

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

(Official Minutes)

MONTHLY MEETING of the VILLAGE BOARD OF TRUSTEES
and JOINT SESSION with VILLAGE BOARD OF TRUSTEES

Monday, August 6, 2018

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 McGreevy, Trustee O'Neill, Trustee Pappas, Trustee Prudden, Trustee Livingston, Trustee Petersen, President Kenny

Plan Commissioners Present: Trustee Prudden, Trustee Petersen, Bob Ahern, Bob Grant, Bob Kirkland

Plan Commissioners Absent: Sarah Lobdell, F.J. Frazier

Also Present: Joe Abell, Jeff Cates, Kevin Day, Stephanie Klug, Theresa Loomer, Bridget McCarthy, Mike McKay, Jackie Mich, Andy Pearce, Duane Ratay, Bob Stewart, Rob VanScoyoc, Scott Vilona, John Wisniewski

Visitors Heard

A resident of Abbey Hill Condos requested a sidewalk be installed from Abbey Hill to the downtown area. She stated it is too dangerous to walk without a pedestrian walkway and parking downtown comes at a premium. The item will be referred to the protection committee for follow-up.

Joint Session General Business

Verify Proper Legal Notice for Comprehensive Plan Amendments

The legal notice was published in the July 5, 2018 edition of the Lake Geneva Regional News, posted on the Village website, and was sent to all pertinent parties such as the schools, SEWRPC, the adjacent villages and towns and local governmental bodies.

Presentation of the Proposed Plan Amendments

Vandewalle and Associates Rep. Jackie Mich presented an overview of the comprehensive plan amendment process and the order of steps to be taken by the bodies of the plan commission and village board to consider amending the comprehensive plan and approve the rezone. Mich explained the rezone needs to be consistent with the comprehensive plan. In order to change what is currently designated as Woodland & Open Space and Mineral Extraction to SR-1 Residential Lots, the process of recommendations and approvals needs to follow a specific order. Attorney VanScoyoc presented the rezone application and the desire to rezone parcel STFV 00025 into three SR-1 lots on septic and well water. The remaining parcel to the south will also be rezoned SR-1 but will remain on municipal sewer and water. Thorpe pointed out there is a significant benefit to the community by approving the comprehensive plan amendment and rezone because the applicant would be giving up mining rights.

Joint Session Public Hearing

Public Hearing on Proposed Comprehensive Plan Amendments

The public hearing was opened at 6:13 pm. No one spoke for or against the proposed comprehensive plan amendments. The public hearing was closed at 6:13 pm.

Plan Commission General Business

Plan Commission Consideration of Resolution Recommending Plan Amendments to the Village Board

Commissioner Grant/Trustee Petersen 2nd made a MOTION to adopt Plan Commission Resolution 080618-01 recommending approval of the comprehensive plan amendments for parcel STFV 00025 to the Village Board, as presented, and the MOTION carried without negative vote.

Village Board General Business

Consider Ordinance Adopting Comprehensive Plan Amendments

Trustee Petersen/Trustee Pappas 2nd made a MOTION to adopt Ordinance 080618-01, adopting comprehensive plan amendments for parcel STFV 00025, as recommended, and the MOTION carried without negative vote.

Plan Commission General Business

Plan Commission Recommendation on Petition Filed by Robert Stewart for Parcel STFV 00025 to Rezone from AH-35 (Agriculture Holding) to SR-1 (Exurban Residential District) tabled 7/30/18

The public hearing was conducted on July 30, 2018 and was tabled for a vote to take place after the comprehensive plan amendment was approved.

Commissioner Grant/Commissioner Kirkland 2nd made a MOTION to recommend Village Board approval of the petition filed by Robert Stewart for Parcel STFV 00025 to rezone from AH-35 (Agriculture Holding) to SR-1 (Exurban Residential District), and the MOTION carried without negative vote.

