

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

(Official Minutes)

2020 Budget Planning Meeting of the
VILLAGE OF FONTANA BOARD OF TRUSTEES & FINANCE COMMITTEE
and
SPECIAL JOINT SESSION MEETING of the VILLAGE OF FONTANA BOARD OF
TRUSTEES & PLAN COMMISSION
November 4, 2019 @ 5:00 pm

Deputy Clerk/Treasurer Stephanie Smith called the 2020 Budget Planning meeting of the Village of Fontana Board of Trustees and Finance Committee to order at 5:00 pm in the Village Hall, 175 Valley View Drive, Fontana, Wisconsin.

Trustees Present: Roll call vote: Trustee McGreevy, Trustee Petersen, Trustee O'Neill, Trustee Livingston

Trustees Absent: Trustee Pappas, President Kenny, Trustee Prudden

Finance Committee Members Present: Jim Feeney, Tom Marek, Bob Klockars, Mike Sheyker, Bill Grunow

Finance Committee Members Absent: President Kenny, Tom Freytag

Also, Present: Kevin Day, Christina Green, Theresa Loomer, James McAvoy, Debra Pierce, Mike Slavney, Ben Rohr, Stephanie Smith, Terry Tavera, Dale Thorpe, Scott Vilona

Elect Chairman Pro-Tem for Village Board

Trustee Livingston/Trustee McGreevy 2nd made a MOTION to elect Trustee Petersen as the Chairman pro-tem. The MOTION carried without negative vote

Visitors Heard

None

Joint Session Business

2020 General Fund Budget Review – Finance Committee Recommendation

Vilona went through the proposed budget including revenues and expenditures. The Finance Committee had previously approved to pull the deficit amount of \$25,348 from working capital. Vilona explained that since the last finance meeting there have been some changes in the budget. The revenue amount has increased by \$17,296 as a result of the rent revenue being excluded from the last budget revision and there were some formula errors, so the amount of expenses has decreased by \$51,659. With the changes, the amount the budget projects to add \$43,607 to the unassigned fund balance. Finance Committee members asked if the presented changes reflected the full figure requested by the library to include wage increases for the director and children's librarian, and Vilona replied that it does. Loomer stated the library board had already approved the raises which would be an increase for the director in the amount of \$7,500 or 14.28% and the youth librarian in the amount of \$10,000 or 28.9%. Vilona explained that the finance committee can only change the amount authorized to fund the library and if the committee decides not to approve the full amount requested the library board could take the money from other library fund sources. The committee recommended decreasing the funding for the library by \$10,011 and recommend the library board reconsider the substantial pay increases. Vilona stated that with the recommendation to decrease the requested funding for the library the mill rate would change from 3.1422 to 3.097 and results in a decrease of 5.85% from last year.

Finance Committee member Feeney/Finance Committee member Marek 2nd made a MOTION to recommend the Village Board approve setting the public hearing for the budget as presented with a reduction in the allocation to the library from \$297,064 to \$287,053, and make a recommendation to the Library Board reconsider the wage increases to half the amount proposed for the library director and youth librarian, and results in a 5.85 percent decrease in the MIL rate over last year for the 2020 General Fund Budget, and the MOTION carried without negative vote.

Village Board Approval to Publish Notice of Public Hearing

Trustee Livingston/Trustee McGreevy 2nd made a MOTION to set the budget public hearing for Monday, December 9, 2019, and the MOTION carried without negative vote.

2020 Bonding Schedule and CIP Projects

Loomer stated the finance committee had not yet had a chance to review the 2020 bonding schedule. The board previously approved stubbing in the sewer main along S. Lakeshore Drive and the estimated cost is \$2,000,000, but without any plans to force hookup to the system, it would be a large expense for something that may never be used. Last week at the public works meeting the committee recommended that instead of spending \$2,000,000 to move the sanitary sewer off the lakefront where it currently runs and install it for possible future use, they recommended installing casing sleeves under the road along the north side of S. Lakeshore Drive for future location of the sanitary sewer main if needed. To install the casing sleeves, it would cost approximately \$100,000 plus contingencies. Loomer asked for feedback on whether the finance committee and board agreed this was a better use of funds and everyone seemed to agree.

