

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

(Official Minutes)

JOINT SESSION MONTHLY MEETINGS of the
VILLAGE BOARD OF TRUSTEES and PLAN COMMISSION
Monday, October 1, 2012

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.

Plan Commission Chairman George Spadoni called the monthly meeting of the Plan Commission to order at 6:00 pm in the Village Hall.

Plan Commission members present: Chairman Spadoni, President Petersen, Micki O'Connell, Sarah Lobdell, FJ Frazier, Scott Vilona (arrived at 6:02 pm)

Plan Commission member absent: Harry Nelson

Trustees present: Roll call vote: Pat Kenny, Rick Pappas, Cindy Wilson, George Spadoni, President Arvid Petersen, Tom McGreevy, Bill Gage (arrived at 6:01 pm)

Also Present: Jade Bolack, Administrator/Treasurer Kelly Hayden, Merilee Holst, Library Director Nancy Krei, Lisa Laing, Larry Larkin, John Maier, Village Clerk Dennis Martin, Assistant Zoning Administrator Bridget McCarthy, Building Inspector Ron Nyman, Police Chief Steve Olson, John O'Neill, Bob Peryea, Village Planner Mike Slavney, Village Attorney Dale Thorpe, Barbara and Bill Turner, Public Works Director Craig Workman

Visitors Heard

Linn Township resident Larry Larkin stated that he wanted to thank the Village Board and Police Chief Steve Olson for their support of the annual antique boat show held at the Abbey Harbor the last weekend of September. Larkin stated that he also wanted to present a letter he wrote as a member of the Geneva Lake Level Corporation Board of Directors to the four lake municipalities with regard to the Wisconsin DNR directive issued in July and a request for 2013 budget funding. Despite the Geneva Lake Level Corporation having been founded in 1895 to protect the level of the lake, the DNR cited Wisconsin State Statute 31.34 (which was adopted several decades after the establishment of the corporation) when ordering the corporation to open the lake dam gates and release water at the rate of 1.9 cubic feet per second into the White River. Larkin stated that the Board of Directors would like each municipality to budget \$2,500 to fund the continued legal efforts in opposing the DNR directive. As well as helping to fund the legal advisors, Larkin asked the Village Board members to contact the local state legislators to seek their support in protecting Geneva Lake, which is an important economic engine that drives the local economies and property values in this part of the state. Following discussion on the issue, Hayden stated that the Finance Committee will include the Geneva Lake Level Corporation funding request in its preliminary 2013 budget to be presented to the Village Board. Former Village President and Trustee Bill Turner stated that he was representing the Timber Ridge Association residents with regard to a letter the Village received from Michael O'Halleran on July 25, 2012 and the Mohr Road vacation and landscaping issues that have been discussed by the Park Commission at its monthly meetings in July, August and September 2012. Turner stated that he would like to provide input on the agenda item later in the meeting. Turner stated that he also wanted to address the Geneva Lake Conservancy proposal presented to the Park Commission for the Fontana Fen property to be placed in a conservation easement with the GLC. Turner stated that when he and two other local residents purchased the property in 1979 the intent was to have the land protected with the establishment of a permanent park. Turner stated that there were no deed restrictions placed on the property back in 1979, and they just assumed it would remain parkland. Turner stated that future elected officials could vote to sell the parkland if it is not protected by a conservation easement that is recorded with the Walworth County Register of Deeds. Village Attorney Dale Thorpe stated that he had just reviewed the Fontana Fen village file at the request of Hayden and there is a three-page recorded Deed that contains two pages of restrictive covenants that require the land to remain parkland and undeveloped. Thorpe stated that the detailed restrictions were recorded with the deed about 30 years ago and another nature conservation easement with the GLC would be redundant. Turner requested that staff send him a copy of the

recorded deed restrictions.

