

VILLAGE OF FONTANA ON GENEVA LAKE
WALWORTH COUNTY, WISCONSIN
(Official Minutes)
MONTHLY MEETING of the VILLAGE BOARD OF TRUSTEES
Monday, March 6, 2017

Village President Pat Kenny 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: Trustee Whowell, Trustee Pappas, Trustee Prudden, Trustee Petersen, President Kenny

Trustees Absent: Trustee McGreevy, Trustee Livingston

Also Present: Greg Blizard, Sergeant Jeff Cates, Nick Egert, Clerk Theresa Loomer, Administrator Dennis Martin, DPW Manager Brett McCollum, Police Chief Steve Olson, Village Attorney Dale Thorpe, Treasurer Scott Vilona, Sammi Wendling

Visitors Heard

None

Approval of Village Board Minutes

The minutes for the February 6, 2017 village board meeting were distributed.
Trustee Petersen/Trustee Pappas 2nd made a MOTION to approve the village board minutes for the February 6, 2017 meeting, as submitted, and the MOTION carried without negative vote.

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

Trustee Petersen/Trustee Whowell 2nd made a motion to approve the Vendor Report and Payroll Overtime Report as distributed and to place them on file for the audit, and the MOTION carried without negative vote.

Approval of Village and Utility Payables

The February Village and Utility Payable list was distributed.
Trustee Whowell/Trustee Petersen 2nd made a MOTION to approve payment of the Village and Utility payable list, as presented, and the MOTION carried without negative vote.

Protection Committee – Trustee Prudden

Plaque Presentation to Retiring Chief Steve Olson

President Kenny presented a plaque in recognition and appreciation for serving more than 19 years as the Village of Fontana Police Chief. Prudden thanked Chief Olson for his many years of service.

Announce Official Date for Commencement of Chief Cates and Sgt. Goetsch

Martin announced that Friday, March 10, 2017 will be the official retirement date for Chief Olson and the official promotion date for Chief Jeff Cates and Sergeant Derrick Goetsch. Chief Olson will still remain a Village employee until the end of the month and will be available to help with any training or questions as needed.

Full-Time and Three-Quarters Time Police Officer Hiring Recommendations

Nicholas Knorr is recommended for the full-time police officer position and Gregory Ryan is recommended for the three-quarters time police officer position; both are contingent on passing the psychological and physical exams. The full-time position is represented by the WPPA and will be paid according to the union contract. The three-quarters position is not represented by the WPPA and wages will be according to the Village Salary Schedule for an amount not to exceed \$23.69 per hour with benefits at 75 percent.

Trustee Prudden/Trustee Whowell 2nd made a MOTION to approve the hiring recommendation of Full-Time Officer Nicholas Knorr and Three-Quarters Officer Gregory Ryan, contingent on passing the psychological and physical examinations, and the MOTION carried without negative vote.

EMS Billing Contract Amendment Approval

The state required EMS Billing reporting software has changed requiring an amendment to the billing contract with the Village of Fontana. The rates have been modified but there will be no additional charge to the Village. Martin stated that the Fire and Rescue Dept. officers reviewed the contract and requested that it be approved.

Trustee Prudden/Trustee Pappas 2nd made a MOTION to approve the EMS Billing Agreement Amendment with EMS Medical Billing Associates, LLC, subject to review by the Village Attorney, and the MOTION carried without negative vote.

General Business – President Kenny

Temporary Operator’s License Application filed by Patrick Kenny, Big Foot Lobster Boil, July 29, 2017

Trustee Prudden/Trustee Pappas 2nd made a MOTION to approve the Temporary Operator’s License Application filed by Patrick Kenny for the Big Foot Lobster Boil on July 29, 2017, and the MOTION carried without negative vote. President Kenny abstained.

Lakefront Committee – Trustee Pappas

Pier Permit Application Filed by Robert Hehr for Property at 630 S. Lakeshore Drive

An application was submitted by Larry Quist from Pier Docktors, Inc. for a pier addition for the property owned by Robert Hehr at 630 S. Lakeshore Drive. The proposed pier addition seeks to add one slip on the east side of the existing pier. The addition will add a total of 18-feet to the pier and will be 14.5 feet from the property line using the lot line measurement. The riparian neighbors, Sydney Bliss and Sue Origer have been notified by certified mail, as required. The DNR has already approved the application with conditions. There are two houses on the property which have been established as a condominium association and the Lakefront Committee recommended that the application is filed by the Hehr Condominium Association rather than by owner Robert Hehr.

