

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

(Official Minutes)

MONTHLY MEETING of the VILLAGE BOARD OF TRUSTEES
Monday, September 9, 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, Rick Pappas, Cindy Wilson

Trustee Late: Pat Kenny (arrived at 7:46 pm)

Also Present: Ron Adams, Dennis Barr, Greg Blizard, Jade Bolack, Charles Colman, Administrator/Treasurer Kelly Hayden, Jon Kemmett, Maria Klesmith, Library Director Nancy Krei, Larry Larkin, Clerk Dennis Martin, Building Inspector/Zoning Administrator Ron Nyman, Ed Snyder, Tom Whowell

Visitors Heard

None

Announcements

1. Fontana/Walworth Water Pollution Control Commission Meeting – **Tuesday, September 10, 2013, 7:30 pm**
2. GLEA Monthly Board Meeting – **Wednesday, September 11, 2013, 10:00 am**
3. Public Works Committee Meeting – **Saturday, September 14, 2013, 8:00 am**
4. Protection Committee Meeting – **Monday, September 16, 2013, 5:30 pm**
5. Library Board Meeting – **Wednesday, September 18, 2013, 10:00 am**
6. Plan Commission Staff Meeting – **Wednesday, September 18, 2013, 1:00 pm**
7. Park Commission Meeting – **Wednesday, September 18, 2013, 6:00 pm**
8. GLEA Board Meeting – **Thursday, September 19, 2013, 7:00 pm**
9. Plan Commission/Joint ETZ Committee Meeting – **Monday, September 23, 2013, 5:30 pm**
10. Finance Committee Budget Meeting – **Monday, September 30, 2013, 5:00 pm**

Approval of Village Board Minutes

Trustee Spadoni/Trustee Gage 2nd made a MOTION to approve the minutes for the meetings held August 5, 19 and 26, 2013, as presented, and the MOTION carried without negative vote.

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

The July 2013 reports were distributed.

Trustee Spadoni/Trustee Gage 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

Hayden stated that additional payables were submitted by Paratech Ambulance for August 2013 services, \$10,723, and for September 2013 services, \$16,085. Wilson stated that a hard copy of the one-page summary sheet that is included with the monthly invoice from the Village attorney’s office should be included in the Village Board meeting packets; and when the entire monthly invoice packet with the specific detail sheets is emailed, the subject line should state “Thorpe Christian bill.” Pappas asked about an invoice for repair work on the Big Foot Country Club tennis court. Hayden stated that the \$1,800 invoice for the work will be reimbursed by McGuire Construction, the contractor on the Shabbona Drive reconstruction project, since they were responsible for the damage.

Trustee Spadoni/Trustee McGreevy 2nd made a MOTION to approve the payables as submitted and presented at the meeting, and the MOTION carried without negative vote.

Public Works – Trustee McGreevy

Reconsideration of August 5, 2013 Motion Approving Utility Director & Street Director Pay Scale Recommendation

At a special Village Board meeting held August 19, 2013, the Board approved a motion to reconsider the \$6 an hour raises approved at the August 5, 2013 monthly meeting for new Director of Utilities Dennis Barr and Director of Streets Ron Adams. Also at the special meeting August 19, 2013, the

