

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

**(Official Minutes)**

VIRTUAL MONTHLY MEETING of the VILLAGE BOARD OF TRUSTEES

**Monday, June 7, 2021**

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 Pappas, Trustee McGreevy, Trustee O'Neill, Trustee Prudden, Trustee Petersen

**Trustees Absent:** Trustee Livingston

**Also Present by Phone:** Greg Blizard, Bill Buss, Jeff Cates, Kevin Day, Sarah Lobdell, Theresa Loomer, Bonnie Schaeffer, Mike Slavney, Stephanie Smith, Terry Tavera, Dale Thorpe, Cindy Wilson

**Visitors Heard**

None

**General Business**

**Approval of Minutes**

The minutes for the meeting held on May 3, 2021 (open and closed) were distributed to board members via email.

Trustee O'Neill/Trustee Petersen 2<sup>nd</sup> made a MOTION to approve the minutes from May 3, 2021, meeting, as submitted, and the MOTION carried without negative vote.

The minutes for the meeting held on May 11, 2021 were distributed to board members via email.

Trustee Prudden/Trustee McGreevy 2<sup>nd</sup> made a MOTION to approve the minutes from May 11, 2021, meeting, as submitted, and the MOTION carried without negative vote.

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

Trustee McGreevy/Trustee O'Neill 2<sup>nd</sup> made a MOTION to approve the Treasurer's Report, Vendor Report and Payroll Overtime Report as distributed for May, 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 Prudden 2<sup>nd</sup> made a MOTION to approve payment of the Village and Utility payable list, as presented, and the MOTION carried without negative vote.

**General Business – President Kenny**

**Annual Liquor Licenses Renewals**

**Abbey Harbor Yacht Club, Inc., located at 271 Fontana Boulevard, RENEWAL CLASS "B" BEER and "CLASS B" LIQUOR license.**

Trustee Prudden/Trustee O'Neill 2<sup>nd</sup> made a MOTION to approve the renewal of the Class "B" Beer and "Class B" Liquor License, with the condition that any concerns noted in the annual inspections are addressed and that the Seller's Permit is active and in good standing. The MOTION carried without negative vote.

**Abbey Provident Hotel Manager, LLC for the premises located at 269 Fontana Boulevard, d/b/a The Abbey Resort & Avani Spa, RENEWAL CLASS "B" BEER and "CLASS B" LIQUOR license.**

Trustee Prudden/Trustee O'Neill 2<sup>nd</sup> made a MOTION to approve the renewal of the Class "B" Beer and "Class B" Liquor License, with the condition that any concerns noted in the annual inspections are addressed and that the Seller's Permit is active and in good standing. The MOTION carried without negative vote.

**Abbey Springs, Inc.,** located at 1 Country Club Drive, RENEWAL CLASS “B” BEER and “CLASS B” LIQUOR license.

Trustee Prudden/Trustee O’Neill 2<sup>nd</sup> made a MOTION to approve the renewal of the Class “B” Beer and “Class B” Liquor License, with the condition that any concerns noted in the annual inspections are addressed and that the Seller’s Permit is active and in good standing. The MOTION carried without negative vote.

**Big Foot Country Club, Inc.,** located at 770 Shabbona Drive, RENEWAL CLASS “B” BEER and “CLASS B” LIQUOR license.

Trustee Prudden/Trustee O’Neill 2<sup>nd</sup> made a MOTION to approve the renewal of the Class “B” Beer and “Class B” Liquor License, with the condition that any concerns noted in the annual inspections are addressed and that the Seller’s Permit is active and in good standing. The MOTION carried without negative vote.

**Chucks Lakeshore Inn, Inc.,** P.O. Box 170, located at 352 Lake Street, RENEWAL CLASS “B” BEER and “CLASS B” LIQUOR license.

Trustee Prudden/Trustee O’Neill 2<sup>nd</sup> made a MOTION to approve the renewal of the Class “B” Beer and “Class B” Liquor License, with the condition that any concerns noted in the annual inspections are addressed and that the Seller’s Permit is active and in good standing. The MOTION carried without negative vote.

**Country Club Estates Golf Association,** located at 365 Pottawatomie Drive, RENEWAL CLASS “B” BEER and “CLASS C” WINE license.

