

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

(Official Minutes)

MONTHLY MEETING of the VILLAGE BOARD OF TRUSTEES

Monday, July 1, 2019

Village President Pat Kenny called the monthly meeting of the Village Board to order at 6:00 pm in the Village Hall, 175 Valley View Drive, Fontana, Wisconsin.

Trustees Present: Roll call vote: Trustee Petersen, President Kenny, Trustee McGreevy, Trustee O'Neill, Trustee Pappas, Trustee Prudden

Trustees Absent: Trustee Livingston

Also Present: John Baumgart, Steve Beers, Joel Bikowski, Skip Bliss, Maryanne Bruss, Jeff Cates, Mike Condron, Kevin Day, Dan Dolan, Jon Kemmett, Theresa Loomer, Michael Lucero, Judy Schneck, Tom Schneck, Chris Schultz, Terry Tavera, Dale Thorpe, Scott Vilona

Visitors Heard

Tom Schneck, 475 Forest Drive, thanked the Public Works Dept. for their work during the heavy rainfall over the weekend. He stated the Village owns the property at the corner of his lot on the northwest corner of Bickley and Forest Drive. He stated a beehive is located on Village property and when it rains it becomes clogged from debris and causes his property to flood. He stated the Village portion of land is unkempt and filled of garbage and litter, and his landscaper even goes beyond the property line to keep as much of the lot clean and clear of debris as possible. Schneck showed pictures to the Board of the flooding that occurred over the weekend and stated that 1.65 inches of rain fell in 25 minutes at 12:30 pm on Sunday, June 30th. He asked the Village to make an effort to keep the corner of the property clean.

John Baumgart, 663 Oakwood Drive, stated Glenwood Springs has their own drain pipes to help the flow of water but they were at max capacity on Sunday during the heavy rainfall. He stated the runoff from Country Club Estates drains down Gate 2 and the pipes cannot keep up with all of the water. Because of the heavy rainfalls, trees have become uprooted and their roots undermined. He asked how the Village can stop the heavy flow of water from S. Lakeshore Drive.

Michael Condron, 431 Harvard, stated he used to be a member on the Glenwood Springs Board and encouraged the Village to partner with the association for stormwater management. He stated the infrastructure originally built was for a smaller number of houses.

Skip Bliss, 644 S. Lakeshore Drive, stated that regarding the Protection Committee item on the Feasibility Study, he sees opportunities to get things accomplished through shared costs and services including the potential to merge with Walworth or at least share equipment. He cited the merger between Janesville and Milton and recommended the possible need for professional evaluation on the ability to combine departments. He stated the money for that type of study would be well spent and would ensure the Village is going down the right path.

Approval of Minutes

The minutes for the meetings held on June 10 and 17, 2019 were distributed.

Trustee Petersen/Trustee Prudden 2nd made a MOTION to approve the minutes from the June 10 and 17, 2019 meetings, as submitted, and the MOTION carried without negative vote.

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

Trustee McGreevy/Trustee Petersen 2nd made a MOTION to approve the Treasurer's Report, the Vendor Report and Payroll Overtime Report, as distributed, for June, and to place them on file for the audit, and the MOTION carried without negative vote.

Approval of Village and Utility Payables

Seven additional payables were added to the approval list.

Trustee Petersen/Trustee McGreevy 2nd made a MOTION to approve payment of the Village and Utility payable list, including the seven additional payables: Alliant Energy for \$1,809.43, Al Kaminski

for \$1,812.50, Phone Plus Biz for \$176.73, Spectrum for \$305.45, Thorpe & Christian for \$8,159.66, US Cellular for \$20.00 and Vorpapel Service for \$165.00. The MOTION carried without negative vote.

General Business – President Kenny

2018 Audit Report

Staff recommended this item be tabled. The auditors will be at the next monthly meeting to present. Trustee Petersen/Trustee O’Neill 2nd made a MOTION to table the 2018 Audit Report, and the MOTION carried without negative vote.

