

VILLAGE OF FONTANA ON GENEVA LAKE
WALWORTH COUNTY, WISCONSIN
(Final Minutes)
Monthly Meeting of the
VILLAGE OF FONTANA BOARD OF TRUSTEES
Monday, December 11, 2023

Village President Pat Kenny called the meeting of the Village Board to order at 5:00 pm.

Trustees Present: Roll call vote: President Kenny, Trustee Marek, Trustee Petersen, Trustee McGreevy, Trustee Pappas, Trustee O'Neill

Trustees Absent: Trustee Livingston

Also Present: Jon Cameron, Chief Cates, Kevin Day, Eric Johnson (LGRN), John Kemmet, Theresa Loomer, Drew Lussow, Terry Tavera, Dale Thorpe, Margaret Reuland, Tom Howell

Visitors Heard

Tom Howell and Margaret Reuland were in attendance to hand out the Centennial Committee's book they have been working on and distributed a copy to each of the Village Board members who were present. Tom Howell also spoke about the wonderful job the Village has done this year with its lights and Christmas decorations. Tom Howell lastly mentioned he has drafted a proclamation to announce/kick off the celebration of Fontana's Centennial for the 2024 year. President Kenny read the proclamation into the record.

Approval of Village Board Minutes

The Village Board minutes for the November 13, 2023 meeting (open and closed) were distributed. Trustee O'Neill/Trustee Marek 2nd made a MOTION to approve the Village Board minutes from the November 13, 2023 meeting (open and closed) as submitted, and the MOTION carried without negative vote.

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

Trustee Petersen/Trustee McGreevy 2nd made a MOTION to approve the Vendor Report and Payroll Overtime Report as distributed for November, 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 McGreevy/Trustee Pappas 2nd made a MOTION to approve payment of the Village and Utility payable list and to also include the additional payables that were handed out at the meeting, as presented, and the MOTION carried without negative vote.

General Business – President Kenny

Adoption of Initial Resolution Authorizing the Issuance of a General Obligation Bond in the Amount of \$2,555,000.00 for Street Improvements

Jon Cameron from Ehlers informed the Board regarding the first five agenda items. Mr. Cameron mentioned that each agenda item would require a separate resolution for the approval of the sale of the bonds. Mr. Cameron mentioned that each bond has to be organized by purpose due to state statute and must be authorized for the total amount of the bond which is why the street improvement project is listed first and then the other projects such as sewerage improvements, water system improvements, and combined fire and police safety building improvements. Mr. Cameron also mentioned that the bonds do count against the general obligation debt limits of the Village but based on his review the Village has a healthy borrowing capacity. Mr. Cameron then explained that they use Moody's Rating Agency for a rating review and to help secure the most competitive bonds sales for the Village. The sale is proposed for January 8, 2024, and the closing date of January 30, 2024. Trustee Pappas asked the last time the Village had a rating review and Mr. Cameron informed him that the last one was completed sometime in 2021. Trustee Marek then asked a

question regarding how many underwriters are expected to bid on the bond sale. Mr. Cameron explained that on average, there are around three, but he hopes there will be more in the five to eight range to have more competitiveness and lead to better deals overall for the Village.

Trustee Pappas/Trustee Petersen 2nd made a MOTION to approve Resolution 121123-01 authorizing the issuance of a general obligation bond in the amount of \$2,555,000.00 for street improvements, as presented, and the roll call vote was as follows:

President Kenny – Aye

Trustee Marek – Aye

Trustee Petersen – Aye

Trustee Pappas – Aye

Trustee McGreevy – Aye

Trustee O’Neill – Aye

The MOTION carried 6-0 without a negative vote and Trustee Livingston absent.

Adoption of Initial Resolution Authorizing the Issuance of Not to Exceed \$745,000.00 General Obligation Bonds for Sewage Improvements

Trustee O’Neill/Trustee Marek 2nd made a MOTION to approve Resolution 121123-02 authorizing the issuance of a not to exceed \$745,000.00 general obligation bonds for sewage improvements, as presented, and the roll call vote was as follows:

President Kenny – Aye

Trustee Petersen – Aye

Trustee Pappas – Aye

Trustee Marek – Aye

Trustee McGreevy – Aye

Trustee O’Neill – Aye

The MOTION carried 6-0 without a negative vote and Trustee Livingston absent.