Village Board General Business

Consider Action on Petition Filed by Robert Stewart for Parcel STFV 00025 to Rezone from AH-35 (Agriculture Holding) to SR-1 (Exurban Residential District)

Trustee Pappas/Trustee Prudden 2nd made a MOTION to approve the petition filed by Robert Stewart for lots 1, 2, 3, and 4 on parcel STFV 00025 to rezone from AH-35 (Agriculture Holding) to SR-1 (Exurban Residential District), as recommended, and the MOTION carried without negative vote.

Consider Resolution Approving an Application for a Septic Exemption by Stewart per Section 17-4(3)h. of the Fontana Municipal Code

Trustee Livingston/Trustee Prudden 2nd made a MOTION to approve Resolution 080618-02, approving the application submitted for a septic exemption by Robert Stewart per Section 17-4(3)h. of the Fontana Municipal Code, and the MOTION carried without negative vote.

Adjourn Plan Commission

Trustee Petersen/Commissioner Kirkland 2nd made a MOTION to adjourn the plan commission meeting at 6:19 pm, and the MOTION carried without negative vote.

Approve Village Board Minutes

The minutes for the meeting held on July 2, 2018 were distributed.

Trustee Petersen/Trustee O'Neill 2nd made a MOTION to approve the minutes from the July 2, 2018 meetings, as submitted, and the MOTION carried without negative vote.

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

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

Approval of Village and Utility Payables

Trustee Livingston/Trustee McGreevy 2nd 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

Discussion and Possible Action on IT Contract with Velocity Solutions

John Wisniewski from Velocity Solutions provided information on the updates made to the Village IT infrastructure since the last monthly meeting. The library system will be separating from the village network on Friday, August 10th, and migrating to the Lakeshore Libraries System.

Temporary Operator License Application Filed by Mary Kriete-Green for Dan Green's Touch a Life Heal a Heart Rock-N-2 the Rescue Event on September 1, 2018

Trustee Livingston/Trustee O'Neill 2nd made a MOTION to approve the temporary operator license application filed by Mary Kriete-Green for Dan Green's Touch a Life Heal a Heart Rock-N-2 the

Rescue Event on September 1, 2018, and the MOTION carried without negative vote.

Consider Amending Keizer and Sons Refuse Collection Schedule

President Kenny stated he met with Jack Keizer, President of Keizer & Sons Disposal, and they are having a hard time collecting all the garbage in one day. Keizer requested to break-up the refuse collection into two days – Monday and Tuesday. Pappas expressed concerns that the weekend residents would put their garbage out on Sunday night and animals would likely get into it if it isn't picked up until Tuesday morning.

Trustee Petersen/Trustee Livingston 2nd made a MOTION to work with Keizer's to develop a garbage schedule agreeable to all parties, and the MOTION carried without negative vote.

Consider Permeable Paver Ordinance Amendment – Set Public Hearing

At the last meeting, the village attorney and village engineer were directed to work on a solution to solve the problem of meeting 50% greenspace on certain lots. The ordinance presented amends the minimum landscape surface ratio to 40% in the following districts: SR-5, AR-6, MR-8, MR-12, NB and amends the definition of impervious surface to include surfaces that are specifically designed, constructed and thereafter maintained to be pervious. Thorpe stated the definition allows permeable pavers and is similar to what the DNR allows. Pappas stated the village already has storm water problems and some of the districts included in the ordinance have larger properties and should be able to meet the greenspace requirement and believes the ordinance change should be applied to smaller properties less than 10,000 square feet. He said there was a conscious effort to previously remove permeable pavers from the code. There was discussion about the need for proper installation and maintenance of the pavers and the need for the building department to conduct initial and follow-up inspections.

Trustee Pappas/Trustee Petersen 2nd made a MOTION to set a public hearing for the next scheduled Plan Commission meeting on Sections No. 1 and No. 5 of the presented ordinance, and remove the amended definition of pervious pavers, and the MOTION carried without negative vote.

Consider Half-Price Beach Admission after 6:00 pm

This item was referred to the Lakefront and Harbor Committee for follow-up.

Examination of Costs and Revenue for Building & Zoning Dept.

