

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

MONTHLY MEETING of the VILLAGE BOARD OF TRUSTEES
Monday, January 6, 2014

Village President Arvid Petersen called the meeting of the Village Board to order at 6:00 pm in the Village Hall, 175 Valley View Drive, Fontana, Wisconsin.

Trustees Present: Roll call vote: President Petersen, Tom McGreevy, Rick Pappas, Cindy Wilson, Bill Gage (arrived at 6:02 pm)

Trustees Absent: Pat Kenny, George Spadoni

Also Present: Director of Streets Ron Adams, Greg Blizard, Jade Bolack, Suzy Brady, Kevin Kirkland, Library Director Nancy Krei, Village Clerk/Acting Village Manager Dennis Martin, Building Inspector/Zoning Administrator Ron Nyman, Police Chief Steve Olson, Todd Reschke, Interim Village Treasurer Scott Vilona

Visitors Heard

Greg Blizard stated that he wanted to commend the Public Works Department for an excellent job of plowing snow and salting the icy roads during the last several weeks of frequent winter storms.

Announcements

1. GLLEA Monthly Board Meeting – **Wednesday, January 8, 2014, 10:00 am**
2. FW/WPCC Monthly Board Meeting – **Tuesday, January 14, 2014, 7:30 pm**
3. Plan Commission Staff Meeting – **Wednesday, January 15, 2014, 1:00 pm**
4. Park Commission Meeting – **Wednesday, January 15, 2014, 6:00 pm**
5. Protection Committee Meeting – **Monday, January 20, 2014, 5:00 pm**
6. Library Board Meeting – **Wednesday, January 22, 2014, 10:00 am**
7. Fire and Rescue Department Ice Party Fundraiser – **Saturday, January 25, 2014**
8. Plan Commission Monthly Meeting – **Monday, January 27, 2014, 5:30 pm**
9. Lakefront Committee Meeting – **Wednesday, January 29, 2014, 4:30 pm**
10. Village Board Monthly Meeting – **Monday, February 3, 2014, 6:00 pm**

Approval of Village Board Minutes

Trustee Wilson/Trustee McGreevy 2nd made a MOTION to approve the minutes for the meetings held November 25, 2013, and December 2, 2013 as presented. The MOTION carried without negative vote.

Village Treasurer's Report, Vendor Report, & Payroll Overtime Report

The November 2013 reports were distributed.

Trustee McGreevy/Trustee Wilson 2nd made a MOTION to approve the reports as distributed and to place them on file for the annual audit, and the MOTION carried without negative vote.

Approval of Village and Utility Payables

The monthly invoice from the Village attorney was not submitted until that day and there was not time for it to be reviewed or broken down by the village treasurer prior to the meeting. Petersen asked if the Village Board members wanted to consider approval of the monthly village attorney's invoice, which was distributed at the meeting, contingent upon review by the village treasurer. Pappas stated that he did not review the monthly invoice and there may be questions, and Wilson stated that the Village Board should not consider the invoice because it was not submitted in time to be reviewed or included in the meeting packets.

Trustee Pappas/Trustee Wilson 2nd made a MOTION to approve the payable list as distributed in the meeting packets, and the MOTION carried without negative vote.

Public Works Committee – Trustee McGreevy

Abbey Springs Water Locate Reimbursement Request from Magill

McGreevy stated that the committee recommended denial of the reimbursement request.

Trustee McGreevy/President Petersen 2nd made a MOTION to deny the request for the Village of Fontana to pay \$2,072 to Magill Construction Company, Inc., for the expenses the firm incurred in locating the water main at the Abbey Springs, as recommended. The MOTION carried without negative vote.

Abbey Harbor Bridge Repair Options Study Approval

McGreevy stated that the committee recommended approval of the study.

Trustee McGreevy/Trustee Pappas 2nd made a MOTION to approve the proposal submitted by Collins Engineers, Inc., Milwaukee, to complete a repair recommendation study on the Abbey Harbor bridge for a cost not to exceed \$2,000, as recommended, and the MOTION carried without negative vote.

Recommendation on Sewer Charges Rebate Requests from John Hunt and John Sunta

McGreevy stated that following consideration by the committee, a motion was approved to recommend denial of the requests for rebates on the sewer charges.

