

(official minutes)  
VILLAGE OF FONTANA ON GENEVA LAKE  
WALWORTH COUNTY, WISCONSIN

BOARD OF TRUSTEES MEETING  
with Closed Session  
Monday, August 4, 2003

Date: Monday, August 4, 2003

Place: Village Hall Meeting Room, 175 Valley View Drive, Fontana, Wisconsin

Time: Closed Session @ 5:30 p.m., followed by Regular Village Board Meeting @ 6:00 p.m.

Trustee Geye/2<sup>nd</sup> Trustee Bromfield. MOTION was made to adjourn Closed Session and reconvene to Open Session immediately thereafter. MOTION carried without negative vote.

-6:05 p.m. -

President Whowell called the regular meeting to order and lead the Pledge of Allegiance.

Present: Bromfield, Cole, Geye, O'Connell, Petersen, Turner, President Whowell

Also present: Craig Workman, Village Administrator Hayden-Staggs, Village Attorney Thorpe, Village Clerk Smith

**Announcements – Village President**

Lake Geneva Triathlon Meeting – August 9, 2003 @ 11 am

President's Breakfast for the 23 subdivisions within Fontana – August 9, 2003 @ 8am

July 4<sup>th</sup> Debriefing – August 14, 2003 @ 11am

**Visitors Heard**

Fontana citizen, Anita Szymanski addressed the Village Board about Lakeland School (located in Elkhorn) closing and asked for support.

Administrator Hayden-Staggs was directed to contact the Walworth County Supervisors representing our community to further discuss and investigate Lakeland School closing.

Fontana resident, Mike Keeling addressed the Village Board concerning The Abbey redevelopment. Mr. Keeling stated that he is feeling frustrated because so many of the meetings with The Abbey have been special closed meetings with no information available to the public.

**CDA Report – Trustee Turner**

Turner responded to Mr. Keeling by reporting that there is a 'Confidentiality Agreement' with The Abbey and negotiations are being conducted with them to see whether the CDA wishes to make any contribution to their project (contribution out of future property tax dollars). Those negotiations are still on-going. There has been no proposal that is ready to come before public

forum at this time. In the recent newsletter that was sent out, the Village President and Administrator did a good job of explaining aspects of the project and explaining that the CDA was considering a potential contribution to that project, if that would help make the project occur and if the benefits were significant enough to the Village.

Further, Trustee Turner stated that there has been no Board or CDA consensus on anything and before anything happens it will come before a public forum.

#### **CDA Update**

CDA has been working with PDI on the design plan for future improvements on the lakefront. The lakefront design plan has been approved by the CDA and Park Commission. The lakefront design plan will be sent to Lakefront & Harbor Committee in August. Hopefully the lakefront plan will be presented to the Plan Commission and Village Board in September.

The detailed plans for Highway 67 development have already been approved by the Village Board, Plan Commission and all other related committees.

CDA is still meeting with potential developers for the recent purchased property along Highway 67 and two developers have expressed strong interest in working with the CDA for developing that area.

Our contract with the Department of Transportation is going through the approval process and the engineering work should start in September.

CDA has been working with The Shaw Group on a potential project in the quarry land (approximately 30 acres) across from Village Hall.

#### **Approve Village Board Minutes from 6/11/03 and 7/14/03**

Trustee Bromfield/2<sup>nd</sup> Trustee Petersen. MOTION was made to approve the minutes. MOTION carried without negative vote.

#### **Approve Payment of Village Bills**

Trustee Petersen/2<sup>nd</sup> Trustee Bromfield. MOTION was made to approve the bills adding \$510.62 for Paul Swartz Nursery and \$31,908.00 for Tom Peck Ford for the one ton truck. MOTION carried without negative vote.

#### **Treasurer's Report dated June 30, 2003 - Cash Balances and Activity**

Trustee Cole/2<sup>nd</sup> Trustee Petersen. MOTION was made to accept the Treasurer's report. MOTION carried without negative vote.

#### **Original "Class B" Liquor License for Concertmaster Chef Services, LLC d/b/a Schnupp's Place, 158 Fontana Blvd. - Year 2003-2004**

Appointed Agent John Schnupp and Bob Sommerfield were present.

Police Chief Olson reported that back ground checks were successfully completed.

Trustee Turner/2<sup>nd</sup> Trustee Geye. MOTION was made to approve subject to final approval of the building inspector and submission of lease. MOTION carried with 5 yes. President Whowell and

Trustee Petersen abstained.

