

Official Minutes
VILLAGE BOARD MEETING
June 3, 2002 @ 6:00 P.M.

Date: Monday, June 3, 2002

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

Time: @6:15 p.m. President Whowell called the regular board meeting to order.

Trustees Present: Bromfield, Cole, Geye, Petersen, Spadoni, Turner, President Whowell
Also present: Attorney Thorpe, Rex Henke, Kelly Hayden, Bob Torkelson, Sallye Smith
Not present: Mike Bridwell

Pledge of Allegiance – President Whowell

Announcements:

- ❑ On behalf of the Village and the Fontana Park Commission, President Whowell expressed appreciation for the bronze sculpture 'Summer Breeze', donated by local Artist Jay Brost.
- ❑ On behalf of all the community and Village Board, President Whowell presented Hal Grabow an engraved plaque/plate recognizing his service to the community.
- ❑ Open Book with Assessor Jerry Coplien – Wednesday, June 5, 2002 from 8:00 a.m. – noon.
- ❑ The Village Newsletter will be mailed out with utility bills the first week of July.

Minutes Approved for May 6, 2002 Regular Board Meeting and May 20, 2002 Special Meeting. Bromfield/2nd Spadoni. MOTION was made to approve the minutes. MOTION carried without negative vote.

Treasurer Report and Village Bills with a couple of additions added by Administrator Hayden. (Flagstore North and Speedy Signs). Spadoni/2nd Bromfield. MOTION was made to approve payment. MOTION carried without negative vote.

Visitors Heard:

Pamela Johnson, 768 Indian Hills Rd., spoke of serious animal pest problem with raccoons and deer.

Ted Peters, Lake Geneva Environment Agency suggested talking with a DNR game manager.

- 6:25 p.m.

OPEN PUBLIC HEARING – President Whowell

Ordinance Repealing and Recreating Chapter 17 of the Municipal Code of the VOF Land Division Ordinance

Speaking about the Ordinance:

- ❑ Rex Henke, Zoning Administrator reported that Plan Commission Workshops have been held.
- ❑ Ted Peters, GLEA distributed a 2pg. memo offering comments to Vandewalle & Associates regarding Chapter 17 and a 2 pg. Better Stormwater Management/Better Development Ideas and Concept Lists.

- ❑ Trustee Spadoni had several questions (pgs. 4, 7, 11, 18, 26, 27, 35).
- ❑ Trustee Turner said we are better served to have this ordinance now and making necessary amendments once adopted.
- ❑ Trustee Bromfield in favor of adopting the ordinance.
- ❑ Trustee Petersen in favor of adopting.
- ❑ Trustee Cole in favor of adopting and suggested impact fees for subdivisions.
- ❑ Trustee Geye in favor of adopting.

Public speaking against:

0

Public speaking for:

0

- 6:40 p.m.

CLOSE PUBLIC HEARING – President Whowell

Ordinance 06-03-02-1

Petersen/2nd Bromfield. MOTION was made to adopt Ordinance repealing and recreating Chapter 17, Municipal Code, Village of Fontana Land Division Ordinance No. 06-03-02-1. MOTION carried without negative.

President Whowell referred Mr. Peter's (GLEA) concerns and comments and Trustee Spadoni's concerns back to Plan Commission.

Resolution 06-03-02-1

Resolution Authorizing and Providing for the Sale and Issuance of \$2,390,000 General Obligation Promissory Notes, Series 2002, and All Related Details

Ehlers Financial Advisor, Jim Mann was present and reported that VOF maintains an A3 rating with Moody. The Board approved Ehlers to solicit competitive proposals for not to exceed \$2,400,000 general obligation promissory notes last meeting. The Village will be refinancing four bank notes (1996, 1998, 2000 and 2001) plus \$400,000 for new borrowing. A savings to the Village of approximately \$103,000.

Jim Mann thanked Walworth State Bank, The Village Board, Finance Committee and Administrator Hayden.

Cole/2nd Geye. MOTION was to approve Resolution 06-03-02-1 for the sale of \$2,390,000 in general obligation bonds. MOTION carried with roll call voice vote taken.

Trustee Bromfield - yes

Trustee Cole - yes

Trustee Geye - yes

Trustee Petersen - yes

Trustee Spadoni - yes

Trustee Turner - yes

President Whowell – yes

2001 Audit Report and Management Letter

Village Auditor Art Tillman was present and explained budget amendments, recommended a few changes for the budgeting process and submitted the 2001 audit report and management letter.

Cole/2nd Turner. MOTION was made to accept the audit report as presented by Art Tillman and the company management letter. MOTION carried without negative vote.