Trustee McGreevy/Trustee Wilson 2nd made a MOTION to deny the requests received from John Hunt and John Sunta to provide a sewer credit for the 2013 third quarter utility bills they received for their residential properties, as recommended, and the MOTION carried without negative vote.

Tarrant Drive Lift Station Abandonment Engineering Study Approval

McGreevy stated that the Village engineering firm submitted a proposal to complete a study on the options to repair or replace the Tarrant Drive Lift Station for a cost not to exceed \$6,000.

Trustee McGreevy/Trustee Pappas 2nd made a MOTION to approve the engineering study proposal as submitted by Ruckert-Mielke, for a cost not to exceed \$6,000, and the MOTION carried without negative vote.

Truck No. 14 Replacement Purchase and Authorization to Sell 2003 Ford F-550

McGreevy stated that there are budgeted funds available in the general fund and in the Utility Budget for the purchase of a new Ford F-550 truck and plow. The committee recommended approval of the \$39,888 bid submitted by Kunes Country Ford, Delavan, for the truck; and the \$29,394 proposal submitted by Monroe Truck Equipment, Monroe, for the purchase and installation of the plow and associated equipment. The committee also recommended the sale of the old truck and plow.

Trustee McGreevy/Trustee Pappas 2nd made a MOTION to approve the \$39,888 bid submitted by Kunes Country Ford for the purchase of a 2014 Ford F-550-truck, and the \$29,394 bid submitted by Monroe Truck Equipment for the purchase and installation of a plow and equipment; and to authorize the sale of the 2003 Ford F-550 and plow on eBay. The MOTION carried without negative vote.

Tarrant Drive Storm Sewer Contract Pay Request

The \$10,559 pay request submitted by S&L Underground and Trucking, Inc., Merrimac, was not received until January 3, 2014 and the committee did not get a chance to review it.

Trustee Pappas/Trustee McGreevy 2nd made a MOTION to table the item, and the MOTION carried without negative vote.

General Business – President Petersen

Lake Street Building Façade Improvement Plans Subcommittee Report – Kevin Kirkland

Wilson stated that the subcommittee appointed to meet with Kevin Kirkland, the tenant of the Village's Lake Street marina building, has held preliminary meetings and Kirkland has submitted a proposal for a façade improvement plan. Kirkland is proposing a 10-year lease extension for the lakefront building. In return for the lease extension, Kirkland will continue to pay the rent with increases as spelled out in the current lease, and also agrees to: 1. Pay for design work for the East and West facades of the lakefront building; and 2. Pay for the building renovations to the facades. Kirkland also offered to agree to provide the Village with an option to end the lease after five years, but then the Village would have to reimburse his company for 50 percent (not to exceed \$50,000) of the building renovation expenses. Wilson stated that she thinks the offer is an excellent deal for the Village and provides a good opportunity to fund the necessary improvements. Wilson stated that she recommends approval of the offer with the condition that the Village Board approves the final plans

for the façade improvements. Kirkland stating that he has had meetings with local architect Jerry Shoberg and the proposed plans are ready to be drafted if the Village Board favors the proposal. Wilson stated that she thinks the offer is a no-lose situation for the Village. Petersen stated that the Village Board could consider a motion to indicate support of the proposal to extend the lease and the façade improvement plan, and to direct Kirkland to move forward with the planning subject to the final plans being approved by the Village Board. Following discussion on the current lease terms and the appropriate motion at this time, Pappas stated that he wanted to include a condition in the motion that if the planning and lease extension falls through, the Village will reimburse Kirkland for half of the expenses he incurs for having the plans drafted.

Trustee Pappas/Trustee Wilson 2nd made a MOTION to indicate the Village Board's support of the proposal to extend by 10 years the current Lake Street marine building lease terms with Kevin Kirkland and his Lake Geneva Marine Company, with the conditional option to terminate the lease after five-years as proposed by Kirkland; to authorize Kirkland to move forward with the façade improvement planning for the building with architect Jerry Shoberg; and to establish the contingency that the Village will reimburse Kirkland for 50 percent of his design planning expenses if the lease extension or façade improvement proposals do not receive final approval. The MOTION carried without negative vote.

Operator's License Application Filed by Beverley E. Gorkowski, Fontana Mart

There were no concerns in the background check.

President Petersen/Trustee McGreevy 2nd made a MOTION approve the Operator's License application filed by Beverley E. Gorkowski, an employee at Fontana Mart, and the MOTION carried without negative vote.