Operator’s License Applications Filed by Danielle M. Eng, Rexford Newcomb III, Jamie Wisniewski (Abbey Resort); Christine Kernes (Abbey Springs); Jacquelyn T. Carper (Country Club Estates); Christopher G. Brogan, Zachary D. Miller, Zane S. Hoover, Ashley N. Sayre (Lake Geneva Yacht Club)

All background checks came back clear and the required \$60 fees have been paid.

Trustee Prudden/Trustee Petersen 2nd made a MOTION to approve the operator’s license applications, as presented, and the MOTION carried without negative vote.

Temporary Operator’s License Application Filed by Patrick Kenny for Big Foot Lions Club Triathlon Event on September 21, 2019

Trustee McGreevy/Trustee Prudden 2nd made a MOTION to approve the temporary liquor license application for Patrick Kenny for the lunch served by the Big Foot Lions Club for the Village’s Triathlon event scheduled for September 21, 2019, and the MOTION carried without negative vote. President Kenny abstained.

Seaplane Pilots Association Proposal for September 27 – 29, 2019

Michael Lucero and Dan Dolan from the Abbey Resort stated there is a group of Seaplane Pilot Association members staying at the Abbey over the Antique Boat Show weekend. They would like to station their planes at the Fontana Beach and have them available to the public for viewing over the weekend. In answer to a question, Dolan stated there would be not more than ten single engine aircrafts on display at the beach. The Board stated their primary concern is the safety of visitors that weekend and that the association should coordinate with the water safety patrol and Fontana police and fire regarding proper safety measures.

Approve Transfer of Reserve Liquor License from the Township of Delavan for \$25,000

The Village of Fontana previously initiated a Reserve “Class B” License transfer from the Town of Delavan and the town agreed to transfer a license for a fee of \$25,000. There is one application on file for a Reserve “Class B” liquor license and the applicant has already paid the Village \$25,000 for the license.

Trustee Prudden/Trustee Pappas 2nd made a MOTION to approve the transfer of a Reserve Liquor License from the Township of Delavan for \$25,000, and the MOTION carried without negative vote.

Approve Liquor License Application filed by Ninkasi Pub, LLC, for 441 Mill Street Unit 102 for ORIGINAL CLASS “B” BEER and “CLASS B” LIQUOR License

An Original Reserve “Class B” license application was filed on June 14, 2019.

Trustee Petersen/Trustee McGreevy 2nd made a MOTION to approve the Original Reserve “Class B” Liquor and Class “B” Beer license for Ninkasi Pub, LLC, for 441 Mill Street Unit 102, with the condition the Seller’s Permit is active and in good standing and all inspections are completed and passed, and the MOTION carried without negative vote.

Plan Commission – Trustee Prudden

Condominium Plat Amendment Application filed by Hawks Woods Condominium Association for Properties Located at 454 N. Lakeshore Drive, 457 N. Lakeshore Drive, and 309 Stearns Road

The condo plat amendment application was filed to amend the common element walkway depiction to match how the walkway is currently installed.

Trustee Pappas/Trustee McGreevy 2nd made a MOTION to approve the Condominium Plat Amendment Application Filed by Hawks Woods Condominium Association for Properties Located at 454 N. Lakeshore Drive, 457 N. Lakeshore Drive and 309 Stearns Road, and the MOTION carried without negative vote.

Public Works Committee – Trustee O’Neill

Payment Recommendation No. 1 for 2019 Street Resurfacing Projects

The payment recommendation was not received prior to the meeting.

Trustee Pappas/Trustee Petersen 2nd made a MOTION to table Payment Recommendation No. 1 for 2019 Street Resurfacing Projects, and the MOTION carried without negative vote.

Payment Recommendation No. 2 for S. Lakeshore Drive Easement Sanitary Sewer Rehabilitation

The payment recommendation was reviewed and signed off on by Village engineer Terry Tavera and is recommended for approval.

Trustee McGreevy/Trustee Petersen 2nd made a MOTION to approve Contractor’s Application for Payment No. 2 submitted by Visu-Sewer, Inc., for the S. Lakeshore Drive Easement Sanitary Sewer Rehabilitation Project in the amount not to exceed \$66,917.00, and the MOTION carried without negative vote.

