

VILLAGE BOARD OF TRUSTEES MEETING  
VILLAGE OF FONTANA ON GENEVA LAKE  
WALWORTH COUNTY, WISCONSIN

Monday, February 3, 2003

Village Board of Trustees Meeting @ Village Hall Meeting Room, 175 Valley View Drive,  
Fontana, Wisconsin beginning @ 6:00 p.m.

Date: Monday, February 3, 2003

Time: 6:05 p.m.

Place: Village Hall Meeting Room

Trustees present: Bromfield, Cole, Geye, Petersen, Spadoni, Turner

Also present: Administrator Hayden, Clerk Smith

Absent: President Whowell (vacation)

Not present: Attorney Thorpe, Engineer Bridwell

**Pledge of Alliance** lead by Trustee Turner – Elected President Pro-Tem by the Village Board at the Closed meeting prior to the regular meeting.

- Trustee Turner asked for a moment of silence to remember the seven astronauts that we lost.

**Payment of Village Bills**

Trustee Bromfield/2<sup>nd</sup> Trustee Geye. MOTION was for payment of the Village bills. MOTION carried without negative vote.

**Treasurer Report**

Trustee Spadoni/2<sup>nd</sup> Trustee Petersen. MOTION was made to accept the Treasurer's Report. MOTION carried without negative vote.

**Visitors Heard – 0**

**Budgeted Roof Repair DPW Garage Site**

Administrator Hayden reported that \$12,500.00 was budgeted. The bid came in @ \$11,500.00. Contractor Dennis Maize, Delavan, Wisconsin will perform the work.

Trustee Spadoni/2<sup>nd</sup> Trustee Bromfield. MOTION was to approve a \$11,500.00 expenditure for the roof repair at the garage site. MOTION carried without negative vote.

**Repairs to Safety Building Meeting Room/FPD Main Training Room**

Administrator Hayden reported that \$3,800.00 was budgeted. A quote of \$2,000 was received to fix the dropped ceiling and the heating element.

Trustee Petersen/ 2<sup>nd</sup> Trustee Bromfield. MOTION was to approve the repair for \$2,000.00. MOTION carried without negative vote.

**Resignation from David Bronstein, Village Treasurer**

Administrator Hayden asked for a motion to accept the resignation of David Bornstein, effective March 1<sup>st</sup>.

Trustee Spadoni/2<sup>nd</sup> Trustee Petersen. MOTION was made to accept the resignation of David Bornstein, effective March 1<sup>st</sup>. MOTION carried without negative vote.

Trustee Turner and the Board wished David the best as he looks for new employment.

**2003 Utility Budget**

Administrator Hayden reported that Finance Committee gave a favorable recommendation to approve. Kelly Hayden prepared and distributed the utility budget, including a GIS system, water repairs and sewer repairs (listed separately).

Hayden further reported that PSC will be scheduling a water rate increase after reviewing our already filed application.

Trustee Cole/2<sup>nd</sup> Trustee Spadoni. MOTION was made to approve the utility budget. MOTION carried without negative vote.

**Resolution No. 2-3-03-1**

**Resolution Setting Exempt Salaried and Hourly Non-Union Personnel Salaries for 2003**

Administrator Hayden stated that the 2002 wage for Captains (4) position underneath Emergency Services should be blank (last item pg. 1). Trustee Turner asked for the resolution to be corrected before signing.

Trustee Geye/2<sup>nd</sup> Trustee Cole. MOTION was made to approve Resolution 02-03-03-1. MOTION carried without negative vote.

**Additional Computer Equipment for Village Hall and FPD**

Administrator Hayden reported that Village Hall will be installing an email server breaking our ties with Elknet. The FPD will be installing a wireless network system, including a server plus time and material for a technician to set up the network..

Trustee Petersen/2<sup>nd</sup> Trustee Cole. MOTION was made to approve a budget transfer not to exceed \$5,000. MOTION carried without negative vote.

**Ordinance No. 2-03-03-1**

**Ordinance Amending Article X of the Municipal Code Regarding Signage**

After many meetings and proper notification, Plan Commission held a Public Hearing on January 27, 2003 regarding the Signage Ordinance. Village Planners Vandewalle prepared the Ordinance that will be amending Section 18.1000 of the Municipal Code.

Trustee Geye reported that Plan Commission gave a favorable recommendation to approve the Ordinance.

Trustee Geye/2<sup>nd</sup> Trustee Petersen. Discussion.

Trustee Petersen summarized his concerns with the Ordinance:

- neon lighting
- neon outling
- neon signs
- building colors and outline lighting that are not considered signs

Trustee Turner suggested passing the Signage Ordinance with issues being taken up by the Plan Commission after adoption. Turner further stated that the Ordinances does a beautiful job in terms of giving the VOF a lot of protection against any signage that comes into this community.

MOTION was made to approve subject to the issue of neon signs being referred back to the Plan Commission. MOTION carried without negative vote.

### **GIS - Official Zoning Map Layer**

Nedd Niedermeyer, GIS Manager with Crispell-Snyder gave a GIS power point presentation before the Plan Commission at the January 27<sup>th</sup> meeting.