Impact Fee Study

Administrator Hayden has already proposed to Finance Committee and now proposes to the Board that VOF conduct an impact fee study and implement impact fees on new construction for water, sewer, storm water, parks, etc.

Administrator Hayden received a quote from Jim Mann, Ehlers.

Attorney Thorpe added: impact fees require a study to be done to measure the impact. The intent is to shift the burden of an inevitable impact from development, from the existing taxpayer on to the developer, who is creating the impact. The impact fee statute was something that was promoted by developers and builders as a way to make the process fair.

Spadoni/2nd Petersen. MOTION was made to refer this to Plan Commission for further study and recommendation. MOTION carried without negative vote.

Department of Public Works Update – Bob Torkelson

Torkelson updated the Board on current street projects including South Lakeshore, Stearns Road, Duck Pond Area and Tarrant Lift Station.

No action taken.

Ordinance 06-03-02-2

Ordinance Enacting Chapter 24 of the Municipal Code regarding the Official Map. Public Hearing was held before the Plan Commission on May 29th, with a favorable recommendation.

Spadoni/2nd Geye. MOTION was made to approve Ordinance 06-03-02-2 accepting the official map of the Village. MOTION carried without negative vote.

Proposed Ordinance Repealing and Recreating Section 18.310A. of the Municipal Code Regarding Exterior Lighting Standards

Zoning Administrator Henke asked the Board to table the proposed ordinance to next month until he can perform a non-conforming study. President Whowell asked Henke to measure the Village Hall, The Abbey, the Fontana Citgo gas station and Gordys. Henke will report to the Plan Commission on June 24th.

Bromfield/2nd Spadoni. MOTION was made to table this item. MOTION carried without negative vote.

Resolution 06-03-02-2

Resolution Implementing Redevelopment Area No. 1

Trustee Turner reported that PDI planning group is now initiating the final conceptual design plans for Highway 67 and the lakefront. The outcome will be a more detailed plan plus design standards for the downtown area, e.g. architectural recommendations, types of light posts or the type of brick people use. Art renderings, conceptual plans and details will hopefully be presented within 60 days to both the Plan Commission and the Board. Any amendment to the master plan will have to be approved by the Plan Commission and the Board.

The object of the law creating the TIF District and the Redevelopment plan is you want the building permit applications to go to the CDA so the CDA can work together with the property owners to get the look and feel we have all decided we want as result of the planning process.

Turner added: by using part of the tax increment we can actually assist the property owner as they make some of their building changes.

Turner read from the resolution: the recommendation and finding of the community development authority shall be submitted to the Board within 60 days after receipt of a copy of the building permit application from the building inspector. The provisions of this resolution shall also apply to any substantial exterior remodeling, rebuilding, enlargement, extension or major structural improvements on existing buildings in excess of ten thousand dollars total cost. This resolution does not apply to ordinary maintenance or interior remodeling which does not change the structure or exterior of the building or for changes necessary for the continued occupancy of said building.

Spadoni/2nd Petersen. MOTION was made to approve Resolution 06-03-02-2 Implementing Redevelopment Area No. 1. MOTION was carried without negative vote.

Clarification of CDA Budget Adoption

Administrator Hayden clarified that when the workplan and budget was adopted for the CDA it opened up the cash flow between the CDA and the Village. CDA finance committee will approve and submit their bills to the Village on a monthly basis.

It was noted that a separate audit is required for the CDA.

No action taken.

Joint Uniform Lake Law Ordinance

On behalf of all the boats that Fontana launches, President Whowell will recommend to the lake use group that they publish enough ordinances to pass around and have plenty available at the launch site. It was noted that speed limits need to be better defined in the document and speed limit signs posted correctly. Additionally, Trustee Turner recommended that noise be enforced and spelled out in the document.

Petersen/2nd Bromfield. MOTION was made approve sections 11, 12 and 13 of the lake use ordinance, to be added to the joint lake law enforcement document as well as additional copies. MOTION carried without negative vote.

Geneva Lake Level Company Board of Director Appointment

Ken Bell recommended Tom Whowell to represent VOF.

Spadoni/2nd Petersen. MOTION was made that Tom Whowell is the Geneva Lake Level Company Board of Director member representing Fontana. MOTION carried without negative vote.

Lake Geneva Dam Repair Update

Ken Bell reported that an extension was granted by DNR for Lake Geneva Dam repairs (extended to 2003). Bronze plaques have been placed on some of the stonework indicating the Williams Bay, Linn Township, Fontana contributed to the costs of the repairs.