Board directed the Finance Committee to review a proposal to change the \$6 an hour wage increases to lump sum payments totaling \$16,000 a year for each of the two new positions. At a special Finance Committee meeting held September 5, 2013, the committee recommended reducing the \$16,000 total lump sum payments to \$14,000; to have the payments retroactive back to January 1, 2013; and to spread the lump sum payments out equally over the 26 annual two-week pay periods. Following a lengthy discussion on the initially approved hourly rate increases, the reconsideration of the Village Board approval, and the Finance Committee's most recent recommendation on the issue, Spadoni stated that the Village Board should consider the Finance Committee recommendation to offer \$14,000 lump sum wage increases instead of the \$16,000 that was proposed at the August 19, 2013 meeting. Hayden stated that she wanted to point out that no matter what the Village Board decides to approve as far as the salary increases for the new job duties, an amendment to the AFSCME Union contract will have to be drafted and approved by the Village Board and union membership, and the new job description agreements will have to be signed prior to the raises taking effect and the retroactive amounts being paid to the employees. Spadoni then made a motion to offer to the employees as a salary increase for the new positions a total lump sum of \$14,000 each, to be paid retroactively to January 1, 2013, and to spread the payments of the total lump sums out in equal amounts over the 26 pay periods. Hayden stated that the Finance Committee recommendation also included the contingency that the salary increases and overtime projections be reviewed after one year. Pappas stated that the wage increases have been reviewed twice already by the Village Board, and after the initially approved \$6 hourly wage increase was reconsidered and changed to a recommendation for lump sum payments totaling \$16,000, the Finance Committee came up with a recommendation to reduce the salary increases by \$2,000 more. Pappas stated that the situation is embarrassing and not fair to Barr and Adams. Petersen then seconded the Spadoni motion. Wilson asked how and why the Village Board had gotten into the "yo-yo" situation with the salary increase approvals that were supposed to be offered to Barr and Adams. Wilson stated that in the grand scheme of the village's annual budget, the \$2,000 difference is very minor and she is also very embarrassed over the actions of the Village Board regarding two loyal and valuable employees. Petersen stated that reducing the proposed raises is important considering the other village employees who have administrative responsibilities, are on fixed salaries, and do not get paid overtime for attending meetings. Wilson stated that Petersen is talking about employees who already have large salaries that compensate them for their administrative duties. McGreevy stated that the DPW budget will again come in well under the approved amount in 2013, so the issue is meeting the 2014 budget which hasn't even been drafted yet. McGreevy stated that the 2014 budget numbers haven't even been plugged in, and a total of \$4,000 will be very insignificant, especially considering the embarrassment that has been created with the "yo-yo" offers being approved and then reduced. Pappas stated that to shave another \$2,000 off the lump sum totals and to keep cutting down the offers after they are made public is very embarrassing. Petersen then called for a vote on the motion on the floor, and Pappas requested a Roll Call vote.

Trustee Spadoni/President Petersen 2nd made a MOTION to offer \$14,000 lump sum salary increases retroactive to January 1, 2013 for the new Director of Utilities and Director of Streets positions, with the payments to be spread out equally over the 26 annual pay periods, and with the condition that an amendment to the AFSCME union contract is drafted and approved. The Roll Call vote was as follows:

Trustee Gage – Aye

President Petersen – Aye

Trustee McGreevy – No

Trustee Pappas – No

Trustee Wilson – No

Trustee Spadoni – Aye

The MOTION failed to earn approval on a 3-3 vote, with Trustee Kenny absent.

Trustee Pappas/Trustee Wilson 2nd made a MOTION to offer \$16,000 lump sum salary increases retroactive to January 1, 2013 for the new Director of Utilities and Director of Streets positions, with the payments to be spread out equally over the 26 pay periods, and with the condition that an amendment to the AFSCME union contract is drafted and approved. The Roll Call vote was as follows:

President Petersen – No

Trustee McGreevy – Aye

Trustee Pappas – Aye

Trustee Wilson – Aye

Trustee Spadoni – No

Trustee Gage – No

The MOTION failed to earn approval on a 3-3 vote, with Trustee Kenny absent.

Trustee Pappas/Trustee Gage 2nd made a MOTION to table the item, and the MOTION carried without negative vote.

Committee Member Appointment

Jan Whittler resigned his position, and the committee recommended the appointment of Russ Ceschi.

Trustee Pappas/Trustee McGreevy 2nd made a MOTION to approve the appointment of Russ Ceschi to the Public Works Committee, and the MOTION carried without negative vote.

Shabbona Drive Construction Update

Barr stated that the new 10-inch water main has been installed and the new meters and valves will be installed in the next few days. Barr stated that the water will have to be turned off in the area during the transition work on September 10, 2013. McGreevy stated that he received a request for the water to remain on at the Country Club Estates golf course because an end of the season outing and dinner has been scheduled for the same day. Barr and Adams stated that they will work with the golf course operators to make sure water is available for the event.

