

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

Official Minutes
VILLAGE BOARD MEETING
March 4, 2002 @ 6:00 P.M.

Date: Monday, March 4, 2002

Place: Village Hall, 175 Valley View Drive, Fontana, Wisconsin 53125

Time: @6:00 p.m. President Whowell called the regular meeting to order.

Trustee Absent: Grabow (vacation)

Trustees Present: Bromfield, Cole, Petersen, Spadoni, Turner and President Whowell

Also Present: Clerk Smith, Village Administrator Hayden, Attorney Thorpe

Not Present: Engineer Bridwell, Rex Henke

Pledge of Allegiance – President Whowell

Announcements

- Candidate Forum @ The Abbey – Thursday, 3-21-2002
- CDA Redevelopment Plan – March 6, 2002 @ 6:00 p.m.
- President Whowell complimented Public Works for doing a terrific job of snow removal this past Saturday.
- President Whowell complimented Protection Committee for doing a great job this week and particularly Trustee Spadoni.

Village Minutes Approved

- 9-26-01 Special Board Minutes were amended to add Resolution Numbers: 9-26-01-2 and 9-26-01-3
- 2-4-2002 Regular Board Minutes with corrections [pg.2 under Request for Overlay Zoning District- Abbey Springs PUD should read Monday, February 25, 2002] and [pg. 2 under CSM for Nick Savaliano – Developer’s name is Bill Binn].

Trustee Spadoni/2nd Trustee Bromfield. MOTION was made to approve the minutes. MOTION carried without negative vote.

Village Bills

Acting Treasurer Bornstein submitted the following:

Fontana Claims Register Report (10 pages dated 3-4-02) – Total: \$156,305.96

Fontana Utility Claims Register Report (5 pages dated 3-4-02) – Total: \$26,232.84

Trustee Spadoni/2nd Trustee Petersen. MOTION was made to approve the Village Bills as submitted. MOTION carried without negative vote.

Visitors Heard – 0

Acting Police Chief

Chief of Police, Steven Olson submitted a memo dated 2/20/02 advising that he was being deployed and effective at 5:00 p.m. on February 22, 2002 it will be necessary for him to take a

'military leave of absence' from his duties as Chief of Police pursuant to Village Ordinance, State and Federal Law.

Trustee Spadoni reported that Protection Committee, after the interviewing process on Saturday, March 2, 2002, recommends that Trustee Spadoni, Chair of Protection be appointed as Administrative Coordinator of the Fontana Police Department and will work closely with Sgt. Schnitcke on all matters relating to the Police Department. Sgt. Fred Schnitcke will be the police Officer In Charge and after completion of Chief Olson's tour of duty may receive additional compensation for his duties as Officer In Charge.

Trustee Spadoni worded the MOTION: that Chairman of Protection Committee, George Spadoni be placed as Administrator Coordinantor of Police Department in Chief's absence with Fred Schnitcke being Officer In Charge and working closely with myself and the committee. Trustee Bromfield/2nd Trustee Turner so moved. MOTION carried without negative vote.

Resignation Letter from Officer Shawn Spingler

Trustee Bromfield/2nd Trustee Petersen. MOTION was made to accept Shawn Spingler's resignation. MOTION carried without negative vote.

Matter from the 5:00 p.m. Closed Session – Property Maintenance

Trustee Spadoni worded the MOTION: that the Board authorize the Village Attorney to start the process to raze the property* through the proper legal channels and avenues that are available to the Village Board. Trustee Bromfield/2nd Trustee Turner so moved. MOTION carried without negative vote.

* Tax Key No. SRA 00016 (Lot 4, 5, 6 Blk 3 D.A. Reids Addition)

Appointments to Zoning Board of Appeals – President Whowell

Todd Elliott, Chairman – 3 year term

Stephen Littig – 3 year term

Dave Stout – 2 year term with a three year term thereafter

Mike Poivey – 2 year term with a three year term thereafter

Pat Kenny – 1 year term with a three year term thereafter

Alternate – replacement for Alternate Arvid Petersen

Trustee Turner/2nd Trustee Bromfield. MOTION was made to accept those appointments with those terms. MOTION carried without negative vote.

Assessor Jerry Coplien's Assistance

Property record cards and data will be taken from VOF to Assessor Coplien's Monroe Office, by Jerry Coplien, in order to complete data entry. He quoted a fee not to exceed \$5,000.00.

Trustee Turner/2nd Trustee Spadoni. MOTION was made to approve the assessor's assistance concept of doing this work at a cost not to exceed \$5,000. MOTION carried without negative vote.