Temporary Class "B" License for Ice Gone Wild Fundraiser January 25, 2014

An application for a Temporary Class "B" fermented malt beverage and "Class B" wine license was filed by the Dan Green's Touch A Life, Heal A Heart, Inc. organization for the Fire and Rescue Department's annual Ice Gone Wild fund-raising event on Geneva Lake in the Abbey lagoon.

Trustee McGreevy/Trustee Pappas 2nd made a MOTION to approve the application for a Temporary Class "B" fermented malt beverage and "Class B" wine license as filed by the Dan Green's Touch A Life, Heal A Heart, Inc. organization for the Fire and Rescue Department Ice Gone Wild January 25, 2014 fund-raising event on Geneva Lake. The MOTION carried without negative vote.

Temporary Operator's License Applications Filed by Wolfgang Nitsch, Joe Special, Scott Peterson, Gregory Blizard for Fontana Fire and Rescue Department Ice Party Fundraiser

There were no concerns with the required background checks.

Trustee McGreevy/Trustee Gage 2nd made a MOTION to approve the Temporary Operator's License applications filed by Fontana Fire and Rescue Department members Wolfgang Nitsch, Joe Special, Scott Peterson and Gregory Blizard for the Ice Gone Wild fundraiser on January 25, 2014. The MOTION carried without negative vote.

Building and Zoning Department Part-time Employee Probationary Hiring Recommendation

Nyman stated that following the interview process that he conducted with Martin and former Administrator/Treasurer Kelly Hayden, they are recommending the probationary hiring of Robin Nuzzo for the part-time administrative assistant position in the Building and Zoning Department, with the condition there are no concerns in the employment background check. The proposed wage of \$15 per hour would be for the first three months, with the rate to increase to \$16 an hour after the probationary period. Nyman stated that the proposal is for Nuzzo's first day to be Monday, January 13, 2014, and for the total hours be limited to 20 per week. Following discussion, the Board directed Nyman and Martin to monitor the hours to ensure Nuzzo only puts in 20 hours a week to maintain her part-time status and to prevent the Village from having to offer her insurance benefits.

Trustee McGreevy/Trustee Pappas 2nd made a MOTION to approve the probationary hiring of Robin Nuzzo for the part-time administrative assistant position in the Building and Zoning Department as proposed, with the condition there are no concerns in the employment background check. The MOTION carried without negative vote.

Building Inspection Temporary Zoning Administration Services for Village of Sharon

Nyman stated that the service agreement with the Village of Sharon expired that day following the Village of Fontana's 90-day notice of termination; however, the Village of Sharon has requested that Nyman continue to provide building permit and inspection services until the Village of Sharon hires someone to replace Nyman. The terms would be the same as the terminated IGA and Nyman would continue to provide services as long as his schedule allows or until the Village of Sharon hires a new person. Nyman stated that he will no longer provide office hours in the Village of Sharon, or zoning compliance duties; he will only go to Sharon to complete building permit inspections.

Trustee McGreevy/Trustee Pappas 2nd made a MOTION to authorize Building Inspector/Zoning Administrator Ron Nyman to continue to provide building permit and building inspection services to the Village of Sharon under the terms of the expiring IGA as long as Nyman's schedule permits or until the Village of Sharon hires a new employee. The MOTION carried without negative vote.

Ordinance Amendment to Correct Municipal Judge Term

Martin stated that when the state statutes were amended a few years ago to allow for four-year terms for municipal court judges, the Village Board approved an ordinance amendment to change the term from two-years; however, he recently noted that two other sections of the code still refer to a two-year term. Pappas stated that the amendment for Section 2-1(3) also needs to address the "When Elected" column.

Trustee Pappas/Trustee McGreevy 2nd made a MOTION to approve Ordinance 01-06-14-01, amending Sections 2-1(3) and 26-1(b) of the Municipal Code, and the MOTION carried without negative vote.

Request for Education Extension for Police Sgt. Jeff Cates

Chief Olson stated that he supports the request of Sgt. Cates for an extension to the two-year deadline that was established in June 2012 for Cates to earn a bachelor's degree following his promotion to the sergeant position. In a letter to the Village Board, Cates stated in part, "As June of 2014 approaches, I realize that I will not complete this degree by the set deadline. I have 10 classes remaining, which again take eight weeks each to complete. For this reason, I am asking the Board of Trustees to extend the deadline (barring extenuating circumstances) to no later than January 1, 2016."

