

**VILLAGE OF FONTANA ON GENEVA LAKE  
WALWORTH COUNTY, WISCONSIN**

**(Official Minutes)**

VIRTUAL MONTHLY MEETING of the VILLAGE BOARD OF TRUSTEES

**Monday, February 7, 2022**

Village President Pat Kenny called the virtual meeting of the Village Board to order at 5:00 pm.

**Trustees Present by Phone:** Roll call vote: President Kenny, Trustee Livingston, Trustee Prudden, Trustee Pappas, Trustee McGreevy, Trustee O'Neill

**Trustees Absent:** Trustee Petersen

**Also Present by Phone:** Jeff Cates, Kevin Day, Sally South, Theresa Loomer, Wolfgang Nitsch, Andy Pearce, Dale Thorpe, Scott Vilona, Cindy Wilson

**Visitors Heard**

None

**General Business**

**Approval of Minutes**

The minutes for the meetings held on December 29, 2021 (open and closed) and January 4, 2022, were distributed to board members via email.

Trustee O'Neill/Trustee Prudden 2<sup>nd</sup> made a MOTION to approve the minutes from December 29, 2021 (open and closed) and January 4, 2022, as submitted, and the MOTION carried without negative vote.

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

Trustee Livingston/Trustee McGreevy 2<sup>nd</sup> made a MOTION to approve the Vendor Report and Payroll Overtime Report as distributed for January, and to place it on file for the audit, and the MOTION carried without negative vote.

**Approval of Village and Utility Payables**

Trustee McGreevy/Trustee Livingston 2<sup>nd</sup> made a MOTION to approve payment of the Village and Utility payable list, including the additional payables, as presented, and the MOTION carried without negative vote.

**General Business – President Kenny**

**Park Permit and Temporary Class “B”/Class “B” Retailers License Applications filed by Dan Green Touch a Life, Heal a Heart, Inc. for Pig in the Park on Saturday, July 9, 2022, at Reid Park**

Trustee Livingston/Trustee O'Neill 2<sup>nd</sup> made a MOTION to approve the park permit and temporary class “B”/Class “B” retailers license application filed by Dan Green Touch a Life, Heal a Heart, Inc. for Pig in the Park on Saturday, July 9, 2022 at Reid Park, and the MOTION carried without negative vote.

**Park Permit and Temporary Class “B”/Class “B” Retailers License Applications filed by Big Foot Lions Club for Annual Lobster and Steak Fry on Saturday, July 30, 2022, at Reid Park**

Trustee Livingston/Trustee McGreevy 2<sup>nd</sup> made a MOTION to approve the park permit and temporary class “B”/Class “B” retailers license application filed by Big Foot Lions Club for annual Lobster and Steak Fry on Saturday, July 30, 2022 at Reid Park, and the MOTION carried without negative vote.

**Temporary Operator License Applications filed by Anders W. Pearce, Daniel A. Pearce, Kevin M. Racky and Patrick J. Kenney for Big Foot Lions Club Annual Lobster Boil and Steak Fry on Saturday, July 30, 2022**

Trustee McGreevy/Trustee O'Neill 2<sup>nd</sup> made a MOTION to approve the temporary operator licenses for Anders W. Pearce, Daniel A. Pearce, Kevin M. Racky and Patrick J. Kenney, and the MOTION carried without negative vote. President Kenny abstained.

**2022 Fireworks Agreement with J & M Display**

The proposal is to hold the fireworks on the 4<sup>th</sup> of July again this year. Loomer noted J & M Display will be covering the cost of the finale due to the issues from the rain last year. J & M Display did send a letter out stating that pricing has increased by 20% from last year.

Trustee Prudden/Trustee O’Neill 2<sup>nd</sup> made a MOTION to approve the 2022 Fireworks Agreement with J & M Display in the amount of \$23,500, and the MOTION carried without negative vote.

**2022 Triathlon Agreement with Peak Performance Professionals (P3)**

Trustee McGreevy/Trustee Livingston 2<sup>nd</sup> made a MOTION to approve the 2022 agreement with Peak Performance Professionals (P3), and the MOTION carried without negative vote.

**Chapter 18 Floodplain Ordinance Amendments as Required by DNR – Set for Public Hearing**

Attorney Dale Thorpe stated this is a work of negotiations between the Village Planner and DNR. Thorpe stated a model ordinance was provided and revisions have been made so it fits in the Village of Fontana code. The plan is to have all revisions resolved in the next few days. The deadline for adoption is April 6, 2022.