Adjournment Finance Committee

Finance Committee member Feeney/Finance Committee member Marek 2nd made a MOTION at 5:23 pm to adjourn the finance committee meeting, and the MOTION carried without negative vote.

Approval of Minutes

The minutes for the meetings held on October 2, 2019 were distributed.

Trustee McGreevy/Trustee Livingston 2nd made a MOTION to approve the minutes from the October 2, 2019 meetings, as submitted, and the MOTION carried without negative vote.

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

Trustee Livingston/Trustee McGreevy 2nd made a MOTION to approve the Vendor Report and Payroll Overtime Report, as distributed, for October, 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, and the MOTION carried without negative vote.

General Business – President Kenny

Lifesaving Award Presentation by Belvidere Park

Belvidere Park President Dave Huskin thanked the first responders who helped to rescue and save the life of a visiting guest. Chief Nitsch presented plaques to the first responders for their efforts.

Water Safety Patrol Agreement for 2020

Trustee McGreevy/Trustee O'Neill 2nd made a MOTION to approve the proposed contract with the Water Safety Patrol for 2020 services in the amount of \$40,896.00, and the MOTION carried without negative vote.

Approval of Operator's License Applications for Danielle Bonngard (Abbey) and Jordan Black (Shell)

The \$60 fees have been paid and the background checks are clear.

Trustee McGreevy/Trustee Livingston 2nd made a MOTION to approve the Operator's License applications filed by Danielle Bonngard and Jordan Black, the MOTION carried without negative vote.

Appointment of Mark Gerard to Protection Committee

Trustee Livingston/Trustee McGreevy 2nd made a MOTION to approve the appointment of Mark Gerard to Protection Committee, the MOTION carried without negative vote.

Authorize Treasurer to Transfer \$1,000,000.00 from Utility Checking Account to the General

Fund's Checking Account

Trustee Petersen questioned why the transfer needs to be done. Vilona stated that the utility account has been building a balance as a result of PSC rate increase and the village has been waiting to transfer until there was better knowledge of the schedule.

Trustee McGreevy/Trustee Livingston 2nd made a MOTION to authorize the transfer of \$1,000,000.00 from the utility checking account to the general fund checking account, and the MOTION carried without negative vote.

Adopt Social Media Policy

Loomer stated the tourism commission has already authorized funding services from Archive Social to backup social media data in order to comply with open records requests. The social media policy presented lays guidelines for village social media accounts as well as employees personal use of social media. Loomer stated the employee handbook already has a policy on social media conduct which is more of a guideline for handling media requests and she would like to add the proposed social media policy to the handbook as well.

Trustee Livingston/Trustee McGreevy 2nd made a MOTION to adopt social media policy and add it to the employee handbook, and the MOTION carried without negative vote.

Consider Adoption of Amendment to Resolution No. 06-03-02-2 with Regard to the Authority Delegated by the Village Board to the Village Community Development Authority

Mike Slavney explained that currently any projects within the village center go to the CDA for architectural review. The question was raised weather or not it is necessary to have a CDA and if it would save time by not delaying projects and giving the plan commission authority to approve.

Trustee Petersen stated there is no good reason to change and it is there to protect funds. Loomer stated that the CDA has not been very involved in the last few years and that architectural review is also completed by staff, the village planner, the plan commission and village board.

Trustee Petersen/Trustee McGreevy 2nd a MOTION to leave the CDA as is, and the MOTION carried without negative vote.

Quote submitted by Schaeffer Municipal Services, LLC to Update Sign and Conditional Use Permit Ordinances

Loomer stated there are funds in the 2019 budget for updating the sign and conditional use permit ordinances which are out of compliance with state statutes. Zoning Administrator submitted a quote in the amount of \$6,500 to amend the ordinances and bring them into compliance. Trustee Petersen agreed that updates need to be made.