Administrator Hayden asked the Board to go forward and expend the money to put a zoning layer over our parcels for an approximate cost of \$500 - \$1,000.00, which has been budgeted.

Trustee Petersen/2<sup>nd</sup> Trustee Bromfield. MOTION was made to approve. MOTION carried without negative vote.

Trustee Turner suggested that Niedermeyer give a presentation to the Village Board once the zoning map with overlay(s) is finished.

### **CDA – Approve Confidentiality Agreement with The Abbey**

Trustee Turner reported that the Confidentiality Agreement between the CDA and The Abbey Resort LLC was prepared by CDA Attorney Henry Gempeler, Foley Lardner and Michael Harrigan, Ehlers & Associates.

CDA has been talking about assisting The Abbey with their new project in some way. In order to determine whether the CDA should assist them, the CDA needs to analysis some of the economics of their project to determine if the CDA assisting is necessary.

Trustee Turner entertained a MOTION to approve the Confidentiality Agreement. Trustee Petersen/2<sup>nd</sup> Trustee Bromfield. MOTION was so moved. MOTION carried without negative vote.

### **Official Announcement of Land Purchase**

Trustee Turner reported that the Village has a signed 'Offer To Purchase' for the Hildebrand property and closing will be sometime in early March. After closing, the VOF will have much more information for the press and for the public in terms of the details of the acquisition and the plans for the land.

No Action Taken.

### **State Municipal Agreement for Highway Improvement Project**

Trustee Turner reported that the 'highest priority project in the TID No.1' is the renovation and improvement of Highway 67.

Trustee Turner further reported that CDA meet with Wisconsin DOT about renovations of Highway 67. A draft contract/agreement titled 'State Municipal Agreement for Highway Improvement Project' was reviewed at that meeting. DOT is defining this project as improving the road from South Main Street to Theater Road in Williams Bay.

Turner explained that by working with Wisconsin DOT there is federal and state funding

for a portion of the project. After approval of his agreement, the VOF then proceeds with higher consulting engineers and will enter into a tri-party agreement between the DOT, VOF and the engineering company.

Trustee Turner/2<sup>nd</sup> Trustee Petersen. MOTION was made to approve this Agreement which would make us eligible for 1 Million Eight Hundred and Sixty-Two Thousand and Five Hundred Dollars. Discussion.

Trustee Turner added: the Village's contribution/portion is \$2.7 Million.

Trustee Turner explained the increment (\$192,000.00) from Abbey Phase III/Abbey Ridge is enough to fund an approximate \$2 - \$2.3 Million in Bonds. In addition to that, a \$400,000 state grant was recently awarded to the VOF. There is enough money within the TID No. 1 to come up with the \$2.7 Million, the Village's portion of the project.

MOTION carried without negative vote.

#### **Authorize 1.5 Million Dollar Demand Note on Behalf of CDA**

Administrator Hayden reported that Finance Committee gave a favorable recommendation and authorizes CDA to have access to a \$1.5 Million Demand Note, which would pay for recent property purchases and other ventures coming up.

Administrator Hayden and Finance Committee will obtain bids.

Trustee Spadoni/2<sup>nd</sup> Trustee Geye. MOTION was made to approve. MOTION carried without negative vote

#### **Joint Protection Committee and Village Board Meeting**

Trustee Spadoni announced the meeting.

Saturday, February 15, 2003, at 8:00 AM, @ Village Hall Meeting Room.

No action taken.

#### **Possible Future Location of Fire Department @ Wild Duck Road and Dade Road**

Trustee Spadoni asked that the Village Board start thinking about this issue.

No action taken.

#### **EMS/Rescue Squad**

No report. No action taken.

#### **Hire Full Time DPW Employee**

Administrator Hayden reported that Public Works Committee would like the Village Board to authorize hiring Russ Adams as a full time employee effective February 3, 2003.

Trustee Geye/2<sup>nd</sup> Trustee Bromfield. MOTION was made to approve. MOTION carried without negative vote.

#### **Resolution No. 2-03-03-2**

##### **Resolution Declaring an Emergency Repair for the Harvard Club Sewer**

Administrator Hayden reported that the Village Engineer recommends repairing as stated within the Resolution. The cost is estimated at approximately \$50,000.

President Whowell and Administrator Hayden agrees with the recommendation to repair The Harvard Club sewer and will meet with The Harvard Club prior to installation and commencement of the work (within 1- 2 weeks).

Trustee Bromfield/2<sup>nd</sup> Trustee Petersen. MOTION was made to approve. MOTION carried without negative vote.

### **Contract 3-2002 - Bulk Storage Pay Request**

Strand and Associates has reviewed and approves the pay request.

Amount: \$48,863.60

Trustee Bromfield/2<sup>nd</sup> Trustee Spadoni. MOTION was made to approve. MOTION carried without negative vote.

### **GIS Specifications**

Administrator Hayden asked the Board to authorize and solicit bids from other engineering firms for GIS specifications ( water, sewer, storm water will be the first things mapped out) (depth, length, type of pipe, location of hydrants and B boxes). Administrator Hayden added that \$40,000 was budgeted.

