

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

(Official Minutes)

MONTHLY MEETING of the VILLAGE BOARD OF TRUSTEES
Monday, June 3, 2013

Village President Arvid Petersen called the monthly meeting of the Village Board to order at 6:00 pm in the Village Hall, 175 Valley View Drive, Fontana, Wisconsin.

Trustees Present: Roll call vote George Spadoni, Bill Gage, President Arvid Petersen, Tom McGreevy, Pat Kenny, Rick Pappas, Cindy Wilson

Also Present: Ron Adams, Dennis Barr, David and Greg Blizard, Jade Bolack, Courtney Castelein, Russ Ceschi, Rallee Chupich, Steve Fairchild, Administrator/Treasurer Kelly Hayden, Merilee Holst, Terry Jones, Rescue Squad Chief Jon Kemmett, Kevin Kirkland, Library Director Nancy Krei, Village Clerk Dennis Martin, Assistant Zoning Administrator Bridget McCarthy, Fire Chief Wolfgang Nitsch, Building Inspector/Zoning Administrator Ron Nyman, Police Chief Steve Olson, Scott Peterson, Dale Thorpe

Visitors Heard

Recognition for Police Department, Fire Department, and Rescue Squad for Outstanding Service Fighting House Fire & Saving Resident's Life

President Petersen presented Certificates of Appreciation to the Police Department, Fire Department and Rescue Squad for their heroic efforts battling a residential fire and assisting a woman to exit the burning home from an upper level balcony on South Lakeshore Drive on May 6, 2013.

Stephen Fairchild stated that he could not stay at the meeting very long and he just wanted to thank the Village Board and the village staff for the assistance he and Walworth State Bank received in getting the liquor license transferred following the recent foreclosure purchase of the Park Place LLC property at 268 Reid Street. President Petersen thanked Fairchild for the nice comments and wished him good luck with his business.

Announcements

1. CDA Board Meeting Date – **Wednesday, June 5, 2013, 6:00 pm**
2. Big Foot Recreation Movie Under the Stars at Fontana Beach – **Saturdays, June 8 & 22, 2013**
3. FW/WPCC Board Meeting – **Tuesday, June 11, 2013, 7:30 pm**
4. GLLEA Board Meeting – **Wednesday, June 12, 2013, 10:00 am**
5. Plan Commission Staff Meeting – **Wednesday, June 12, 2013, 1:00 pm**
6. Protection Committee Meeting – **Monday, June 17, 2013, 6:00 pm**
7. Library Board Meeting – **Wednesday, June 19, 2013, 10:00 am**
8. Park Commission Meeting – **Wednesday, June 19, 2013, 6:00 pm**
9. Evening Book Club at Public Library – **Thursday, June 20, 2013, 5:30 pm**
10. Geneva Lake Environmental Agency Board Meeting – **Thursday, June 20, 2013, 7:00 pm**
11. Village Assessor Local Office Hours – **Friday, June 21, 2013, 10:00 am to 2:00 pm**
12. Village Quarterly Newsletter Article Deadline – **Friday, June 21, 2013**
13. Public Works Committee Meeting – **Saturday, June 22, 2013, 8:00 am**
14. Plan Commission Meeting – **Monday, June 24, 2013, 5:30 pm**
15. Summer Storywagon Program at Village Hall – **Tuesday, June 25, 2013, 10:00 am**
16. Lakefront and Harbor Committee Meeting – **Wednesday, June 26, 2013, 4:30 pm**
17. Village Board Monthly Meeting – **Monday, July 1, 2013, 6:00 pm**

Approval of Village Board Minutes

Trustee Kenny/Trustee Pappas 2nd made a MOTION to approve the minutes for the meeting held May 6, 2013, as presented, and the MOTION carried without negative vote.

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

The April 2013 reports were distributed.

Trustee Spadoni/Trustee Kenny 2nd made a MOTION to approve the reports as distributed and to place them on file for the annual audit, and the MOTION carried without negative vote.

Approval of Village and Utility Payables

Trustee Kenny/Trustee Spadoni 2nd made a MOTION to approve the Village and Utility payables as distributed, and the MOTION carried without negative vote.

Finance Committee – Trustee Kenny

2012 Audit Presentation by Patrick Romenesko

Patrick Romenesko presented the 2012 audit, which he distributed at the meeting. Romenesko stated that he was not able to print hard copies of his annual management letter because of power problems at this office; however, he would be able to verbally present his recommendations. Romenesko stated that after tracking the actual General Fund expenditures to the budgeted amounts, the village added \$1.1 million to its undesignated fund balance, to bring the total balance up to \$1,835,000 at the end of 2012. Romenesko stated that \$300,000 of the \$1.1 million surplus are funds remaining from borrowing that will be spent on not-yet-completed construction projects; however, additional revenue that was derived in 2012 that exceeded the budgeted numbers came from room tax proceeds, unanticipated road improvement grant funds, and building permit receipts that exceeded expectations. Pappas and Gage asked Romenesko questions about the additional revenues received in 2012 and the impact of borrowing on the budgeted expenses. Romenesko stated that the Village's total outstanding debt is \$15 million for the TID; \$3 million for the General Fund; and \$9.7 million for the Utility Fund. With regard to the debt service, Romenesko stated that the Water Utility current owes funds to the Sewer Utility and a repayment schedule should be established so that some amount is paid back each year to settle the debt, and perhaps some interest. Romenesko stated that the Village Board could also just vote to forgive the debt and write off the amount; however, he would advise against that action. Romenesko stated that he also suggests that the Village authorize the transfer of \$400,000-plus to the General Fund from the Debit Service Fund, where the funds have accumulated during the last few years due to the refinancing and paying off of several bonds. The Village Board directed the Finance Committee to review both recommendations at its next monthly meeting, and the Village Board will consider the recommendations at the next monthly meeting on Monday, July 1, 2013. Romenesko stated that he also is required to inform the Village that as well as completing the annual audit, he also writes the Village's financial statements; however, he does so for all the other municipalities that he works for and the disclosure is something he is required to state each year. Romenesko stated that his final suggestion in the Management Letter is that the \$800 connection fee the Village has set for the Water Utility should be reviewed with regard to the actual costs incurred by the Village to determine if the fee is currently set too high and needs to be decreased, or if it is too low and needs to be increased. Spadoni stated that he appreciates the historical data that covers the past 10 years that Romenesko includes in the annual audit. Spadoni stated that in particular, the information on the Village population figures and total property valuation is very useful.