Trustee Pappas/Trustee Whowell 2nd made a MOTION to approve the Pier Permit application filed by Robert Hehr for the property at 630 S. Lakeshore Drive with the conditions the condominium association is listed as the applicant, and an as-built survey is filed upon completion, and the MOTION carried without negative vote.

Boat Slip Waiting List Policy and Schedule Amendments

Pappas explained the process followed by staff to go through the boat slip waitlist. There are a total of 174 people on the waitlist and the top 12 were grandfathered to the top of the list prior to 2003. The remainder of the list is categorized by four priority rankings: Priority 1 – Fontana Property Owner & Full Time Resident (taxpayer & registered voter); Priority 2 – Fontana Property Owner & Part Time Resident (taxpayer but resides/votes elsewhere); Priority 3 – Fontana Property Owner of Vacant Lots/Dockominiums/Resort Hotel Condo Units; Priority 4 – Non-Resident (Application will be considered only if all other priorities are satisfied). Currently, each person on the waitlist who is offered a slip can pass three times before being removed or dropped to the bottom of the priority list. Staff begins at the beginning of the waitlist each season if and when boat slips become available. Pappas stated the committee recommended giving each person on the waitlist only one chance to obtain a slip if their name comes up, rather than three, and if they pass they are moved to the bottom of the priority list; however, since majority of people have already made other slip arrangements during the summer months, if someone is offered a slip between April 1 and Sept. 1 and they pass, they will retain their position on the list. The committee recommended that renewal letters be sent out September 1 and a \$500 deposit be required by October 15. Starting November 1, staff can contact the people on the waitlist for any available slips. The contacted waitlist person will have 14 days to respond to staff about whether they will take the available boat slip for the following season. If the person denies the available boat slip, they are removed from the list and their \$75 deposit will be refunded upon request. The final payment will be due on January 31. Thorpe suggested formatting the policy in the form of a resolution, making sure to include reserving the right to amend the resolution. Pappas asked that staff post the most current list on the website.

Trustee Pappas/Trustee Prudden 2nd made a MOTION to approve putting into resolution form with the right reserved to amend, retroactive to the beginning of the 2017 mooring season, modification

of the Boat Slip Waiting List Policy and Schedule and to direct staff to send out boat slip renewal notice letters for the following season on September 1, require a \$500 deposit by October 15, and require final payment by January 31. Beginning November 1, staff may contact waitlist applicants for any available boat slips for the following season and a response is required within 14 days of contact; if there is no response or the waitlist applicant denies the boat slip, they will be removed from the list and the \$75 deposit will be refunded upon request. The applicant is required to reapply to get back on the waitlist. The season will be defined as April 1 – September 1, and any applicant that is contacted for an available boat slip during that timeframe and passes will not be removed from the list and will retain their status. The MOTION carried without negative vote.

Plan Commission – Trustee Prudden

Ordinance Amendment to Section 18-13, Definitions – Impervious Surface

The definition of Impervious Surface was modified to include aggregate, gravel, pavers and pavement; limerock was removed from the definition. Approval is recommended after holding a public hearing at the last Plan Commission meeting.

Trustee Prudden/Trustee Whowell 2nd made a MOTION to approve Ordinance 030617-01, amending Section 18-13 of the Municipal Code regarding Impervious Surface, as presented, and the MOTION carried without negative vote.

Certified Survey Map Filed by Kenneth Pariser for the Property at 398 Hillcrest Drive

An updated application and certified survey map for the property at 398 Hillcrest Drive was filed on February 7, 2017. The application has been reviewed by the village attorney, village engineer and staff without any concerns and is recommended for approval with the standard conditions.

Trustee Prudden/Trustee Whowell 2nd made a MOTION to approve the Certified Survey Map filed by Kenneth Pariser for the property at 398 Hillcrest Drive, with the condition cost recovery is paid in full and the Certified Survey Map is recorded with the Walworth County Register of Deeds Office, and the MOTION carried without negative vote.