Trustee Livingston/Trustee McGreevy 2<sup>nd</sup> made a MOTION to set a public hearing for the Chapter 18 Floodplain Ordinance Amendments at the next scheduled Plan Commission meeting, and the MOTION carried without negative vote.

**Ratify Revised Contract with Schaeffer Municipal Services, LLC, for Zoning Administration**

Loomer stated there were a few areas of concern Attorney Thorpe pointed out and have since been addressed. Thorpe explained the main areas of concern were insurance and the obligation to help the Village comply with open meeting law and public records law requests.

Trustee O’Neill/Trustee Prudden 2<sup>nd</sup> made a MOTION to approve the revised contract with Schaeffer Municipal Services, LLC, for Zoning Administration, and the MOTION carried without negative vote.

**Ratify Revised Contract with SAFEbuilt, Inc. for Building Inspection Services**

Trustee O’Neill/Trustee Prudden 2<sup>nd</sup> made a MOTION to approve the revised contract with SAFEbuilt, Inc. for Building Inspection Services, and the MOTION carried without negative vote.

**Accept Resignation of Jim Feeney from Zoning Board of Appeals**

Trustee Livingston/Trustee O’Neill 2<sup>nd</sup> made a MOTION to accept resignation of Jim Feeney from Zoning Board of Appeals, and the MOTION carried without negative vote.

**Appoint Ron Nyman to Vacant Position on Zoning Board of Appeals**

Trustee Prudden/Trustee Livingston 2<sup>nd</sup> made a MOTION to appoint Ron Nyman to vacant position on Zoning Board of Appeals, and the MOTION carried without negative vote.

**Accept Resignation of Treasurer/Deputy Clerk Stephanie Smith**

Trustee Livingston/Trustee McGreevy 2<sup>nd</sup> made a MOTION to accept resignation of Treasurer/Deputy Clerk Stephanie Smith, and the MOTION carried without negative vote.

**Park Commission – Trustee Livingston**

**Park Permit Application filed by Immanuel Church of Christ of 2022 Fat Tire Event on Saturday, September 10, 2022, at Reid Park**

Trustee McGreevy/Trustee O’Neill 2<sup>nd</sup> made a MOTION to approve the park permit application filed by Immanuel Church of Christ for 2022 Fat Tire Event on Saturday, September 10, 2022, and the MOTION carried without negative vote.

**Park Permit Application filed by Big Foot Lions Club for 2022 Triathlon on Saturday, September 17, 2022, at Reid Park**

Trustee McGreevy/Trustee O'Neill 2<sup>nd</sup> made a MOTION to approve the park permit application filed by Big Foot Lions Club for 2022 Triathlon on Saturday, September 17, 2022, at Reid Park, and the MOTION carried without negative vote.

**Park Permit Application filed by CTW for Use of Duck Pond Ball Fields on April 9-10 and April 23-24 for tournaments**

Loomer stated she wanted to point out the Doggy Egg Hunt is schedule for April 9<sup>th</sup>. Trustee Livingston explained there should be no conflict as they are in different areas of the park.

Trustee O'Neill/Trustee McGreevy 2<sup>nd</sup> made a MOTION to approve the park permit application filed by CTW for use of Duck Pond Ball Fields on April 9-10 and April 23-24 for tournaments, and the MOTION carried without negative vote.

**Park Permit Application filed by GTS for Use of Duck Pond Ball Fields April – July, Monday-Thursday, 5:00 pm to 8:00 pm**

Trustee Prudden/Trustee McGreevy 2<sup>nd</sup> made a MOTION to approve the park permit application filed by GTS for use of Duck Pond Ball Fields April – July, Monday – Thursday, 5:00 pm to 8:00 pm, and the MOTION carried without negative vote.

**Park Permit Application filed by GTS for Use of Duck Pond Ball Fields on May 6 – 8, May 28 – 30, June 3 – 5, September 10 – 11 and September 23 – 25 for Tournaments**

Trustee Livingston stated the fees discussed by the Park Commission for use of the Duck Pond Ball Fields are \$800 for a Saturday and Sunday tournament and \$1,000 for a Friday through Sunday tournament. Trustee Pappas stated the fees should be listed on the park permit applications prior to issuance.

