

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

Official Minutes
VILLAGE BOARD MEETING
April 1, 2002 @ 6:00 P.M.

Date: Monday, April 1, 2002

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

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

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

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

Not Present: Engineer Bridwell, Zoning Administrator Rex Henke

Pledge of Allegiance – President Whowell

Announcements

- Spring Election – Tuesday, April 2, 2002
- Item #1 under Items of Business was an April Fools Joke

Village Minutes Approved

- 3-04-02 Regular Board Minutes

Trustee Turner/2nd Trustee Bromfield. MOTION was made to approve the minutes.

MOTION carried without negative vote.

Village Bills

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

Treasurer Report

Trustee Petersen/2nd Trustee Turner. MOTION was made to approve the Treasurer's Report.

MOTION carried without negative vote.

Visitors Heard

Ken Bell reported that costs for the Dam project is less than anticipated.

Resolution 04-01-02-01

Resolution Amending Resolution 01-07-02-3 Setting Exempt Salaried and Hourly Non-Union Personnel Salaries for the 2002 Calendar Year

Trustee Bromfield/2nd Trustee Turner. MOTION was made to approve Resolution

04-01-02-01. MOTION carried without negative vote.

AFSCME Contract

No Action Taken

Deputy Clerk Treasurer Contract

No Action Taken

Big Foot Lions Club – 5th Annual - July 4th Fund Raiser in Reid Park

Big Foot Club Members Andy Pearce and Claude Nelson were present.

Park Commission approved the Reid Park Permit Request.

Trustee Petersen/2nd Trustee Bromfield. MOTION was made to approve the Lions' 4th of July Event. MOTION carried without negative vote.

Big Foot Lions Club – Steak and Lobster Boil

Friday July 26, 2002 @ noon – commence set-up

Saturday July 27, 2002 from noon to midnight

Big Foot Club Members Andy Pearce and Claude Nelson were present.

A 'green' colored landscaping-type fence will be used this year.

Trustee Petersen/2nd Trustee Grabow. MOTION was made that this Board approve the Big Foot Lions' request for permission to use the Park on July 27th for the Steak and Lobster Boil.

MOTION carried without negative vote.

Big Foot Lions Club - Temporary Class "B"/"Class B" Retailer's License

Steak and Lobster Boil – Sat., July 27, 2002 from noon to midnight

Application with \$10 fee was filed.

Trustee Spadoni/2nd Trustee Petersen. MOTION was made to approve the Temporary Liquor License for that event on July 27, 2002. MOTION carried without negative vote.

Operator License Applications for Big Foot Lions Club Steak and Lobster Boil

Four applications were submitted and approved by Fontana Police Dept.

Trustee Spadoni/2nd Trustee Bromfield. MOTION was made to approve four operator licenses for the same day* ; Joseph Abell, Lee Ketterhagen, Richard Murphy and Andy Pearce, and waive the fees. MOTION carried without negative vote.

* Sat., July 27, 2002

Insurance Renewal for Village of Fontana on Geneva Lake

Policy Period: April 4/17/2001 to 4/17/2002

Current Carrier: Kempes, through CRB Insurance, Racine, Wisconsin

Before changing insurance in 2001, which was recommended by the League of Wisconsin

Municipalities Insurance Plan, our previous insurance carrier was Wausau Insurance Company.

Jim Murphy, Senior Account Representative for Wausau has requested to bid again.

Administrator Hayden requested that she be allowed, through Finance Committee, to negotiate, review and make the selection.

Trustee Turner/2nd Trustee Bromfield. MOTION was made to authorize the Village Administrator to negotiate the new insurance policy in conjunction with the Finance Committee. MOTION carried without negative vote.

CDA / Village Start Up Cost

Administrator Hayden reported the Village spent approx. \$43,000.00 on the initial start up costs evolving around CDA and the TIF.

Trustee Turner/2nd Trustee Cole. MOTION was made to accept the Administrator's recommendation for the split of the development costs of approximately \$43,000.00.

MOTION carried without negative vote.