Trustee Prudden/Trustee O’Neill 2<sup>nd</sup> made a MOTION to approve the renewal of the Class “B” Beer and “Class C” Wine License, with the condition that any concerns noted in the annual inspections are addressed and that the Seller’s Permit is active and in good standing. The MOTION carried without negative vote.  
Trustee McGreevy abstained.

**Fontana Petro, Inc.,** for the premises located at 286 Valley View Drive, d/b/a/ Fontana Mart RENEWAL CLASS “A” BEER and “CLASS A” LIQUOR license.

Trustee Prudden/Trustee O’Neill 2<sup>nd</sup> made a MOTION to approve the renewal of the Class “A” Beer and “Class A” Liquor License, with the condition that any concerns noted in the annual inspections are addressed and that the Seller’s Permit is active and in good standing. The MOTION carried without negative vote.

**Gordy’s Boat House, Inc.,** located at 320, 336 & 342 Lake Street, RENEWAL CLASS “B” BEER and “CLASS B” LIQUOR license.

Trustee Prudden/Trustee O’Neill 2<sup>nd</sup> made a MOTION to approve the renewal of the Class “B” Beer and “Class B” Liquor License, with the condition that any concerns noted in the annual inspections are addressed and that the Seller’s Permit is active and in good standing. The MOTION carried without negative vote.

**Gordy’s Boat House, Inc.,** located at 341 Lake Street, RENEWAL CLASS “B” BEER and “CLASS C” WINE license.

Trustee Prudden/Trustee O’Neill 2<sup>nd</sup> made a MOTION to approve the renewal of the Class “B” Beer and “Class C” Wine License, with the condition that any concerns noted in the annual inspections are addressed and that the Seller’s Permit is active and in good standing. The MOTION carried without negative vote.

**Lake Geneva Yacht Club,** located at 1250 South Lakeshore Drive, RENEWAL CLASS “B” BEER license.

Trustee Prudden/Trustee O’Neill 2<sup>nd</sup> made a MOTION to approve the renewal of the Class “B” Beer License, with the condition that any concerns noted in the annual inspections are addressed and that the Seller’s Permit is active and in good standing. The MOTION carried without negative vote.

**Kimkasi Pub, LLC,** located at 441 Mill Street, Suite 102, RENEWAL CLASS “B” BEER and RESERVE “CLASS B” LIQUOR license

Trustee Prudden/Trustee O’Neill 2<sup>nd</sup> made a MOTION to approve the renewal of the Class “B” Beer and

reserve “Class B” Liquor License, with the condition that any concerns noted in the annual inspections are addressed and that the Seller’s Permit is active and in good standing. The MOTION carried without negative vote.

**Novaks’ of Fontana, LLC, located at 138 Fontana Boulevard, d/b/a Little Bar’, RENEWAL CLASS “B” BEER and “CLASS B” LIQUOR license.**

Trustee Prudden/Trustee O’Neill 2<sup>nd</sup> made a MOTION to approve the renewal of the Class “B” Beer and reserve “Class B” Liquor License to the extent of their property line, with the condition that any concerns noted in the annual inspections are addressed and that the Seller’s Permit is active and in good standing. The MOTION carried without negative vote.

