

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

(Official Minutes)

VIRTUAL MONTHLY MEETING of the VILLAGE BOARD OF TRUSTEES
Monday, November 1, 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 Livingston, Trustee Pappas, Trustee O'Neill, Trustee Prudden, Trustee Petersen, Trustee McGreevy

Also Present by Phone: Nate Austin, Jeff Cates, Kevin Day, Theresa Loomer, Stephanie Smith, Terry Tavera, Dale Thorpe, Scott Vilona, Cindy Wilson

Visitors Heard

General Business

Approval of Minutes

The minutes for the meetings held on October 4, 2021 (open and closed) and October 7, 2021 (closed) were distributed to board members via email.

Trustee McGreevy/Trustee Livingston 2nd made a MOTION to approve the minutes from October 4, 2021 (opened and closed), as submitted, and the MOTION carried without negative vote.

Trustee McGreevy/Trustee Petersen 2nd made a MOTION to approve the minutes from October 7, 2021 (closed), as submitted, and the MOTION carried without negative vote.

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

Trustee O'Neill/Trustee Livingston 2nd made a MOTION to approve the Vendor Report and Payroll Overtime Report as distributed for October, and to place it on file for the audit, and the MOTION carried without negative vote.

Approval of Village and Utility Payables

Trustee Petersen/Trustee Livingston 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

2022 Contract with John's Disposal

Loomer stated at the October Village Board Meeting trustees directed staff to investigate Monday collection for the entire Village. Nate Austin from John's Disposal explained why Monday collection for the entire village is not possible as well as the requested 6% price increase. Austin stated collection is very difficult across the board. John's Disposal is facing all the same hiring shortages that many other businesses are facing, and it is difficult to find drivers that will do the manual collection. Austin explained that the Village of Fontana is unique in that it is the only account of its size with manual collection. The feasibility of getting four trucks to the Village in one day to do a job that very few want to do is not possible. Austin explained the 6% increase is pretty straight across the board for the majority of the communities. The increase is a result of CPI, fuel, labor, and parts.

Trustee Petersen/Trustee Livingston 2nd made a MOTION to approve the 2022 contract with John's Disposal in the amount of \$29,115.63 monthly, and the MOTION carried without negative vote.

Parks and Open Space Plan – Set Public Hearing

Loomer stated this is the five-year update for the parks and open space plan and the public hearing would be held at the November 29, 2021 Plan Commission meeting.

Trustee Livingston/Trustee O'Neill 2nd made a MOTION to set a public hearing for the November 29, 2021 Plan Commission meeting, and the MOTION carried without negative vote.

Revised Deer Bow Hunting Resolution

Loomer stated Trustee Livingston had brought to her attention that there are a number of tree stands on Village property and it is not clear who they belong to. The resolution has been updated to state all tree stands must be labeled with a hunter's name and phone number and if not labeled the Village has the authority to take the stands down.

Trustee Petersen/Trustee Livingston 2nd made a MOTION to approve resolution 110121-01, Regarding revised deer bow hunting, and the MOTION carried without negative vote.

Recommendation on TID Stormwater Projects

Loomer stated the past couple months the Board has been discussing the stormwater report that Village Engineer Terry Tavera presented. The Board directed Tavera to look into the projects located in the TID. Tavera put together information regarding which projects are located in the TID, which projects are not included in the TID and what projects could be funded by the TID. Tavera explained area B7, located at the outfall of Shabbona Drive is located outside of the TIF district. Area B2, Headwaters to Main Street and Old Mill House is partially in the TIF district and partially outside the TIF boundaries. Area B3, Hildebrand Conservancy Waterway Improvements is located one hundred percent in the TIF district boundary and work is dependent on the completion of work in area B2. Area B5, Fontana Fen/Triangle Parcel for stormwater detention includes work in and out of the TIF district. Tavera stated an estimate of work that can be completed now totals approximately \$200,000 to \$225,000. Trustee Pappas stated work needs to be completed by 2023 and he feels the Village should move forward with the work. Trustee Petersen expressed concern over making sure all work is approved by the CDA. There was discussion if the 2022 budget would need to be amended to include this work. Treasurer Vilona explained the budget would not need to be amended and if these costs are going to be on the TID we would just need to know for obtaining financing if this is short term or long term and the amount.

