

VILLAGE OF FONTANA ON GENEVA LAKE
WALWORTH COUNTY, WISCONSIN
(Official Minutes)
Monthly Meeting of the
VILLAGE OF FONTANA BOARD OF TRUSTEES
Monday, April 8, 2024

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

Trustees Present: Roll call vote: President Kenny, Trustee Marek, Trustee Petersen, Trustee Livingston, Trustee O'Neill

Trustees Absent: Trustee Rowe, Trustee Pappas

Also Present: Liz Baumann, Karie Bourke (Walworth Jt. 1 School District Office Manager), Kevin Day, Dan Dolan (Abbey Provident GM), Linda Franz (Fontana Garden Club), Mary Heyer (Board President of Walworth Jt. 1), Eric Johnson (LGRN), Phil Klamm (Walworth Jt. 1 School District Administrator), Sarah Lobdell, Theresa Loomer, Drew Lussow, Rick Manthy, Allison Schwark, Dale Thorpe

Visitors Heard

A Presentation by Phil Klamm from the Walworth Jt. School District #1 was made regarding their upcoming referendum on the April 2nd Spring & Presidential Preference Election ballot. Mr. Klamm gave an in-depth presentation explaining how Walworth Jt. 1 School District is one of the least funded schools in the state and that they are desperately seeking funding via this referendum. Mr. Klamm noted that although Fontana only has a small group of residents who are in the Walworth Jt. 1 School District that he wants to inform all residents in the district to vote in favor of this referendum. The money from this referendum would provide safety upgrades to the school, which is vital in today's landscape. The funding would also provide for additional teachers and staff and prevent the school from further reducing its staff, which it has had to do in the last few years. After his presentation Mr. Klamm thanked the Village Board for their time and stated if anyone would like additional information on the referendum that they could reach out to him or the school's website which has most of the presentation available there.

Approval of Village Board Minutes

The Village Board minutes for the February 12, 2024 (open and closed) meeting were distributed. Trustee Petersen/Trustee O'Neill 2nd made a MOTION to approve the Village Board minutes from the February 12, 2024 (open and closed) meeting as submitted, and the MOTION carried without negative vote.

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

Trustee Marek/Trustee Livingston 2nd made a MOTION to approve the Vendor Report and Payroll Overtime Report as distributed for February, and to place the Vendor and Payroll Overtime Report on file for the audit, and the MOTION carried without negative vote.

Approval of Village and Utility Payables

Trustee O'Neill/Trustee Livingston 2nd made a MOTION to approve payment of the Village and Utility payable list and to also include the additional payables that were handed out at the meeting, as presented, and the MOTION carried without negative vote.

General Business – President Kenny

Discussion or Action on Abbey Provident Townhome Amendment Proposal

Abbey Provident GM Dan Dolan spoke to the Village Board about the proposed amendment that the Abbey Provident has submitted regarding their Planned Development application. Mr. Dolan explained that they are currently looking to do the project in four phases compared to the original one phase in order to gain financing through the bank. Village Attorney Thorpe explained that staff has reached out to the Abbey Provident to see if they could arrange a meeting to further discuss the proposal and potential changes and

whether everything can be submitted in a timely manner for staff and Plan Commission review. The Village has tentatively scheduled a public hearing on the matter for March 25, 2024 for the Plan Commission and Village Board to review the changes, however that is dependent on staff communicating with the Abbey Provident and addressing any initial concerns that have been raised in an email sent to representatives. Attorney Thorpe stated he will keep the Board posted but we must wait until we receive further communication from the Abbey before the project and any changes go forward.

Discussion or Action on the Approval of the 4th of July Fireworks Agreement with J&M Displays

Administrator Loomer explained that this has been a similar agreement that the Village makes every year for the 4th of July fireworks. This year's proposal for the fireworks is in the amount of \$27,500.00.

Trustee Livingston/Trustee Petersen 2nd made a MOTION to approve the 4th of July Fireworks Agreement with J&M Displays in the amount of \$27,500.00, as presented, and the MOTION carried without negative vote.

Accept Resignation of Village Clerk Drew Lussow

Trustee Livingston/Trustee Petersen 2nd made a MOTION to accept the resignation of Village Clerk Drew Lussow, as presented, and the MOTION carried without negative vote.

