driving certain vehicles on public streets and sidewalks and in parking lots. Electric bikes, motorized scooters (not mopeds), golf carts, and pocket bikes (mini motorcycles) are illegal to operate in public because they can not be registered by the state. If you are in doubt, call the Police Department first before driving in public.

The possession or use of fireworks within the Village limits is prohibited, unless a permit has been obtained from the Village Board. For information, call the Village Hall.

With the increase in Fontana's summer population comes the inevitable increase in bicyclists, skaters, skateboarders and pedestrians. Motorists are urged to please drive defensively and watch for others using the roadway.

Investigator Jeff Recknagel, a 10-year veteran of the department, has taken a position with the Walworth County Sheriff's Department. His knowledge and experience will be missed, but we wish him well in his new assignment.

Part-time officer Eric Kuhart will be leaving the department in June to take a full-time position in private security. Eric has worked for Fontana for almost three years and we will miss his dedication. Nick Knorr of Walworth, a criminal justice student at UW-Platteville, is working this summer as the Community Service Officer, handling some of the duties normally done by sworn officers such as parking enforcement, traffic control and animal complaints. This allows our regular officers to spend more time on more serious matters.

If you are boating on Geneva Lake and wish to report an accident or unsafe boating the Geneva Lake Law Enforcement Agency (police boat) is tasked with responding to those incidents. The police boat can be reached through the Lake Geneva Police Department at 248-4455 in non-emergencies or at 911 in an emergency.

Residents can visit the **Fontana Police Department Website at [www.fontanawipolice.com](http://www.fontanawipolice.com)** for up-to-date information about the department and matters of interest to our citizens, or call 275-2275 (Office number), 275-2135 (Dispatch for non-emergencies) or 911 (Emergencies).



**FONTANA POLICE DEPARTMENT** employees (from left) Beau Douglas, Gail Nichols and Jeff Cates and Fire Chief Jon Kemmett were four of the 184 golfers who participated in the inaugural Chris Schwenn Cancer Foundation Golf Outing and Silent Auction on May 20, 2005 at Abbey Springs Golf Course.

## Fontana's Warning System Addresses Severe Weather

Severe weather season is upon us and the Fontana Fire Department would like to inform the public on siren warning procedures.

The public alert siren is only sounded for a tornado warning or a high-wind warning. A warning is when the possibility of a tornado is the greatest or when a tornado has been spotted within 50 miles of the Village of Fontana. A high-wind warning is when an approaching storm could produce winds in excess of 70 mph.

When the National Weather Service issues a warning, the warning sirens are activated. Fontana has two sirens: one located on the Village Hall off Highway 67, and the other at Abbey Springs.

The sirens will sound with a steady blast for up to five minutes. At this time people are asked to monitor local television stations, tune their radios to local stations or to monitor the

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## -- Village of Fontana Summer 2005 Calendar --