Truck No. 3 Utility Box Repairs

Adams stated that the repairs are scheduled to be completed this week on the utility box which will be mounted on the truck being driven by Utility Crew member Dan Gonzalez.

Abbey Springs Water Main Line Valve Installation

Barr stated that the immediate plan is to install a valve between the village lift station and the Abbey Springs water main line in September. At the August 17, 2013 Public Works Committee meeting, Barr reported that there is a 1.5-mile stretch of water main in the Abbey Springs subdivision that does not contain any emergency shutoff valves. When there are water main breaks in the stretch, the entire line has to be shut off and drained of thousands of gallons of water before the break can be repaired. Barr stated there are 52 residences served by the 1.5-mile stretch, and the committee recommended having the two water line valves currently in stock at the Utility Department installed as soon as possible by D&K Services Utility Contractors, LLC, Lyons, along St. Andrews Trail; and to place the purchase of two more valves and the cost for their installation in the 2014 budget.

Finance Committee – Trustee Kenny

2014 Budget Guidelines and Schedule

Hayden stated that the Finance Committee recommended the distributed budget planning meeting schedule and requested that the departments hold their budgets in line with last year's budget.

Spadoni stated that he is concerned about the projected \$500,000-plus shortfall in the TID increment that will have to be covered by the General Fund in 2014.

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

Proposal to Reestablish Geneva Lake Use Committee & Appointment of Representative

Williams Bay Village President John Marra submitted a letter to Village President Arvid Petersen on August 23, 2013 that requests the reestablishment of the Geneva Lake Use Committee. The committee was disbanded in February 2011 at the request of the Williams Bay Village Board. The letter states in part, "In lieu of recent happenings and requests that have direct impacts on our respective communities both from the State of Wisconsin and private business interest, I thought I would seek your individual interest in once again reestablishing this now inactive committee for the expressed purpose of having each of us monitor and provide us with the opportunity to have some individual input as to how the now present and future uses and activities in and on Geneva Lake are regulated and their impacts on our individual jurisdictions." Charles Colman of the Geneva Lake

Conservancy stated that one issue that recently came up that would be an example of an issue for the Geneva Lake Use Committee is the DNR's initiative to have "Slow No Wake" buoys placed throughout the lake. Petersen stated that a joint Lake Use Committee has many issues it could review and make recommendations on to the municipalities, and he supports the proposal to have the committee reestablished.

Trustee Spadoni/Trustee McGreevy 2nd made a MOTION to approve the reestablishment of the Geneva Lake Use Committee as it previously existed, and the MOTION carried without negative vote.

Trustee Gage stated that he would be willing to serve as the Village Board representative on the Geneva Lake Use Committee.

Trustee Pappas/Trustee McGreevy 2nd made a MOTION to approve the appointment of Trustee Gage as the representative to the Geneva Lake Use Committee, and the MOTION carried without negative vote.

Deer Bow Hunting Resolution Amendment

Five of the eight initially approved hunters were removed from the DPW garage area, following review by Adams; and the Village owned land by Wells No. 1 and 3 was listed twice, and is now only listed with the parcels owned by John Tracy.

Trustee Spadoni/President Petersen 2nd made a MOTION to approve Resolution 090913-01, authorizing specific village property owners to participate in 2013 deer bow hunting season, as presented, and the MOTION carried without negative vote.

Lake Geneva Marine Pier Crib Replacement Estimate Submitted by Austin Pier Service

The municipal pier at the Lake Geneva Marine building needs a new crib, and Austin Pier Service submitted a \$2,194 quote for supplies and labor.

Trustee Spadoni/Trustee Pappas 2nd made a MOTION to approve the \$2,194 quote submitted by Austin Pier Service, Inc., for the crib replacement on the municipal pier at the Lake Geneva Marine building. The MOTION carried without negative vote.