Payment Recommendation No. 3 for Lake Street and Beach Parking Lot Reconstruction

The payment recommendation was reviewed and signed off on by Village engineer Terry Tavera and is recommended for approval.

Trustee McGreevy/Trustee O’Neill 2nd made a MOTION to approve Contractor’s Application for Payment No. 3 submitted by Wolf Paving for the Lake Street and Beach Parking Lot Reconstruction, for an amount not to exceed \$47,499.80, and the MOTION carried without negative vote.

2020 S. Lakeshore Drive Construction Recommendation

After the last Village Board meeting, Village Engineer Terry Tavera compiled five options for the S. Lakeshore Drive reconstruction. The options ranged from completing the project in one year, two years, or three years and includes new water main, stubbing in sewer main, obtaining easements and adding bike lanes to one or both sides of the road. The Public Works Committee recommended option No. 5 to complete the entire project in one year beginning in summer of 2020 and allowing for construction from Monday through noon on Friday each week.

Trustee McGreevy/Trustee Prudden 2nd made a MOTION to approve Option No. 5, to complete the S. Lakeshore Drive project in one year, and to allow construction during the summer from Monday through noon on Fridays between Memorial Day and Labor Day and the installation of temporary traffic control lights, and the MOTION carried without negative vote.

Authorization to Begin Preliminary Engineering for 2020 S. Lake Shore Drive Reconstruction Project Including:

- a. Storm water design concepts
- b. Roadway cross section design concepts with and without bike lanes & stake out potential road widths in field
- c. Field Survey collection
- d. Private Utility Coordination
- e. Coordinate Soil Borings
- f. Coordinate Abbey Springs cart underpass evaluation
- g. Easement coordination
- h. Wetland, environmental and cultural resources evaluation
- i. Coordination with regulatory agencies for approvals & Town of Linn for detours
- j. Updated cost estimates

Since the Board recommended in favor of completing the project in one year, Tavera stated he would need permission to start the early stages of the project as soon as possible including items a – j as listed. Tavera would like to begin with staking the road so the Public Works Committee and Board members could see the layout of the road with bike lanes on both sides. Attorney Thorpe stated that

the Village should begin on any necessary easements as soon as possible because any delays could suspend the project. Vilona stated that the original CIP worked very well in regards to the Village's debt level since prior debt was dropping off as new debt was being added. With the revised CIP of adding three years' worth of projects into one year, this will spike the Village's debt level above the historical average of 50% of capacity. In addition Vilona stated that there is a large Water Utility component which will impact water rates in the future.

Trustee Petersen/Trustee O'Neill 2nd made a MOTION authorize Village Engineer Terry Tavera to begin preliminary work on the S. Lakeshore Drive reconstruction project, specifically Agenda Items a through j, as listed, and the MOTION carried without negative vote.

Protection Committee – Trustee Prudden

Feasibility Study Proposal for New Public Safety Building

The protection committee recommended approval of a study by FGM Architects and MTI Construction Services to address the needs of the police and fire service operations in the Village. The study would also take into consideration the needs of Village Hall and the ability to potentially develop a campus-like structure with police and fire facilities built initially, followed by the addition of Village Hall and the Library. The study was quoted at \$16,400. Trustee Pappas stated the study should look into the possibility of creating a larger station down the road.

Trustee Petersen/Trustee McGreevy made a MOTION to approve the feasibility study as proposed by FGM Architects and MTI Construction Services, in an amount not to exceed \$16,400, as recommended, and the MOTION carried without negative vote.

Creation of CBD Seller's Permit License and Corresponding Ordinance Amendment

Attorney Thorpe stated the law on the subject is in flux. Since Chief Cates was not available to present, the Board tabled the item until the next monthly meeting.

Trustee Prudden/Trustee Pappas 2nd made a MOTION to table the Creation of CBD Seller's Permit License and Ordinance Amendment until the next monthly meeting, and the MOTION carried without negative vote.