Announcements

1. Read & Romp Program at Library – **Tuesdays, October 2, 9, 16 & 23, 2012, 10:00 am**
2. Finance Committee Meeting – **Thursday, October 4, 2012, 6:00 pm**
3. Walworth County DPW Clean Sweep Program – **Friday & Saturday, October 5 and 6, 2012**
4. FW/WPCC Board Meeting – **Tuesday, October 9, 2012, 7:30 pm**
5. GLLEA Board Meeting – **Wednesday, October 10, 2012, 10:00 am**
6. Park Commission Meeting – **Wednesday, October 10, 2012, 6:00 pm**
7. Finance Committee Meeting – **Thursday, October 11, 2012, 6:00 pm**
8. Protection Committee Meeting – **Monday, October 15, 2012, 5:45 pm**
9. Library Board Meeting – **Wednesday, October 17, 2012, 10:00 am**
10. Plan Commission Staff Meeting – **Wednesday, October 17, 2012, 1:00 pm**
11. Evening Book Club at Library – **Thursday, October 18, 2012, 5:30 pm**
12. Geneva Lake Environmental Agency Board Meeting – **Thursday, October 18, 2012, 7:00 pm**
13. ZOOMA Women's Race Event at the Abbey Resort – **Saturday, October 20, 2012**
14. Plan Commission Monthly Meeting – **Monday, October 29, 2012, 5:30 pm**

Public Hearing

Proposed Amendment to Minimum Interior Side Setback in SR-5 Zoning District of the Municipal Code

Plan Commission Chairman Spadoni opened the public hearing at 6:12 pm. The proposed amendment that was directed at the September 4, 2012 joint session meeting is to increase the minimum interior side setback in the SR-5 Zoning District to 15 feet from the initially set 10 feet. Mike Slavney stated that 15 feet matches the old zoning code, it is in line with the other newly adopted residential zoning districts, and approval is recommended by staff. No comments were made during the public hearing, which Spadoni closed at 6:13 pm.

Joint Session Business

Plan Commission Recommendation on Proposed Amendment to Minimum Interior Side Setback in SR-5 Zoning District

President Petersen/Commissioner O'Connell 2nd made a MOTION to recommend Village Board approval of the proposed amendment to the minimum interior side setback in the SR-5 Zoning District as presented, and the MOTION carried without negative vote.

Village Board Consideration of Plan Commission Recommendation on Proposed Amendment to Minimum Interior Side Setback in SR-5 Zoning District

Trustee Pappas/Trustee Kenny 2nd made a MOTION to approve Ordinance 10-01-12-01, amending Section 18-32(m) and 18-81 of the Municipal Code regarding minimum interior side setback in the SR-5 District, as recommended, and the MOTION carried without negative vote.

Plan Commission General Business

Approve Minutes for Meetings Held September 4, 2012

Commissioner O'Connell/Commissioner Frazier 2nd made a MOTION to approve the minutes for the meetings held September 4, 2012 as presented, and the MOTION carried without negative vote.

Cantalupo Lots, 754 S. Lakeshore Drive, Sewer Easement & Lot Line Adjustment Update

Attorney John Maier stated that his client, the Joanne Cantalupo Trust, has no concerns with the 10 conditions for approval listed in the September 28, 2012 Village of Fontana Department of Building and Zoning staff report for the proposed lot line adjustment on the two lots located at 754 South Lakeshore Drive. Thorpe stated that the proposed lot line adjustment does not require Plan Commission or Village Board approval; however, an easement for the existing sanitary sewer line that crosses Lot 1 and Lot 2 will require a Plan Commission recommendation and Village Board approval. Thorpe stated that although the sewer line easement is depicted on the survey filed September 28, 2012, a legal document will have to be drafted, reviewed and submitted for approval. Maier requested that Thorpe provide a copy of the standard utility easement form the Village has used for other property owners.

President Petersen/Commissioner O'Connell 2nd made a MOTION to table the sewer easement proposal for the Joanne Cantalupo Trust lots at 754 S. Lakeshore Drive, and the MOTION carried

without negative vote.

Adjournment Plan Commission

Commissioner O'Connell/President Petersen 2nd made a MOTION to adjourn the Plan Commission meeting at 6:19 pm, and the MOTION carried without negative vote.

Approval of Village Board Minutes

Trustee Spadoni/Trustee Kenny 2nd made a MOTION to approve the minutes for the meetings held September 4 and 7, 2012, as presented, and the MOTION carried without negative vote.