Lake Geneva Marine Architecture Quote and Committee Report

Hayden stated that she was informed by Kevin Kirkland that the initial architect he was working with has backed out. Wilson stated that she talked to Kirkland and told him she would have staff forward to him some of the architectural renderings and plans prepared in 2010 by David Lange and HGA Architects for the lakefront building proposal referendum that failed to earn approval.

Geneva Lake Association Fire Boat Report

Hayden stated that the Geneva Lake Association is raising funds to purchase a fireboat for Geneva Lake to be owned and operated by the Town of Linn Fire Department. Hayden stated that Fontana Fire Chief Wolfgang Nitsch stated that if purchased, the Village of Fontana will not have to pursue a proposal to have a pump added to its Rescue Boat. The fireboat will cost \$325,000, and will require a pier and lift station. The fireboat can provide 3,000 gallons of water per minute and can fill two tankers at the same time; it can be driven up to 45 miles per hour; it uses infrared technology to locate victims; it has a platform for victim transport; and it can be operated for extended periods without refueling. The total fund raising goal is \$425,000 so that a reserve fund can be established to fund the training of all local fire departments, motor replacements, minor equipment purchases, and maintenance and fuel expenses.

Water Lateral Locating Service Invoice for 211 Third Avenue

Hayden stated that last month the Village Board approved a motion to direct staff to bill the new property owners of 211 Third Avenue for the invoices the Utility Department received for locating the water service lateral and for unburying the old valve box that was located 3 feet under the asphalt surface. Hayden stated that the property owners, Peter and Laura Priehs, met with her and then submitted a letter to the Village Board that requests the \$1,450 invoice be reconsidered. The letter states in part, "We are not trying to avoid any of our responsibilities; however, we do not feel that we should be responsible for the whole amount." Spadoni then made a motion, seconded by McGreevy, to split the invoice with the property owners. After Barr explained the situation, Wilson stated that the only aspect of the work that was in contention and not communicated well was the video camera

service of the sewer line, which cost \$250. Following further discussion, McGreevy asked if the letter received from Peter and Laura Priehs could be directed to the Public Works Committee for review and a recommendation.

Trustee Spadoni/President Petersen 2nd made a MOTION to table the item and to refer the letter received from Peter and Laura Priehs, 211 Third Avenue, to the Public Works Committee for recommendation. The MOTION carried without negative vote.

Payroll Resolution Amendment for Fire/Rescue

Hayden stated that she amended the Payroll Resolution to delete the Rescue Squad officers section; to add the \$900 annual salary for the new Deputy Chief position to the Fire Department Officers section; and to increase the salary for the Fire Chief position, which was combined with the Rescue Squad Chief position when the departments were consolidated a few months ago. Hayden stated that the salary amount for the Deputy Chief is the same current salary for the two assistant chief positions. Hayden stated that the salary for the Chief is listed to be increased to \$8,050, up from the current \$3,300. Hayden stated that she plugged in the salary increase figure based on the total of the amounts that were deleted in the Rescue Squad officers section.

Trustee Spadoni/Trustee McGreevy 2nd made a MOTION to table the item and to refer the proposed salary amendments to the Protection Committee and the Finance Committee for recommendations. The MOTION carried without negative vote.

Building and Zoning Department Hiring Plan

Hayden stated that she and Ron Nyman met with Sharon village officials and discussed the intergovernmental agreement and the impact of the recent resignation of Assistant Zoning Administrator Bridget McCarthy. Nyman stated that if the Village of Fontana terminates the IGA with Sharon, he would only need a part-time employee to assist him with the workload; and if Sharon is not dropped, he will need a fulltime employee. Hayden stated that she would like to draft a job description for a 20- to 30-hours-per-week employee, and cost estimates for continuing services with Walworth and Sharon. The part-time employee would provide clerical and customer service assistance, data entry, schedule appointments for inspections, reconcile monthly permit reports, assist with Municipal Code interpretation when necessary, and be responsible for compliance communication. Hayden stated that with part-time employment, the office coverage would not be as broad based as we once recognized, and service may be on a little different time frame than what we are all used to. A formal job description would need to be approved for the advertisement.