Park Commission – Trustee Livingston

Application Filed by Big Foot Wolves Junior Tackle Football for Concession Sales on July 4, 2019 from 6:00 am to Midnight

Trustee Prudden/Trustee McGreevy 2nd made a MOTION to approve the application filed by Big Foot Wolves Junior Tackle Football for Concession Sales on July 4, 2019 from 6:00 am to midnight. The MOTION carried without negative vote.

Memorial Tree Application Filed by Todd Lizak for Weeping Cherry Tree

Loomer stated that DPW typically works with applicants to either find the best tree for their desired location or best location for their desired tree – depending on which is top priority. Trustee O'Neill asked for the tree to be placed back from the lakefront area.

Trustee O'Neill/Trustee McGreevy 2nd made a MOTION to approve the Memorial Tree Application submitted by Todd Lizak for a Weeping Cherry Tree. The MOTION carried without negative vote.

Memorial Bench Application Filed by Elsa Merlino for Lakefront

There are four benches on the Lakefront that still qualify for replacement. Merlino has submitted an application for the available bench closest to Chucks. She requested to engrave the DBSA website on the bench – www.dbsalliance.org. The commission members were not in favor of adding the website to the bench because domains can expire, become disabled, or change. Instead they recommended, "DBSA" in addition to the remainder of the requested wording.

Trustee McGreevy/Trustee Pappas 2nd made a MOTION to recommend Village Board approval of the Memorial Bench application submitted by Elsa Merlino for the available bench closest to Chucks, with "DBSA" in lieu of the entire website printed on the bench, and the MOTION carried without negative vote.

Big Foot Lions Club Park Permit Application and Temporary Liquor License Application for Reid Park Pavilion on September 21, 2019 for Triathlon

The Big Foot Lions Club submitted a park permit and temporary liquor license application for Reid Park Pavilion on September 21, 2019 for food and beverage service to the triathletes after the race. Trustee McGreevy/Trustee O'Neill 2nd made a MOTION to approve the Park Permit Application submitted by the Big Foot Lions Club for Reid Park Pavilion on Saturday, September 21, 2019. The MOTION carried without negative vote. President Kenny abstained.

Human Resources Committee – President Kenny

Performance Evaluation and Salary Adjustment for Public Works Director Kevin Day

This item was discussed in Closed Session.

Trustee McGreevy/Trustee Prudden 2nd made a MOTION to approve the contractual pay increase to \$80,000 for the successful completion of Kevin Day's first year as Public Works Director. The MOTION carried without negative vote.

Deputy Clerk/Treasurer Hiring Recommendation

This item was discussed in Closed Session.

Trustee McGreevy/Trustee Prudden 2nd made a MOTION to approve the hiring of Stephanie Smith for the Deputy Clerk/Treasurer I position, for a starting salary of \$40,000 with an increase to \$42,500 after completion of the six month probationary period and an increase to \$45,000 after the completion of one year. The MOTION carried without negative vote.

Salary Resolution Amendment

This item was discussed in Closed Session.

Trustee McGreevy/Trustee O'Neill 2nd made a MOTION to approve Resolution 070119-01, amending Resolution 061019-03, amending the 2019 Salary Schedule, and the MOTION carried without negative vote.

Closed Session

Trustee Pappas/Trustee Prudden 2nd made a MOTION at 6:43 to go into Closed Session Pursuant to Wis. Stats. Chapter 19.85(1)(c), "considering employment, promotion, compensation or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility," specifically Performance Evaluation and Salary Adjustment for Public Works Director Kevin Day, Deputy Clerk/Treasurer Hiring Recommendation and Salary Resolution Amendment.

The Roll Call vote was as follows:

President Kenny – Aye

Trustee McGreevy – Aye

Trustee O'Neill – Aye

Trustee Pappas – Aye

Trustee Prudden – Aye

Trustee Petersen – Aye

The MOTION carried on a 6-0 vote with Trustee Livingston absent.

Adjournment

Trustee Petersen/Trustee Prudden 2nd made a MOTION to adjourn at 6:54 pm, and the MOTION carried without negative vote.

Minutes prepared by: Theresa Loomer, Village Administrator/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: 08/05/19