**Approval of Operator’s Licenses for 2021-2022**

Trustee Petersen/Trustee O’Neill 2<sup>nd</sup> made a MOTION to approve the new and renewal operator license applications filed for the 2020-21 license year by the Abbey Harbor Yacht Club employees Michelle Arntz, Nicholas Freymiller, Lindsay Travis; Abbey Provident Resort employees Selena Aleman, Jack Beals, Michelle Bezares, Madeline Butters, David Casillas, Kristine Granahan, Kelsey Jannke, Irena Kazabuwsy, Adnan Khan, Samuel Knorr, Toni Koutnik, Penny Martin, Ryan Martin, Laura Montemayor, Jonathan Puls, Michael Seaver, Cody Smith, George Somerville, Taylor Webster, Donald Winkler; Abbey Springs employees; Tamalee Biging, Brian Braun, Becky Brunner, Reyna Contreras-Bachman, Grace Deering, Annalise Devall, Daniel Dlabal, Natalie Gaiser, Makayle Graham, Oscar Hernandez, Jared Hocker, Ashley Hoogland, Ashley Kanak, Savannah Melson, Carlo Obligato, Sydney Obligato, Jacqueline Radtke, Nicole Rugen, Cierra Schinto, Hannah Schmidt, Mary Schwab, Michael Simon; Big Foot Country Club employees Lonn Gellerman, Pamela Keeler, Eric Stauffacher, Nicole Vivirito, Rodney Wright; Chuck’s employees Kaelyn Anderson, Michael Brown, Kyle Cairns, Elizabeth Edwards, Julie Friestad, John Friestad, Anne Gump, Roy Hanson, Julie Ieronimo; Country Club Estates employees Joanne Johnson; Fontana Shell employees Poteet Ozmun, Laura Reed; Gordy’s employees Quentin Arnold, Regan Cassidy, Madyson Dublo, Nathan Halverson, Alexis Sedgwick, Robin Nuzzo; Lake Geneva Yacht Club employees Stephanie Akright, Zachary Miller, Jennifer Miller, Stephanie Wagner; Kimkasi Pub employees Rebecca Millar, Kim Minette, Lisa Weiler with the condition all fees have been paid and servers permits have been submitted. The MOTION carried without negative vote.

**Schedule New Date for Annual Fireworks Show**

President Kenny stated the dates identified that did not conflict with any other area events are August 7<sup>th</sup> or August 28<sup>th</sup>.

Trustee Prudden/Trustee Petersen 2<sup>nd</sup> made a MOTION to schedule the annual fireworks show for August 28, 2021, and the MOTION carried without negative vote.

**Reconsider Beach Restrictions**

President Kenny stated Chicago has opened back up and he feels the beach can be opened without restrictions.

Trustee Petersen/Trustee McGreevy 2<sup>nd</sup> made a MOTION to remove the restrictions placed on the beach and open the beach up to daily admission sales, and the MOTION carried without negative vote.

**Discuss Resuming In-Person Meetings**

President Kenny stated he is in favor of going back to in person meetings beginning in the fall. Loomer requested that any public hearings be allowed to be held in person beginning in July.

Trustee Prudden/Trustee O’Neill 2<sup>nd</sup> made a MOTION to approve public hearings to be held in person beginning in July and all other meetings be allowed to go back to in person in fall of 2021, and the MOTION carried without negative vote.

**Peddlers Permit Application Filed by Suzy Brady and Todd Reschke for Blue Haven Ice Cream – Tabled 05/03/21**

Attorney Dale Thorpe stated the Village Board has the ability to limit the scope of approval to certain days and hours. Thorpe explained the real question is if the Village Board wants to create the framework for peddlers. Trustee Petersen stated the Board has always turned down peddlers permit applications in the past. Trustees questioned if they have the ability to differentiate between in town and out of town businesses when considering peddlers permits. Attorney Thorpe stated that differentiation would be much harder to defend. Trustee Petersen/Trustee O’Neill 2<sup>nd</sup> made a MOTION to deny the peddlers permit application filed by Suzy Brady and Todd Reschke for Blue Haven Ice Cream, and the MOTION carried with Trustee Prudden oppose.

**Direction on Permitting Food Trucks (Mobile Food Stands)**

Village Planner Mike Slavney stated this is similar to the issue just discussed regarding peddlers permits and can be rather complicated. Attorney Dale Thorpe pointed out a major concern discussed by staff is the impact on local businesses. Loomer explained under the current ordinance the zoning administrator has the right to approve or deny a temporary use if on private property. Attorney Dale Thorpe stated he would recommend amending the current code so the Board would have the ability to approve or deny these types of permits as opposed to only the zoning administrator under the current code. Trustee Prudden/Trustee McGreevy 2<sup>nd</sup> made a MOTION to direct Village Planner Mike Slavney to look into rewriting the current ordinance, and the MOTION carried without negative vote.

**Consider revisions to Chapter 18-177, Natural Resource Conservation Ordinance**

Attorney Dale Thorpe stated he was asked to come up with revisions to the current tree ordinance that accomplishes many of the same things as the previous ordinance. Thorpe explained the revisions impose greater penalties and less burden on staff. The revisions are modeling a process that is used statewide. Trustees questioned who would enforce and how. Thorpe stated penalties would be issued through the same process as a zoning violation. Trustee Prudden/Trustee O’Neill 2<sup>nd</sup> made a MOTION to approve setting a public hearing for the July Plan Commission meeting, and the MOTION carried without negative vote.