Trustee McGreevy/Trustee Livingston 2nd made a MOTION to approve the quote submitted by Schaeffer Municipal Services, LLC for the amount not to exceed \$6,500, and the MOTION carried without negative vote.

Public Works- Trustee O'Neill

S. Lakeshore Drive Project Update

Village engineer Terry Tavera stated that progress is ongoing and on schedule. He stated that he has met with many private property owners as well as associations and for the most part all have been positive in allowing the Village to work on their property, mostly in the capacity of stormwater management. Tavera stated they still need to obtain a few easements and hope to begin in the next couple of weeks. He anticipates having plans out to the private utility companies by the end of the week and have the project out for bid in January.

GLEA

GLEA 2020 Proposed Budget

Trustee O'Neill/Trustee McGreevy 2nd made a MOTION to approve the GLEA 2020 presented in the amount of \$45,000, and the MOTION carried without negative vote.

Letters of support for GLEA Grants

Trustee McGreevy/Trustee O'Neill 2nd made a MOTION to approve the support of the GLEA application of WI DNR clean boat, clean waters grant, and the MOTION carried without negative vote.

Trustee Livingston/Trustee McGreevy 2nd a MOTION to approve the support of the GLEA application of WI DNR safe water grant, and the MOTION carried without negative vote.

Plan Commission- Trustee Prudden

Zoning District and/or Map Amendment Application Filed by James McAvoy to Rezone a 7.09 acre Project area from A3 to A4 and to Rezone Remaining 27.72 acres from A3 to A2 for Parcel EW 100005, located at W6060 Willow Bend Road in the ETZ

Trustee McGreevy/Trustee O'Neill 2nd made a MOTION to approve zoning district and/or map amendment application filed by James McAvoy to rezone a 7.09 acre project from A3 to A4 and to rezone remaining 27.72 acres from A3 to A2 for parcel EW 100005, located at W6060 Willow Bend Road in the ETZ with the following conditions:

1. The proposed A-4 Zoning is consistent with the Walworth County 2050 Comprehensive Land Use Plan.
2. The proposed A-2 Zoning for the remainder of the property is appropriate for agricultural and residential use.

The MOTION carried without negative vote.

Conditional Use Permit Application Filed by James McAvoy for Boat Storage at W6060 Willow Bend Road in the ETZ

Trustee McGreevy/Trustee O'Neill 2nd made a MOTION to approve CUP application filed by James McAvoy for boat storage at W6060 Willow Bend Road in the ETZ with the following conditions:

1. The Town of Walworth Board approved the conditional use permit conditioned upon Board approval of colors, using existing stock for landscaping with no permanent outdoor storage, to install a gate on Willow Bend Road, no in-out service, obtain fire department access approval letter.
2. The proposed project will not result in a substantial or undue adverse impact on nearby property, the character of the neighborhood, environmental factors, traffic factors, parking, public improvements, public property or rights-of-way, or other matters affecting the public health, safety or general welfare, either as they now exist or as they may in the future.
3. The applicant has proposed a ten (10) year time frame for project completion.
4. Subject to Village Engineer final approval of the stormwater management plan
5. Perimeter landscaping shall be installed in 2020.

The MOTION carried without negative vote.

Repeal and Recreate Ordinance Section 18-40 (IV)(d)(3) of the Municipal Code Regarding Abbey Harbor Marina Zoning Sub-District located at 271 Fontana Boulevard

Mike Slavney, village planner stated that the current ordinance of the municipal code regarding abbey harbor marina zoning sub-district does not allow for an outdoor pavilion and with the ordinance amendment it will allow for this.

Trustee O'Neill/Trustee McGreevy 2nd made a MOTION to approve Ordinance 110419-01, repealing and recreating section 18-40 (IV)(d)(3) of the municipal code regarding Abbey Harbor Marina zoning sub-district located AT 271 Fontana Boulevard, and the MOTION carried without negative vote.