**Original “Class B” Liquor License for De’J’Brew, 268 Reid Street**

Applicants Richard Rosenow and Patty Yeager were present.

Administrator Hayden-Staggs reported that the Village of Fontana has no ‘Reserve Class B Liquor License’ available after performing the quota calculation mandated by State Statute.

No action taken.

**Kikkoman Proposed Expansion**

President Whowell reported that Kikkoman has withdrawn the proposed project.

No action taken.

**Ordinance No. 8-4-03-1**

**Ordinance Amending Chapter 6 Regarding “Class B” Alcohol Licenses to include Reserve Class B Liquor License.**

Trustee Petersen/2<sup>nd</sup> Trustee Bromfield. MOTION was made to accept Ordinance amending Chapter 6 regarding “Class B” alcohol licenses. MOTION carried without negative vote.

**Ordinance No. 8-4-03-2**

**Ordinance Creating Section 2-462 of the Municipal Code Accounts Receivable for Special Charges**

Finance Committee gave a favorable recommendation.

Trustee Bromfield/2<sup>nd</sup> Trustee Cole. MOTION was made to approve the ordinance for special charges. MOTION carried without negative vote.

**Resolution No. 8-4-03-1**

**Resolution Authorizing the Borrowing of Funds from the Walworth State Bank for the Purpose of Refinancing Existing Debt**

Administrator Hayden-Staggs and Finance Committee recommends borrowing and refinancing \$107,000.00 for the VanDiggelen Land Contract @ 208 Dewey Street and for the Air Pack Purchase from Baystone Financing.

Trustee Cole/2<sup>nd</sup> Trustee O’Connell. MOTION was made to approve the Resolution to borrow funds to refinance the land contract and the air packs. MOTION carried without negative vote.

**Resolution to Amend Cost Recovery**

Administrator Hayden-Staggs asked that the next time Planning Commission has an ordinance change that we amend the cost recovery at the same time.

No action taken.

**Wisconsin Professional Police Association Agreement**

**WPPA Union Contract Amendment**

Administrator Hayden-Staggs asked the Board to amend the collective bargaining agreement to read: any police officer who is covered under the collective bargaining agreement, and who is promoted to the position of Police Lieutenant, a non bargaining unit position, will be allowed to return to the bargaining unit without loss of any benefits during a period of 18 months (instead of a period of one (1) year) from the date of promotion to Lieutenant, if said employee is either voluntarily or involuntarily demoted to their previous position within the bargaining unit.

Trustee Cole/2<sup>nd</sup> Trustee Bromfield. MOTION was made to amend the WPPA Union Contract. MOTION carried without negative vote.

### **Police & Fire Commission**

Administrator Hayden-Staggs requested that the Village Board start the process to establish a Police & Fire Commission.

Trustee Turner/2<sup>nd</sup> Trustee Geye. MOTION was made to start the process. MOTION carried without negative vote.

### **2002 Audit Report**

Administrator Hayden-Staggs distributed the 'final draft' prepared by Auditor Art Tillman.

Trustee Cole asked that Art Tillman come and give a presentation to the Village Board.

Trustee Bromfield/2<sup>nd</sup> Trustee Turner. MOTION was made to table this audit report to next meeting. MOTION carried without negative vote.

### **Nextel Lease**

Administrator Hayden-Staggs distributed the 'Communications Site Lease Agreement (Tower) and highlights and changes to the Nextel Lease and asked for a vote in concept.

Trustee Petersen/2<sup>nd</sup> Bromfield. MOTION was made to approve the concept, the lease highlights and changes. MOTION carried without negative vote.

### **Departmental Flow Chart**

Administrator Hayden-Staggs distributed the administrative 'flow chart' that our Summer Intern, Rex Lewis helped create. The chart will be amended to include Fire and Rescue.

No action taken.

### **Village Attorney Report**

Attorney Thorpe (present).

No action taken.

### **Ordinance No. 8-4-03-3**

#### **Ordinance Amending Article X – Chapter 18 Zoning of the Municipal Code Regarding Signage prepared by Vandewalle & Associates**

Plan Commission gave a favorable recommendation for the amendment.

Trustee Geye/2<sup>nd</sup> Trustee O'Connell. MOTION was made to approve the amendment to the sign ordinance. MOTION carried without negative vote.

