

VILLAGE OF FONTANA ON GENEVA LAKE  
WALWORTH COUNTY, WISCONSIN  
(Official Minutes)

MONTHLY MEETING of the PARK COMMISSION  
Wednesday, April 21, 2010

Chairperson Sarah Lobdell called the meeting of the Park Commission to order at 6:00 pm in the Meeting Room at the Village Hall, 175 Valley View Drive, Fontana, Wisconsin.

**Park Commissioners present:** Sarah Lobdell, Nancy Krei, Jill Wegner, Dan Green, Sharon O'Brien  
**Park Commissioners absent:** Sharon Conklin, Melissa Colby (submitted resignation April 11, 2010)

**Also present:** Lynn Frost, Susan Geye, Charles Harrett, Trudy Havens, Administrator/Treasurer Kelly Hayden, CDA Commissioner Gail Hibbard, Rob Ireland, Attorney Robert Leibsle, Village Clerk Dennis Martin, Ron McCormack, Joseph McHugh, Gary Neilson, Tom O'Brien, Trustee Peg Pollitt, Margaret Reuland, Rick Treptow, Trustee Cindy Wilson, Director of Public Works Craig Workman

**Approval of Minutes**

Wegner/Krei 2<sup>nd</sup> made a MOTION to approve the minutes for the meeting held March 16, 2010, as presented, and the MOTION carried without negative vote.

**Visitors Heard**

**Correspondence Received from Geneva Lake Conservancy Executive Director Joseph McHugh**

Geneva Lake Conservancy Executive Director Joseph McHugh submitted letters to the Village on April 19, 2010 and April 20, 2010 that request the Park Commission to review the process and the ultimate decision to approve the removal of a "centuries old oak tree" on the property owned by Gary Neilson and Trudy Havens at 403 N. Lakeshore Drive. McHugh also distributed through the Geneva Lake Conservancy a letter written by Fontana resident Charles Harrett, who also spoke during the Visitors Heard portion of the April 5, 2010 Village Board meeting. There was not a Tree Removal Permit required for the removal of the "centuries old oak tree" because according to the Wachtel Tree Science report filed with the Village by the property owner, the tree is diseased, dead, injured or in danger of falling. The report was filed with three conditional use permit applications filed by Neilson and Havens that were presented at public hearings January 25, 2010 before the Plan Commission and approved by the Village Board February 1, 2010. McHugh stated that he would like the Park Commission to consider conducting an appeal hearing that night, and he would like the Village to contract with another company other than Wachtel Tree Science for a second report on the "centuries old oak tree." Village Attorney Dale Thorpe submitted a letter to the Park Commission members prior to the meeting to address the issues of the tree on the Neilson/Havens property and the tree removal appeal request. Thorpe states in the letter that it would be inappropriate for the Park Commission members to do anything more than listen to public comment that might come up concerning the tree issue, and if they choose to do so, set the matter for a subsequent Park Commission meeting agenda for additional discussion, deliberations and possible action. Thorpe states in the letter that the Park Commission should not at the meeting that night be receiving testimony from experts unrelated to the matter, and should not be receiving testimony from an arborist. Regarding McHugh's request for a tree removal appeal, Thorpe states in the letter that the Village code does not describe any of the procedural details that will need to be addressed in order to bring an appeal to the Park Commission and thereafter, to the Village Board. Thorpe states that a notice with regard to a meeting on the appeal should be given to all parties in writing so that they have adequate notice and an opportunity to prepare whatever case they wish to make before the Park Commission. Thorpe also addressed in the letter to the Park Commission the preservation of the tree in question and the issue of people trespassing on the property. Former resident Susan Geye asked Lobdell about the current tree ordinance and Lobdell read from the ordinance. Attorney Robert Leibsle, representing Neilson and Havens, stated that his clients purchased the property one year ago and they have worked with the Village throughout the approval process, which included the three public hearings, to obtain all the necessary permits for the residential building project. Leibsle stated that his clients were not aware of the intensity of objections the Geneva Lake Conservancy had helped to drum up, but he urged the Park Commission members to make sure they deal with facts. Leibsle stated that the "centuries old oak tree" in question, that Harrett previously stated is about 300 years old and was around when Chief Big Foot was living, is actually two Red Oak trees