Trustee Spadoni/Trustee McGreevy 2nd made a MOTION to approve the 20112 Audit as presented, and the MOTION carried without negative vote.

Rescue Annual Financial Review

Hayden stated that the Rescue Squad financial records were reviewed and everything looked good.

Authorization to Contact the Village Attorney

Kenny stated that as part of a discussion on the quarterly budget review, the Finance Committee suggested that the Village Board adopt a policy that calls for a Village Board member to receive authorization from at least one other member in order to contact the Village attorney on a billable matter. Thorpe stated that other municipalities that he works for have "gate-keepers" who authorize contact with him, such as the mayor or village president. Kenny stated that the idea was just for a Village Board member to contact at least one other member to authorize a phone call, in the same spirit as the requirement for two members to sign for a special meeting or closed session item. Pappas stated that maybe Thorpe could just list the name of the person who contacts him when a charge is added to the monthly invoice report, and not just list "client." Thorpe stated that he will attempt to provide more detail in the itemized invoice reports. Following further discussion, the Village Board members reached a consensus that President Petersen must be contacted prior to one of the Village Board members contacting Thorpe.

Trustee Pappas/Trustee Kenny 2nd made a MOTION to establish the policy that a Village Board member must go through Village President Petersen, who will authorize contacting the Village attorney. The MOTION carried without negative vote.

General Business/Administrator's Report – President Petersen/Administrator-Treasurer Hayden

Approve Wisconsin DOR Forms AT-108, AT-106 & AT-103 Authorizing Transfer of 2012-13 CLASS “B” BEER and “CLASS B” LIQUOR License Due to Foreclosure of Property Located at 268 Reid Street from Park Place Lounge LLC to Steve O’s LLC, d/b/a Steve O’s Park Place Lounge, Agent: Stephen Fairchild, 149 Third Avenue, Fontana, WI.

Walworth State Bank purchased the property at 268 Reid Street in a Walworth County foreclosure sale and requested that the liquor license issued to Park Place Lounge, LLC be transferred to their tenant, Stephen Fairchild. The bank filed with the Village a copy of the lease and liquor license agreement between the bank and Fairchild that ties the liquor license to the property. Thorpe stated that in his quick review of the lease and agreement, he would have some minor concerns; however, the lease and agreement are between the bank and Fairchild and not a concern to the village. Pappas asked if it was legal and proper to transfer the liquor license surrendered by Patricia Yeager and her Park Place Lounge, LLC to Fairchild and Steve O’s LLC. Thorpe stated that there are many methods in the state statutes that dictate the terms for the transfer of liquor licenses, including the terms for foreclosed properties. Martin stated that he received and forwarded to the Village Board members all the information he received from the Wisconsin Department of Revenue Alcohol & Tobacco Enforcement Officer Roger Johnson on the process and forms required in cases for foreclosure; and he also contacted League of Wisconsin Municipalities Attorney Claire Silverman, who confirmed the proper approval process and its adherence with the applicable state statutes. The license was transferred on authority of the municipal clerk on May 30, 2013; however, the transfer is required to receive subsequent Village Board approval. Pappas asked about the approval process and criteria for issuing a liquor license that is surrendered when it isn’t a foreclosure situation. All possible scenarios for the liquor licensing approval, renewal, revocation and transfer processes are all spelled out in handbooks and guides published by the League of Wisconsin Municipalities and the Wisconsin Department of Revenue.

Trustee Spadoni/Trustee Kenny 2nd made a MOTION to approve Wisconsin DOR Forms AT-108, AT-106 and AT-103 authorizing the transfer of the 2012-13 CLASS “B” BEER and “CLASS B” LIQUOR License due to the foreclosure of the property located at 268 Reid Street from Park Place Lounge LLC to Steve O’s LLC, d/b/a Steve O’s Park Place Lounge, Agent: Stephen Fairchild, 149 Third Avenue, Fontana, WI. The MOTION carried without negative vote.

Approval of Published Liquor License Applications for 2013-2014

Abbey Provident Hotel Manager, LLC, d/b/a The Abbey Resort, located at 269 Fontana Blvd., RENEWAL CLASS “B” BEER and “CLASS B” LIQUOR license. Agent: Timothy G. Somerville, 528 Jefferson Street, Lake Geneva, WI.

