

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

(Official Minutes)

VIRTUAL MONTHLY MEETING of the VILLAGE BOARD OF TRUSTEES

Monday, November 2, 2020

Village President Pat Kenny called the virtual meeting of the Village Board to order at 3:02 pm.

Trustees Present by Phone: Roll call vote: President Kenny, Trustee Pappas, Trustee Prudden, Trustee O'Neill

Trustees Absent: Trustee Livingston, Trustee McGreevy, Trustee Petersen

Also Present by Phone: Greg Blizard, Jeff Cates, Kevin Day, Thomas Freytag, Theresa Loomer, Bonnie Schaeffer, Mike Slavney, Randy Smith, Stephanie Smith, Terry Tavera, Kiera Theys, Dale Thorpe, Scott Vilona

Visitors Heard

None

Approval of Minutes

The minutes for the meetings held on October 5, 2020 and October 8, 2020 (open & closed) were distributed to board members via email.

Trustee O'Neill/Trustee Prudden 2nd made a MOTION to approve the minutes from October 5, 2020 and October 8, 2020 (open and closed) meetings, as submitted, and the MOTION carried without negative vote.

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

Trustee O'Neill/Trustee Prudden 2nd made a MOTION to approve the Treasurer's Report, 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 Prudden/Trustee Pappas 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

2021 Service Agreement update with Johns

The Village Board already approved the changes in September. The contract has been updated since Johns Disposal took over garbage service for Keizer and Sons and reflects the two percent increase the Village Board approved in September.

Trustee Pappas/Trustee Prudden 2nd made a MOTION to approve the 2021 Service Agreement with Johns Disposal, and the MOTION carried without negative vote.

Consider Lake Assault Contract for Fire Boat Repairs

After the Fire Boat was submerged in the lake this summer it was taken to Lake Assault for repairs. Lake Assault has estimated the repairs to be \$100,558.00 and the insurance is going to cover repairs. The Village has already received a check in the amount of \$60,000 from the insurance company towards repairs. Lake Assault is requiring a signed contract and half down before proceeding.

Trustee Pappas/Trustee O'Neill 2nd made a MOTION to approve the proposed contract with Lake Assault in the amount of \$100,558.00, and the MOTION carried without negative vote.

Consider Lasefiche Licensing and Service Agreement with Gordon Flesch

The Laserfiche Licensing concept has already been presented to the Village Board and approved. This is the actual contract and servicing agreement. The contract is for a one-time fee of \$5,850 and the agreement is for

the yearly fee in the amount of \$4,700. The Village has funds left in the Cares Act that expires November 6, 2020 and Gordon Flesch has agreed to allow us to pay for this year and next so the Village is able to utilize the remaining funds.

Trustee Prudden/Trustee Pappas 2nd made a MOTION to approve the contract in the amount of \$5,850 and the yearly service agreement in the amount of \$4,700 annually for the next three years, and the MOTION carried without negative vote.

Village Hall Office Hours

The glass partition is up at the Village Hall. The doors have been open for in-person absentee voting and for Library patrons that need to access the elevator. The Library currently has hours from 10:00 am to 2:00 pm. Loomer suggested mirroring the Library hours for the present time.

Trustee Prudden/Trustee O'Neill 2nd made a MOTION to approve the Village Hall Office Hours of 10:00 am – 2:00 pm, and the MOTION carried without negative vote.

Accept Resignation of Scott Ripkey from the Zoning Board of Appeals

Trustee Prudden/Trustee O'Neil 2nd made a MOTION to accept the resignation of Zoning Board of Appeals member Scott Ripkey, and the MOTION carried without negative vote.

Appoint Ron Nyman to Zoning Board of Appeals

Trustee Pappas/Trustee O'Neill 2nd made a MOTION to appoint Ron Nyman to the Zoning Board of Appeals, and the MOTION carried without negative vote.

Appoint Lisa Laing to Library Board

Trustee Prudden/Trustee O'Neill 2nd made a MOTION to appoint Lisa Laing to the Library Board, and the MOTION carried without negative vote.

Public Works Committee – Trustee O'Neill

S. Lakeshore Drive Construction Update

Village Engineer Terry Tavera stated the S. Lakeshore Drive project is moving along. The tunnel is finished, and backfilling is being done and road work above the tunnel will begin next week. With the colder temperatures expected in the coming weeks Wanasek is probably not going to be able to have the surface asphalt layer done. Tavera stated everything that has been disturbed will be paved so the road can be open. President Kenny stated it would be best to wait until spring to complete the surface asphalt so the temperature is warmer and the finished product will be much better.