Adoption of Initial Resolution Authorizing the Issuance of Not to Exceed \$2,105,000.00 General Obligation Bonds for Water System Improvements

Trustee McGreevy/Trustee Marek 2nd made a MOTION to approve Resolution 121123-03 authorizing the issuance of not to exceed \$2,105,000.00 general obligation bonds for water system improvements, as presented, and the roll call vote was as follows:

President Kenny – Aye

Trustee McGreevy – Aye

Trustee O’Neill – Aye

Trustee Petersen – Aye

Trustee Pappas – Aye

Trustee Marek – Aye

The MOTION carried 6-0 without a negative vote and Trustee Livingston absent.

Adoption of Initial Resolution Authorizing the Issuance of Not to Exceed \$90,000 General Obligation Bonds for Construction of Combined Fire and Police Safety Building Improvements

Trustee Petersen/Trustee Marek 2nd made a MOTION to approve Resolution 121123-04 authorizing the issuance of not to exceed \$90,000.00 general obligation bonds for the construction of combined Fire and Police Safety Building improvements, as presented, and the roll call vote was as follows:

President Kenny – Aye

Trustee Pappas – Aye

Trustee McGreevy – Aye

Trustee Petersen – Aye

Trustee Marek – Aye

Trustee O’Neill – Aye

The MOTION carried 6-0 without a negative vote and Trustee Livingston absent.

Adoption of Initial Resolution Providing for the Sale and Issuance of a General Obligation Bond in the Amount of \$5,490,000.00 for Corporate Purpose Bonds and Other Related Details

Trustee Petersen/Trustee Pappas 2nd made a MOTION to approve Resolution 121123-05 providing for the sale and the issuance of a general obligation bond in the amount of \$5,490,000.00 for corporate purpose bonds and other related details, as presented, and the roll call vote was as follows:

President Kenny – Aye

Trustee O’Neill – Aye

Trustee Marek – Aye

Trustee McGreevy – Aye

Trustee Petersen – Aye

Trustee Pappas – Aye

The MOTION carried 6-0 without a negative vote and Trustee Livingston absent.

Discussion or Action on Resolution 121123-06 to Allow Payment of Routine Monthly Invoices

Trustee McGreevy/Trustee Pappas 2nd made a MOTION to approve Resolution 121123-06 regarding allowing the payment of routine monthly invoices for the Village, as presented, and the MOTION carried without negative vote.

Discussion or Action on Contract with Public Administration Associates for Public Safety Building Study

Administrator Loomer stated that this has been before the Village Board previously but now we have a full contract ready for their review and approval to proceed with Public Administration Associates conducting a study of the public safety building.

Trustee McGreevy/Trustee O’Neill 2nd made a MOTION to approve the contract with Public Administration Associates for the Public Safety Building study in the amount of \$23,500, to be paid with ARPA funds, as presented, and the MOTION carried without negative vote.

Discussion or Action on Boundary Agreement with Village of Walworth

Administrator Loomer and President Kenny both met with the Village of Walworth regarding renewing the 2004 Boundary Agreement. Administrator Loomer stated that the Village of Walworth is in agreement with proceeding with the renewal. Attorney Thorpe mentioned that the laws have changed, and that the approval process is now different than when the agreement was originally made. Attorney Thorpe suggested proceeding based on Wisconsin Statute 66.0301 as an Intergovernmental Agreement since it is more streamlined than any alternatives. Attorney Thorpe explained that the first step can be accomplished tonight by initiating the process based on the map that has been submitted. Once the process has begun the Village of Fontana and Walworth will need to work together on drafting and agreement and hold a public hearing which can be a separate or joint hearing and publish a class one notice before adopting and resolution and executing the agreement.

Trustee McGreevy/Trustee Petersen 2nd made a MOTION to initiate the process for renewing the Boundary Agreement with the Village of Walworth, as presented, and the MOTION carried without negative vote.

Discussion or Action on Resolution 121123-07 Approving Urban Area Boundary Map

Administrator Loomer stated that the need to approve the map came on the request of the Wisconsin Department of Transportation (DOT) and is typically done every 10 years after the census. The main reason to approve the map is to help the Village apply for grant opportunities the WI DOT may offer to the Village.

Trustee O’Neill/Trustee Petersen 2nd made a MOTION to approve Resolution 121123-07 approving the Urban Area Boundary Map, as presented, and the MOTION carried without negative vote.

Discussion or Action on Chamber of Commerce Office Lease Agreement

Administrator Loomer mentioned that the Chamber has agreed to the Lease and will be renting the room for \$400.00 per month beginning in January.