There were no concerns with the required background checks and inspections, the serving premises is the same as last year, and the Wisconsin DOR website indicates the Seller’s Permit is active and in good standing.

Trustee Spadoni/Trustee McGreevy 2nd made a MOTION to approve the renewal of the Class “B” Beer and “Class B” Liquor License for Abbey Provident Hotel Manager, LLC, and its agent, Timothy G. Somerville, 528 Jefferson Street, Lake Geneva, WI, as filed. The MOTION carried without negative vote.

Abbey Springs, Inc., located at 1 Country Club Drive, RENEWAL CLASS “B” BEER and “CLASS B” LIQUOR license. Agent: Nancy Dlabal, 439 Frost Drive, Williams Bay, WI.

There were no concerns with the required background checks and inspections, the serving premises is the same as last year, and the DOR website indicates the Seller’s Permit is active and in good standing.

Trustee Spadoni/Trustee McGreevy 2nd made a MOTION to approve the renewal of the Class “B” Beer and “Class B” Liquor License for Abbey Springs, Inc. and its agent, Nancy Dlabal, 439 Forest Drive, Williams Bay, WI, as filed. The MOTION carried without negative vote.

Big Foot Country Club, Inc., located at 770 Shabbona Drive, RENEWAL CLASS “B” BEER and “CLASS B” LIQUOR license. Agent: Alan L. Johnston, W3893 Lake View Park Drive, Lake

Geneva, WI.

There were no concerns with the required background checks and inspections, the serving premises is the same as last year, and the DOR website indicates the Seller's Permit is active and in good standing. The agent has been changed this year from Robert Timm to Alan Johnston.

Trustee Spadoni/Trustee McGreevy 2nd made a MOTION to approve the renewal of the Class "B" Beer and "Class B" Liquor License for Big Foot Country Club, and its agent, Alan L. Johnson, W3893 Lake View Park Drive, Lake Geneva, WI, as filed. The MOTION carried without negative vote.

Chucks Lakeshore Inn, Inc., P.O. Box 170, located at 352 Lake Street, RENEWAL CLASS "B" BEER and "CLASS B" LIQUOR license. Agent: Carol J. Whowell, W6267 Willow Bend Road, Walworth, WI.

There were no concerns with the required background checks and inspections, the serving premises is the same as last year, and the DOR website indicates the Seller's Permit is active and in good standing. The outdoor deck and back porch areas attached to the building are included in the approved premises serving area; however, the area on the east side of Lake Street is not included at this time as specific plans are still pending.

Trustee McGreevy/Trustee Spadoni 2nd made a MOTION to approve the renewal of the Class "B" Beer and "Class B" Liquor License for Chucks Lakeshore Inn, Inc., and its agent, Carol J. Whowell, W6267 Willow Bend Road, Walworth, WI, as filed. The MOTION carried without negative vote.

Country Club Estates Golf Association, located at 365 Pottawatomi Drive, RENEWAL CLASS "B" BEER and CLASS "C" WINE license. Agent: Wesley G. Toton, W3282 Willow Road, Lake Geneva, WI.

There were no concerns with the required background checks and inspections, the premises is the same as last year, and the DOR website indicates the Seller's Permit is active and in good standing. Trustee Spadoni/Trustee Kenny 2nd made a MOTION to approve the renewal of the Class "B" Beer and Class "C" Wine License for Country Club Estates Golf Association, and its agent, Wesley G. Toton, W3282 Willow Road, Lake Geneva, WI, as filed. The MOTION carried without negative vote. Trustee McGreevy abstained because he is a Country Club Estates Association Board member.

Fontana Shell, Inc., W3323 Lake Forest Lane, Lake Geneva, WI 53147, d/b/a Fontana Mart, Inc., located at 286 Valley View Drive, Fontana, WI, 53125, RENEWAL CLASS "A" BEER and "CLASS A" LIQUOR license. Agent: Deepak Gill, W3323 Lake Forest Lane, Lake Geneva, WI.

There were no concerns with the required background checks and inspections, the serving premises is the same as last year, and the DOR website indicates the Seller's Permit is active and in good standing. The inspections will have to be completed again this year after an interior renovation is completed for the new Cousin's Subs restaurant that is going to be located inside the store.

Trustee Spadoni/Trustee McGreevy 2nd made a MOTION to approve the renewal of the Class "A" Beer and "Class A" Liquor License for Fontana Shell, Inc., doing business as Fontana Mart, Inc., and its agent, Deepak Gill, W3323 Lake Forest Lane, Lake Geneva, WI, as filed. The MOTION carried without negative vote.

Gordy's Boat House, Inc., located at 336 Lake Street, RENEWAL CLASS "B" BEER and "CLASS B" LIQUOR license. Agent: Trallee Whowell Chupich, N1844 Six Corners Road, Walworth, WI.

There were no concerns with the required background checks and inspections, the serving premises area was expanded this year to include a delineated area on the east side of Lake Street, and the DOR website indicates the Seller's Permit is active and in good standing. The inspectors all indicated the new area for outdoor liquor service is clearly defined and it has been properly marked with all required signage.

Trustee Spadoni/Trustee Kenny 2nd made a MOTION to approve the renewal of the Class "B" Beer and "Class B" Liquor License for Gordy's Boat House, Inc., and its agent, Trallee Whowell Chupich, N1844 Six Corners Road, Walworth WI, as filed. The MOTION carried without negative vote.