**Temporary Operator’s License Application Filed by Mary D. Kriete-Green for Rockin’ 2 the Rescue Event on September 4, 2021**

Trustee O’Neill/Trustee McGreevy 2<sup>nd</sup> made a MOTION to approve the Temporary Operator’s License application filed by Mary Kriete-Green, and the MOTION carried without negative vote.

**Application for Temporary Class “B” Picnic License Filed by Dan Green’s Touch a Life, Heal a Heart, Inc. for Saturday, September 4, 2021 for Rockin 2 the Rescue Event**

Trustee O’Neill/Trustee Petersen 2<sup>nd</sup> made a MOTION to approve the temporary Class “B” picnic license filed by Dan Green’s touch a life, heal a heart, inc. for Saturday, September 4, 2021 for Rockin 2 the Rescue Event, and the MOTION carried without negative vote.

**Update on Laserfiche and Village Hall Scanning Project**

Loomer stated the last five months have been spent getting Laserfiche set up and starting this month they will begin scanning the records in. This is a large project and Loomer is hopeful it can be completed by the end of the year.

**Fireworks Permit Application Filed by Hollywood Pyrotechnics, Inc. for Display at the 1090B S. Lakeshore Drive on Friday, July 2, 2021 at 9:30 pm**

Loomer stated GLLEA has been notified. Trustee McGreevy/Trustee O’Neill 2<sup>nd</sup> made a MOTION to approve the fireworks application submitted by Hollywood Pyrotechnics for July 2, 2021, and to direct Hollywood Pyrotechnics, Inc. to notify the neighbors in the immediate area, and the MOTION carried without negative vote.

**Public Works Committee – Trustee O’Neill**

**Annual CMAR Resolution Approval**

The annual CMAR report was presented.

Trustee Prudden/Trustee McGreevy 2<sup>nd</sup> made a MOTION to approve Resolution 060721-01, approving the 2020 CMAR report, as presented, and the MOTION carried without negative vote.

**2021 Street Resurfacing Project Bid Award Recommendation**

Village Engineer Terry Tavera stated the bid opening was last week and the lowest bid was from Payne & Dolan. Tavera explained he would not recommend awarding the alternate bid. Work will begin after Labor Day.

Trustee McGreevy/Trustee Petersen 2<sup>nd</sup> made a MOTION to award the 2021 Street Resurfacing Project base bid to Payne & Dolan for the price of \$158,976.85, and the MOTION carried without negative vote.

**S. Lakeshore Drive Reconstruction Change Order No. 8**

Tavera stated this is a result of the steep slope just west of Upper Brookwood. Tavera explained they tried to obtain an easement from the property owners and that did not work out, so they opted for putting in a fence as a safety measure and installed green armor to help stabilize the slope.

Trustee Petersen/Trustee McGreevy made a MOTION to approve change order No. 8 in the amount of \$9,273.00, and the MOTION carried without negative vote.

**S. Lakeshore Drive Reconstruction Payment Recommendation No. 11**

Trustee Prudden/Trustee Petersen 2<sup>nd</sup> made a MOTION to approve S. Lakeshore Drive Reconstruction Payment Recommendation No. 11 in the amount of \$519,027.40, and the MOTION carried without negative vote.

**Plan Commission – Trustee Petersen**

**Update on Proposed Acquisition of an Easements for Storm Water Management Purposes at Abbey Springs**

Attorney Dale Thorpe stated a draft format of drawings has been received and hoping to finalize the easements soon. Plan Commission recommended approval of the proposed easement acquisition.

**Park Commission – Trustee Livingston**

**Park Permit Application Filed by Sunnacht Family Reunion for Reid Park Pavilion from July 25, 26, 27, 28 and/or 29<sup>th</sup> from 5:30 pm – 8:00 pm Daily for Family Reunion**

Loomer stated she verified with the Lions Club to make sure this will not interfere with set up and they had no concerns.