Public Works

Authorize Sale of Old Vehicles and Equipment

An appraisal from Lynch Truck Center in Waterford on the DPW 2005 Chevrolet c5500 dump truck came back at \$20,000 wholesale and \$24,000 retail. An offer was received from Soday Services, Bobcat Work Excavation, for \$20,000. Thorpe said since the offer for the truck is the wholesale estimate and evidence of value is provided, there is no legal issue with the Village selling the truck to Soday Services. Pappas stated he would like to see the truck advertised so it does not appear like the Village is selling the truck inappropriately. To list the truck on e-Bay, Martin said the Village would have to pay a listing fee and a certain amount when the sale price exceeds \$10,000, but he was not certain of the percentage of the sale price that is used to calculate the eBay charge. There was discussion about whether to put the truck on display locally, advertise in the local newspaper or to list it for free on Craigslist.

Trustee Prudden/Trustee Pappas 2nd made a MOTION to sell the truck for at least \$20,000 by placing it out front and posting and ad in the local paper, and if no one purchases the truck within a week, staff can sell the truck to Soday Services for the bid amount of \$20,000, and the MOTION carried without negative vote.

A list with various unusable and/or out-of-date equipment was provided by DPW which they would like authorization to sell or dispose of. The list did not include the 1997 Ford F150 or the 1995 Dodge Ram which the DPW would also like authorization to sell.

Trustee Petersen/Trustee Prudden 2nd made a MOTION to authorize the sale or disposal of the list as presented along with the 1997 Ford F150 and 1995 Dodge Ram, as presented, and the MOTION carried without negative vote.

Second Avenue Water Main Relay Close-Out Change Order No. 1 and Final Payment Recommendation No. 2

Change Order No. 1 was received for the Second Avenue Water Main Relay for the decrease of \$5,311.10 to close out the contract. The Final Application for Payment was received in the amount of \$10,799.10. The change order and final application for payment have been reviewed by the Village Engineers and are recommended for approval.

Trustee Whowell/Trustee Petersen 2nd made a MOTION to approve the Second Avenue Water Relay Change Order for a decrease of \$5,311.10 and Final Application for Payment in the amount of \$10,799.10, and the MOTION carried without negative vote.

Human Resources Committee – President Kenny

DPW Crew Member Hiring Recommendation

The Human Resources Committee recommended hiring Drew Perepell to fill the vacant DPW crew member position in accordance with the AFSCME contract. Martin stated that Perepell has completed and passed the background check and he would like Village Board approval for Perepell to be hired effective March 7, 2017.

Trustee Prudden/Trustee Whowell 2nd made a MOTION to approve hiring Drew Perepell to fill the vacant DPW Street Dept. Crew Member Position at the entry union level according to the AFSCME contract, as recommended, with his first day March 7, 2017, and the MOTION carried without negative vote.

CLOSED SESSION AGENDA

Closed Session

Trustee Pappas/Trustee Petersen 2nd made a MOTION at 6:31 pm to adjourn into Closed Session pursuant to Wis. Stats. Chapter 19.85(1)(e), “deliberating or negotiating 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 Direction for Foss Estate Appeal.

The Roll Call Vote was as follows:

Trustee Whowell - Aye

Trustee Pappas – Aye

Trustee Prudden – Aye

Trustee Petersen – Aye

President Kenny – Aye

The MOTION carried on a 5-0 vote with Trustee McGreevy and Trustee Livingston absent.

Adjournment Closed Session

Trustee Whowell/President Kenny 2nd made a MOTION to adjourn closed session at 6:37 pm, and the MOTION carried without negative vote

Closed Session Business

Trustee Whowell/Trustee Petersen 2nd made a MOTION to discontinue the legal process for the Foss Estate Appeal, and the MOTION carried without negative vote.

Adjournment

Trustee Petersen/Trustee Whowell 2nd made a MOTION at 6:38 pm to adjourn the meeting, and the MOTION carried without negative vote.

Minutes prepared by: Theresa Loomer, 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: 03/27/17