Trustee Prudden stated he is the Chair of the Plan Commission and would like to have the costs of the Building & Zoning Dept. evaluated, including the comparison of revenue vs. expenses.

Trustee Prudden/Trustee McGreevy 2nd made a MOTION to direct the village treasurer to perform a cost/benefit analysis of the Building & Zoning Dept., and the MOTION carried without negative vote.

Reschedule September Monthly Meeting Date Due to Labor Day

The meeting was rescheduled to Thursday, August 30, 2018 beginning at 6:00 pm.

Lakefront & Harbor Committee – Trustee Pappas

Consider Establishing Ordinance to Restrict Private Boat Rental Operations From Village Piers

The Lakefront Committee discussed a local individual who is operating a boat rental business from the Village boat launch causing a delay for other boaters who are trying to launch. There was discussion on requiring a business license or boat rental license, however, there is no guarantee the individual would not be able to comply with the requirements of obtaining a business or boat rental license. The board directed Attorney Thorpe to work directly with Trustee Pappas to find a solution. Trustee Petersen/Trustee Prudden 2nd made a MOTION to direct Village Attorney Thorpe to work directly with Trustee Pappas to restrict private boat rental operations from village piers, and the MOTION carried without negative vote.

Consider Increasing Illegal Parking Citation Fines

The Lakefront Committee recommended increasing parking citations from \$15 every 24-hours to \$25 every four-hours. Chief Cates explained the municipal parking rates were increased from \$1 per hour to \$2 per hour this year, and someone could park in the lot all day without paying the meter for

a \$15 citation rather than the \$24 fee for parking for 12-hours from 8:00 am to 8:00 pm. He suggested decreasing the length of time in which multiple citations could be given in order to avoid ticketing someone that has made an honest mistake.

Trustee Petersen/Trustee McGreevy 2nd made a MOTION to increase the parking citation rate to \$30 per day, effective January 1, 2019, and bring back next month in ordinance form, and the MOTION carried without negative vote.

Protection Committee – Trustee Prudden

Adoption of F-Sticker Resident Only Parking Areas Ordinance

Trustee Pappas/Trustee Prudden 2nd made a MOTION to approve ordinance 080618-03, adopting F-Sticker Resident Parking Areas only, as approved on July 2, 2018, and the MOTION carried without negative vote.

Park Commission – Trustee Livingston

Request Submitted by Immanuel United Church of Christ, Walworth, To Use a Portion of Reid Park on Saturday, September 15, 2018 for Fat Tire Race

The request was submitted by Andy Pearce to use a portion of Reid Park for a concession tent during the Fat Tire Race on September 15, 2018.

Trustee Petersen/Trustee McGreevy 2nd made a MOTION to approve the request submitted by Immanuel United Church of Christ, Walworth, to use a portion of Reid Park on Saturday, September 15, 2018 for Fat Tire Race, and the MOTION carried without negative vote.

Park Permit Application Filed by Tina Nebergall, 144 W. Main St., Fontana, For Park House on Sunday, July 22 and Sunday, August 12, 2018 from 10:00 am to 6:00 pm

Trustee Livingston/Trustee Prudden 2nd made a MOTION to approve the park permit application filed by Tina Nebergall, 144 W. Main St., Fontana, for Park House on Sunday, July 22 and Sunday, August 12, 2018 from 10:00 am to 6:00 pm, and the MOTION carried without negative vote.

Park Permit Application Filed by Lizz Bablitch, 300 Randolph St., Walworth for Park House on Sunday, August 19, 2018 from 9:00 am to 7:00 pm

Trustee O’Neill/Trustee McGreevy 2nd made a MOTION to approve the park permit application filed by Lizz Bablitch, 300 Randolph St., Walworth for Park House on Sunday, August 19, 2018 from 9:00 am to 7:00 pm, and the MOTION carried without negative vote.