Trustee Spadoni/2<sup>nd</sup> Cole. MOTION was made to issue a public bid for the GIS work for the location of all water mains, sewer mains, manholes, hydrants. MOTION carried without negative vote.

### **Vacation Buyout – DPW Employee**

Administrator Hayden reported that Public Works Committee recommends that the Village Board approve a vacation buyout of 22 hours for Dennis Barr, which is a one time exception.

Trustee Bromfield/2<sup>nd</sup> Trustee Cole. MOTION was made to approve. MOTION carried without negative vote.

### **Resignation from Robert Torkelson, DPW Superintendent**

Administrator Hayden asked the Board to accept the resignation.

Trustee Geye/2<sup>nd</sup> Spadoni. MOTION was made to accept the resignation. MOTION carried without negative vote.

The Village Board wished Bob well as he looks for new employment.

### **Ordinance No. 2-3-03-2**

#### **Ordinance Repealing and recreating Section 54-161(c) (1) (a) and (b) of the Municipal Code**

Administrator Hayden prepared the Ordinance and reported that this Ordinance addresses the public beach hours. Lakefront and Harbor gave a favorable recommendation to approve.

Trustee Bromfield/2<sup>nd</sup> Trustee Petersen. MOTION was made to approve Ordinance No. 2-03-03-2. MOTION carried without negative vote.

**Resolution No. 2-3-03-3 with Exhibit 'A'**

**Resolution Establishing Fees and Charges Pursuant to Section 54-161 of the Municipal Code; Specifically Beach Season Pass Fees and Parking Sticker Fees**

Administrator Hayden prepared the Resolution and Lakefront and Harbor Committee gave a favorable recommendation to approve. Discussion of Exhibit 'A' depicting the beach, boat ramps, parking lot and meter fees. Meters will operate seven days per week, April 15 thru October 15 @ .50 per hour.

Administrator Hayden will amend the Resolution for clarification [pg. 2 under Meters, Parking Lots to read: Automobile with Trailer and Daily or Season Boat Launch Sticker will be No Charge].

Trustee Bromfield/2<sup>nd</sup> Trustee Petersen. MOTION was made to approve the Resolution with that correction. MOTION carried without negative vote.

**VOF Mooring Lease Agreement**

Trustee Bromfield reported that Lakefront and Harbor Committee gave a favorable recommendation that people (approximately 200 people) on the waiting list will be asked if they want to remain on the waiting list for an additional \$25.00 fee. Village staff will mail out letters now that Village Attorney Thorpe has reviewed this document. Discussion followed about residents vs. non-residents remaining on the waiting list. A two-week turn around response will be granted.

Trustee Petersen/2<sup>nd</sup> Trustee Cole. MOTION was made to approve the Mooring Lease Agreement. MOTION carried without negative vote.

**Gage Marine Lease**

Administrator Hayden asked to table to next month.

*No action taken.*

**Update - Open Space Plan prepared by Cedarburg Science**

Trustee Geye reported that the Village will have a final draft the week of February 10<sup>th</sup> whereby, the Park Commission will approve and recommend to the Village Board to approve the Park and Open Space Plan, making the VOF eligible for grants for all of the Park and Open Space within the VOF.

**Grant Application Search for Park & Open Space Plan**

Trustee Geye asked the Board to approve a supplemental addition of fee to refine and to provide the Village a very specific list of grants, allowing the Park Commission to start to work in conjunction with the CDA. Work would begin with trail-ways, pathways and restoration of some of the natural areas, specifically in the Duck Pond area.

Geye outlined:

- tying in the Mill Pond property next to the school;
- going down the VanSlyke Creek area;
- then hooking up to The Abbey.

Trustee Geye and Sarah Lobdell (new Park Commissioner) have agreed to investigate the grants and then also do a lot of the grant writing and then turn it back to Cedarburg Science to refine and to make sure that the VOF is in compliant.

Trustee Geye worded the MOTION to allocate to Cedarburg Science additional funding, not to exceed \$1,000.00, for development of a refinement of grants, specific to the

development of trail-ways, and walkways and the restoration of areas in Duck Pond and throughout the water shed area for VanSlyke Creek.

Trustee Bromfield/2<sup>nd</sup> Trustee Spadoni. MOTION was so moved. MOTION carried without negative vote.

**Tree Ordinance Review**

Trustee Geye reported that Fontana resident, Laurie Larsen is working with the Building and Zoning Administrator, Rex Henke to prioritize the important items as the Park Commission develops a Tree Ordinance which will be presented to Plan Commission.

No action taken.

**Special Note:**

Trustee Geye reported that a power point presentation will be given by the Park Commission to The Lions Club at their February 5<sup>th</sup> meeting to solicit additional funds for the expansion of the Duck Pond Pavilion.

**Adjourn**

Trustee Spadoni/2<sup>nd</sup> Bromfield. MOTION was made to adjourn. MOTION carried without negative vote.

Meeting adjourned @ 7:10 p.m.

Minutes prepared by:

Phyllis Sallye Smith

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

APPROVED: 3/5/03