

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

(Final Minutes)

Joint Meeting of the VILLAGE OF FONTANA FINANCE COMMITTEE &
Joint Meeting of the VILLAGE OF FONTANA BOARD OF TRUSTEES
Thursday, November 3, 2022

The Joint Meeting of the Village of Fontana Finance Committee & Joint Meetings of the Village of Fontana Board of Trustees was called to order by President Kenny for both the Finance Committee and the Village Board of Trustees at 4:00 pm on Thursday, November 3, 2022.

Finance Committee Members Present: President Kenny, Trustee Marek, Jim Feeney, Bob Klockars, Rob Rowe (4:16)

Finance Committee Members Absent: Mike Sheyker, Thomas Freytag

Village Board Members Present: President Kenny, Trustee Petersen, Trustee Livingston, Trustee Pappas (4:02), Trustee Marek, Trustee O'Neill (4:21), Trustee McGreevy

Also Present: Liz Baumann, Chief Cates, Kevin Day, Attorney Richard Donner, Larry Larkin, Sarah Lobdell, Theresa Loomer, Scott Lowell, Drew Lussow, Chief Nitsch, Scott Vilona, Tom Whowell

Visitors Heard

None

General Business – Finance Committee

Geneva Lake Level Corp. Dam Repairs Request

Larry Larkin gave a brief presentation and history on the Geneva Lake Dam. In his presentation he informed the Village Board and Finance Committee that based on recent inspections of the Dam the inspectors noticed that there is failing concrete within the Dam along with additional issues. Based on these findings it is believed that the Dam can continue to operate currently as is for approximately another year before the damage may become too severe. Mr. Larkin stated the quote from Kapoor to have the repairs completed is an estimated total of \$365,000. Mr. Larkin stated that typically the Village of Fontana contributes a 25% share as one fourth of the municipalities in the area who help support the Dam. If the Village of Fontana were to contribute its anticipated 25% share, he projects that the Village of Fontana would need to contribute an estimated \$91,200 approximately. However, Mr. Larkin did state that there are still ongoing tests and that a final estimate wouldn't be ready until sometime next year. The Village Board and Finance Committee appreciated Mr. Larkin's information and decided to invite him back in the fall of next year prior to the Village finalizing their budget so that the Dam repairs could be appropriately factored into the 2024 budget and hopefully the Geneva Lake Level Corp. would have a concrete estimate for all the costs at that time.

2023 General Fund Budget Review – Finance Committee Recommendation

Scott Vilona provided a recap of next year's budget and all revisions made since the last Finance Committee meeting. Vilona touched on all the major budget items that were outlined in the 2022 Final Village of Fontana General Fund Budget document that was provided at the meeting and discussed at prior Finance meetings. Vilona also explained that the TID will no longer require the General Fund to cover its shortfalls in 2023 and the TID will begin paying back its debt. Administrator Loomer stated two budgets are being presented and recommended for approval, but the budget to be published and carried forward is dependent on whether the \$678,077 EMS Referendum passes or fails at next week's General Election. Since we won't know that information in advance, we need to prepare the Village for both outcomes. This included discussion on if the Referendum should not pass that things might need to be removed from the current budget to make it balance properly. The discussed items included the countywide radio project for \$261,000 and the Shabbona Drive outfall project for an estimated \$250,000. Those projects could be completed using a bank loan, if necessary.

Member Feeney/Member Klockars 2nd made a Motion to make a recommendation to the Village Board to approve the two 2023 budgets, as discussed, one with the Referendum passing and one without the Referendum passing, with the appropriate notice to be published after the General Election Results are received and based upon the outcome referendum question. The MOTION

carried without negative vote.

Joint Business – Village Board

Village Board Approval to Publish Notice of Public Hearing

After the presentation of the 2023 General Fund Budget, the Village Board approved the budget, as presented, and directed staff to publish the appropriate hearing notice pending the referendum results after the General Election.

Trustee Pappas/Trustee McGreevy 2nd made a MOTION to approve the publishing of a notice of public hearing in regards to the 2023 Budget pending the outcome of the referendum results in the November General Election, as recommended by the Finance Committee, and the MOTION carried without negative vote.