Building and Zoning Intergovernmental Agreements with Sharon and Walworth

Hayden and Nyman met with Village of Sharon officials and they were very grateful and complimentary of the services provided under the IGA, but understood that Fontana may be restructuring and were agreeable to terminating the IGA if necessary. The IGA includes a 90-day notification period for termination, but Hayden stated that if that timeframe needs modification (either earlier or later) they would all be willing to work together to ensure service is provided until a replacement is located.

AFSCME Union Contract Amendment Memo of Understanding

The new Director of Utilities and Director of Streets positions and pay structure will require an amendment to the AFSCME Union contract.

Rescue Squad Funds

Hayden stated that she and Village Attorney Dale Thorpe met with former Rescue Squad Chief Jon Kemmett to discuss the bank accounts that were established by the Rescue Squad. Hayden stated that within the next few weeks the Rescue bank accounts will be closed and the funds will be transferred over to the General Fund and placed into a new Designated Fund for Rescue Squad related services.

Trustee Spadoni/Trustee Gage 2nd made a MOTION to authorize the close out of the Rescue Squad bank accounts and the transfer of the funds to the Village of Fontana General Fund and into a new Designated Fund for Rescue Squad related services. The MOTION carried without negative vote.

Geneva Lake Level Corporation Board of Directors

2014 Budget Request

Geneva Lake Level Corporation Treasurer Larry Larkin submitted a letter dated September 5, 2013 regarding the Wisconsin DNR and its July 2012 order that the corporation release water over the dam at all times. Larkin stated that last summer when the order was thought up by some DNR officials, the DNR would not cooperate with or listen to the facts presented by the GLLC Board and its attorney. Larkin stated that the DNR officials recently became cooperative and are now working toward an acceptable solution because of a Wisconsin Supreme Court made a ruling with regard to Lake Koshkonong. The Supreme Court concluded the DNR has to consider the economic effects of its actions in regulating the level of Wisconsin lakes. Larkin stated that last fall, the four lake municipalities each contributed \$2,500 to assist with the legal fees and engineering studies associated with the dispute with the DNR officials who ordered that the Geneva Lake dam remain permanently opened when the state was experiencing drought conditions. The negotiations were not successful and the anticipated legal fees exceeded the initial \$50,000 estimate. Larkin stated that an agreement has now been reached in principal because the Supreme Court ruling forced the DNR officials to negotiate in good faith; however, legal documents still need to be drawn up, and some engineering changes and reconfigurations of one of the dam gates needs to be funded. Larkin stated that the total legal fees and costs to modify the dam will be about \$90,000 by the time everything is completed and the situation created by the DNR is corrected. Larkin stated that as onerous as the costs created by the DNR are, the board members believe they are in the best interest of the Geneva Lake municipalities because they will provide long-term passive operation of the dam and they will limit the ability of the DNR to arbitrarily demand that additional water be released. Larkin stated that the Board is requesting that the four municipalities increase their financial contributions, and Williams Bay has requested that the financial contributions not be equal and instead be determined by the apportionment levels calculated in 2002 for the dam reconstruction project. The apportionment levels were determined by using the length of lake shore property in each municipality, assessed value of the lakefront property and the parcel count. Larkin stated that the 2002 levels were 25 percent for Fontana, 30 percent for Linn Township, 27 percent for Lake Geneva, and 18 percent for Williams Bay. Based on those levels, the Board is requesting \$5,000 from Fontana, \$6,000 from Linn, \$5,400 from Lake Geneva, and \$3,600 from Williams Bay.

Trustee Spadoni/Trustee Gage 2nd made a MOTION to allocate \$5,000 in the annual budgets going forward to assist the Geneva Lake Level Corporation Board of Directors in its efforts to protect the lake, and the MOTION carried without negative vote.

Update on Lake Level Issues

The agenda item was discussed with the previous item.