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

Trustee McGreevy/Trustee Spadoni 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 Spadoni/Trustee Kenny 2nd made a MOTION to approve the Village and Utility payables as distributed, including four invoices presented at the meeting for the Village water and sewer bill, for John's Disposal, for the Lake Geneva Regional News and for the Wisconsin PSC, and the MOTION carried without negative vote.

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

138 Fontana Boulevard Lease Renewal

Hayden stated that the current lease with the residential tenants, Myles Hughes and Patty Doherty, for the upper unit at 138 Fontana Boulevard expired and the Village Board had to renew the lease if desired. Micki O'Connell stated that the property currently doesn't look very nice and it needs to be cleaned up and made more presentable, especially considering its highly visible location at the corner of Highway 67 and Fontana Boulevard. Petersen stated that the Public Works Department will get the lot cleaned up.

Trustee Spadoni/Trustee Kenny 2nd made a MOTION to renew the current residential lease for 138 Fontana Boulevard for a one-year term, and the MOTION carried without negative vote.

Operator's License Application Filed by Frank W. Blum (Gordy's)

There were no concerns with the required background check.

President Petersen/Trustee Spadoni 2nd made a MOTION to approve the Operator's License renewal application filed by Frank W. Blum, an employee at Gordy's, and the MOTION carried without negative vote.

Approve Halloween Trick or Treat Hours for October 31, 2012, 4:00 to 7:00 pm

Trustee Spadoni/Trustee McGreevy 2nd made a MOTION to approve the hours for Halloween trick-or-treating from 4:00 to 7:00 pm on Wednesday, October 31, 2012, and the MOTION carried without negative vote.

Ordinance Amending Section 78 Water Utility Rates and Water Service Rules

Hayden stated that the simplified water rate increase application was approved by the Village Board on March 5, 2012, and the proposed ordinance amendment codifies the new rates authorized by the Public Service Commission in its recently completed study.

Trustee Spadoni/Trustee Kenny 2nd made a MOTION to approve Ordinance 10-01-12-02, repealing and recreating Sections 78-94(a)(b), 78-95, 78-96 through 78-97 of the Municipal Code regarding the authorized Fontana water utility rates and the water service rules pursuant to Docket 2020-WQ-104 of the Public Service Commission dated July 16, 2012. The MOTION carried without negative vote.

Department of Public Works Union Contract Renewal

Hayden stated that the agenda item is just a reminder that the union contract with the Department of Public Works employees that was negotiated last year will expire December 31, 2012. Hayden stated that the Act 10 approved by the state legislature last year only allows for one-year union contracts.

Triathlon Follow Up

Hayden stated that Russ Larsen and Multisport Event Management Partners, LLC, have not paid the \$10,000 called for in the triathlon event agreement, which was supposed to have been paid by September 5, 2012. Hayden stated that Larsen contacted her earlier in the day and indicated that he had just sent the check that day via UPS.

Appointment for Plan Commission

President Petersen stated that he received a Committee/Commission Volunteer Form from Cynthia Nickolai, 105 Fontaine Court, and he recommends her appointment to fill the Plan Commission position that is being vacated by Harry Nelson, who has informed the village staff that he will be resigning his position because he is planning to sell his property and move out of the village. Petersen asked the Village Board to consider approval of the resignation of Nelson and the appointment of Nickolai, subject to the receipt of an official letter of resignation from Nelson.

Trustee Spadoni/Trustee McGreevy 2nd made a MOTION to approve the resignation of Harry Nelson from the Plan Commission, and to approve the appointment of Cynthia Nickolai to fill the position, with the appointment to commence on the date Nelson submits an official letter of resignation. The MOTION carried without negative vote.

Appointment for Protection Committee

President Petersen stated that he received a Committee/Commission Volunteer Form from James Frost, 156 W. Main Street, and he recommends his appointment to fill the open position on the Protection Committee that was recently vacated by Greg Blizard.

Trustee Spadoni/Trustee McGreevy 2nd made a MOTION to approve the appointment of James Frost to the Protection Committee, and the MOTION carried without negative vote.