Discussion or Action on Village Clerk Position and Proposed Wage Scale

Administrator Loomer explained that since Village Clerk Lussow is leaving, the job has been posted to the website as well as all Village social media pages. Administrator Loomer raised a question about converting the position to an hourly wage to attract more applicants with the ability to earn overtime. Administrator Loomer explained if they offer the position as hourly that she would like to see the position capped out at no more than \$65,000.00 per year with the ability to earn overtime, however, if the any applicants prefer the salary wage, she would like to see that capped out at a maximum of \$70,000.00 per year for experienced candidates. Trustee O'Neill/Trustee Petersen 2nd made a MOTION to approve the proposed wage scale for the Village Clerk position with hourly candidates making no more than \$65,000.00 per year with the option to earn overtime or salary candidates making no more than \$70,000.00 per year, as presented, and the MOTION carried without negative vote.

Finance Committee – President Kenny

Discussion or Action on Finance Committee's Recommendation on the LWMMI Insurance Renewal Proposal

Administrator Loomer explained that the premium rate for the LWMMI Insurance Renewal is down 9.7% compared to last year. She mentioned that this is mainly due to the decrease in our workers' comp mod rating in addition to other factors.

Trustee O'Neill/Trustee Marek 2nd made a MOTION to approve the Finance Committee's recommendation of the LWMMI Insurance Renewal Proposal in the amount of \$167,636.00, as presented, and the MOTION carried without a negative vote.

Protection Committee – Trustee Petersen

Update on County Support of Proposed Hwy 67 Speed Limit Reduction

Administrator Loomer explained that they received a letter of support from the Walworth County Highway and Traffic Commission in favor of the Hwy 67 speed limit reduction as proposed. However final approval must come from the state and staff will need to continue to work with them to eventually achieve the speed reduction.

Public Works Committee – Trustee O'Neill

Discussion or Action on Public Works' Committee's Recommendation for Resident's Request for Rain Barrel Program

Administrator Loomer stated that a resident brought up the idea of the Village potentially offering a rain barrel program for its residents with a potential rebate for anyone who enrolls in the program. The vendor is

called Upcycle and they have shipped directly to municipalities in the past for similar programs. Administrator Loomer has reached out to the Conservancy, and they would like to partner up with the Village should be like to move forward with the project. One thought would be to make them available at the annual Fontana plant sale. Some of the Trustees raised concerns about where the rebate would come from and would like staff to further investigate if or what the Village could offer and bring it back to a future meeting for further Village Board discussion.

Discussion or Action on Design & Bidding for Wetland rehabilitation at 419/421 S. Lakeshore Dr
Public Works Director Day mentioned that Village Engineer Tavera is proposing a design for the wetland rehabilitation at 419/421 S. Lakeshore Drive across from Walworth Ave. Public Works Director Day stated it would be an estimated cost of 15,000.00-25,000.00 for Village Engineer Tavera to Design and for other related costs.

Trustee Livingston/Trustee Marek 2nd made a MOTION to approve design and bigging for the Wetland rehabilitation at 419/421 S. Lakeshore Drive not to exceed \$25,000.00, as presented, and the MOTION carried without negative vote.

Update on 2024 Streets and Infrastructure Improvements Project

Public Works Director Day stated that the pre-con meeting is being held on Wednesday morning and that a Town Hall meeting on the topic will then be held at the Village Hall on Saturday, March 9, 2024, at 10:00 AM to address any concerns from any residents about the proposed streets and infrastructure improvements that will be taking place.

Parks Commission – Trustee Livingston

Discussion or Action on Park Commission’s Recommendation to Approve the Park Permit Application Filed by the Community Church Of Fontana for Easter Sunrise Service At Reid Park Gazebo on Sunday, March 31, 2024 From 6:30 AM – 8:00 AM With Request for Fees to be Waived

Trustee Petersen/Trustee Marek 2nd made a MOTION to approve the Park Permit Application filed by the Community Church of Fontana for Easter Sunrise Service at Reid Park Gazebo on Sunday, March 31, 2024 from 6:30 AM – 8:00 AM with fees to be waived, as presented, and the MOTION carried without negative vote.

Discussion or Action on Park Commission’s Recommendation to Approve the Park Permit Application Filed by Fontana Garden Club for Garden Walk Event at Reid Park Pavilion on Sunday, July 14, 2024 From 9:00 AM – 5:00 PM With Request for Fees to be Waived

Trustee Marek/Trustee O’Neill 2nd made a MOTION to approve the Park Permit Application field by the Fontana Garden Club for a Garden Walk Event at Reid Pavilion on Sunday, July 14 from 9:00 AM – 5:00 PM with the fees to be waived, as presented, and the MOTION carried without negative vote.