Collection of Outstanding Personal Property Tax

Administrator Hayden asked that the Village send out notices that they have 30 days to pay, and if we don't receive any compensation, then turn it over to collection agency.

Trustee Bromfield/2nd Trustee Petersen. MOTION was made to turn the personal property over to collection agency after a letter has been sent giving our first opportunity to pay. MOTION carried without negative vote.

WRS/Dept. of Employee Trust Funds - Designation of Agent and Alternate Agent

Trustee Spadoni/2nd Trustee Petersen. MOTION was made to designate Sallye Smith and Kelly Hayden as our Agent and Alternate Agent to Wisconsin Retirement System. MOTION carried without negative vote.

Municipal Code Corporation – Quote for Code on Computer

Trustee Cole/2nd Trustee Bromfield. MOTION was made to approve the electronic code in the amount of \$790.00. MOTION carried without negative vote.

Ordinance 04-01-02-1

Annexation Ordinance - Thomas & Patricia Schmidt and Daniel & Kathleen Butvill

Attorney Steve Compton, representing M/M Schmidt and M/M Butvill was present. Attorney Compton personally filed a Petition for Direct Annexation By Unanimous Approval from Town of Walworth on February 27, 2002.

Pre-Annexation Agreements were entered into and approved by the VOF, Schmidt Trustees and Daniel A. Butvill on March 4, 2002.

Exhibit B of the Butvill Pre-Annexation Agreement is a document entitled 'Open Space Easement and Off-Site Septic Easement'. In addition, the Pre-Annexation Agreement states that a 'No Further Subdivision' Covenant is to be recorded against the entirety of the Schmidt Trust and Beartrap LLC property, which they have agreed to. The beneficiary of said covenant shall be the VOF.

After Class II publication, a public hearing was held before the Plan Commission on March 25, 2002. Plan Commission gave favorable recommendation to the Village Board on the Schmidt Trust, Beartrap LLC and Butvill Joint Petition For Annexation, as submitted, subject to the appropriate contingencies.

Trustee Spadoni/2nd Trustee Bromfield. MOTION was made to approve Ordinance 04-01-02-1, an Ordinance to Annex to the Village of Fontana Territory Located in Section 15, T1N, R16E, Walworth Township, Walworth County, Wisconsin. MOTION carried without negative vote.

Ordinance 04-01-02-02

Rezone Ordinance to RS-1 – Butvill property

Attorney Steve Compton, representing M/M Butvill was present.

Attorney Compton personally filed a Rezone Petition on February 27, 2002.

After Class II publication a public hearing was held before the Plan Commission on March 25, 2002. Plan Commission gave favorable recommendation to the Village Board on the Butvill Rezone. Assigned Permanent Zoning Classification: RS-1

Trustee Spadoni/2nd Trustee Bromfield. MOTION was made to approve Ordinance 04-02-02-2, an Ordinance to Assign Permanent Zoning Classification to Annexed Territory Located in

Section 11, Village of Fontana on Geneva Lake, Walworth County, Wisconsin and assign RS-1 to the Butvill property. MOTION carried without negative vote.

Ordinance 04-01-02-03

Rezone Ordinance to Planned Development District – Schmidt property

Attorney Steve Compton, representing M/M Schmidt was present.

Rezone Petition was filed and the public hearing was held before the Plan Commission on March 25, 2002. The Plan Commission gave favorable recommendation to the Village Board on the Schmidt Rezone. Attorney Thorpe added: additionally, there is a requirement in the PDD Ordinance that none of the property be used for transient rentals.

Assigned Permanent Zoning Classification: PD District

Trustee Spadoni/2nd Trustee Bromfield. MOTION was made to approve Ordinance 04-01-02-3, an Ordinance Amending The Village of Fontana on Geneva Lake Zoning Ordinance and Accompanying Zoning Map with regard to the Schmidt. MOTION carried without negative vote.

General Development Plan and Precise Implementation Plan

Attorney Steve Compton personally filed the GDP and PIP on March 28, 2002.