Proposed Ordinance - Public Safety Board of Appeals

Attorney Thorpe submitted a proposed Ordinance Creating Article IV. Division 10 Police and Fire Commission and Sections 2-391 and 2-393 of the Municipal Code.

Trustee Cole/2nd Trustee Turner. MOTION was made to refer this to Human Resources Committee. MOTION carried without negative vote.

Proposed Ordinance - C-4 District Zoning

Attorney Thorpe distributed a draft Ordinance and sample ordinances from other communities offering proposed definitions for housekeeping unit and hotel room or hotel suite.

Trustee Turner/2nd Trustee Bromfield. MOTION was made that the Plan Commission be requested to prepare an appropriate definition for a housekeeping unit submitted to the Board at the April meeting and that we determine a public hearing at that time. MOTION carried without negative vote.

Note: Attorney Thorpe distributed several 3-ring binders titled 'Unified Site Plan' for the The Abbey on Geneva Lake. The Unified Site Plan is dated January 1979. Attorney Thorpe reported that two small amendments to the Unified Site Plan were not available or included within the binders.

Resolution 03-04-02-1

Resolution Opposing Governor McCallum's Proposal to Eliminate the State Revenue Program

Trustee Spadoni/2nd Trustee Petersen. MOTION was made to accept Resolution 03-04-02-1. MOTION carried without negative vote.

Village Treasurer - Employment Agreement with David S. Bornstein

Administrator Hayden submitted a 4 pg. draft agreement for one year.

Trustee Bromfield/2nd Trustee Petersen. MOTION was made to approve the contract with details to be worked out with Administrator Hayden and Attorney Thorpe. MOTION carried without negative vote.

Resolution 03-04-02-2

Resolution Designating an Official to Sign on the VOF Behalf for DNR Recycling Grant

Trustee Bromfield/2nd Trustee Petersen. MOTION was made to approve Resolution 03-04-02-2. MOTION carried without negative vote.

2002 Geneva Lake Fireworks

Geneva Lake West Chamber of Commerce / Fireworks Committee

Date: Thursday, July 4th (rain date Friday, July 5th)

Trustee Turner worded the MOTION: that we donate \$2,000.00 to the fireworks and solicit additional contribution through a mailing in the utility bills.

Trustee Bromfield/2nd Trustee Spadoni so moved. MOTION carried without negative vote.

Refinancing VOF Debt

Administrator Hayden reported that Finance Committee received a proposal from R.W. Baird. Ehlers & Assoc. will be asked to give a proposal. Trustee Petersen requested a quote from local representative, Edward Jones. *No action taken.*

Summer Employment for 2002

Ad for Lakefront /Harbor and Department of Public Works

Administrator Hayden reported that employment ads are under way.

No action taken.

ETZ Committee – Town of Walworth, Town of Linn, Village of Fontana

Attorney Thorpe submitted a First Amendment to the ETZ Ordinance for Town of Linn, Town of Walworth, Village of Fontana and Section 18.0504C.5 of the Municipal Zoning Code.

Trustee Spadoni/2nd Trustee Petersen. MOTION was made to schedule a public hearing for the revised ETZ Ordinance at the March 25, 2002 Plan Commission Meeting. MOTION carried without negative vote.

Update Park & Open Space Plan from 1994

Trustee Petersen reported that an updated Park & Open Space Plan is necessary to qualify for various grants.

Trustee Turner reported that Vandewalle did the original plan and gave an approximate quote of \$7,000.00 to do the update. The CDA will be interviewing planning firms later this month.

Trustee Turner worded the MOTION: let the CDA Board look at the planners and recommend to the Park Commission with the final decision being made by the Park Commission and that the recommendation come back at the April Board meeting to update this plan.

Trustee Petersen/2nd Trustee Bromfield so moved. MOTION carried without negative vote.

Thomas L. & Patricia J. Schmidt, Town of Walworth

Pre-Annexation Agreement

On February 27, 2002, Attorney Steve Compton representing Schmidt and Butvill, submitted the following:

- Petition for Direct Annexation by Unanimous Approval
- Rezone Petition for the Thomas Schmidt property
- Rezone Petition for the Daniel Butvill property
- A four lot CSM for a portion of the Thomas Schmidt property.

Tonight Attorney Thorpe submitted the following;

- Pre-Annexation Agreement with Exhibit A and B for Schmidt

Attorney Thorpe stated that a Pre-Annexation Agreement places no limitations on the Village Board or Plan Commission's discretion to do what they think is best for the Village.