Discussion or Action on Park Commission’s Recommendation to Approve the Request by Mike Trainor / Kimkasi Pub For Irish Road Bowling Event to be Held at Duck Pond Road With Beer And Wine Permit On Sunday, March 17, 2024 From 8:00 AM – 3:00 PM

After some discussion amongst the Trustees, they had no issue approving the event but thought it best since it is St. Patrick’s Day that the beer/wine should be contained to one area at the Duck Pond Pavilion and not allowed on the walkways or roadways. This was added to the motion to approve and could only be allowed for the event if the conditions set by the Village Board were followed.

Trustee Livingston/Trustee Marek 2nd made a MOTION to approve the Park Permit Application filed by The Farm Way/ Mike Trainor / Kimkasi Pub for Irish Road Bowling Event to be held at the Duck Pond Road with beer and wine only being permitted at the Duck Pond Pavilion on Sunday, March 17, 2024 from 8:00 AM to 3:00 PM with fees to be waived, as presented, and the MOTION carried without negative vote.

Discussion or Action on Park Commission’s Recommendation to Approve the Park Permit Application Filed By Dan Green’s Touch A Life, Heal A Heart Inc. by Mary Kriete-Green for Pig In

The Park Event at Reid Park Pavilion & Gazebo With Beer/Wine Permit On Saturday, July 13, 2024, From 8:00 AM To Midnight.

Trustee O'Neill/Trustee Petersen 2nd made a MOTION to approve the park permit application filed by Dan Green's Touch a Life, Heal a Heart Inc. by Mary Kriete-Green for Pig in the Park event at Reid Park Pavilion & Gazebo with beer and wine permit for Saturday, July 13, 2024, from 8:00 AM – Midnight, as presented, and the MOTION carried without negative vote.

Discussion or Action on Park Commission's Recommendation to Approve Park Permit Application Filed By Dan Green's Touch A Life, Heal A Heart Inc. & The Farm Way By Mary Kriete-Green for Rock-N-2 The Rescue Event at Reid Park Pavilion & Gazebo With Beer/Wine Permit on Saturday, August 31, 2024, From 3:00 PM To Midnight

Trustee O'Neill/Trustee Marek 2nd made a MOTION to approve to approve the park permit application filed by Dan Green's Touch a Life, Heal a Heart Inc. by Mary Kriete-Green for Rock-N-2 The Rescue event at Reid Park Pavilion & Gazebo with beer and wine permit for Saturday, August 31, 2024, from 3:00 PM – Midnight, as presented, and the MOTION carried without negative vote.

Discussion Or Action On Park Commission's Recommendation to Approve the Purchase of the ExMark LZ749 - \$13,599.00

Administrator Loomer mentioned that this resolution needed to be enacted to keep Fontana as a Bird City. Trustee O'Neill/Trustee Petersen 2nd made a MOTION to approve the purchase of the ExMark LZ749 in the amount of \$13,599.00 with Parks and Public Works Departments splitting the costs in half since both departments will be using the mower, as presented, and the MOTION carried without negative vote.

Closed Session – President Kenny

Trustee Livingston/Trustee Petersen 2nd made a MOTION Pursuant to Chapter 19.85(1)(e), "Deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session," specifically Parcel STFV00173 Owned by Fontana Properties LLC.

The roll call vote was as follows:

President Kenny – Aye

Trustee Petersen – Aye

Trustee Marek – Aye

Trustee Livingston – Aye

Trustee O'Neill – Aye

The MOTION carried 5-0 without a negative vote and with Trustee Pappas and Rowe absent.

Discussion or Action on Parcel STFV00173 Owned by Fontana Properties LLC

This item was discussed in closed session.

Trustee Petersen/Trustee O'Neill 2nd made a MOTION to direct staff to have a memo created by Zoning Administrator Schwark regarding the buildability of the lot as well to bring back for further review by the Village Board, as presented, and the MOTION carried without negative vote.

Adjourn Closed Session

Trustee Livingston/Trustee O'Neill 2nd made a MOTION to go into open session at 5:44 pm, and the MOTION carried without negative vote.

Adjournment

Trustee Livingston/Trustee Petersen 2nd made a MOTION at 5:45 pm to adjourn the meeting, and the MOTION carried without negative vote.

Minutes prepared by: Drew Lussow, 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: 04/08/24