that are about 80- to 100-years-old and have 38-inch diameters. Leibsle stated that his clients worked with a certified arborist on the project plan and they are concerned about all the trees on their property. Leibsle stated that the drama needs to be winded down and the facts need to be presented. Krei asked if delaying holding an appeal hearing would cause a hardship to the property owners. Krei stated that the Park Commission should not wait until the next monthly meeting in May to hold a meeting to consider the appeal. The Park Commission members were in consensus that a hearing should be scheduled. Gary Neilson and Trudy Havens and McHugh indicated that they could attend a meeting on Wednesday, April 28, 2010 beginning at 6:00 pm, for the Park Commission to consider the appeal request. Neilson stated that he will be glad to present the planning process they considered and lay out the logic behind the final tree plan for the residential development project.

O'Brien/Green 2<sup>nd</sup> made a MOTION to schedule a Park Commission meeting for Wednesday, April 28, 2010 beginning at 6:00 pm to consider the appeal requested by the Geneva Lake Conservancy regarding the Tree Removal permits issued for the property located at 403 North Lakeshore Drive. The MOTION carried without negative vote.

### **Announcements**

#### **Arbor Day Program at Fontana Elementary School – Friday, April 30, 2010, 10:00 AM**

The agenda incorrectly stated that the program will begin at 11:30 am; however, it will begin at 10:00 am. Lobdell, Krei and O'Brien indicated that they will be attending the event. The Daughters of the American Revolution tree planting ceremony will be held at 11:00 am at the Mill House Pavilion on Friday, April 30.

### **General Business**

#### **Park House Use**

The Park House was used 17 times in March 2010.

#### **Treasurer's Report**

The treasurer's report for March 2010 was presented by Krei.

#### **Plan Commission Report**

Lobdell stated that the Park and Open Space Plan additional items were presented at a public hearing and approved by the Plan Commission and Village Board. The Abby Harbor Condominium Association has requested that its proposal to relocate a gas tank in the harbor be put back on the Plan Commission agenda for consideration.

#### **Public Works Report**

Workman stated that the Public Works Department has been busy in recent weeks completing a controlled burn at the Duck Pond, completing preparatory work at Reid Park, and installing arbors at the beach house. Workman stated that the Blackstone Landscape, Inc. contract also has been finalized and the Pioneer Park and new planting areas in the boat trailer parking lot have been added to the work areas.

#### **TID Maintenance – Items/Update**

The work on the retaining wall in Pioneer Park has been completed. Pending work to be completed in the next few weeks includes installing wiring on the beach house to abate the seagulls that land on the roof, resealing the floor at the Mill House Pavilion and replacing two dead trees in Porter Court Plaza.

### **Old Business**

#### **Duck Pond Disc Golf Course – Update**

Lobdell stated that new permanent holes for the disc golf course at the Duck Pond Recreation Area should be installed by mid-May. Lobdell stated that a new course will be laid out in the next few weeks.

#### **Fontana Fourth Fest – Update**

Hayden stated that the Village has had a number of vendors sign up for the July 3 and 4, 2010 event in Reid Park. Hayden stated that local artisan Frank Breneisen also has offered to help attract more local participants. Hayden stated that Ed Snyder was able to secure about \$5,000 in donations from ABKA, the Abbey Villas, the Abbey Dockominium Association and the Abbey Ridge for the fireworks funds and other donations have been pledged. Martin stated that there are three bands signed up for the Battle of the Bands and others have been in contact, including a 19-piece swing band.

### **Chili Cook-Off & Bonfire Event – Update**

Green stated that the subcommittee did not meet this last month and there is nothing new to report.

### **Reid Park Events – Farmer’s Market Update**

Wegner stated that she picked up some information on possible participants and the subcommittee will be meeting this month. The subcommittee will look at possibly planning the event to be held in the Porter Court Plaza area instead of at Reid Park or in the lakefront parking lot.

### **Landmark Tree List – Update**

Martin distributed the list of the previously approved Landmark and Commemorative Trees that are all located on Village property. Trees that have to be added to the list include the memorial tree in Reid Park planted for D.J. Barr, a memorial tree to be planted on the lakefront in a location to be determined for George Polkow, and a tree at the Duck Pond for Dr. Ralph Casciaro. There were no trees nominated for the list back in 2006 when the Park Commission solicited for trees located on private property. The Park Commission members decided to publicize the Landmark Tree List on the Village website, in the next newsletter and at upcoming events in the hopes of attracting applicants.