Trustee Pappas/Trustee McGreevy 2<sup>nd</sup> made a MOTION to approve the park permit application filed by GTS for use of Duck Pond Ball Fields on May 6 – 8, May 28 – 30, June 3 – 5, September 10 – 11 and September 23 – 25 for tournaments, with a fee of \$1,000 for each full weekend and \$800 for a Saturday-Sunday, and the MOTION carried without negative vote.

**Lakefront & Harbor Committee – Trustee Pappas  
Adopt Chapter 54 Ordinance Amendments**

Trustee Prudden asked for more discussion on RV and Bus parking in Lot No. 4. Chief Cates stated the ordinance does not allow for buses or campers to sit at an idle or be occupied while in Lot No. 4. The discussion amongst the Trustees was to not allow campers or buses in Lot No. 4 and direct staff to draft an ordinance revision to state that.

Trustee Prudden/Trustee McGreevy 2<sup>nd</sup> made a MOTION to table Chapter 54 Ordinance Amendments and directed staff to draft an ordinance removing parking of buses, campers, or recreational vehicles in lots three and four, and the MOTION carried without negative vote.

**Quote from Austin Pier Services for Repairs in the amount of \$29,942.31**

Trustee Pappas stated the quote from Austin Pier Service for yearly repairs is \$29,942.31.

Trustee O'Neill/Trustee McGreevy 2<sup>nd</sup> made a MOTION to approve the quote from Austin Pier Service in the amount of \$29,942.31, and the MOTION carried without negative vote.

**Quote from Austin Pier Services for October Storm Damage Repairs in the amount of \$20,140.75**

Trustee Pappas stated the quote from Austin Pier Service for storm damage repairs from the October storm total \$20,140.75. The insurance company will be cutting a check to the Village for the repairs less the \$1,000 deductible.

Trustee O'Neill/Trustee McGreevy 2<sup>nd</sup> made a MOTION to approve the quote from Austin Pier Service for storm damage in the amount of \$20,140.75, and the MOTION carried without negative vote.

**Recommendation to use Lumbar Rock for Future Municipal Pier Repairs**

Trustee Pappas stated Lakefront and Harbor recommended moving forward with doing pier repairs in lumbar rock and the Village paying the difference of \$19,600. Pappas explained after talking with Frederick form Austin Pier Service he had some concerns with stacking and storing of the lumbar rock and believes there will not be much of a cost savings once the additional cost of storing and transporting is figured in. Trustee Pappas stated he would recommend moving forward with the doing the repairs in wood. Trustee Pappas/Trustee Livingston 2<sup>nd</sup> made a MOTION to approve doing pier repairs in wood and forgo the use of lumbar rock, and the MOTION carried without negative vote.

### **Renewal of Lease Agreement for Gage Marine Pier**

Trustee Pappas stated the current lease agreement with Gage Marine is coming due and although the Lakefront & Harbor Committee recommended a one-year lease, he recommends a three-year renewal with a five percent annual increase. The increase for slip holders was five percent and it makes sense to keep the increase the same for Gage Marine.

Trustee Pappas/Trustee Livingston 2<sup>nd</sup> made a MOTION to approve a three-year lease agreement with a five percent annual increase, and the MOTION carried without negative vote.

### **Finance Committee – President Kenny**

#### **EMS/Paramedic Employee Staffing Proposal**

Loomer stated there have been several discussions at the committee level regarding bringing EMS personnel in-house. The HR Committee, Protection Committee and Finance Committee have all recommended in favor of hiring full-time EMS/Paramedic employees as Metro has not been able to supply the necessary staff not only to Fontana, but to other contracted communities as well. The current contract with Metro expires at the end of April. Metro was asked to provide a quote for a three-year contract extension which came in at \$649,282.80 and the approximate cost to bring staff in-house using the same pay scale is estimated at \$618,418.74.

Trustee Prudden/Trustee McGreevy 2<sup>nd</sup> made a MOTION to approve the concept of bringing EMS/Paramedic staffing in house as Village employees, and the MOTION carried without a negative vote. Trustee Livingston abstained.