Adjournment Finance Committee

Member Klockers/Member Freytag 2nd made a Motion to adjourn the Finance Committee meeting at 4:27 pm, and the MOTION carried without negative vote.

Approval of Village Board Minutes

The minutes for the October 3, 2022 meeting were distributed.

Trustee O’Neill/Trustee Petersen 2nd made a MOTION to approve the minutes from the October 3, 2022 meetings, as submitted, and the MOTION carried without negative vote.

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

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

Approval of Village and Utility Payables

Trustee Petersen/Trustee Marek 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 or Action on Hwy 67 Path as part of Future DOT Road Reconstruction Project

Administrator Loomer explained to the Village Board that DOT has proposed a 20/80 cost sharing split for installing a path during the Hwy 67 Reconstruction Project expected to take place between 2026 and 2028. In today’s dollars, the 20% cost is estimated to be around \$35,000 for the Village of Fontana. The state needs this approval of the project and cost sharing to move forward with the work.

Trustee McGreevy/Trustee Livingston 2nd made a MOTION to approve the Hwy 67 path and future DOT road reconstruction project and the 20/80 cost sharing split for the project, as presented, and the MOTION carried without negative vote.

Discussion or Action on Walworth County ATV Ordinance Proposal

Administrator Loomer explained to the Board that Walworth County reached out to all municipalities in Walworth County, including the Village of Fontana regarding implementing an ordinance regarding ATVs on the roadways in the Village. The Board has the options of adopting an ordinance to allow ATVs, adopting an ordinance to disallow ATVs, or do nothing and leave the ATVs to be enforced how they currently are by state law. After some discussion amongst the Board and input from Chief Cates regarding how they’ve already went through a similar situation with golf carts, he felt it would be in the Village Board’s best interest to do nothing. The Village Board agreed and determined that they would not adopt the ordinance and would continue to leave the ATVs to be enforced by the current state laws.

Revised Deer Bow Hunting Resolution

Administrator Loomer stated a hunter was added to the list of approval on the County B lots.

Trustee Livingston/Trustee McGreevy 2nd made a MOTION to approve the revised Deer Bow Hunting Resolution 110322-01, as presented, and the MOTION carried without negative vote.

Operator License Application filed by Ranvir Singh for Fontana Shell

Chief Cates spoke and said the background check went well and no issues were raised.

Trustee Livingston/Trustee McGreevy 2nd made a MOTION to approve the Operator License Application filed by Ranvir Singh for the Fontana Shell, and the MOTION carried without negative vote.

Resignation of Derek D’Auria from Fontana Board of Appeals

Trustee McGreevy/Trustee Petersen 2nd made a MOTION to approve the resignation of Derek D’Auria from the Zoning Board of Appeals, and the MOTION carried without negative vote.

GLEA – President Kenny

Discussion or Action on GLEA Letter of Support for DNR AIS Control Grant

Administrator Loomer informed the Village Board that the GLEA is seeking a letter of support for a DNR AIS Control Grant. This letter of support would allow the GLEA to pursue a CD3 portable version to clean boats that use the lake. President Kenny also stated that he knows of two municipalities who are going forward with the grant to use on the portable versions but that we could wait and see as a community if it would be necessary for us or how it might work out for the other two municipalities first before we go forward with it. The letter itself would just to be showing that we support the pursuit on the GLEA’s behalf.

Trustee Pappas/Trustee Petersen 2nd made a MOTION to approve a letter of support from the Village of Fontana to the GLEA regarding the DNR AIS Control Grant, and the MOTION carried without negative vote.

Public Works Committee – Trustee O’Neill

Discussion or Action on Reduced Insurance Coverage Amounts for Beach House Roof Repairs

Administrator Loomer stated the low (and only) bidder for the roof repairs did not have the proper level of insurance coverage for the project. Both the Village’s insurance company and the village’s engineer signed off on the reduced level of coverage.