Trustee McGreevy/Trustee Marek 2nd made a MOTION to approve the Chamber of Commerce Office Lease, as presented, and the MOTION carried without negative vote.

Discussion or Action on Park House Lease Agreement Renewal

Administrator Loomer explained that the current lease agreement will be expiring soon, and the applicant would like to renew it with the Village. A lease has been drafted and runs from March 2024 to February 2029. The monthly rent has been set at \$798.25. Attorney Thorpe brought up the idea of adding a 3% annual increase to the rent to adjust for inflation and other costs that are associated with the property.

Trustee Pappas/Trustee O'Neill 2nd made a MOTION to approve the Park House Lease Agreement Renewal with the inclusion of a 3% yearly annual increase to be added, as presented, and the MOTION carried without negative vote.

Discussion or Action on Ordinance 121123-01 Amending Section 2-37 Bylaws

Administrator Loomer stated that this ordinance is to move the monthly Village Board meetings from the first Monday of the month to the second Monday of the month.

Trustee Pappas/Trustee O'Neill 2nd made a MOTION to approve Ordinance 121123-01 amending section 2-37 of the Village of Fontana Bylaws for moving the monthly meeting of the Village Board of Trustees to the second Monday of the month, as presented, and the MOTION carried without negative vote.

Discussion or Action on Ordinance 121123-02 Amending Section 78-254 Sewer Use Fees and Residential Rates

Administrator Loomer informed the Village Board that this ordinance is to increase the sewer rates 13% for residents. Administrator Loomer explained that FW/WPCC just increased their rates and to keep the Village's rates consistent with inflation and other costs the Village needs to adjust their rates as well.

Trustee O'Neill/Trustee Marek 2nd made a MOTION to approve ordinance 121123-02 amending section 78-254 regarding sewer use fees and residential rates, as presented, and the MOTION carried without negative vote.

Discussion or Action on Appointment of Election Inspectors for 2024-2025

Trustee McGreevy/Trustee O'Neill 2nd made a MOTION to appoint Ann Barth as Chief Election Inspector, Kathy Walsh as Alternate Chief Election Inspector, Terry Clarke, Karen House, and Michael Stewart as an Election Inspectors; and reappoint Joyan Beers, Steve Smith, Jane Klockars, Mickey Springer, Susan Rowland, Robin Nuzzo, Keith Nuzzo, Susan Olson, and Paul Kristoffersen as Election Inspectors for the 2024/2025 calendar years.

Annual Holiday Gift Card Approval

Trustee O'Neill/Trustee McGreevy 2nd made a MOTION to approve the Annual \$50 Holiday Gift Card for full-time Village staff, as presented, and the MOTION carried without negative vote.

Approval of 2024 Meetings Calendar

Trustee O'Neill/Trustee Petersen 2nd made a MOTION to approve the 2024 meetings calendar, as presented, and the MOTION carried without negative vote.

Park Commission – Trustee Livingston

Discussion or Action on Recommendation by Park Commission for Approval of Park Permit Application Filed by Big Foot Rec and Dean Connley for Doggy Easter Egg Hunt Event at Duck Pond Pavilion and Duck Pond Recreation Area on Saturday, March 16, 2024 from 9:00 AM to 11:00 AM with Fees to be Waived

Trustee Pappas/Trustee Petersen 2nd made a MOTION to approve the park permit application filed by Big Foot Rec and Dean Connley for Doggy Easter Egg Hunt Event at Duck Pond Pavilion and Duck Pond Recreation Area on Saturday, March 16, 2024 from 9:00 AM to 11:00 AM with fees to be waived, as presented, and the MOTION carried without negative vote.

Discussion or Action on Recommendation by Park Commission for Approval of Park Permit Application Filed by Big Foot Rec and Dean Connley for Easter Egg Hunt Event at Duck Pond Pavilion and Duck Pond Recreation Area on Saturday, March 30, 2024 from 9:00 AM to 11:00 AM with Fees to be Waived

Trustee Petersen/Trustee McGreevy 2nd made a MOTION to approve the park permit application filed by Big Foot Rec and Dean Connley for Easter Egg Hunt Event at Duck Pond Pavilion and Duck Pond Recreation Area on Saturday, March 30, 2024 from 9:00 AM to 11:00 AM with fees to be waived, as presented, and the MOTION carried without negative vote.