Resolution Authorizing Dog License Fees

Hayden stated that Walworth County receives most of the revenue paid for village dog licenses, and the resolution reflects a recent license fee increase approved by the County Board. The resolution increases the annual fees from \$13 to \$16 for neutered or spayed dogs, and from \$23 to \$27 for dogs that are not neutered or spayed.

Trustee Spadoni/Trustee McGreevy 2nd made a MOTION to approve Resolution 10-01-12-01, amending Resolution 090809-01 establishing fees for dog licenses, and the MOTION carried without negative vote.

Park Commission – Trustee Wilson

Pig in the Park Report & Fund Transfer

Wilson stated that the Pig in the Park event had its most successful outcome this year. Wilson stated that the event has been a successful fund-raiser in the past, with net profits of \$8,144 in 2010, \$7,628 in 2009, and \$5,202 in 2008; however, this year's event was exceptionally successful with a net profit of \$12,344. Wilson stated that the event was so successful because of the work of Mary Green and Hayden. Hayden stated that they received a tremendous amount of assistance in planning and working at the event. The Park Commission allocated \$12,000 of the profits toward the remaining debt on the Little Foot Playground pirate ship. With the \$12,000 allocation and the Big Foot Lions Club last scheduled donation of \$6,000, the balance due on the money borrowed from the General Fund for the purchase of the pirate ship will be about \$7,500.

Tree Pruning Plan Recommendation

Wilson stated that the Park Commission recommended allocating budgeted funds to take care of a portion of a Village tree pruning plan submitted by Jeff Epping. Wilson stated that the Village will be able to have more of the trees pruned yet this fall thanks to a recent donation of \$500 from the Fontana Garden Club for the project.

Trustee Pappas/Trustee McGreevy 2nd made a MOTION to approve the allocation of \$5,000 of the Park Commission budgeted funds and \$1,500 of the Public Works Department Tree Trimming Account funds for the Jeff Epping tree pruning proposal priority list trees on Highway 67, in the boar trailer parking lot area and in the Reid Park area, as recommended. The MOTION carried without negative vote.

Park Permit Applications Filed by Nicole Cossman, Reid Park Gazebo, Friday, June 7, 2013; and Big Foot Recreation District, Park House, Tuesdays, October 9, November 13 and December 11, 2012

Trustee Spadoni/Trustee McGreevy 2nd made a MOTION to approve the Park Permit applications filed by Nicole Cossman for the Reid Park Gazebo, Friday, June 7, 2013; and by the Big Foot Recreation District for the Park House, Tuesdays, October 9, November 13 and December 11, 2012, as recommended. The MOTION carried without negative vote.

Park House Furniture Purchase Recommendation

Wilson stated that the Park Commission recommended allocating \$1,500 of funds donated from the Big Foot Lions Club to purchase new folding chairs and banquet tables for the Park House renovation project. Wilson stated that the funding from the Lions Club, as well as a \$250 donation received September 28, 2012 from Don and Marilee Holst to supplement the purchase of the tables and chairs, will enable the Park Commission to purchase 28 chairs and six tables, as well a rack for storing the chairs.

Trustee Spadoni/Trustee McGreevy 2nd made a MOTION to approve the purchase of 28 Blow Molded Folding Chairs, six Blow Molded Tables, and a Small Chair Truck from Hertz Furniture Systems, the School Furniture Experts, Mahwah, NJ, as recommended. The MOTION carried without negative vote.

Plan Commission – Trustee Spadoni

Cantalupo Lots, 754 S. Lakeshore Drive, Sewer Easement & Lot Line Adjustment Update

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

Protection Committee – President Petersen

Police Chief Duties to Include Patrolling – Tabled 4/2/12

Spadoni stated that he is not interested in pursuing the proposal at this time.

Trustee Spadoni/Trustee McGreevy 2nd made a MOTION to remove the item from the agenda, and the MOTION carried without negative vote.