S. Lakeshore Drive Reconstruction Change Order No. 6

Tavera stated these changes have already been approved by the Village Board.

Trustee Pappas/Trustee O'Neill 2nd made a MOTION to approve S. Lakeshore Drive Reconstruction Change Order No. 6 for the increased price of \$12,793.41, and the MOTION carried without negative vote.

S. Lakeshore Drive Reconstruction Payment Recommendation No. 7

The payment recommendation was reviewed by the Village engineer and is recommended for approval.

Trustee Pappas/Trustee O'Neill 2nd made a MOTION to approve the S. Lakeshore Drive Reconstruction Project Payment Recommendation No. 7 for an amount not to exceed \$659,574.16, and the MOTION carried without negative vote.

Lake Street and Beach Parking Lot Reconstruction Change Order No. 2

Tavera stated that the change order is to complete the formalized process. The changes have already been previously approved.

Trustee Prudden/Trustee O'Neill 2nd made a MOTION to approve Lake Street and Beach Parking Project Change Order No. 2 for a decrease in price of \$74,959.72, and the MOTION carried without negative vote.

Lake Street and Beach Parking Lot Reconstruction Payment Recommendation No. 4

The payment recommendation was reviewed by the Village engineer and is recommended for approval. Tavera stated they are withholding \$5,000 in retainage until spring.

Trustee Prudden/Trustee O'Neill 2nd made a MOTION to approve the Lake Street and Beach Parking Lot Reconstruction Payment Recommendation No. 4 for an amount not to exceed \$41,618.51, and the MOTION carried without negative vote.

2020 Street Resurfacing Projects Payment Recommendation No. 2

The payment recommendation was reviewed by the Village engineer and is recommended for approval.

Trustee Pappas/Trustee O'Neill 2nd made a MOTION to approve the 2020 Street Resurfacing Projects Payment Recommendation No. 2 for an amount not to exceed \$46,992.20, and the MOTION carried without negative vote.

DNR Surface Water Planning Grant and Resolution

Tavera stated this is for a study grant for the area downstream from Big Foot Country Club. For the Village to be able to apply for the grant the DNR is requiring a Resolution be signed.

Trustee O'Neill/Trustee Pappas 2nd made a MOTION to approve resolution 110220-01 in support of a surface water grant for tributary to Potawatomi Creek, and the MOTION carried without negative vote.

DNR Construction Grant for Club Unique Creek Update

Tavera stated the Village previously approved applying for a construction grant for the channelization of the Club Unique Creek; however, in order to proceed, the DNR needs an easement from Club Unique and final plans. Tavera explained that at this time the required information has not been obtained.

Plan Commission – Trustee Petersen

Consider Utility Easement for the property located at 619 Agaming Road

Attorney Dale Thorpe stated the Village Board adopted a code section that stated if a Village utility is found during construction with no proper easement an easement must be recorded before a permit can be issued. The easement document before the Village Board tonight is to memorialize the old utility line that was found and obtain proper documentation as required by Village code.

Trustee Pappas/Trustee O'Neill 2nd made a MOTION to approve the Utility Easement Agreement for the property located at 619 Agaming Road, and the MOTION carried without negative vote.

Floodplain and Shoreland/Wetland Ordinance Amendment Proposal

Loomer stated the original proposal to update the Village codes was for \$2,000 and the final bill came in much higher than the original proposal. Village Planner Mike Slavney explained after starting on the updates it was discovered that FEMA, DNR and SEWRPC had recently changed their requirements. The new requirements have resulted in more mapping and code writing. Slavney stated the Village cost is going to be \$6,500 to have all codes updated and mapping completed.

Trustee Prudden/Trustee Pappas 2nd made a MOTION to approve the updated Floodplain and Shoreland/Wetland Ordinance Amendment Proposal in the amount of \$6,500, and the MOTION carried without negative vote.

Finance Committee – President Kenny

Approve RFP's for Attorney, Auditor, Prosecutions and Planning Service

RFP's were posted for Cleaning, Attorney, Auditor, Prosecutions and Planning Service. The Village did not receive any responses for Cleaning services. The Finance Committee has recommended staying with the current providers being utilized by the Village.

Trustee Prudden/Trustee Pappas 2nd made a MOTION to approve awarding Attorney and Prosecution Services to Thorpe and Christian, Auditor Service to Sitzberger and Planning Service to VandeWalle and Associates, and the MOTION carried without negative vote.