Trustee O’Neill/Trustee Pappas 2nd made a MOTION to approve the insurance as provided by the low (and only bidder) on the Beach House Roof Repair Project, and the MOTION carried without negative vote.

STP Grant Results for Shabbona Drive

Administrator Loomer stated the Village did not receive the STP Grant.

Plan Commission – Trustee Petersen

Proposal to Amend Comprehensive Plan – Regarding Text Amendments to the Central Mixed Use Land Use Category and Receive Recommendation from the Plan Commission

Trustee Petersen informed the Village Board that at the recent Plan Commission meeting the Commission chose to deny the application filed by the Abbey Provident for a Comprehensive Plan text amendment to the central mixed use land use category. Attorney Richard Donner spoke on behalf of the applicant and stated that the Abbey Provident will file revised plans that compromise on the use and has some retail space on the bottom. Trustee Petersen stated he appreciated the information and once a proper application or document has been submitted it will go through the proper channels for review and most likely back to the Plan Commission for further discussion before it comes before the Village Board.

Protection Committee – Trustee Petersen

Update on EMS Referendum and Staffing

Administrator Loomer gave an update how the election is approaching, and that the final town hall meeting would be taking place tonight following the joint Finance and Village Board meeting. It would be the last time before the Election to educate on the referendum besides continuing to refer people to the website and flyers.

Discussion or Action on Proposed House Burn at 569 Mill Street

Chief Nitsch stated that the burn at 569 Mill Street is tentatively scheduled for Saturday, November 5 at around 8:00 am. If the weather or winds do not permit the burn to happen it will be rescheduled to Sunday, November 6. The Board asked if barriers and the surrounding neighborhood would be notified of such. Chief Nitsch responded by saying his staff has been going around to the surrounding homes and businesses to let them know it is taking place and the response has been positive. He also included that the area would be properly secured so people would not put themselves in danger.

Trustee O’Neill/Trustee McGreevy 2nd made a MOTION to approve the proposed house burn at 569 Mill Street on Saturday, November 5th with a stipulation that if winds and weather do not permit that the burn can be rescheduled for Sunday, November 6th, and the MOTION carried without negative vote.

Discussion or Action on Coyote Trapping

Chief Cates addressed the Village Board regarding the topic of coyote trapping. Chief Cates explained that there was a recent incident where a local pet was killed on Mill Street by a coyote. Chief Cates informed the Village Board also that his department has seen an uptick in calls in relation to coyote sightings and realizes that it’s nature, however, he does believe that the population of these coyotes could be suppressed a bit. Chief Cates took the initiative to reach out to a local trapper who explained to him that his fees would be approximately \$400 for setup and a \$100 per animal fee. Chief Cates feels this is reasonable and would also show the community that the Village is taking action to prevent future incidents from happening.

Trustee Pappas/Trustee Marek 2nd made a MOTION to approve the hiring of a trapper at the fee rate of a \$400 setup and \$100 per animal fee to help dwindle some of the growing coyote population, and the MOTION carried without negative vote.

Closed Session – President Kenny

Trustee Petersen / Trustee Livingston 2nd made a MOTION to go into Closed Session at 5:06 pm Pursuant to Wis. Stats. Chapter 19.85(1)(g), “Conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved.” specifically Zoning Board of Appeals Case Regarding Lot 9, Club Unique.

The roll call vote was as follows:

President Kenny – Aye

Trustee Pappas – Aye

Trustee Petersen – Aye

Trustee Marek – Aye

Trustee O’Neill – Aye

Trustee McGreevy – Aye

Trustee Livingston – Aye

The MOTION carried 7-0 without a negative vote

Adjourn Closed Session

Trustee Marek/Trustee Livingston 2nd made a MOTION to go into open session at 5:07 pm, and the MOTION carried without negative vote.

Zoning Board of Appeals Case Regarding Lot 9, Club Unique

This item was discussed in closed session.

Adjournment Village Board

Trustee O’Neill/Trustee McGreevy 2nd made a MOTION at 5:08 pm to adjourn the meeting, and the MOTION carried without negative vote.

Minutes prepared by: Drew Lussow, Village Clerk

Approved: 12/05/2022