#### **EMS/Paramedic Staffing Collaboration with Williams Bay**

Loomer stated discussions have been ongoing between the Village of Williams Bay and the Village of Fontana regarding EMS services. Fontana has responded to an increasing number of calls in Williams Bay – over 60 in 2021. Williams Bay is interested in pursuing an agreement with Fontana and hiring four of their own paramedics to work with Fontana’s staff for the remainder of this year and are also looking for a long-term solution. Williams Bay is planning to go to referendum in November with the end goal of hiring an additional three paramedics. Loomer stated that among the items that need to be worked out is whether Fontana or Williams Bay would hire the additional four employees this year. Attorney Thorpe questioned if this would be handed through an intergovernmental agreement between Williams Bay and Fontana and his main concerns would be regarding management and liability.

Trustee Prudden/Trustee O’Neill 2<sup>nd</sup> made a MOTION to direct staff and Attorney Thorpe to work with Williams Bay to draft an intergovernmental agreement, and the MOTION carried without negative vote.

#### **Police Donation Account Request**

Chief Cates stated the Police Department received a sizeable donation and part of the agreement from the donor was the funds stay with the Police Department. The Police Department was looking to create a donation account like what the Fire Department has; however, it is not allowed by statute. Chief Cates explained the Finance Committee recommended keeping a separate excel spreadsheet, so the funds are documented and stay with the Police Department. Consultant Scott Vilona stated he talked with the auditors, and they indicated a separate account could be established, but is not required. Vilona commented if the funds were going to be used within the year, he would not recommend opening a separate account, just keeping an open line of communication with the Village Board and staff.

Trustee McGreevy/Trustee Livingston 2<sup>nd</sup> made a MOTION to accept the donation to the Police Department in the amount of \$20,000 and keep a separate spreadsheet to track the expenses, and the MOTION carried without negative vote.

#### **Utility Billing Portal and Email Options Quote from Tyler Technologies**

Loomer stated staff has received a quote from Tyler Technologies, which is the host of the utility billing software, to have the capability to email bills versus mailing and allow residents to create an online portal to view their account and pay bills. Loomer stated the initial cost to the Village is \$6,408 with a recurring cost of \$1,843. The recurring cost will be covered by the postage savings.

Trustee McGreevy/Trustee Livingston 2<sup>nd</sup> made a MOTION to approve the quote from Tyler Technologies in the amount of \$6,408 for the initial setup and an annual recurring cost of \$1,843, and the MOTION carried without negative vote.

#### **Discuss Future TID CIP Projects**

Loomer explained the Village has a year and a half to start any projects funded by the TID. This is the beginning stage of identifying projects located within the original project plan, and if the approved staff will get concrete numbers to bring back to the board. Trustee O'Neill asked if any stormwater work in Hildebrand could be included in the TID work. Village Engineer Terry Tavera stated in the latest meeting with the DNR there may possibly be some stormwater work in Hildebrand that the DNR would cover, however, first the new bridges must be permitted by the DNR and then discussions about stormwater work will take place.

Trustee Livingston/Trustee O'Neill 2<sup>nd</sup> made a MOTION to direct staff to bring back a conclusive list of projects and concrete numbers for future TID projects and discuss funding, and the MOTION carried without negative vote.

#### **Protection Committee – Trustee Prudden**

##### **Parking Citation Processing and Mobile Payment Application**

Chief Cates stated the Village was approached by Passport labs at the end of 2021 regarding the contract for parking citation processing. The Village currently utilizes Passport labs and has been paying between \$1,000 to \$1,200 yearly and initial contract for 2022 indicated increasing the yearly cost to \$6,000. Chief Cates explained after talking to Passport Labs they have agreed to bring it down to \$2,000 a year if the Village will agree to switch to their mobile payment application. Cates stated the Village currently utilizes a different mobile payment application with a similar platform and fee schedule.

Trustee McGreevy/Trustee Livingston 2<sup>nd</sup> made a MOTION to approve the proposal from Passport Labs with an annual cost of \$2,000 and switch the mobile payment application to Passport Labs, and the MOTION carried without negative vote.

#### **Public Works Committee – Trustee O'Neill**

##### **Adopt Chapter 16 Ordinance Amendments**

Village Engineer Terry Tavera stated Chapter 16 ordinance amendments had previously been brought forward as a draft and there were some outstanding issues with the outside appeals process. Tavera explained the best approach was to just remove the appeals section completely. Attorney Thorpe stated this amendment is doing nothing more than removing the outside appeals process and protecting the Village.

Trustee McGreevy/Trustee Prudden 2<sup>nd</sup> made a MOTION to approve Ordinance 020722-01 the Chapter 16 storm water management and erosion control amendments, and the MOTION carried without negative vote.