Lake Geneva Yacht Club, located at 1250 South Lakeshore Drive, RENEWAL CLASS "B" BEER license, Agent: Michael P. Moore, 128 N. Walworth Street, Williams Bay, WI.

Martin stated that as part of his communication with Roger Johnson at the DOR during the renewal

period, he was made aware that the Yacht Club is not required to hold any other liquor licenses from the municipality since it has a state issued Sports Clubs liquor license that covers the sale of liquor, fermented malt beverages and wine. The Yacht Club is only required to obtain Operator's Licenses from the village. Trustee Spadoni/Trustee McGreevy 2nd made a MOTION to direct village staff to refund the \$100 license fee paid by the Lake Geneva Yacht Club for the unnecessary Class "B" Beer License, and the MOTION carried without negative vote.

Novaks' of Fontana, LLC for the premises located at 158 Fontana Boulevard, d/b/a Novaks' Deli, RENEWAL CLASS "B" BEER and "CLASS B" LIQUOR license. Agent: Peter Novak, 731 Arrowhead Drive, Fontana WI.

There were no concerns with the required background checks and inspections, the premises is the same as last year, and the DOR website indicates the Seller's Permit is active and in good standing. Trustee Spadoni/Trustee McGreevy 2nd made a MOTION to approve the renewal of the Class "B" Beer and "Class B" Liquor License for Novaks' of Fontana, LLC, and its agent, Peter Novak, 731 Arrowhead Drive, Fontana, WI, as filed. The MOTION carried without negative vote.

Park Place Lounge, LLC, for the premises located at 268 Reid Street, RENEWAL CLASS "B" BEER and "CLASS B" LIQUOR license. Agent: Stephen Fairchild, 149 Third Avenue, Fontana, WI.

Park Place Lounge, LLC filed the renewal application in case the foreclosure process was avoided; however, the foreclosure did go through and the property is now owned by Walworth State Bank. No action is necessary on the application; the license has been transferred to Steve O's LLC.

Steve O's LLC, for the premises located at 268 Reid Street, d/b/a Steve O's Park Place Lounge, RENEWAL CLASS "B" BEER and "CLASS B" LIQUOR license. Agent: Stephen Fairchild, 149 Third Avenue, Fontana, WI.

There were no concerns with the required background checks and inspections, the serving premises is the same as previous years, and the DOR website indicates the Seller's Permit is active and in good standing. The application states the premises includes the upper level and the outdoor deck; however, the upper level and the outdoor patio have been previously denied because the required remodeling has not been completed, and Village of Fontana Building and Zoning Department permitting conditions have not been met. The applicant is just seeking approval of the lower level at this time. Trustee Spadoni/Trustee McGreevy 2nd made a MOTION to approve the renewal of the Class "B" Beer and "Class B" Liquor License for Steve O's LLC, and its agent, Stephen Fairchild, 149 Third Avenue, Fontana, WI, for the lower level premises only. The MOTION carried without negative vote.

Southland Farms, LLC, DBA SF Food and Beverage for the premises located at 441 Mill Street, d/b/a Pie High Pizza Company, RENEWAL CLASS "B" BEER and "CLASS C" WINE license; ORIGINAL "CLASS B" LIQUOR license. Agent: John K. Karabas, 425 N. Lower Gardens Road, Fontana, WI.

There were no issues following the completion of the required inspections of the premises serving area that was previously approved. SF Food and Beverage also applied for an Original "Class B" liquor license and the application was published, but the Village has issued all of the available "Class B" liquor licenses under the state mandated quota at this time, so there is not one available. The premises serving area description includes the Coffee Mill side of the building; however, the Coffee Mill currently does not sell beer or wine and that serving area is not included at this time. Pie High Pizza would like to add an outdoor service area; however, the patio area has not yet been clearly defined and it has not received approval from the three inspectors.

Trustee Spadoni/Trustee Kenny 2nd made a MOTION to approve the Renewal application filed by Southland Farms, LLC, d/b/a SF Food and Beverage for only the interior Pie High Pizza Company premises serving area located at 441 Mill Street, Class "B" Beer and "Class C" Wine License, and the Agent: John K Karabas, 425 N. Lower Gardens Road, Fontana, WI. The MOTION carried without negative vote.

Approval of Operator's Licenses for 2013-2014

Martin stated that the background checks for all the applicants have been completed without concerns, but the \$60 application fee is still required for the two Novak's Deli applicants. Peter

Novak annually pays the renewal fees for the liquor license and Operator's Licenses prior to issuance in late June. Hayden stated that there have not yet been any Operator's License applications filed for the 2013-14 year for Pie High Pizza or for Steve O's Park Place Lounge. Martin stated that John Karabas is the agent for the Pie High Pizza Company liquor license, which by state statutes serves as his Operator's License, and Karabas has indicated that he is unsure if any employees will be licensed this year. Fairchild has not yet had his currently licensed bartenders file renewal applications because of the uncertainty of the foreclosure situation. The next Village Board meeting is scheduled for Monday, July 1, 2013, and the current licenses don't expire until June 30, 2013; so any not-yet-filed Operator's License applications for 2013-14 can be approved and issued by July 2, 2013.