### **F/W WPCC**

#### **Agreement for Design Services, Bidding Related Services and Construction-Related Services Screen Replacement and Miscellaneous Modifications.**

Trustee Petersen reported that the Village of Fontana will need to finance \$14,000 for the engineering design cost. The opinion of probable cost for this project will total approximately \$390,500.00. The actual project costs will be determined once the project is publicly bid and the construction contract awarded.

F/W WPCC Recording Secretary, Janet Tiffany submitted the agreement for engineering services associated with the replacement of the 18 year old mechanical bar screen, replacement of the base

elbows and piping in the influent pumping station and concrete rehabilitation of the two oxidation ditches. In addition to the Village of Fontana, this agreement will also need to be executed by Strand Associates, Inc., Village of Walworth and Kikkoman Foods, Inc.

Trustee Bromfield/2<sup>nd</sup> Trustee Cole. MOTION was made to approve the expenditure of \$14,000.00 for initial design services, a portion of sharing this project. MOTION carried without negative vote.

#### **Lake Use Committee**

Ken Bell (present) reported to the Village Board.

*No action taken.*

#### **Environmental Committee**

No report. *No action taken.*

Trustees Turner and Geye commended Craig Workman for the beautiful Hildebrand Trails and sending photos via email. They are a real asset to our community.

#### **Operator License Application(s) Approved for Year 2003-2004**

Fees have been paid and back ground checks were conducted by Chief Olson.

- o Jacob McHugh – Chuck’s
- o Richard Rosenow – De’J’Brew subject to fee being paid
- o John Schnupp – Schnupp’s Place
- o Alyssa Rostkowski – Abbey Springs

Trustee Bromfield/2<sup>nd</sup> Trustee O’Connell. MOTION was made to approve the four operator licenses subject to the condition. MOTION carried without negative vote.

#### **Protection Committee Public Forum**

Chief Olson reported that approximately 30-40 people attended the forum. President Whowell added that the forum initiated a monthly administrative staff meeting to enhance our motto ‘We all do better when we work together’.

*No action taken.*

#### **Harley Davidson Anniversary Rally – Labor Day Weekend**

President Whowell reported that a limited access sign will be placed at the corner of Third and Reid Streets. Another staff meeting will take place prior to the event. The boat trailer parking lot will be used to park bikes in an effort to control the visitors.

*No action taken.*

#### **Proposed Ordinance for Extraordinary Expenses**

Protection Committee recommends that an ordinance be created as a preventative maintenance ordinance. President Whowell tabled this item.

*No action taken.*

#### **Ordinance No. 8-4-03-4**

#### **Ordinance Creating Section 78-91 (d) of the Municipal Code – Meters**

Craig Workman and Public Works Committee recommends in favor of this ordinance.

Trustee Petersen/2<sup>nd</sup> Trustee Geye. MOTION was made to approve Ordinance 8-4-03-4 with respect to the way meter preparation is created. MOTION carried without negative vote.

**2003 Capital Outlay Plan Descriptions for Streets, Water & Sewer**

Craig Workman distributed a 5 pg. hand-out explaining the original and revised plan.

Trustee Petersen/2<sup>nd</sup> Trustee Cole. MOTION was made to approve the project descriptions for the revised work for Brookwood PS Force Main, Tarrant Drive – Mayflower to Tarrant Court, Sauganash Drive – Shabonna to Hillcrest, North Lakeshore Drive – First Avenue to Spring Street, and initiate the bidding process. MOTION carried without negative vote.

**Dodder Weed Update**

Craig Workman reported that this weed has been identified within The Fen.

No action taken.

**Park Commission Update – Trustee Geye**

Trustee Geye reported that the projected cost of a flagpole in Reid Park is \$10,000.00 and a couple of thousand dollars has already been donated.

**Proposed Ordinance for No Grilling in Parks**

This item came up at the last Park Commission meeting. President Whowell sent this back to Park Commission for further research before 2004. It was noted that grilling is not permitted on the public beach. Chief Olson reported that the municipal code does not address grilling.

No action taken.

**Lakefront & Harbor – Trustee Bromfield**

No report. No action taken.

**Adjournment**

Time: 8:00 p.m.

Trustee Bromfield/2<sup>nd</sup> Trustee Cole. MOTION was made to adjourn. MOTION carried without negative vote.

Minutes prepared by:

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Note: These minutes are subject to further editing. Once approved by the Village Board of Trustees, the official minutes will be on file at the Village Hall.

APPROVED:           9/8/03