**July 2** - Rescue Squad Pancake Breakfast at St. Benedict Catholic Church, 7 a.m.

**July 4** - VOF Fireworks Display at dusk

**July 6** - CDA meets at 6 p.m.

**July 7** - Geneva Lake West Idol Contest, Reid Park

**July 11** - Summer Storywagon Series, Village Hall Meeting Room beginning at 10 a.m.

**July 11** - Village Board meets at 6 p.m.

**July 18** - Summer Storywagon Series, Village Hall Meeting Room beginning at 10 a.m.

**July 22** - Accurate Appraisal Assessor Office Hours at Village Hall from 10 a.m. to 3 p.m.

**July 25** - Summer Storywagon Series, Village Hall Meeting Room beginning at 10 a.m.

**July 25** - Plan Commission meets at 6 p.m.

**July 28** - Geneva Lake West Idol Final, Reid Park

**July 30** - Big Foot Lions Club Lobster Boil/Steak Fry in Reid Park

**July 30** - Fontana Community Church Country Fair, 10 a.m. to 2 p.m.

**Aug. 1** - Village Board meets at 6 p.m.

**Aug. 3** - CDA meets at 6 p.m.

**Aug. 6** - VOF Fire Department Kid's Bike Parade and Open House

**Aug. 13** - St. Benedict Summer Bazaar

**Aug. 13** - Music in the Park: Great Lakes Naval Band, Reid Park

**Aug. 29** - Plan Commission meets at 6 p.m.

**Sept. 5** - Labor Day - Village Hall closed

**Sept. 7** - CDA meets at 6 p.m.

**Sept. 10** - Annual Triathlon, Fontana Beach

**Sept. 12** - Village Board meets at 6 p.m.

**Sept. 26** - Plan Commission meets at 6 p.m.

# CDA Plans Highway 67 Reconstruction Project

Preconstruction planning and engineering work for the Village of Fontana portion of the State Highway 67 reconstruction project continues with construction scheduled to begin as soon as March.

The three and one-half years of planning and engineering work have centered on fixing the problems inherent in the current highway. Storm water runoff, misaligned intersections and pedestrian safety all will be addressed.

Off-road landscaped pedestrian and bicycle paths to Duck Pond Road will be included; crosswalks will be delineated by concrete pavers and with

the addition of shade trees and other native plantings, the highway will become more like a neighborhood street.

It has been a long road (no pun intended) to get to this point. And there is no doubt, as with all construction, the actual work will be dusty, and at times, really annoying; however, the end product will be something that everyone in Fontana will use, enjoy and be proud of.

You might have noticed new building just south of the Lake Geneva Conservancy. This is the new Fontana home of Geneva Family Dentistry as

well as other health care professionals. The building, developed by FairWyn, Ltd., was designed by Workshop Architects, a Milwaukee-based architectural firm.

If you have been to Lucy's or Fontana Elementary School lately, you will have seen that the work has begun on the Mill Street and Main Street projects.

The new streets will include sidewalks, additional parking and buried power lines. Also and as called for in the Highway 67 plans, Porter Court will be redirected to align with Fontana Boulevard.



**DEPARTMENT OF PUBLIC WORKS** employee Joe Special and his wife, Jennifer, take a moment during the inaugural Chris Schwenn Cancer Foundation Golf Outing and Silent Auction, which raised \$24,000 to support the goals of the Foundation.

## Weather

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Weather Channel on cable television. Citizens are requested not to call the Walworth County Sheriff's Department Dispatch Center or the Fontana Police or Fire departments to inquire on what is happening. Officials at these location are very busy directing operations of emergency equipment and personnel. Citizens also should be aware that no all-clears will be sounded. It is up to the public to monitor conditions and

television/radio broadcasts. If conditions become more severe, take shelter immediately.

The Village of Fontana Fire Department will generally sound the siren at noon on the first Saturday of each month as a test. The siren should sound for about 15 seconds during the test.

For more information contact Village of Fontana Fire Chief Jon Kemmett at 275-2131 or via email at fontanafd@charterinternet.net.

## Notes From Nancy: Library Offers Summer Programs

Summer is finally here! Reading is a year-round activity, but in the summer, the books you read should be for fun.

The Fontana Public Library encourages residents to discover "Dragons, Dreams & Daring Deeds" through its summer reading program. There is also a special reading program for children ages 5-11, and a "Joust Read" for patrons ages 12-18. Residents older than 18 also can participate by checking out books to become eligible for a weekly prize drawing. For further details and to register, stop in at the Fontana Library.

The Summer Storywagon Series is back for its 20th year. Sponsored by the Lakeshores Library System, these programs are free, and open to patrons of all ages. The programs are held on Mondays at 10:00 a.m. in the Village Hall meeting room. Participants will travel "around the world" and hear folk tales told by storyteller Rick Ponzio on July 11. Lolly Pockets with her "apron" of

classic fairy tales will be performing on July 18. Participants will learn Spanish with Lisa Nelson when she presents a bilingual program of nursery rhymes and children's stories on July 25.

This year, participants will have the opportunity to do a good deed by bringing in nonperishable food items when they attend the programs. The public libraries of Walworth and Racine counties are participating in this effort to restock the area food pantries.