Trustee Spadoni/Trustee Kenny 2nd made a MOTION to approve the issuance of Operator's Licenses for 2013-14, subject to the payment of the application fees by the two Novak's Deli employees, for Abbey Marina employees Edwin L. Snyder, IV and Kathryn L. Snyder; Abbey Resort employees Jack D. Beals, Gregory L. Bonhotal, Jayne A. Clark, Sarah R. Finke, Robert J. Gibson, Barry S. Goad, Christine A. Gollwitzer, Kristine J. Granahan, Kristen E. Jensen, George M. Johnson, III, Irena Kazaniwskyj, Kevin G. Kelley, Toni V. Koutnik, Sarina M. Kyle, Amy E. Lampe, Chelsea M. Polk, Austen E. Racette, Maria G. Rios, Valerie A. Sheldon, Marilyn C. Shepherd, Jonathon M. Thies, Karen E. West, Julia N. Wilcar, Ashley R. M. Mielke and James M. Roddy; Abbey Springs employees Michael R. Bentley, Becky J. Brunner, Marion M. Cuculi, Daniel J. Dlabal, Jared G. Hocker, Cindy K. Tabor-Rogers, Joel D. Voisin, David J. Vreeke, Allison M. Brassel, Sheila T. Brassel, Chelsea M. Fink, Rebecca A. Hoogland, Katie A. Nagel and Michael S. Warren; Big Foot Country Club employees Walter L. Erhard, Loretta J. Fox, Lon T. Gellerman, Pamela J. Keeler, Kim A. Luettgen, Eric A. Stauffacher, Kyle R. Woods and Rodney A. Wright; Chuck's Lakeshore Inn employees Jack C. Brown, III, Michael T. Brown, Keith C. Edwards, John C. Friestad, Julie E. Friestad, Roy A. Hanson, Julie K. Ieronimo, May A. Manley and Jacob J. McHugh; Country Club Estates golf course employees Joanne K. Johnson, Jack Kaye and Michael F. Murphy; Fontana Mart employees Bharat I. Patel, Prabhsimran Singh Thind, Sanover Sohi and Shahzad S. Thind; Gordy's Boathouse employees John J. Baginski, Kelley L. Bergmann, David Blizard, Frank W. Blum, Hillary L. Connelly, Jeanette M. Crump, Philip R. Porter, Kimberly A. Ries, Alan A. Swartz, Joseph R. Wehrenberg, Steele G. Whowell, Thomas G. Whowell, Tigr T. Workman, Forrest M. Anderson, Eli C. Ganansky, Erika M. Hedlin, Madalyn K. Mandich, and Renee M. Pihl; Lake Geneva Yacht Club employees Pamela B. Hilton and Sarah J. Richardson; and Novak's Deli employees Matilin P. Novak and Deborha A. Sawtelle. The MOTION carried without negative vote.

Proposal for Renovations and Long-term Lease for LG Marine Building – Kevin Kirkland

Hayden stated that Kevin Kirkland, the tenant of the Village's lakefront building, is seeking initial feedback from the Village Board members on his proposal to enter into a long-term lease agreement and to undertake a building renovation plan. Kirkland stated that he talked to local architect Jason Bernard and he has some ideas to improve the structure and appearance of the commercial building. Kirkland stated that he is willing to make a financial commitment to fund the project, but he does not want to start the costly planning and approval proves if the Village Board members don't favor a long-term lease or the proposal to renovate the building. Following discussion on the state of the building and the cost of drafting initial renderings, Wilson stated that the Village Board should provide indication to Kirkland that they are interested in making the building look better. Spadoni stated that the lakefront building has been in need of attention for many years, and he supported the failed referendum to have it razed and replaced with a new lakefront building and parking lot. Spadoni stated that the Village owns the building and Kirkland should not have to spend any of his personal money on the renovation proposal. Spadoni stated that the planning process should be initiated with the CDA and Finance Committee. Wilson stated that she would favor up to a 10-year lease for Kirkland. Pappas asked Kirkland how many years he would need to make an investment in a building renovation plan cost effective. Kirkland stated that that east and west sides of the building are in need of the most attention, and the cost estimate he received for exterior improvements on those sides of the building is \$75,000 to \$100,000. Kirkland stated that if the improvements are completed, he could handle an additional \$7,500 in rent per year, which would equate to at least 10 years to repay the cost of a renovation project. Following discussion on the cost of the initial architectural plans and if that cost should be funded by the Village or Kirkland or both, McGreevy suggested that a special committee be appointed to meet with Kirkland to analyze the current lease and explore ways to make the project work. The consensus was reached following more discussion that Trustees Wilson, Pappas and Kenny should be appointed to represent the Park Commission and

CDA, the Lakefront Committee, and the Finance Committee, respectively.

Trustee Spadoni/Trustee McGreevy 2nd made a MOTION to appoint Trustees Wilson, Pappas and Kenny to a special subcommittee to meet with lakefront building tenant Kevin Kirkland to explore the potential methods and make a recommendation on the funding for planning and constructing a building renovation plan, and on extending a new lease agreement with Kirkland. The MOTION carried without negative vote.

Fourth of July Special Event Parking – Village Fees Resolution Amendment

Hayden stated that the flat fee charged for parking on days of special events, such as the Fourth of July, has to be ratified in the Village Fees Resolution. Hayden stated that staff is recommending the fee be set at \$10. Hayden stated that there are two other areas of the fee schedule that are proposed to be amended later on the agenda – for the Park Commission’s recommendation on Park Permit Application fee amendments and to update the DPW product sales. There were no concerns with the proposal to set the special event parking fee at \$10.