Trustee O’Neill/Trustee McGreevy 2<sup>nd</sup> made a MOTION to approve the park permit application filed by Sunnacht Family Reunion for Reid Park Pavilion from July 25, 26, 27, 28 and/or 29<sup>th</sup> from 5:30 pm – 8:00 pm daily for family reunion, and the MOTION carried without negative vote.

**Park Permit Application Filed by Indian Hills Association for Reid Park Pavilion on Saturday, July 17, 2021 from 7:00 am – noon for Annual Meeting**

Trustee Prudden/Trustee Petersen 2<sup>nd</sup> made a MOTION to approve the application filed by Indian Hills Association for Reid Park Pavilion on Saturday, July 17, 2021 from 7:00 am - noon for annual meeting, and the MOTION carried without negative vote.

**Park Permit Application Filed by Lakeland Community Church for Duck Pond Pavilion on Friday, June 25, 2021 from 5:00 pm – 8:00 pm**

Trustee McGreevy/Trustee Petersen 2<sup>nd</sup> made a MOTION to approve the application filed by Lakeland Community Church for Duck Pond Pavilion on Friday, June 25, 2021 from 5:00 pm to 8:00 pm, and the MOTION carried without negative vote.

**Park Permit Application Filed by Mike Fergus for Reid Park Pavilion on Saturday, June 19, 2021 from 9:00 am – 1:00 pm**

Trustee McGreevy/Trustee Petersen 2<sup>nd</sup> made a MOTION to approve the park permit application filed by Mike Fergus for Reid Park Pavilion on Saturday, June 19, 2021 from 9:00 am – 1:00 pm, and the MOTION carried without negative vote.

**Discuss Park Permit Application Approval Process**

Loomer stated the number of park permit applications has nearly doubled from previous years. Loomer explained the approval process can be quite lengthy and Park Commission recommended in favor of allowing basic park permit applications to be approved at staff level. Loomer stated she would like to see if the Village Board is in favor of allowing staff to approve basic park permit applications as well as beer/wine permits or if the Board would like to approve.

Trustee Prudden/Trustee McGreevy 2<sup>nd</sup> made a MOTION to approve basic park permit applications and beer/wine permits to be approved at staff level and make sure the police department approves of any beer/wine permits and provide the Board with a list of events at each meeting, and the MOTION carried without negative vote.

**Request from Chucks Lakeside Inn to Install Sidewalk in Reid Park on South Side of Building**

Public Works Director Kevin Day stated Chucks is looking to extend handicapped access to the park side entrance of their building and this would all be done at their expense. Trustees expressed concern with making sure the sidewalks match and directed Day to oversee all work done.

Trustee McGreevy/Trustee O'Neill 2<sup>nd</sup> made a MOTION to approve the request from Chucks Lakeside Inn to install a sidewalk in Reid Park on the South side of building, and the MOTION carried without negative vote.

**Request from Big Foot Rec. Dept. for Use of Duck Pond for Summer Activities**

Trustee Petersen/Trustee Prudden 2<sup>nd</sup> made a MOTION to approve the request from Big Foot Rec. Dept. for use of Duck Pond for Summer Activities as listed, and the MOTION carried without negative vote.

**Request Submitted by Bonnie Liptak to have Fenced-In Dog Park at Duck Pond**

Loomer stated the email request is included in the packet.

Trustee O'Neill/Trustee Petersen 2<sup>nd</sup> made a MOTION to deny the request submitted by Bonnie Liptak to have fenced-in dog park at Duck Pond, and the MOTION carried without negative vote.

**FW/WPCC – Trustee O'Neill**

**Approve Phosphorus Removal Payment Recommendations in the amount of \$68,439.39**

Trustee Petersen/Trustee McGreevy 2<sup>nd</sup> made a MOTION to approve the payment recommendation for phosphorus removal in the amount of \$68,439.39, and the MOTION carried without negative vote.

**Approve Phosphorus Removal Payment Recommendations in the amount of \$7,260.96**

Trustee Petersen/Trustee Prudden 2<sup>nd</sup> made a MOTION to approve the payment recommendation for phosphorus removal in the amount of \$7,260.96, and the MOTION carried without negative vote.

**Adjournment**

Trustee McGreevy/Trustee Petersen 2<sup>nd</sup> made a MOTION at 5:51 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: 07/12/21