Conditional Use Permit Application Filed by Abbey Harbor Condominium Association for Outdoor Pavilion at 271 Fontana Boulevard

Trustee Livingston/ Trustee McGreevy 2nd made a MOTION to approve CUP application filed by Abbey Harbor Condominium Association for outdoor pavilion at 271 Fontana Boulevard Requires a Limited Conditional Use Permit specifying the following:

1. Approval of a CUP to allow for a 24' x 48 open air pavilion with an outdoor service bar [Sec. 18-40(IV)(d)(3)]
2. The outdoor service bar area shall not exceed 400 square feet in size and shall have a capacity of not more than 25 persons.
3. The structure shall be located a minimum of 30' from the water's edge.
4. The structure shall have a maximum height of 18 feet.

5. The exterior of the structure shall be of materials made to match the principal building (Harbor House).
6. Construction plans shall be reviewed and stamped (signed off by) a Wisconsin certified architect or engineer.
7. All outstanding cost recovery fees billed to date applicable to this project shall be paid prior to the issuance of any building & zoning permits. This condition does not alleviate the applicant from any cost recovery fees not yet billed.
8. An as-built survey shall be required depicting the location, size and height of the completed structure.
9. No outdoor speakers or live music shall be permitted at this structure.

The MOTION carried without negative vote.

Amend Zoning Code Section 18-13 regarding Definition of Accessory Structure Or Use

Mike Slavney explained that in section 18-13 of the zoning code regarding definition of accessory structure or use currently only includes the word detached. With the amendment the definition of accessory structure has been changed to include “or attached.”

Trustee Livingston/Trustee O’Neill 2nd made a MOTION to approve Ordinance 110419-02, amending section 18-13 regarding definition of accessory structure or use, and the MOTION carried without negative vote.

Repeal and Recreate Ordinance Section 18-253(e), regarding Public Hearings and Section 18-253(f) regarding Variances of the Municipal Code

Loomer stated this is to clean up the municipal code with regard to variance processes and procedures and allow staff adequate time to schedule a public hearing. Currently the ordinance allows for 30 days which can be difficult to meet because it requires a Class II notice, and the ordinance amendment would extend the timeline to 60 days.

Trustee Livingston/Trustee McGreevy 2nd made a MOTION to approve Ordinance 110419-03, repealing and recreating section 18-253(e), regarding public hearings and section 18-253(f), regarding variances of the municipal code, and the MOTION carried without negative vote.

Ordinance Repealing and Recreating Section 18-13 and Creating Section 18-172(8) Regarding the Use of Permeable Surface

This item was tabled.

Trustee O’Neill/Trustee Livingston 2nd made a MOTION to table the Ordinance Repealing and Recreating Section 18-13 and Creating Section 18-172(8) Regarding the Use of Permeable Surface, and the MOTION carried without negative vote.

Lakefront and Harbor

Austin Pier Service Contract for 2020-2022

Loomer stated our current contract with Austin Pier Service will expire at the end of this year.

Trustee O’Neill/Trustee Livingston 2nd made a MOTION to approve Austin Pier Service contract in the amount of \$19,430 for removal in fall and \$24,805 for installation in spring, and the MOTION carried without negative vote.

LYC temporary mooring buoys for 2020 MC National Regatta

Trustee Livingston/Trustee O’Neill 2nd made a MOTION to approve temporary mooring buoys for 2020 MC National Regatta from August 19-August 22, 2020, and the MOTION carried without negative vote.

The board took a seven-minute recess between 5:53 pm and 6:00 pm.

Trustee Petersen called the Special Joint Session meeting of the Village of Fontana Board of Trustees and Plan Commission to order at 6:00 pm in the Village Hall, 175 Valley View Drive, Fontana, Wisconsin.