Lakefront & Harbor – Trustee Pappas **South Beach Boardwalk Proposal**

Pappas stated that the Country Club Estates Association has offered to fund the replacement of the current boardwalk along the south beach lakefront with a concrete sidewalk. The Lakefront and Harbor Committee approved a motion at its August 28, 2013 meeting to endorse the CCE Association removing the boardwalk and reinstalling a concrete sidewalk at their expenses and providing all future maintenance, subject to the issuance of all the appropriate permits. Wilson stated that the Park Commission also discussed at its last meeting the boardwalk and a proposal from Adams to have it replaced with a concrete aggregate sidewalk, for safety and maintenance purposes. Adams stated that a concrete aggregate surface does not require maintenance and will hold up to wear and tear.

Pier Permit Application Filed for Rafaelita J. Cantalupo Trust, 754 S. Lakeshore Drive

Pappas stated that the committee recommended approval of the pier permit application subject to all the conditions listed on the DNR approval letter, Building and Zoning approval, and that the permit is clearly issued only for SA71300002 and not the non-riparian parcel of SA71300001.

Trustee Pappas/Trustee Spadoni 2nd made a MOTION to approve the Pier Permit Application filed for Rafaelita J. Cantalupo Trust, 754 S. Lakeshore Drive, subject to all the conditions listed on the DNR approval letter, Building and Zoning approval, and that the permit is clearly issued only for SA71300002 and not the non-riparian parcel of SA71300001. The MOTION carried without negative vote.

Park Commission – Trustee Wilson

Village Park Ordinances Revisions – Tabled 7/1/13 & 8/5/13

Wilson stated that the proposed amendments were reviewed and slightly tweaked, and the updated draft ordinance amendment sets the closed hours for the Duck Pond Recreation Area, clarifies that the other parks do not have closed hours, and clarifies that the official parks are as listed in the Village Park and Open Space Plan and the Comprehensive Master Plan.

Trustee Wilson/Trustee Spadoni 2nd made a MOTION to approve Ordinance 09-09-13-02, amending Sections 46-1, 54-161(a) and 74-51, and creating Section 46-2, as presented, and the MOTION carried without negative vote.

Village Dog Ordinances Amendments

Wilson stated that the proposed amendments to clarify the allowance for people to walk dogs through the village parks, and to require that dogs remain under the control of a person whether on a leash or off leash, still need to be tweaked.

Park Permit Applications Filed by Joanne Kristoffersen, Duck Pond Pavilion with Beer/Wine Permit, September 8, 2013; Sharon Losacco, Reid Park Gazebo, September 28, 2013; MPC, Inc., Duck Pond Recreation Area & Duck Pond Pavilion with Beer/Wine Permit, June 21, 2014; Big Foot Recreation District, Park House, Fall Program Schedule

Wilson stated that the commission recommended approval of the applications, some with conditions.

Trustee Wilson/President Petersen 2nd made a MOTION to approve the Park Permit application filed by Joanne Kristoffersen for the Duck Pond Pavilion event held September 8, 2013, and the MOTION carried without negative vote.

Trustee Spadoni/Trustee Gage 2nd made a MOTION to approve the Park Permit application filed by Sharon Losacco for the Reid Park Gazebo on Saturday, September 28, 2013 from 10:00 am to 3:00 pm, with the condition that the Use Fee totaling \$150 and the \$50 refundable security are paid prior to the event. The MOTION carried without negative vote.

Trustee McGreevy/Trustee Spadoni 2nd made a MOTION to approve the Park Permit application filed by MPC, Inc., for the Duck Pond Recreation Area and the Duck Pond Pavilion, with a Beer and Wine Permit, on Saturday, June 21, 2014, with the condition the \$375 total fee is paid prior to the event. The MOTION carried without negative vote.

Trustee Spadoni/President Petersen 2nd made a MOTION to approve the Park Permit application filed by the Big Foot Recreation District for its Fall Program schedule at the Park House, and the MOTION carried without negative vote.