The summer reading program is not the only reason to visit the library. The library offers free, wireless access to the Internet. The library owes a debt of gratitude and thanks to Stephen Swan, Keith Lukes, and the other hard working "techies" at THz3. Due to their efforts, patrons can bring their laptop (if it has a wireless card) into the library, obtain a password, and connect to the Internet.

Stop in the Fontana Public Library this summer and "Check us out!"



**CHRIS SCHWENN** Cancer Foundation Golf Outing and Silent Auction volunteer event workers included (from left) Erin and Brian Ptacek, Joanne and Kay Schwenn, and Mary Ann McConnell. The event attracted 184 golfers and 44 hole sponsors at Abbey Springs and 320 dinners were served at Gordy's Boat House, where about 40 silent auction items were up for bid.

## Bike Parade Aug. 6

As part of its 75th anniversary recognition, the Village of Fontana Fire Department is planning a Kid's Bike Parade and Open House for Saturday, Aug. 6, from 10 a.m. to 2 p.m. Plans are being finalized in July, and registration and organizational details will be announced in media outlets and on the Village website at [www.villageoffontana.com](http://www.villageoffontana.com).

Fire Department Chief Jon Kemmett stated that residents are invited to bring their families to "join the bike parade from the lakefront to the Fire Station for an open house." Plans are being made to provide a luncheon and to set up firefighting and safety demonstrations at the open house. The open house also will feature children's games.

The Fire Department is seeking event sponsors and donations for door prizes. For information or to make a donation, contact Kemmett at 275-2131 or send him an email at [Fontanafd@charterinternet.net](mailto:Fontanafd@charterinternet.net).

## Closed Sessions

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A few reoccurring examples:

### Property Acquisition

The Village Board watches the sale of property in the village and occasionally becomes involved in bidding and buying. Recent purchases include the Hildebrand conservation area, the Westphal house adjacent to the Village Hall (park and parking) and several wooded lots in Indian Hills first addition (acquired for storm water control). Negotiations on purchases are too sensitive for public debate and are carried on in closed sessions. "Caveat emptor."

### Legal Strategies

The village has legal matters in front of it on a regular basis. Court

cases from municipal trials, contracts with suppliers, appeals from municipal court, suits from personal injury, "ad nauseum." The Village Board will discuss these cases with our attorney in closed session and recommend a course of action (i.e., settle, fight, negotiate, etc.). Generally, after a closed session, the board returns to open session and one of two things happen:

1. Either the board votes on the decision after further public explanation and input;

2. The president outlines the topic of the closed session and explains that a final decision has not been reached. "Pons asinorum."

### Union Negotiations, Wages, Benefits, Hiring & Firing, Discipline, Bonuses

All manner of personnel issues are

addressed in closed sessions. The two union contracts (Police and Public Works) often take over six months to complete. And this is only 35 percent of the paid employees.

The village has approximately 32 paid employees and more than 70 volunteers. Like any business, the quality of government is based on the quality of its personnel. The Village of Fontana has many of the very best, but they require regular attention which takes place in closed sessions. "Amor vincit omnia."

And there you have closed sessions. Not that exciting. Not that mysterious. Not that romantic.

For higher adventure, I would stick with Dan Brown. If all else fails, remember "in vino veritas."

## Expenses

(continued from page 1)

tions. The largest financial impact, however, will be felt in the interest rate point variation.

On the advice of the bond counsel, the Village had to split certain projects off from the bond sale and borrow from the State Trust Fund. This will cost the

Village approximately \$300,000 extra during the life of the borrowing. The extra layer of legislation made the bond too difficult to sell in the open market, which prompted the bond counsel decision to fund a portion through a lease revenue bond and a portion through the State Local Government Pool.

The \$1 million project referendum legislation is really uncharted territory in the State. While a couple of other communities have also recently adopted the legislation, there is a lack of case study for any guidance. Because of this, it creates many legal hurdles and unfortunate, extraordinary expenses.