Trustee Spadoni/2nd Trustee Bromfield. MOTION was made to approve the Pre-Annexation Agreement and forward to the Plan Commission for public hearing* for the Tom Schmidt property. MOTION carried without negative vote. *March 25, 2002

Daniel A. Butvill, Town of Walworth

Pre-Annexation Agreement

M/M Butvill were present.

Tonight Attorney Thorpe submitted the following:

- Pre-Annexation Agreement with Exhibit A, B & C.

Attorney Thorpe stated that a Pre-Annexation Agreement places no limitations on the Village Board or Plan Commission discretion to do what they think is best for the Village.

Trustee Bromfield/2nd Trustee Spadoni. MOTION was made to approve the Pre-Annexation Agreement and forward to the Plan Commission for public hearing* for the Dan Butvill property. MOTION carried without negative vote. *March 25, 2002

Note: Attorney Thorpe will get signatures and notarize the pre-annexation agreements and return to the Village for filing.

CDA Report – Trustee Turner

Trustee Turner handed out the updated CDA By-Laws.

- Public Hearing for Redevelopment Plan– Wednesday, 3/6/2002
- Meeting with Attorney Henry Gempeler on Friday, 3/8/2002 @ 8:30 a.m.

- Interview with 4 different planners –Saturday, 3/23/2002
- A Field Trip to Shorewood, Wisconsin was last week.

Ordinance 03-04-02-1

Ordinance Repealing and Recreating Section 54-161 (c)(1)(b) and Section 54-161(d)(4)

Lakefront & Harbor reviewed and recommends:

(1) the Public Beach may be used at a reduced rate from 6 – 9 p.m. Additionally, people may use the beach free of charge and at their own risk from 9 – 11 p.m.

(2) the launch access fees shall be charged from April 15, 2002 to October 15, 2002.

Trustee Spadoni/2nd Trustee Turner. MOTION was made to approve Ordinance 03-04-02-1. MOTION carried without negative vote.

Resolution 03-04-02-3 with Exhibit ‘A’

Launch Fees and Beach Fees for 2002

Lakefront & Harbor reviewed and recommends the fees for 2002.

Trustee Spadoni/2nd Trustee Petersen. MOTION was made to approve Resolution 03-04-02-3. MOTION carried without negative vote.

Pier Permit – Bozorgi, 906 South Lakeshore Drive

Lakefront & Harbor gave a favorable recommendation.

Trustee Bromfield/2nd Trustee Spadoni. MOTION was made to approve the pier permit for Bozorgi at 906 South Lakeshore. MOTION carried without negative vote.

Human Resources – Kelly Hayden

Administrator Hayden announced that a special meeting will be scheduled soon to commence the updated personnel policy. *No action taken.*

Well #4 Update

President Whowell reported that Well #4 continues to run fine. The Committee is still investigating the reservoir to find possible solutions. *No action taken.*

Visit Old Dominion Brush, Richmond, Virginia for Leaf Vacuum

Superintendent Torkelson and Ron Adams will visit the company at the company’s expense. *No action taken.*

Purchase New Plow Truck for Public Works

Peterbilt of Wisconsin, Inc. - \$112,386.00

Finance Committee and Administrator Hayden recommends purchasing instead of leasing.

Trustee Bromfield/2nd Trustee Turner. MOTION was made to approve the direct purchase of a peterbilt truck for a cost not to exceed \$112,386.00. MOTION carried without negative vote.

Brookwood Sewer

Digging will take place to see what size pipe is underneath. *No action taken.*

Tarrant Lift Station

#1 priority for Public Works. DPW recommends going ahead with the repair.

L. W. Allen has given a bid of \$46,500.00.

Trustee Turner/2nd Trustee Petersen. MOTION was made to accept the repair of the Tarrant Lift Station not to exceed \$50,000.00. MOTION carried without negative vote.

208 Dewey Repairs

Torkelson reported that repairs are under way. *No action taken.*

Change Out Water Meter @ The Abbey

Torkelson reported that the main meter has not be replaced since 1965. New meter will be installed within the next few days. *No action taken.*

Ground Water Closure - PEFCA @ Public Works Site

President Whowell reported that preliminary tests have been done and all tests came back clean.

Cost: Approximately \$2,800.00

Strand & Assoc. is going to apply for closure. Public Works recommends this expenditure.

Trustee Turner/2nd Trustee Spadoni. MOTION was made to approve the ground water closure. MOTION carried without negative vote.

Adjournment

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

Time: 7:25 p.m.

Minutes prepared by:

Sallye Smith, Village Clerk

clerk@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 Village Hall.

DATE APPROVED: March 20, 2002
April 1, 2002