Trustee Prudden/Trustee Pappas 2nd made a MOTION to move forward with stormwater projects located in the TID, and the MOTION carried without negative vote.

Update on Shabbona Drive Outfall Stabilization & Wetland Restoration

Tavera stated the estimated cost is \$250,000 and the next step is to set up a field meeting later this month to go over the permitting with the DNR.

Authorize Short Term Financing in the amount of \$150,000 from First National Bank and Trust

Vilona explained it was voted on at the October 28, 2021, Village Board and Finance Budget meeting to obtain short term financing in the amount of \$150,000 for the Abbey Springs Ponds. This is the approval to start the financing process.

Trustee Livingston/Trustee McGreevy 2nd made a MOTION to authorize short term financing in the amount of \$150,000 from First National Bank and Trust, and the MOTION carried without negative vote.

Modify GLLEA Secretary/Treasurer Cost Split to 50/50

Loomer stated currently Stephanie Smith is the GLLEA Secretary/Treasurer and the agreed upon split was a stipend to Smith in the amount of \$1,500 and GLLEA paid the Village \$4,000. This has been more work than originally anticipated and Loomer stated she would like to propose a fifty-fifty split for the position.

Trustee Petersen/Trustee Prudden 2nd made a MOTION to approve a yearly stipend in the amount of \$2,000 for the GLLEA Secretary/Treasurer position, and the MOTION carried without negative vote.

Operator License Application filed by Michael J. Becker (Fontana Shell)

All fees have been paid and there are no concerns with the background check.

Trustee Livingston/Trustee O'Neill 2nd made a MOTION to approve operator license application for Michael J. Becker (Fontana Shell), and the MOTION carried without negative vote.

Accept Resignation of Bob Kirkland from Plan Commission

Trustee Petersen/Trustee McGreevy 2nd made a MOTION to accept the resignation of Bob Kirkland from Plan Commission, and the MOTION carried without negative vote.

Appoint Lisa Laing to Plan Commission

Trustee Petersen/Trustee McGreevy 2nd made a MOTION to appoint Lisa Laing to Plan Commission, and the MOTION carried without negative vote.

Holiday Party Planning

Loomer stated she had spoke to ten pin pub and they have availability for Thursday, December 16, 2021. Loomer has also reached out to Kimkasi Pub and Abbey Resort and has not heard back. Trustees suggested Chuck's Upper Level and keeping it in Fontana.

Trustee Petersen/Trustee Livingston 2nd made a MOTION to explore all possibilities of keeping the Holiday Party in the Village of Fontana, and the MOTION carried without negative vote.

Finance Committee – President Kenny

Authorize the repayment of \$500,000 from Utilities to the General Fund

Vilona stated this is part of the ongoing payment plan for the Utilities to repay the General Fund.

Trustee Petersen/Trustee O'Neill 2nd made a MOTION to authorize the payment of \$500,000 from Utilities to the General Fund and the MOTION carried without negative vote.

Plan Commission – Trustee Petersen

Adopt Ordinance Amending Zoning Code Section 18-65(j), Regarding Temporary Storage Racks for Non-Motorized Watercraft

Trustee Petersen/Trustee Pappas 2nd made a MOTION to approve Ordinance 110121-01, Regarding Temporary Storage Racks for Non-Motorized Watercraft, and the MOTION carried without negative vote.

Adopt Ordinance Amending Zoning Code Section 18-177, Regarding Tree Preservation Requirements

Trustee Petersen/Trustee Livingston 2nd made a MOTION to approve Ordinance 110121-02, Regarding Tree Preservation Requirements, and the MOTION carried without negative vote.