Report on the Pig in the Park Event

Hayden stated that the fund-raiser took in \$12,000 to \$13,000 on Saturday, August 31, 2013, so the debt will be settled with the General Fund for the purchase of the Little Foot Playground pirate ship. The Board congratulated Trustee Wilson and the Park Commission for successfully paying off the debt for the Little Foot Playground improvements.

Plan Commission – Trustee Spadoni

ETZ Zoning Ordinance Amendments Recommendation

Spadoni stated that a public hearing was conducted August 26, 2013 before the Plan Commission and the Joint Extraterritorial Zoning Committee and both recommended approval of the reformatted and updated Article 16, Extraterritorial Zoning Code.

Trustee Spadoni/Trustee McGreevy 2nd made a MOTION to approve Ordinance 09-09-13-01, repealing and recreating Article 16 of Chapter 18 of the Municipal Code, as recommended, and the MOTION carried without negative vote.

ETZ CUP Application Filed by Maria Klesmith for Holy Theophany Orthodox Chapel, N2107 Highway 67, Walworth Township

Spadoni stated that a public hearing was conducted August 26, 2013 before the Plan Commission and approval of the application was recommended.

Trustee Pappas/Trustee Spadoni 2nd made a MOTION to approve the Conditional Use Permit application for the Holy Theophany Orthodox Chapel, N2107 Highway 67, Walworth Township,

with the condition that the applicant continues to meet all zoning requirements of the A-1 ETZ District. The MOTION carried without negative vote.

ETZ CUP Amendment Application Filed by Tim Wichman/Faulk & Foster for US Cellular to Add Antenna to Existing Tower on Stewart Property, 202 W. Main Street

Spadoni stated that a public hearing was conducted August 26, 2013 before the Plan Commission and approval of the application was recommended.

Trustee Spadoni/Trustee McGreevy 2nd made a MOTION to approve the CUP application as filed by Tim Wichman/Faulk & Foster for US Cellular to authorize the addition of antenna to the existing tower on the Stewart property, 202 W. Main Street, with the conditions that the owner of the facility shall certify in writing, after construction, that the new installation was installed per the assumptions stated in the structural analysis report; that a complete submittal for building and zoning permits shall be applied for and issued prior to the commencement of construction of and/or installation of any antennas, cables, and equipment boxes, etc. CUP approval shall not alleviate the applicant from securing all required permits. Note: Zoning permits shall be obtained from the Village of Fontana, and building permits shall be obtained from the Town of Walworth; and that all outstanding cost recovery fees applicable to this project shall be paid prior to the issuance of any zoning permits. The MOTION carried without negative vote.

Protection Committee – President Petersen

Update

Petersen stated that the committee did not meet last month.

CDA – President Petersen

Update

Petersen stated that nothing has been submitted to the CDA to consider for several months.

F/W WPCC – President Petersen

Update

Petersen stated that there is nothing new to report at the wastewater treatment facility.

GLLEA Board – President Petersen

Update

Petersen stated that the GLLEA Board did not meet last month and the next meeting is scheduled for September 10, 2013.

Closed Session

Trustee Spadoni/Trustee Gage 2nd made a MOTION at 7:16 pm to adjourn into Closed Session pursuant to Chapter 19.85 (1) (e) Wis. Stats. to deliberate or negotiate the purchase of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require, specifically the 138 Fontana Boulevard Development Site, 102 W. Main Street, and Duck Pond Development Site. The Roll Call vote was as follows:

Trustee McGreevy – Aye

Trustee Pappas – Aye

Trustee Wilson – Aye

Trustee Spadoni – Aye

Trustee Gage – Aye

President Petersen – Aye

The MOTION carried on a 6-0 vote, with Trustee Kenny absent.

Trustee Kenny arrived at the meeting at 7:46 pm.

Adjournment Closed Session

Trustee Spadoni/Trustee McGreevy 2nd made a MOTION to adjourn the closed session and to reconvene in open session at 7:48 pm, and the MOTION carried without negative vote.

Adjournment

President Petersen/Trustee Gage 2nd made a MOTION to adjourn the meeting at 7:48 pm, and the MOTION carried without negative vote.

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: 10/7/2013