Police & Fire Commission

Fontana Rescue Squad Officer Approval – Tabled 5/6/13

The item was tabled last month. The secretary position is currently open.

Trustee Kenny/Trustee Wilson 2nd made a MOTION to approve the current Fontana Rescue Squad officers Jon Kemmett, chief; Courtney Castelein and Joan Quick, captains; David Blizard, water rescue coordinator; and Shannon Hahn, treasurer. The MOTION carried without negative vote.

Protection Committee – President Petersen

Rescue Direction – Full-time Coverage, Volunteer Staffing, Auto Aid With Walworth/Williams Bay

Hayden provided an update on the proposal drafts that were distributed regarding the ongoing review of the rescue services and the staffing concerns. Hayden stated that a meeting is being scheduled with some of the committee members and all the local municipality rescue squad chiefs, at which the concept of automatic mutual aid will be discussed. Petersen stated that if all the details and concerns can be worked out, an intergovernmental agreement for rescue services may be proposed for the area.

Director of Fire and Rescue, and/or Paratech

The Protection Committee members have discussed the possibility of creating a new position to possibly work in conjunction with Paratech ambulance service, but it is still at the committee level. Hayden stated that Terry Jones from Paratech was at the meeting in case there were any questions.

Purchase of AEDs for Police and Fire Vehicles

Hayden stated that the committee recommended the purchase of four new portable defibrillators for the police and fire vehicles, and the invoice was approved earlier in the meeting as part of the list of monthly payables.

Trustee Spadoni/Trustee Kenny 2nd made a MOTION to approve the purchase of four new portable defibrillators for the police and fire vehicles, and the MOTION carried without negative vote.

American Lung Association Lake Tour Bike Trek June 14 to 16, 2013

Hayden stated that the event planners are not requesting anything special from the Village for the event that is being hosted locally by the Abbey Resort. There will be temporary wooden stakes put out from June 11 to 16, 2013 to mark the streets that will be used for the safest route for the participants to reach the Abbey.

Lakefront & Harbor – Trustee Pappas

Approval of Remaining Village Mooring Leases for 2013

Pappas stated that there are four mooring lease agreements that require approval for Paul Catanese, Michelle Shotola, Susan Vosburgh and Matt Wilken.

Trustee Pappas/Trustee Spadoni 2nd made a MOTION to approve the mooring lease agreements for 2013 for Paul Catanese, Michelle Shotola, Susan Vosburgh and Matt Wilken, and the MOTION carried without negative vote.

University of Wisconsin-Oshkosh Geneva Lake Shore Path Survey Announcement

A public survey of Geneva Lake area residents is being conducted by the University of Wisconsin-Oshkosh Sociology Department. The sociology researchers from UW-Oshkosh created the anonymous survey to learn more about how people feel about the quality of life in the Geneva Lake area and specifically about the public Geneva Lake Shore Path. Participation is voluntary, and the survey should take about 15-20 minutes to complete. The survey project is being administered by UW-Oshkosh Professor Paul Van Auken, Ph.D., (Sociology and Environmental Studies) and he can be contacted at telephone number: (920) 424-2038; or email address: vanaukep@uwosh.edu. The village received a request to help promote the survey in the quarterly newsletter and to post a link on the Village website.

Available Moorings Announcement

Hayden stated that there are still four buoys that have to be filled for the 2013 season. Hayden stated that staff has called everybody on the waiting list for buoys, as well as the people who are on the waiting list for boat slips to inquire if they may be interested in leasing one of the buoys. Hayden stated that the Village may be able to rent the remaining buoys to one of the local marina businesses, and she asked if the Village Board members had any concerns with allowing the Lakefront Committee to authorize an agreement between the Village and one of the businesses if there is interest in the four remaining buoys. Since the next Village Board meeting is not scheduled until July 1, 2013 and the season will be well underway, the Village Board members did not have any concerns with allowing the committee to authorize an agreement between the village and one of marina businesses if the buoys aren't leased by an individual in the near future.

Park Commission – Trustee Wilson

Park Permit Application Amendments – Village Fees Resolution Amendment and Ordinance Amendment to Section 42-7

Wilson stated that after a few months of consideration, the Park Commission has recommended the establishment of a nonresident rate for Park Permit application fees. Wilson stated that the Park Commission also recommended requiring a \$50 refundable security deposit for all park permits; increasing the beer and wine consumption permit fee and security deposit, and adding the Park House to the Duck Pond Pavilion and Porter Court Plaza as park facilities where permits are allowed for beer and wine consumption. To authorize the Park Commission recommendation, the Village Fees Resolution, the Ordinance regulating open intoxicants in public places, and the Park Permit application have to be amended. As well as updating the Park Permit fees, the Fees Resolution amendment also contains updates to the special event parking fee and the DPW products list.

Trustee Pappas/Trustee McGreevy 2nd made a MOTION to approve Resolution 06-03-13-01, amending Resolution 10-01-12-01 Establishing Fees Pursuant to Section 10-4 of the Municipal Code of the Village of Fontana on Geneva Lake; Specifically for Park Permit Fees, DPW Products List & Special Event Parking Fee. The MOTION carried without negative vote.