Ordinances Amending Chapter 34 and Chapter 2-435 of the Municipal Code Regarding Fire Department Officer Terms & Fire Inspection Fees

Hayden stated that the Protection Committee recommended approval of amending the village Municipal Code to authorize three-year terms for the Fire Department officers. Hayden stated that the ordinance amendment to Chapter 34 also calls for the establishment of Commercial Fire Inspection fees, which have been recommended by the Protection Committee and the Finance Committee; amendments to authorize the chief to serve as the fire inspector and for the chief to appoint one or more deputy fire inspectors; the elimination of the “Trustees” section; the elimination of the membership residence requirement of five-miles within the village limits; and the renumbering of Sections 34-87 through 34-95. The proposed ordinance amending Section 2-435(2)(a) also authorizes the change from one-year to three-year terms for fire department officers in the Police and Fire Commission section of the Municipal Code.

Trustee Pappas/Trustee Spadoni 2nd made a MOTION to approve Ordinance 10-01-12-03, amending Chapter 34, Article I and III Fire Prevention and Protection: creating Section 34-4, amending Section 34-80 (g), amending Sections 34-79 and 34-87, and renumbering Sections 34-87 through 34-95, as recommended. The MOTION carried without negative vote.

President Petersen/Trustee Pappas 2nd made a MOTION to approve Ordinance 10-01-12-04, amending Section 2-435(2)(a) of the Municipal Code, as recommended. The MOTION carried without negative vote.

Approve Fire Department Officers for 2012-15

The officers were elected by the department members and recommended for approval by the Protection Committee.

Trustee Kenny/Trustee McGreevy 2nd made a MOTION to approve 2012-2015 Fire Department officers, Chief Wolfgang Nitsch, Assistant Chiefs Jon Kemmett and Scott Peterson, Captains Kyle Ketterhagen, Beth Shodeen, Peter Ackman and Tom Radtke, and Secretary Beth Shodeen, as

recommended and subject to confirmation by the Police and Fire Commission. The MOTION carried without negative vote.

Finance Committee – Trustee Kenny

Reschedule October 18, 2012 Joint Session Budget Meeting

The meeting scheduled for October 18, 2012 had to be rescheduled because three of the Village Board members will be attending the League of Wisconsin Municipalities Annual Conference in Wisconsin Dells. Following discussion, the Village Board decided to schedule a joint session meeting with the Finance Committee to finalize the preliminary 2012 Budget for publication on Thursday, October 11, 2012 beginning at 6:00 pm.

Trustee Kenny/Trustee Spadoni 2nd made a MOTION to schedule a joint session budget meeting with the Finance Committee on Thursday, October 11, 2012 beginning at 6:00 pm, and the MOTION carried without negative vote.

Report on 2012 Wage Review

The Finance Committee is scheduled to make a recommendation on proposed wage increases for the nonunion employees at its next meeting on Thursday, October 4, 2012 beginning at 6:00 pm.

Purchase of Vehicle for Building Inspector

Hayden stated that the Village has the option to purchase a 2008 Chevrolet Blazer from the state depot for \$5,000, and the used military vehicle has a Blue Book value of \$14,000. Hayden stated that the vehicle will require about \$1,600 in repair work, and it will have to be extensively cleaned because it was used in the Iraq desert and there is sand in the engine and other parts that has to be cleaned out; however, it is in good operating condition and can be used by Building Inspector Ron Nyman. Hayden stated that Nyman currently drives his own vehicle and gets reimbursed for mileage. Hayden stated that the Village will be able to save money by just paying for gas for the new vehicle and maintaining it with the other village owned vehicles. In response to a question from Spadoni, Hayden stated that the Village currently spends about \$3,500 annually on mileage reimbursement for Nyman to drive to inspections and to the villages of Walworth and Sharon for office hours, so it will take two years for the Village to break even on the expenditure. Hayden stated the Village also could sell the vehicle in the future for more than the \$6,600 initial investment. Spadoni asked if the village officials in Sharon and Walworth have been asked to share in the purchase expense. Hayden stated that staff did not contact the two villages that receive contracted building inspection services, and the current agreements with Sharon and Walworth call for Fontana to receive 80 percent of the permit fee revenue as compensation, as well as an hourly rate for some services.