Trustee Spadoni/2nd Trustee Bromfield. MOTION was made to approve the General Development Plan and Precise Implementation Plan as submitted. MOTION carried without negative vote.

CSM - 4 lot CSM - Beartrap LLC, owner Thomas Schmidt

Attorney Steve Compton, representing M/M Schmidt was present.

Attorney Steve Compton personally submitted the proposed CSM for Beartrap LLC on February 27, 2002. Attorney Compton stated that the CSM does change the Village's Zoning Ordinance slightly in that it will allow horses.

Attorney Thorpe stated: in rezone parcel #1, where horses may be kept, there is a lingering requirement that any non-residential building intended for occupancy by animals will have to come back to the Plan Commission for Building Site and Operational Plan approval.

The rezone parcel #2 has been changed from a conservancy use to a low-density residential use. Basically, the proposed regulations are identical to rezone parcel #1, except that the opportunity to keep horses has been eliminated.

Attorney Thorpe recommended, as a condition of approving the CSM, that there be a 'no further subdivision' covenant recorded against the entirety of the Schmidt Trust and Beartrap, LLC property.

Trustee Turner/2nd Trustee Bromfield.

MOTION was made to approve subject to receipt of the 'no further subdivision' covenant. MOTION carried without negative vote.

CDA

Trustee Turner, Chairman of CDA summarized:

- ❑ After proper Class II publication a Public Hearing was held for the proposed Redevelopment Area #1 Project Plan;
- ❑ Formal protest letters were filed from residents within the Redevelopment Area in order to preserve all rights, in reference to their property, for any future development;

- ❑ CDA sent a letter to all residents in the TIF No. 1 District on March 25, 2002, stating that the Redevelopment Plan does not include the 'taking' or condemning of any property in the district;
- ❑ It is not CDA's objective to bring in large scale development to our community;
- ❑ CDA encourages low-density, world class projects;
- ❑ Interviews for Planners were conducted and the chosen planning firm will work with the Department of Transportation to start the process for a plan that hopefully will lead to beautification of Highway 67.

Resolution 04-01-02-2

Resolution Finding Area Within the Boundaries of the Proposed VOF Redevelopment Area #1 to be Blighted and Approving Proposed Redevelopment Plan of Community Development Authority of the VOF

Trustee Turner/2nd Trustee Spadoni. MOTION was made to approve the Resolution.

Discussion: Trustee Turner summarized:

- ❑ The Village's Master Plan has been completed;
- ❑ TIF No. 1 was created and has been approved by the State of Wisconsin;
- ❑ Wisconsin Statutes describes the boundary as blighted (poor choice of word);
- ❑ 2/3rds of the Redevelopment document is transportation blighted;
- ❑ Trustee Turner and CDA recommends approval of the Redevelopment Plan.

MOTION carried without negative vote.

2004 and 2005 Grant Application for Highway 67

Trustee Turner reported that the CDA approved \$1,500 to start the grant process on the assumption that there would be benefit to the CDA out of the grant process. The Village may also benefit from the grant.

Deadline for Filing: April 12, 2002

CDA director will oversee the process and gather necessary data from Engineer Bridwell

Trustee Turner/2nd Trustee Petersen. MOTION was made that the Village Board approves applying for a grant for Highway 67 for the years 2004, 2005.

Trustee Turner/ 2nd Trustee Petersen. AMENDED MOTION that the Village approve applying for grants for Highway 67. MOTION carried without negative vote.

Increase Pay for Part-Time Officers

Trustee Spadoni asked to table to next meeting.

Interview Dates for LTE Candidates

Interviews for 3 positions (1 LTE and 2 Part-Time Officers)

Time/Date: 8:00 a.m. Saturday, 4/20/2002

Neighborhood Bike Safety Program

Trustee Spadoni suggested bringing the program/service to the community/subdivisions.

Agenda item for Protection Committee on 4/20/02. *No action taken.*

Neighborhood Walk Program

Trustee Spadoni introduced another program to bring services to the community. This neighborhood walk program would require police officers to log, at least 20 minutes a day, of walking time in the community/neighborhoods.