Park Permit Application Filed by Kim Bugos, 3028 W. Roscoe St., Apt 305, Chicago, IL 60618, For Reid Park Gazebo on Friday, August 10, 2018 from 6:00 pm to 11:00 pm

Trustee O’Neill/Trustee Petersen 2nd made a MOTION to approve the park permit application filed by Kim Bugos, 3028 W. Roscoe St., Apt. 305, Chicago, IL 60618, for Reid Park Gazebo on Friday, August 10, 2018 from 6:00 pm to 11:00 pm, and the MOTION carried without negative vote.

Public Works Committee – Trustee O’Neill

Mid-State Equipment Quote for Tractor Repair

The tractor that is used to mow the side roadways was taken apart by village mechanic Jim Hoover who was not able to make the needed repairs. To have the engine and tractor rebuilt was quoted at \$19,232.52 and has a one-year warranty. The cost of a new tractor would be roughly \$60,000.

Trustee Prudden/Trustee Livingston 2nd made a MOTION to approve the Mid-State Equipment repair quote, as presented, for an amount not to exceed \$19,232.52, and the MOTION carried without negative vote.

2017 Street Resurfacing Project Change Orders No. 1 & 2

Change order No. 1 is for the increased amount of \$2,587.46 for asphaltic concrete flumes and underdrain on Forest Glen Drive. Change order No. 2 is for the decreased amount of \$38,909.37 to match the final contract price to actual work performed.

Trustee Petersen/Trustee McGreevy 2nd made a MOTION to approve change order no. 1 for the increased amount of \$2,587.46 and change order no. 2 for the decreased amount of \$38,909.37, both submitted by Stark Pavement Corp. for the 2017 Street Resurfacing Projects, and the MOTION carried without negative vote.

2017 Street Resurfacing Project Final Payment Recommendation No. 2

Pay Recommendation No. 2 for the 2017 Street Resurfacing project was submitted by Stark Pavement Corp. in the amount of \$8,107.40. The pay request was reviewed by staff and the village engineer and is recommended for approval.

Trustee Pappas/Trustee Petersen 2nd made a MOTION to approve the 2017 Street Resurfacing Project Final Payment Recommendation No. 2, in the amount of \$8,107.40, as submitted by Stark Pavement Corporation, and the MOTION carried without negative vote.

Human Resources Committee – President Kenny

Review Pay and Benefits for Admin. Assistant Stephanie Klug

This item was discussed in closed session.

Trustee Pappas/Trustee Livingston 2nd made a MOTION to approve a 10% pay increase for Administrative Assistant Stephanie Klug, and the MOTION carried without negative vote.

Probationary Status Review for Administrator/Clerk Theresa Loomer

This item was discussed in closed session.

Trustee McGreevy/Trustee Prudden 2nd made a MOTION to extend Administrator/Clerk Theresa Loomer’s probationary period by six-months, and approve a pay increase of half the the contractual amount to \$76, 250, and the MOTION carried without negative vote.

Amendments to Salary Resolution

Trustee Prudden/Trustee McGreevy 2nd made a MOTION to approve the salary resolution, as presented, with the amendment to Loomer’s salary to \$76,250, and the MOTION carried without negative vote.

Closed Session

Trustee Petersen/Trustee McGreevy 2nd made a MOTION at 7:00 pm 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 Review Pay and Benefits for Admin. Assistant Stephanie Klug and Probationary Status Review for Administrator/Clerk Theresa Loomer.

And the Roll-Call vote was as follows:

Trustee O’Neill – Aye

Trustee Pappas – Aye

Trustee Prudden – Aye

Trustee Livingston - Aye

Trustee Petersen – Aye

President Kenny – Aye

Trustee McGreevy – Aye

The MOTION carried without negative vote.

Adjourn Closed Session

Trustee McGreevy/Trustee Petersen 2nd made a MOTION to adjourn Closed Session and Reconvene into Open Session at 7:12 pm, and the MOTION carried without negative vote.

Adjournment

Trustee Pappas/Trustee McGreevy 2nd made a MOTION to adjourn at 7:14 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: 08/30/18