Plan Commissioners Present: Roll call: Bob Kirkland, Robert Ahern, F.J. Frazier, Sarah Lobdell, Robert Grant, Trustee Petersen

Plan Commissioners Absent: Trustee Prudden

Joint Session Public Hearing

Verification of Proper Legal Notice for Comprehensive Plan Update

Loomer verified the legal notice was published 30 days in advance of the public hearing on October 3, 2019.

Public Hearing on Draft Comprehensive Plan

The public hearing was opened at 6:03 pm. Village Planner Mike Slavney stated that the comprehensive plan is updated every ten years and is mandated by state law. Slavney stated the public along with the plan commission have helped make the recommended changes in the updated document. Slavney introduced his colleague, Ben Rohr with Vandewalle & Associates Inc. who has also been working on the plan. Rohr explained that the Comprehensive Plan is a lengthy process that was started in Spring and has taken nearly eight months to gather data, collect public input, complete drafts, make edits and collect staff reviews. Some key changes from the 2009 plan that Rohr highlighted was updated data, additions to the chapter that refers to issues and opportunities, made edits to goals, objectives, policies and recommendations throughout the plan and added new implementation action items. Changes that have been made since the 2019 Draft 1 document was released is the formatting of the document including pictures, a special explanation added to the Land Use Chapter to explain the Origer property, the future land use map changes, and small changes to the library subsection to reflect updated information. A change proposed by staff following the public release of the Final Draft was to change the municipal wastewater treatment subsection. Debra Pierce from Belvidere Park stated that she attended the June public input meeting and feels that the Village has done a great job addressing storm water management and corridors. She stated that there are 125 references to the storm water management throughout the plan. Pierce explained that she feels the N. Lakeshore Drive reconstruction project could use a better action plan in the final summary. She stated there are key issues that are not pulled through to the end and could use greater emphasis. Mike Slavney agreed and stated he could make the minor adjustment to the plan by pulling the concept to the end. There were no further comments and the public hearing was closed at 6:22 pm.

Joint Session Business

Consideration and Recommendation by the Plan Commission of an amendment of the public hearing draft of the Comprehensive Plan's Future Land Use Map to depict twenty acres on the Zoe Acres property (EW 300008, N2107 HWY 67, Walworth, WI. within the Fontana ETZ) for Community Facilities land use rather than depicting only the currently developed area as shown

Mike Slavney stated that Zoe Acres has requested to enlarge the depicted area of the future land use designation, Community Facility, to include 20 acres to accommodate a possible future cemetery. The request came in late and the changes are not accurately shown on the map. Attorney Dale Thorpe explained that in order to make this document legal another public hearing will need to be held in front of the Village Board at a later date once properly noticed.

Plan Commission Resolution to Recommend Adoption of Updated Comprehensive Plan Commissioner Ahern/Commissioner Frazier 2nd made a MOTION to approve Plan Commission Resolution 110419-01, recommending the Comprehensive Plan for the Village Board, with the changes suggested by Mike Slavney to the N. Lakeshore drive reconstruction project, and the MOTION carried without negative vote.

Consideration and Decision on the recommendation by the Plan Commission of an amendment of the public hearing draft of the Comprehensive Plan's Future Land Use Map to depict twenty acres on the Zoe Acres property (EW 300008, N2107 HWY 67, Walworth, WI. within the Fontana ETZ) for Community Facilities land use rather than depicting only the currently developed area as now shown

A public hearing must be noticed and held at a future Village Board meeting.

Village Board Ordinance to Adopt Updated Comprehensive Plan

Trustee McGreevy/Trustee O'Neill 2nd made a MOTION to approve Ordinance 110419-04, adopting the Comprehensive Plan for the Village of Fontana, with the changes suggested by Mike Slavney to the N. Lakeshore drive reconstruction project, and the MOTION carried without negative vote.

Adjournment Plan Commission

Commissioner Lobdell/Commissioner Grant 2nd made a MOTION to adjourn at 6:23 pm, and the MOTION carried without negative vote.

Adjournment

Trustee McGreevy/Trustee Livingston 2nd made a MOTION to adjourn at 6:24 pm, 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: 12/09/2019