President Petersen/Trustee McGreevy 2nd made a MOTION to approve the purchase of the 2008 Chevrolet Blazer from the state depot for \$5,000, and the \$1,600 in repair work, and the MOTION carried without negative vote.

F/W WPCC – President Petersen

2013 O&M Budget

Petersen stated that the FW/WPCC Board approved its 2013 budget on September 11, 2012.

President Petersen/Trustee McGreevy 2nd made a MOTION to approve the 2013 Fontana/Walworth Water Pollution Control Commission budget as presented, and the MOTION carried without negative vote.

2013 Lease for Agricultural Land

Petersen stated that the board also voted at the September 11, 2012 meeting to approve the 2013 Farm Lease at the same \$150 per acre rate for Ronald Ellis of Ellis Farms, Inc.

Trustee Spadoni/Trustee McGreevy 2nd made a MOTION to approve the 2013 Farm Lease with Ronald Ellis of Ellis Farms, Inc., at a rate of \$150 per acre, and the MOTION carried without negative vote.

Lakefront & Harbor – Trustee Pappas

2012 Lease Modifications – 1 Buoy 1 Slip

Hayden stated that the village found waiting list people who agreed to take over 2012 mooring leases for one of the slips and for one of the buoys. Bryan Wright relinquished his pier slip and Keith

Rademacher has agreed to take over the lease for the remainder of the 2012 season. Cliff Woodbury relinquished his buoy and Lynn Lavelle has agreed to take over the lease for the remainder of the season. The 2012 pro-rated lease fees to be paid by Rademacher and Lavelle will be refunded to Wright and Woodbury, respectively.

Trustee Pappas/Trustee Spadoni 2nd made a MOTION to approve the transfer of the 2012 mooring leases from Bryan Wright to Keith Rademacher and from Cliff Woodbury to Lynn Lavelle, and to approve the issuance of refund checks to Wright and Woodbury for amounts equaling the pro-rated lease fees received from Rademacher and Woodbury. The MOTION carried without negative vote.

Public Works – Trustee McGreevy **Construction Projects Updates**

Workman stated that the one project that is not covered under an agenda item is the Duck Pond Standpipe painting project, which is almost completed. Workman stated that the project will be finished this week and the standpipe should be back online by next week.

DPW Report on Vacant Utility Position

Workman stated that the person initially approved for the position did not work out, so the applicants are being reviewed again.

Mohr Road O'Halleran Letter

McGreevy stated that the Public Works Committee discussed the July 23, 2012 letter from Michael O'Halleran at its August 4, 2012 meeting and made a recommendation; however, he was informed that the Park Commission also was planning to review the proposal and the other issues with the public property located at the lakefront at its next meeting Wednesday, October 10, 2012. McGreevy stated that it was his understanding that the item was going to be tabled until both committee recommendations could be presented. Wilson stated that there were Timber Ridge Association residents in the audience and the item should not be tabled. Wilson stated that the Park Commission recommendation will only concern the Mohr Road Park aspects of the situation, and the request to vacate Mohr Road is a Village Board decision that should be discussed. Workman stated that the committee approved a motion to recommend vacation of the road subject to three conditions which were to review the localized storm water management goals, review the road repair and reconstruction costs, and draft and approve a cost sharing plan. Bill Turner stated that he was representing the residents of the Timber Ridge Association, which objects to the proposal by O'Halleran to have the remaining portion of Mohr Road vacated. Turner stated that among the factual errors in the letter submitted by O'Halleran is that he does not currently own half of the entire road; he only owns the portion by the lakefront. Turner stated the public property no longer appears to be accessible to people who walk down the road attempting to reach the park and shore path. Turner stated that in a letter dated August 31, 2012 from the Timber Ridge Association to the Village, there are three items being requested: 1. That Mohr Road not be vacated as proposed by Mr. O'Halleran in his letter dated July 23, 2012; 2. That Mohr Road Park be subject to a conservancy easement so that the Village Board cannot sell it in the future; 3. That Mohr Road Park be made more accessible through improved landscaping. Turner stated that the association members strongly oppose vacating any further portion of the road, and the Village Board members did not act in the best interest of the public in 1997 when a portion of the road was vacated to the benefit of the two adjacent property owners. Turner stated that the proposed public access easement to the lakefront park and shore path that the property owners have offered to provide if the rest of the road is vacated is inadequate as compared to the village owning title to a piece of land that is connected to a public road. Turner stated that the road used to lead to a public boat launch, and the current public access point for the shore path should be protected for future generations. Following a lengthy discussion on how and why the Village Board vacated a portion of the road back in 1997, the Village Board members decided to table the matter until after the Park Commission meeting.