Renewal Alcohol Beverage License Applications for 2002/2003

Trustee Spadoni read the application names that were published by the Village Clerk and approved by Sgt. Fred Schnitcke. Spadoni asked for a motion on each application as follows:

Bromfield/2nd Petersen. MOTION was made to approve The Abbey on Lake Geneva for "Class B" beer and liquor license. MOTION carried without negative vote.

Bromfield/2nd Geye. MOTION was made to approve Abbey Springs Inc for "Class B" beer and liquor license. MOTION carried without negative vote.

Bromfield/2nd Geye. MOTION was made to approve Big Foot Country Club for "Class B" beer and liquor license. MOTION carried without negative vote.

Bromfield/2nd Petersen. MOTION was made to approve Chucks Lakeshore Inn Inc. for "Class B" beer and liquor license. MOTION carried without negative vote.

Bromfield/2nd Petersen. MOTION was made to approve Country Club Estates Golf Assoc. for Class "B" beer and "Class C" wine. MOTION carried without negative vote.

Bromfield/2nd Petersen. MOTION was made to approve Gordy's Boat House for "Class B" beer and liquor license. MOTION carried without negative vote.

Bromfield/2nd Geye. MOTION was made to approve Fontana Citgo for Class "A" beer license. MOTION carried without negative vote.

Bromfield/2nd Spadoni. MOTION was made to approve Who's On Third? for "Class B" beer and liquor license. MOTION carried 5 ayes and Trustee Petersen abstaining.

Note: No renewal application was received from Fontana Blvd. Café Co. LLC, agent Pennyjo Joseph No action taken.

Note: No renewal application was received from Especially for You LLC, agent Larry Joseph No action taken.

Operator License Applications for 2002/2003 [list attached]

All applications have been reviewed and approved by Sgt. Fred Schnitcke. \$30 license fees have been paid and responsible servers course satisfied.

Spadoni worded the motion Bromfield/2nd Geye. MOTION to serve fermented malt beverages and intoxicating liquors as submitted with the one exception of one application being denied by Fontana Police Department. MOTION carried without negative vote.

Bike Safety Program

Trustee Spadoni gave an update and invited both children and adults to attend.

Places: Country Club Estates Golf Course parking lot on June 11, 2002 between 2:00 p.m. and 4:00 p.m.; Fontana Grade School on June 18, 2002 between 2:00 p.m. – 4:00 p.m.; Abbey Spring Golf Club parking lot on July 6, 2002 between 9:00 a.m. – 11:00 a.m. No action taken.

Neighborhood Walk Program

Trustee Spadoni and Sgt. Schnitcke reported that the program has been successful. No action taken.

Update on Police Vehicles

Trustee Spadoni reported that the second new leased police vehicle arrived Friday. Sgt. Schnitcke added that the equipment from the old marked squad will be removed and replaced to the new squad. No action taken

Potential Closure of Porter Avenue

Trustee Spadoni challenged the Board to think about possible alternatives for Porter Ave., to help restrict traffic. Trustee Turner will give this issue to PDI planners. No action taken.

Speed Bumps within the Village

Trustee Spadoni reported that Brookwood Subdivision and Duck Pond were areas discussed for speed bumps at Protection Committee. On behalf of Public Works, President Whowell reported that Brookwood doesn't want chatter strips/speed bumps after hearing the noise they create. Trustee Petersen reported that speed bumps created a problem for the rescue squad recently. Attorney Thorpe added that signage should be put up indicating where speed bumps are located. President Whowell sent this agenda item back to Protection Committee. No action taken.

Outdoor Dining on Lake Street & Fontana Blvd.

After a trip to the City of Madison, Trustee Spadoni spoke to representatives of Chucks as well as Gordys as to the feasibility of their interest in allowing outdoor dining between the hours of 11:00 a.m. and 7:00 p.m. Spadoni asked CDA to review this issue while implementing their plan for the lakefront. Spadoni suggested that the Board allow this practice this summer only on the days Lake Street is closed and on Fontana Blvd.

Trustee Turner asked if this would be a zoning change and felt it would be fun if it was well administered.

Speaking from the audience:

Carol Whowell, representing Chucks questioned liability of serving liquor on Village property.

Rallee Chupich, representing Gordys would be willing to try with safety issues being worked out.

President Whowell referred outdoor dining to CDA and Plan Commission for opinions and reports.

Police Policy & Procedure Review

Trustee Spadoni will provide the existing Police Policy to Administrator Hayden. Copies will be given to each Trustee to review. No action taken.

Staffing for moving traffic on weekends and holidays @ the corner of Lake Street and Third Avenue.

Trustee Spadoni reported that Protection is looking at bringing on additional part-time officers to fully staff that corner. No action taken.