Discussion or Action on Recommendation by Park Commission for Approval of Park Permit Application Filed by Big Foot Rec and Dean Connley for Adult Recess Event at Duck Pond Pavilion and Duck Pond Recreation Area on Saturday, May 31, 2024 from 6:00 PM to Dusk with Fees to be Waived

Administrator Loomer mentioned that at this time the Big Foot Rec has not filed an application or made a request for alcohol to be permitted at the event but there were some discussions when they filed that they might submit a request for such a permit later. For now, the only approval they are seeking is to host the event and for fees to be waived.

Trustee McGreevy/Trustee Marek 2nd made a MOTION to approve the park permit application filed by Big Foot Rec and Dean Connley for Adult Recess Event at Duck Pond Pavilion and Duck Pond Recreation Area on Saturday, May 31, 2024 from 6:00 PM to Dusk with fees to be waived, as presented, and the MOTION carried without negative vote.

Park Commission Recommendation of Approval on Annual Renewal Application for Tree City and Bird City Wisconsin

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

Park Commission Recommendation of Approval of IMBD Proclamation

Trustee McGreevy/Trustee O'Neill 2nd made a MOTION to approve Resolution 121123-08 for the approval of the IMBD Proclamation, as presented, and the MOTION carried without negative vote.

Public Works Committee – Trustee O'Neill

Pioneer Park Restroom and Porter Court Sidewalk – Payment Recommendation No. 1

Trustee O'Neill stated that he spoke with Village Engineer Terry Tavera and Public Works Director Kevin Day, and they are both in agreement that this payment recommendation should be approved.

Trustee Pappas/Trustee Petersen 2nd made a MOTION to approve the Pioneer Park Restroom and Porter Court Sidewalk Payment Recommendation No. 1 in the amount of \$80,320.42, as presented, and the MOTION carried without negative vote.

Hildebrand Nature Conservancy Berm Removal and Grading – Payment Recommendation No. 1

Trustee O'Neill again stated that he spoke with Village Engineer Terry Tavera and Public Works Director Kevin Day, and they are both in agreement that this payment recommendation should also be approved.

Trustee O'Neill/Trustee McGreevy 2nd made a MOTION to approve the Hildebrand Nature Conservancy Berm Removal and Grading Payment Recommendation No. 1 in the amount of \$83,274.75, as presented, and the MOTION carried without negative vote.

Approve 2024 Purchase of 2022 F-350 - \$54,000

Public Works Director Day stated that they came before the Village Board last month and were approved to sell the old Public Works Truck No. 1 and this is the new truck, they are trying to purchase to replace that truck.

Trustee McGreevy/Trustee Marek 2nd made a MOTION to approve the purchase of a 2022 F-350 in the amount of \$54,000.00, as presented, and the MOTION carried without negative vote.

TID Project Updates

Village Engineer Tavera stated the two projects are the Hildebrand Project and the Pioneer Park Restrooms/Porter Court Plaza sidewalk. Tavera stated the water and sewer has been installed on the building foundation for the restrooms, and the asphalt for the road is complete. Tavera stated the rest of the foundation will be installed in the spring along with the building for the restrooms. Tavera also mentioned that the concrete at Porter Court Plaza is finished, with just some cleanup work left. Tavera stated all the tree removals required in the Hildebrand Project are complete, with just some dirt work and grading left to finish.

2024 Street & Utility Improvement Project Update

Village Engineer Tavera mentioned that everything is currently on schedule and explained that the bids for some of the projects for the 2024 street and utility improvements will be going out in January. Tavera hopes to have them all back by February to present at that Village Board meeting for approval.

Closed Session – President Kenny

Trustee Petersen/Trustee O’Neill 2nd made a MOTION 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, the 2024-2026 WPPA Contract. The roll call vote was as follows:

President Kenny – Aye

Trustee Petersen – Aye

Trustee Pappas – Aye

Trustee Marek – Aye

Trustee McGreevy – Aye

Trustee O’Neill – Aye

The MOTION carried 6-0 without a negative vote and Trustee Livingston absent.

2024-2026 WPPA Contract

This item was discussed in closed session.

Trustee McGreevy/Trustee Marek 2nd made a motion to approve the 2024-2026 WPPA Contract, as presented, and the MOTION carried without negative vote.

Adjourn Closed Session

Trustee Pappas/Trustee Marek 2nd made a MOTION to go into open session at 5:37 pm, and the MOTION carried without negative vote.

Adjournment

Trustee O’Neill/Trustee McGreevy 2nd made a MOTION at 5:38 pm to adjourn the meeting, and the MOTION carried without negative vote.

Minutes prepared by: Drew Lussow, Village 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: 01/08/2024