FW/WPCC – Trustee O’Neill

IGA 14th Amendment

Trustee O’Neill stated the amendment it to reflect the addition in infrastructure and the added value with the phosphorus removal project.

Trustee Prudden/Trustee O’Neill 2nd made a MOTION to recommend approval the FW/WPCC IGA 14th Amendment, and the MOTION carried without negative vote.

Phosphorus Removal Payment Recommendation No. 4

Trustee O’Neill stated the project is moving along and at approximately 49.7% completion. The engineers have approved and recommend approval of payment.

Trustee Prudden/Trustee Pappas 2nd made a MOTION to approve Phosphorus Removal Payment Recommendation No. 4 for an amount not to exceed \$211,515.53, and the MOTION carried without negative vote.

Phosphorus Removal Payment Recommendation No. 5

Engineers have approved and recommend approval of payment.

Trustee Prudden/Trustee Pappas 2nd made a MOTION to approve Phosphorus Removal Payment Recommendation No. 5 for an amount not to exceed \$76,733.82, and the MOTION carried without negative vote.

Geneva Lake Use Committee – Trustee Petersen

Noise Ordinance Proposal

Chief Cates stated that currently each municipality has their own noise ordinance, and the Geneva Lake Law Enforcement Agency is having a hard time interpreting whose water they are in. The proposed noise ordinance would be uniform across the lake. Pappas has some concern that 75-feet from a boat is very restrictive. President Kenny stated he believes it would be handled with discretion.

Trustee O’Neill/Trustee Prudden 2nd made a MOTION to approve the Noise Ordinance Proposal as presented, and the MOTION carried with Trustee Pappas opposed.

Park Commission – Trustee Livingston

Park Permit Application filed by Jasmine Brewer for Reid Park Gazebo on Saturday, June 26, 2021 at 3:00 pm

Trustee Livingston was not present, and the Village Board had some questions in regard to the event being held.

Trustee O’Neill/Trustee Prudden 2nd made a MOTION to send the application back to the Park Commission for a recommendation and table until the next meeting, and the MOTION carried without negative vote.

Park Permit Application filed by Big Foot Recreation Department for Doggy Egg Hunt on Saturday, April 10, 2021 at 1:00 pm

Loomer stated this is the same event they have held the past couple years. The Big Foot Recreation Department would like the Village to act on this as they are putting together their Spring program.

Trustee O’Neill/Trustee Prudden 2nd made a MOTION to approve the park permit application filed by Big Foot Recreation Department for Doggy Egg Hunt on Saturday, April 10, 2021, and waive the requirement of no dogs per Chapter 10-6, and the MOTION carried without negative vote.

Park Permit Application filed by Chase Woods for Reid Park Gazebo on Saturday, December 12, 2020 from 2:00 pm to 6:00 pm

Trustee Prudden/Trustee Pappas 2nd made a MOTION to approve the park permit application filed by Chase Woods for Reid Park Gazebo on Saturday, December 12, 2020 from 2pm to 6pm, and the MOTION carried without negative vote.

Annual Renewal Application for Tree City and Bird City Wisconsin

Trustee Prudden/Trustee O’Neill 2nd made a MOTION to approve the annual renewal application for Tree City and Bird City Wisconsin, and the MOTION carried without negative vote.

IMBD Proclamation

Loomer stated this is the annual resolution to recognize International Migratory Bird Day and required to keep our Bird City status.

Trustee Prudden/Trustee Pappas 2nd made a MOTION to approve Resolution 110220-02 recognizing International Migratory Bird Day, and the MOTION carried without negative vote.

Protection Committee – Trustee Prudden

Participation in Walworth County’s Multijurisdictional Hazard Mitigation Plan

Trustee Prudden stated the Multijurisdictional Hazard Mitigation Plan is tied to a grant. Chief Cates explained that by the Village participating in the plan if there was a natural disaster the Village would be able to receive funds from FEMA.

Trustee Prudden/Trustee O’Neill 2nd made a MOTION to approve participation in the Walworth County’s Multijurisdictional Hazard Mitigation Plan, and the MOTION carried without negative vote.

Assign Member of Emergency Management Committee to Represent Village for Multijurisdictional Plan

Chief Cates volunteered to represent the Village as a member of the Emergency Management Committee.

Trustee Pappas/Trustee O’Neill 2nd made a MOTION to approve the assignment of Chief Cates to represent the Village as a member of the Emergency Management Committee, and the MOTION carried without negative vote.

Adjournment

Trustee O’Neill/Trustee Pappas 2nd made a MOTION at 3:38 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: 12/07/2020