Resolution 06-03-02-3

Resolution Amending Reso. 5-20-02-1 for Part-Time Officer Pay and CSO/Meter Reader

- Protection Committee recommends raising part-time rate to \$14.85 per hour adding 20+/- hours a week during high volume months. Spadoni reported that this would add \$18,000+/- to the police budget while trying to avoid over-time.
- Protection Committee recommends raising CSO/Meter Reader rate to \$10.50 per hour.
- President Whowell recommends Summer Internship for approximately 20 hours a week for 10 weeks to study and work with Village Hall staff.

Rate: \$8.00 per hour. Intern: Fontana citizen, Martha Littig

Spadoni/2nd Geye. MOTION was made to approve Resolution 06-03-02-3 that sets the part-time officers pay at \$14.85, CSO pay at \$10.50 and Inter pay at \$8.00. MOTION carried without negative vote.

Special Note:

On behalf of the Board, Trustee Spadoni welcomed back Chief Steve Olson from duty in the Persian Gulf fighting terrorism. Olson has been gone for 12 weeks.

Resolution 06-03-02-4

Lakefront & Harbor recommends adopting Resolution Establishing a Commercial Launch Fee Pursuant Section 54-163. Annual Fee: \$500.00

Bromfield/2nd Geye. MOTION was made to approve Resolution 06-03-02-4 to have the flat rate, one time annual fee for commercial users of \$500.00. MOTION carried without negative vote.

Pier Slip Non-Resident Rental with Sundown Clause

President Whowell asked for a motion for a sundown clause on non resident rentals and make it effective this year.

Petersen/2nd Geye. MOTION was made that we have a sundown clause on non resident rentals to include in the year 2002, provided it doesn't conflict with any existing law.

This also includes buoys and ramps. MOTION carried without negative vote.

Administrator Hayden will review the ordinance and lease agreement.

Parks & Open Space Plan

Trustee Geye reported that the design team from PDI will be asked to submit a budget proposal.

Playground Equipment for Duck Pond

Rallee Chupich submitted drawing and specification prepared by Gerber Leisure Products Inc. for Duck Pond Playground Expanded Plans dated April 11, 2002.

Installed Cost: \$32,000.00

Petersen worded the motion. Bromfield/2nd Turner. MOTION was made that this Board accept the recommendation of the Park and Recreations Commissions jointly showing the equipment that is pictured in front of you for installation as soon as possible. It comes in under budget that was budgeted for \$32,000.00 last year. MOTION carried without negative vote.

Recreation Director hired by Big Foot Area Schools

Trustee Petersen reported that Keith Graunke has been selected. There will be an open house on Thursday night at Scott Berg's home. Cliff Semmler will stay on until the duties are shifted over to the new department. Graunke's first objective is to create a budget for the School Board and get some staff in place.

Administrator Hayden added: the Recreation Ordinance will need to be amended.

No action tqken.

Ordinance 06-03-02-3

Ordinance Amending Ordinance 8-01-01-1 Creating Section 30-5 of the Municipal Code Adding the Designation of Municipal Election Wards

Geye/2nd Bromfield. MOTION was made to approve Ordinance 06-03-02-3 designating the four election wards. MOTION carried without negative vote.

Resolution 06-03-02-5

Resolution Amending Reso. 8-6-01-2 Combining Election Wards for Voting Purposes.

Bromfield/2nd Petersen. MOTION was made to approve Resolution 06-03-02-5 combining election wards for voting purposes. MOTION carried without negative vote.

Village Planner Vandewalle Agreement for Current Planning Services

8 page document with Fee Schedule attached, dated May 2, 2002.

Geye/2nd Cole. MOTION was made to approve the contract renewal with Vandewalle & Associates as presented. MOTION carried without negative vote.

Ordinance 06-03-02-4

Ordinance Repealing and Recreating Section 42-41 of the Municipal Code regarding Special Permit Hunting Within the Village Limits.

Spadoni/2nd Bromfield. MOTION was made to approve Ordinance 06-03-02-4 with exceptions for bow hunting under Chapter 42 of Municipal Code.

MOTION carried without negative vote.

Permit for Bow Hunting

Administrator Hayden will create an application for the special deer hunting permit.

No action taken.

Set Public Hearing for Conditional Use Permit

filed by Walworth County for Telecommunications Tower with Microwave Dish

Spadoni/2nd Bromfield. MOTION was made to hold a public hearing in front of the Plan Commission on June 24, 2002 with respect to the tower. MOTION carried without

negative vote. MOTION carried without negative vote.

Adjournment

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

Time: 9:05 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: July 1, 2002