Park Commission – Trustee Livingston

Annual Renewal for Tree City and Bird City Wisconsin

Trustee Petersen/Trustee Livingston 2nd made a MOTION to approve the annual renewal for Tree City and Bird City Wisconsin, and the MOTION carried without negative vote.

Approve IMBD Proclamation

Loomer stated this is the annual IMBD Proclamation.

Trustee McGreevy/Trustee Livingston 2nd made a MOTION to approve resolution 110121-02, Recognizing International Migratory Bird Day, and the MOTION carried without negative vote.

Lakefront & Harbor Committee – Trustee Pappas

Ordinance Amending Chapter 54-161(d)(5) – Parking Lot Fees – Tabled 10/4/21

Trustee Pappas stated he would like to table this to be better prepared with questions for direction.

Trustee McGreevy/Trustee O'Neill 2nd made a MOTION to table the ordinance amending chapter 54-161(d)(5)-parking lot fees, and the MOTION carried without negative vote.

Protection Committee – Trustee Prudden

Proposed Fire Hydrant Equipment Use Agreement with the Town of Linn – Tabled 10/4/21

Loomer stated she added language to state that the Town of Linn is responsible for paying for water usage. The Town of Linn did not have a Protection Committee meeting in October. Loomer asked to table the item until it is reviewed by Town of Linn.

Trustee O'Neill/Trustee Petersen 2nd made a MOTION to table the proposed Fire Hydrant Equipment Use Agreement with the Town of Linn, and the MOTION carried without negative vote.

MD-1 Memorandum of Understanding

Loomer stated from time to time when the Mercy MD-1 appears at the scene it is necessary for the physician to ride in the ambulance and this memorandum allows a member of the Fontana department to drive the MD-1 vehicle back to the department or to the destination hospital. This allows the MD-1 physician and the ambulance to return to service as quickly as possible. Loomer stated the memorandum of understanding was reviewed by Attorney Thorpe and our Insurance carrier and neither had any concerns.

Trustee McGreevy/Trustee O'Neill 2nd made a MOTION to approve the MD-1 memorandum of understanding, and the MOTION carried without negative vote.

Fire Department Staffing Figures

Trustee Prudden stated he would ask to table this and allow it to be taken to the Protection Committee for review first.

Trustee Petersen/Trustee O'Neill 2nd made a MOTION to table Fire Department Staffing Figures, and the MOTION carried without negative vote.

HR Committee – President Kenny

WPPA Contract Amendment

This item was discussed in closed session.

Trustee Prudden/Trustee Livingston 2nd made a MOTION to amend the WPPA contract to extend the residency requirement from a 20 to 30-mile radius, and the MOTION carried without negative vote.

2022 Salary Resolution

This item was discussed in closed session.

Trustee Livingston/Trustee Pappas 2nd made a MOTION to approve the 2022 salary schedule, as presented, and the MOTION carried without negative vote.

Village Treasurer Position

This item was discussed in closed session.

Trustee McGreevy/Trustee Prudden 2nd made a MOTION to promote Stephanie Smith to the Treasurer/Deputy Clerk position and move Treasurer Scott Vilona to a contracted position, with the expectation a contract will be brought back for review next month, and the MOTION carried without negative vote

Closed Session

Trustee Pappas/Trustee O'Neill 2nd made a MOTION at 5:26 pm to go into closed session pursuant to Pursuant to Wis. Stats. Chapter 19.85(1)(e), "Deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session," specifically WPPA Contract Amendment and 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 Building Inspection Hiring Update, Village Treasurer Position, Employee Reviews and 2022 Salary Schedule.

The roll call vote was as follows:

Trustee Livingston – Aye

President Kenny – Aye

Trustee Pappas – Aye

Trustee Prudden – Aye

Trustee O’Neill – Aye

Trustee Petersen – Aye

Trustee McGreevy - Aye

The MOTION carried without negative vote.

Adjournment

Trustee Livingston/Trustee Petersen 2nd made a MOTION at 5:37 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: 12/06/2021