Trustee McGreevy/Trustee Pappas 2nd made a MOTION to approve the request for the deadline to be extended to January 2016, and the MOTION carried without negative vote.

2014 Spring Election Report

Martin stated that the updated local election article from the Village website was included in the meeting packets, and incumbent Trustees Pappas and Kenny are seeking reelection, and Trustee Wilson is stepping down. Residents David Prudden and Todd Reschke also are candidates for the three trustee positions up for election on April 1, 2014. Martin stated that one other resident also signed a Campaign Registration Statement and Declaration of Candidacy, but he had not yet officially decided if he will be running for election.

KAS Custom Cleaning 2014 Contract Approval

The contract calls for the Village Hall to go back to the schedule of every other week for cleaning, and for the Public Library to be cleaned once a week. The cost for the Village Hall and Library to be cleaned every other week is \$595 monthly, or \$7,140 for the year, which includes the cleaning of the exterior windows of the Village Hall once in May and once in October. The fee for cleaning only the Library on the alternating weeks is \$195 per week. Wilson asked how much of the fee is allocated for the two window cleaning services and if it could be eliminated from the contract. Martin stated that he can request the information from KAS and present it at the next meeting.

Trustee McGreevy/President Petersen 2nd made a MOTION to table the item, and the MOTION carried without negative vote.

Lakefront and Harbor Committee – Trustee Pappas

Austin Pier Village Repair Work Quote for 2014

Pappas stated that the annual proposal from Austin Pier Service, Inc., for repairs to the Village

owned piers has not been presented to the committee; however, the \$5,610 quote is in the budget and he would recommend approval. Pappas stated that last year, the repair work cost \$9,503. Trustee Pappas/Trustee McGreevy 2nd made a MOTION to approve the \$5,610 proposal submitted by Austin Pier Service for the annual pier repair work, and the MOTION carried without negative vote.

Recommendation on 2014 Mooring Lease, Parking and Beach Fees

Pappas stated that the Lakefront Committee recommended a \$12 increase to the fee for the pier slip lease fee and no increases to the lease fees for ramps and buoys; however, the Finance Committee recommended 3 percent increases when the revenue projections were finalized by the Village Board for the 2014 budget. Following discussion on the odd amounts currently approved for the mooring lease fees, the Village Board members reached the consensus that the mooring lease fees should all be increased by 3 percent and then rounded off to the nearest \$5.00 increment for 2014.

President Petersen/Trustee McGreevy 2nd made a MOTION to approve Resolution 01-06-14-01, establishing fees and charges for mooring facilities pursuant to Section 54-161 of the Municipal Code, with 3 percent increases rounded off to the nearest \$5.00 increment for all the lease fees in 2014. The MOTION carried without negative vote.

Pappas stated the committee recommended increasing the beach fees by 50 cents each for the daily rates and for the season passes for residents; and by \$10 each for the Big Foot High School District rate and the non-resident rate. Pappas stated that following the committee meeting, staff asked the Village Board to consider increasing the daily beach fees by an even \$1 instead of 50 cents. Pappas stated that the committee also recommended the establishment of a “Commercial Parcel” rate for the purchase of season beach passes to address the purchase and resale of hundreds of season beach passes by the Abbey Resort the last two years. The committee recommended the rate for commercial parcel owners be \$10 for each season beach passes, with a limit of five per parcel. Following discussion, the Village Board members reached the consensus that the daily beach admission rates and the fees for resident season passes should be increased to \$4 and \$8, and the other fees should be amended as recommended by the committee.

Trustee Pappas/Trustee McGreevy 2nd made a MOTION to approve Resolution 01-06-14-02, amending Resolution 120213-01 establishing fees pursuant to Section 10-4 of the Municipal Code, specifically lakefront fee amendments, as recommended with the exception that the daily beach admission rates and the fees for resident season beach passes should be increased to \$4 and \$8, instead of \$3.50 and \$7.50. The MOTION carried without negative vote.

Adjournment

Trustee McGreevy/Trustee Wilson 2nd made a MOTION at 6:42 pm to adjourn the meeting, 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: 2/3/2014