Trustee Kenny/Trustee Spadoni 2nd made a MOTION to approve Ordinance 06-03-13-01, amending Section 42-7(a) of the Municipal Code regarding Open Intoxicants in Public Places Prohibited, and the MOTION carried without negative vote.

Trustee McGreevy/Trustee Kenny 2nd made a MOTION to approve the amended Park Permit application as recommended, and the MOTION carried without negative vote.

Eagle Scout Project Proposal for Duck Pond – Quentin Arnold

Wilson stated that Boy Scout Quentin Arnold requested that the item considered at the next meeting.

Pig in the Park Event Park Permit Approval

The Park Commission recommended approval of the Park Permit application filed by Dan Green's Touch A Life, Heal A Heart, Inc. charitable organization for the Pig in the Park fundraising event in Reid Park Saturday, August 31, 2013, from 3:00 to 10:00 pm. The annual event raises funds for the Park Commission.

Trustee Spadoni/Trustee Kenny 2nd made a MOTION to approve the Park Permit application filed by the Dan Green's Touch A Life, Heal A Heart, Inc. organization for the annual Pig in the Park fundraising event in Reid Park Saturday, August 31, 2013, from 3:00 to 10:00 pm. The MOTION

carried without negative vote.

Permit Applications Filed by Community Church of Fontana, Family Picnic, Duck Pond Pavilion, Sunday, May 19, 2013; Mandi Austin, Duck Pond Pavilion, Saturday, June 1, 2013; Daniel Maus, Park House, Tuesday, June 4, 2013 and Wednesday, September 18, 2013, 10:00 to 11:00 AM and 7:00 to 8:00 PM; Geneva Lake United Soccer Club, Duck Pond Pavilion, Saturday, June 1, 2013

The Park Commission recommended approval of the applications as filed. Two for the applications are for events that took place after the last monthly meeting of the Park Commission but prior to the Village Board meeting.

Trustee Spadoni/Trustee Kenny 2nd made a MOTION to approve the Park Permit applications filed by the Community Church of Fontana, Duck Pond Pavilion, Sunday, May 19, 2013; Mandi Austin, Duck Pond Pavilion, June 1, 2013; Daniel Maus, Park House, Tuesday, June 4, 2013 and Wednesday, September 18, 2013, 10:00 to 11:00 AM and 7:00 to 8:00 PM; and Geneva Lake United Soccer Club, Duck Pond Pavilion, June 1, 2013. The MOTION carried without negative vote.

Announce Beach House Exterior Clock Purchase

Wilson stated that the Park Commission purchased a clock that will be hung on the lifeguard stand when the beach is open and taken in at night.

Plan Commission – Trustee Spadoni

Update

Spadoni stated that there is nothing new to report.

CDA – President Petersen

Update

Petersen stated that there is nothing new to report.

F/W WPCC – President Petersen

Update

Petersen stated that operations are running smoothly at the wastewater treatment facility.

GLLEA Board – President Petersen

Update

Petersen stated that the lake patrol officers are back on the lake, and one of the two patrol boats is currently in the shop for repairs.

Public Works – Trustee McGreevy

Approve Sale of Braces for Underground Repair Operations

Street Director Ron Adams stated that the village no longer uses the shoring boxes for main break repair jobs as the services are contracted out when there is a main break situation. Adams stated that the Village should be able to sell the braces on eBay.

Trustee Pappas/Trustee McGreevy 2nd made a MOTION to authorize the sale of the two shoring box frames used for main breaks, and the MOTION carried without negative vote.

Tarrant Drive Contract Pay Request No. 5

McGreevy stated that the \$30,167 Pay Request No. 5 submitted by S&L Underground and Trucking, Inc., Merrimac, was reviewed by the village engineer and approval is recommended. Adams stated that the contractors are making good progress on completing the project and they were about half way up the hill earlier that day.

Trustee McGreevy/Trustee Kenny 2nd made a MOTION to approve the \$30,167 Pay Request No. 5 submitted by S&L Underground and Trucking, Inc., Merrimac, as recommended, and the MOTION carried without negative vote.

Shabbona Construction Project

Utility Director Dennis Barr stated that the utility portion of the Shabbona Drive reconstruction project is moving along. Hayden stated that there are concerns about a garden and an irrigation

system that was installed at the Hunt residence at 1076 Shabbona Drive, and the Hunts have written a letter to the Village requesting that the area be restored following the construction project. The plants and landscaping items are reportedly located in the street right-of-way property. Thorpe stated that property owners do not have the authority, and the Village cannot even authorize the placement of anything in road right-of-way areas. Following discussion, the Village Board directed staff to mail a notice to the Hunts that contains a map or diagram that delineates the road right-of-way area in front of their property and informs them that they have a certain number of days to remove any plants, landscaping rocks or portions of the irrigation system that are located in the right-of-way area; explains to them the prohibition of planting, building or placing anything in the road right-of-way; and states that the Village will only be restoring the turf following the construction project.

Abbey Springs Easement Progress and Survey

Hayden stated that she, Thorpe and Village Engineer Joe Eberle recently met to review the easement information for the new standpipe project. Thorpe stated that nine of the required easements for the new water line have been updated and are ready to go out to the property owners. Hayden stated that staff also would like to get authorization for surveying work to be completed by the village engineer for the easement and project areas.

President Petersen/Trustee Spadoni 2nd made a MOTION to authorize \$5,700 to fund standpipe project easement and construction site surveying work by Ruckert-Mielke, and the MOTION carried without negative vote.