#### **Update on Stormwater Management Plan – Shabbona Drive Outfall**

Tavera explained the Village is currently working with the DNR on the type of permit for the project. Originally the plan was to complete the work this winter and after talking with contractors that is not going to be feasible due to still working on the permitting process. Tavera stated the work will most likely take place in late fall as long as it is dry enough. The project will require two easements.

Trustee Livingston/Trustee Prudden 2<sup>nd</sup> made a MOTION to direct staff to work on negotiating the easements and direct Attorney Thorpe to draft the easements, and the MOTION carried without negative vote.

### **Beach Fence Maintenance and Repairs**

Public Works Director Kevin Day stated since it is a slow winter, they are taking some of the panels of the beach fence off that are rusty and sandblasting and painting them. Day stated there were some safety concerns with the fence and they have come up with a fix and if the Board approves, they will make the changes. Pictures are included in the meeting materials.

Trustee Livingston/Trustee Prudden 2<sup>nd</sup> made a MOTION to direct public works department to make the changes to the beach fence, as pictured, to eliminate any safety hazards, and the MOTION carried without negative vote.

### **HR Committee – President Kenny**

#### **Recommendation to Hire CSO Jacob Rockweiler During Off Season**

Chief Cates stated CSO Jacob Rockweiler worked for the Village last summer and did a great job and recently moved back to the area to attend school. Rockweiler has expressed interest in working during the off season. Chief Cates stated he has projects Rockweiler could work on during the off season and still stay under the budgeted hours for his position.

Trustee Prudden/Trustee McGreevy 2<sup>nd</sup> made a MOTION to approve hiring CSO Jacob Rockweiler during the off season, subject to staying within the budgeted hours for the CSO position, and the MOTION carried without negative vote.

#### **Human Dental Plan and Premium Modification**

Loomer stated the Village contract with Humana renews in February and staff has done some cost comparison of other plans. Humana has agreed to keep the annual maximum per person to \$1,000 as well as increase the child orthodontic coverage to \$2,000 and reduce our annual premium by twenty percent.

Trustee McGreevy/Trustee Livingston 2<sup>nd</sup> made a MOTION to approve the premium modifications with Humana Dental in the amount of \$3,334.53 monthly, and the MOTION carried without negative vote.

#### **Proposed Assistant Beach Manager and Launch Manager Positions**

Loomer stated Lakefront Manager Tom Joyce had asked for assistant beach manager and launch manager positions. Loomer explained they have a few experienced individuals in mind, and they could keep them within the attendant pay scale.

Trustee McGreevy/Trustee Livingston 2<sup>nd</sup> made a MOTION to approve the proposed Assistant Beach Manager and Launch Manager Positions, and the MOTION carried without negative vote.

#### **Assistant Beach Manager and Launch Manager Position Descriptions**

The proposed position descriptions were included in the packets.

Trustee McGreevy/Trustee Livingston 2<sup>nd</sup> made a MOTION to approve the Assistant Beach Manager and Launch Manager Position descriptions as submitted, and the MOTION carried without negative vote.

#### **Recommendation on Village Hall Staffing Positions and Hiring Recommendations**

Loomer stated with the resignation of treasurer/deputy clerk and because the deputy clerk/treasurer will potentially be retiring in a few years, she would like to set the Village up for success and hire a treasurer and a clerk. Loomer stated she reached out to other municipalities to see what they are paying for similar positions and found Clerk to be in the range of \$40,000-\$65,000 and Treasurer \$45,000-\$70,000.

Trustee Livingston/Trustee Prudden 2<sup>nd</sup> made a MOTION to approve posting the Clerk Position with a pay scale of \$40,000-\$65,000 and the Treasurer Position with a scale of \$45,000-\$70,000, and the MOTION carried without negative vote.

#### **Village Clerk and Village Treasurer Updated Position Descriptions**

The position descriptions were included in the packets.

Trustee McGreevy/Trustee Livingston 2<sup>nd</sup> made a MOTION to approve the Village Clerk and Village Treasurer job descriptions as submitted, and the MOTION carried without negative vote.

**Adjournment**

Trustee Livingston/Trustee Prudden 2<sup>nd</sup> made a MOTION at 6:03 pm to adjourn the meeting, and the MOTION carried without negative vote.

Minutes prepared by: Stephanie Smith, Deputy Clerk/Treasurer

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: 03/07/22