Trustee Pappas/Trustee Gage 2nd made a MOTION to table consideration of the letter received from Michael O'Halleran, and the MOTION carried without negative vote.

Stearns & Dewey Final Pay Request

Workman stated that the village engineer recommended payment of the \$8,890 final pay request submitted by B.R. Amon & Sons, Inc., for the Stearns Road and Dewey Avenue Reconstruction

Contract with five conditions for closing out the contract. The final pay request includes Change Order No. 2 which calls for a \$54,449 decrease in the initial contract.

Trustee Spadoni/President Petersen 2nd made a MOTION to approve the \$8,890 final pay request submitted by B.R. Amon & Sons, Inc., for the Stearns Road and Dewey Avenue Reconstruction Contract, subject to the five conditions in the September 25, 2012 recommendation letter from Ruckert-Mielke Project Manager Terry Tavera. The MOTION carried without negative vote.

Tarrant Drive Storm Sewer Pay Request No. 1

Workman stated that the village engineer recommended payment of the \$31,654 Pay Request No. 1 submitted by S&L Underground and Trucking, Inc., Merrimac, for the Tarrant Drive Storm Sewer Contract. The pay request includes Change Order No. 1 which calls for a \$61,597 increase in the initial contract to cover the installation of a storm manhole mechanical separator.

Trustee Spadoni/Trustee Kenny 2nd made a MOTION to approve the \$31,654 Pay Request No. 1 submitted by S&L Underground and Trucking, Inc., Merrimac, for the Tarrant Drive Storm Sewer Contract, as recommended, and the MOTION carried without negative vote.

Flail Mower Purchase – 2012 Budget Item

Workman stated that he found a used flail mower that is being auctioned on the Wisconsin Surplus Online Auction website. Workman stated that the mower for cutting grass on road shoulders may be available for less the budgeted amount.

Trustee McGreevy/Trustee Kenny 2nd made a MOTION to authorize the purchase of a flail mower on the Wisconsin Surplus Online Auction website for an amount not to exceed \$7,000, and the MOTION carried without negative vote.

Utility Truck Purchase – 2012 Budget Item

Workman stated that upon final review of the bids submitted for the purchase of a new utility truck, the apparent low bid approved last month did not calculate out to the actual lowest bid. Workman stated that he will present the recalculated bids for consideration at a future meeting.

GLLEA Board – President Petersen

Update

Petersen stated that the board will be having its monthly meeting next week.

Closed Session

Trustee Spadoni/Trustee Kenny 2nd made a MOTION at 7:05 pm to adjourn into Closed Session pursuant to Chapter 19.85 (1) (e) Wis. Stats., to deliberate or negotiate the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session,” specifically the property at 120 and 126 W. Main Street, and the Roll Call vote followed:

Trustee Pappas – Aye

Trustee Wilson – Aye

Trustee Spadoni – Aye

Trustee Gage – Aye

President Petersen – Aye

Trustee McGreevy – Aye

Trustee Kenny – Aye

The MOTION carried without negative vote.

Trustee Kenny/Trustee Spadoni 2nd made a MOTION at 7:16 pm to adjourn the Closed Session and to reconvene in Open Session, and the MOTION carried without negative vote.

Adjournment Village Board

Trustee Kenny/Trustee Spadoni 2nd made a MOTION to adjourn the Village Board meeting at 7:16 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 and Plan Commission, the official minutes will be kept on file at the Village Hall.

APPROVED: 11/5/12 – VB; 11/26/12 – PC