Trustee Spadoni added: this does not mean that an officer will be out and away from their car for 20 minutes at a time. *No action taken.*

Solicitors Permit – Arlyn Brown

Trustee Spadoni/2nd Trustee Bromfield. MOTION was made to approve the application for license for Books Are Fun with the exception that Books Are Fun only display books and gift items in small businesses and are not allowed in any Village office or building during normal business hours 9-5. MOTION carried without negative vote.

Special Note/ Update by Trustee Spadoni

Chief of Police, Steve Olson is still on military leave of absence. A recent email from Steve indicated that he is doing well and anticipates returning within 90 days.

Sgt. Fred Schnitcke was commended for doing a fine job in Olson's absence.

Change Order - Contract 1-2000 Amended @ 5-6-02 meeting to North Lakeshore Bridge / Reconstruct 1400' of Stearns Road Contract 5-2000

Amount: \$75,035.00 from B. R. Amon & Sons

Strand Associates submitted the bid amount for approval.

President Whowell reported that there are no utilities under this road. Additionally, there have been no applications for utilities.

Trustee Cole/2nd Trustee Turner. MOTION was made to approve the Change Order for the repair of Stearns in the amount of \$75,035.00. MOTION carried without negative vote.

Change Order – South Lakeshore Water Main Contract (Abbey Springs Side)

Amount: \$8,573.44 from Willkomm Excavating and Grading

President Whowell reported that the change order is to replace culvert (from the South side of the road, then under the road, and then East parallel to the road, dumping into the creek).

Trustee Spadoni asked that the Village Engineer be present at Village Board meetings when Change Orders are on the agenda.

Trustee Petersen/2nd Trustee Spadoni. MOTION was made to approve the change order in the amount of \$8,573.44 subject to the Engineer's approval. MOTION carried without negative vote.

Leaf Vacuum Purchase and Truck Lease

Leaf Vacuum purchase price: \$43,500.00 from ODB

Truck that the leaf vacuum will attach to: \$51,000.00

Administrator Hayden reported a 3-year lease @ 4.4% for the truck would be approximately \$17,000 a year.

Administrator Hayden reported that \$60,000 was budgeted for 2002 to start the process to purchase a new leaf vac and lease a truck.

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

Launch Times - 6:00 a.m. – 6:00 p.m.

This is a change from last year [6:00 a.m. to 8:00 p.m.]

Trustee Spadoni/2nd Trustee Turner. MOTION was made for the launch time to be 6:00 a.m. – 6:00 p.m. MOTION carried without negative vote.

Note: No Resolution was adopted.

Summer Employment for Beach House and Lakefront

Trustee Bromfield reported that interviewing would start this Wednesday.

No action taken.

Request for Pyrotechnic Display from Teresa Cornellier, Clinton, Wisconsin

Event Date: Fireworks Convention @ The Abbey on October 5, 2002

Trustee Turner/2nd Trustee Bromfield. MOTION was made to approve the fireworks display on October 5th, put on by the Abbey, which would be on barges off the shore, not to exceed an hour without further Board review. MOTION carried without negative vote.

Arbor Day – Friday, April 26, 2002

Arbor Day Proclamation was published in the Lake Geneva Regional News and read by Trustee Petersen.

Trustee Petersen/2nd Trustee Cole. MOTION was made to approve the Arbor Day Proclamation. MOTION carried without negative vote.

Geneva Lake Path Signs - Geneva Lake Assoc.

Two signs were presented to the Village for the north and south entrances to the lakeshore path. The signs are guidelines that people should go by when they walk the lakeshore path.

Ken Bell reported that lakeshore property owners could purchase signs from Geneva Lake Association.

Trustee Petersen/2nd Trustee Bromfield. MOTION was made to approve the lake signs to be put up under the supervision of the Park Commission with the appropriate decorative post as well as the sign itself. MOTION carried without negative vote.

Adjournment

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

Time: 7:35 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: May 6, 2002