Water License Update

Utility Director Dennis Barr stated that he received the information on the water licensing course and certification schedule. Barr stated that the current window for certification is underway, so Daniel Gonzalez will have to wait until the next certification period to have the required courses completed; however, there is a nominal fee for the online program

Trustee McGreevy/Trustee Kenny 2nd made a MOTION to authorize the expenses for DPW employee Daniel Gonzalez to complete the water certification classes, and the MOTION carried without negative vote.

Abbey Channel Water Line Removal

Barr stated that he verified that the line that boaters were striking last fall in the channel that leads from the lake to the Abbey harbor is actually a force main and not an abandoned line. The force main is encased in a concrete conduit. The level of Geneva Lake is back up to normal and the very large boats are not currently striking the concrete with the props.

CMAR Resolution

Hayden stated that the compliance maintenance annual report for the wastewater collection system has been filed with the Wisconsin DNR and posted.

Trustee Spadoni/Trustee McGreevy 2nd made a MOTION to approve Resolution 06-03-13-02, a compliance maintenance resolution required by the Wisconsin Department of Natural Resources, as presented, and the MOTION carried without negative vote.

Street and Utility Director Positions and Compensation

Hayden stated that Adams and Barr met with the Village AFSCME union representative and some minor changes were requested and made to the distributed job descriptions for the new DPW Street director and Utility Director positions. Items number 1 and 2 in both descriptions were amended to state that the directors shall provide “direction” for the work and planning of their respective departments; and both descriptions have the item: “Assist in the development of all department budgets with the Village administrator and monitor the same.” Hayden stated that the union representative agreed that with the two proposed amendments to the draft job descriptions that she agrees the positions can be non-exempt and that Adams and Barr can remain in the union.

Trustee Spadoni/Trustee Kenny 2nd made a MOTION to approve the job descriptions for the Street Director and Utility Director positions as amended, and the MOTION carried without negative vote.

McGreevy stated that with the added job duties and additional time that will be required, as well as considering the salary that former DPW Director Craig Workman was making when he resigned, he would suggest 15 to 20 percent raises for Adams and Barr. Gage stated that the raises also should be

authorized to be retroactive to the date that Adams and Barr assumed the additional duties. Spadoni stated that he also supports approving an increase in the salaries; however, he would like the Finance Committee to review the current budget and make a recommendation on the issue. McGreevy stated that if the Finance Committee meets and makes a recommendation, he would like the Village Board to consider scheduling a special meeting to authorize the salary increases. The next meeting of the Finance Committee is scheduled for Thursday, June 20, 2013 beginning at 6:00 pm.

Trustee Spadoni/Trustee Pappas 2nd made a MOTION to refer the proposed increases in the salaries for the new Street Director and Utility Director positions to the Finance Committee for a recommendation, and the MOTION carried without negative vote.

USIC Follow-up

Hayden stated the USIC has commenced with the locating services; however, the village used to locate the electrical lines. Hayden stated that if the village wants to add the electrical line locating services to the contract, USIC has proposed to charge \$50 for those locate jobs. Hayden stated that she is still negotiating with USIC and more information will be presented at a future meeting. Barr stated that he has been assisting the contractors with locating the water main lines on Shabbona Drive as the lines are very difficult to locate since they were installed in the without tracer wires.

Compost Sales – Village Fees Resolution Amendment

The updated price list and delivery fee for wood chips and double-ground leaves (mulch) that are offered by the DPW were approved earlier in the meeting as part of Resolution 06-03-13-01.

South Shore Culvert Quote

Hayden stated that a \$5,700 price quote was submitted by D&K Services, Lyons, to excavate and install 165 feet of 15-inch smooth wall storm sewer line along South Lakeshore Drive, remove the old galvanized storm sewer, install rip rap at the start of a new culvert, tie in an existing storm sewer and drainage tile, and install a cement catch basin and tracer wire. Hayden stated that recent heavy rain storms have caused problems in the area and staff has been unable to jet the storm sewer open, so it needs to be replaced.

Trustee Spadoni/Trustee Kenny 2nd made a MOTION to approve the \$5,700 price quote submitted by D&K Services, Lyons, as presented, and the MOTION carried without negative vote.

Closed Session

Trustee Pappas/Trustee Kenny 2nd made a MOTION at 7:48 pm to adjourn into Closed Session pursuant to Wis. Stats. Chapter 19.85 (1)(c), to consider employment, promotion, compensation or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility, specifically Performance of the Village administrator, and Compensation for DPW Directors, and the Roll Call votes was as follows:

Trustee Spadoni – Aye

Trustee Gage – Aye

President Petersen – Aye

Trustee McGreevy – Aye

Trustee Kenny – Aye

Trustee Pappas – Aye

Trustee Wilson – Aye

The MOTION carried on a 7-0 vote.

Everybody in the audience left the room at 7:48 pm except for Martin and Thorpe. Martin was asked to leave the meeting room at approximately 8:05 pm.

Adjournment Closed Session

A MOTION was made, seconded and approved at approximately 8:20 pm to adjourn the closed session and to reconvene in open session.

Adjournment

A MOTION was made, seconded and approved at approximately 8:20 pm to adjourn the Village Board meeting.

Minutes prepared by: Dennis L. Martin, 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: 7/1/2013