Wegner/O’Brien 2<sup>nd</sup> made a MOTION to add the memorial tree in Reid Park planted for D.J. Barr, a memorial tree to be planted on the lakefront in a location to be determined for George Polkow, and a memorial tree at the Duck Pond planted for Dr. Ralph Casciaro to the list of Landmark and Commemorative Trees located on Village property. The MOTION carried without negative vote.

### **Mohr Road Park Sign – Update**

O’Brien stated that the sign indicating the public access point for the Geneva Lake shore path at the end of Mohr Road has been corrected; however, she would like to see an official Village park sign erected at the site. Martin stated that the meeting minutes indicate the Park Commission already approved having an official Village park sign erected at the site; however, a sign has never been ordered. O’Brien stated that she will get a cost estimate for a new sign and present it to the Park Commission at the next monthly meeting.

### **New Business**

#### **Request to Donate Commemorative Tree – Gia Casciaro**

Gia Casciaro submitted a letter to the Park Commission that proposes the donation of a commemorative tree to the Village in memory of Colleen Schober. The letter states that the Casciaro family previously donated a commemorative tree to the Village in memory of Dr. Ralph Casciaro. That tree was planted at the Duck Pond Recreation Area. The letter proposes donating \$250 for the purchase of a flower blooming tree, with a plaque that reads: “May this tree blossom with life year after year in loving memory of Colleen Schober, devoted mother, wife, sister and friend (1954-2010).” Following discussion, the Park Commission members reached a consensus that a crab tree should be suggested for planting at the Duck Pond Recreation Area in a site adjacent to the commemorative tree for Dr. Ralph Casciaro.

O’Brien/Wegner 2<sup>nd</sup> made a MOTION to accept the donation of \$250 to purchase a flowering crab tree for planting at the Duck Pond Recreation, and to add the Commemorative Tree for Colleen Schober to the Village’s list of Commemorative and Landmark Trees. The MOTION carried without negative vote.

#### **Schedule Annual Park Walks**

The Park Commission set the dates for its annual walks through the Village parks to note areas of concern or repair needs. The walks will be held on Tuesdays, May 4, 11 and 18, 2010 beginning at 5:30 pm. The first walk on May 4 will be through the lakefront parks; the May 11 walk will be through Hildebrand Nature Conservancy, Headwaters Park and Porter Court Plaza; and the May 18 walk will be through the Duck Pond Recreation Area.

O’Brien/Wegner 2<sup>nd</sup> made a MOTION to schedule the annual Park Walks for May 4, 11 and 18, 2010 beginning at 5:30 pm, and the MOTION carried without negative vote.

#### **Shabbona Path Update**

Workman stated that he and Trustee Cindy Wilson are working with local Boy Scout Dan Freytag, a Big Foot High School student working on his Eagle Badge Project, to coordinate the construction of the Shabbona Path. Freytag and other Boy Scouts will be working on Saturday, May 15, 2010, with the assistance of the Department of Public Works. The path will be constructed out of crushed gravel with 6-by-6-foot timber

stairs. Workman stated that the goal is to complete the project in one day; however, it may take some additional work on Sunday, May 16, 2010.

### **Fontana Garden Club Proposal to Establish Volunteer Work Group**

Fontana Garden Club President Lynn Frost stated that the club currently has 140 members and one of the club's missions is the beautification of the area. Frost stated that CDA Commissioner and club member Gail Hibbard has organized volunteer groups that have worked on the oak savannah project at the Duck Pond, and the club has donated \$2,000 for seed for the savannah project. Frost stated that club members also plant and maintain the memory garden at the lakefront; however, the club members would like to offer their services for other ongoing maintenance projects. Frost stated that a "Friends of the Parks" volunteer work group could be organized to help with park projects. A membership contact list could be developed, and when a planting or weeding or other gardening project is scheduled, the volunteers could be contacted. O'Brien stated that she thinks a volunteer work group is a fabulous idea and the Park Commission can help coordinate the establishment of the initial contact list. O'Brien stated that there are some plantings planned for Pioneer Park that the group could assist with. Lobdell stated that the Park Commission should form a subcommittee to help plan and build the database of volunteer contacts.

O'Brien/Wegner 2<sup>nd</sup> made a MOTION to support the establishment of a Friends of the Parks volunteer work group and to form a subcommittee at the next monthly meeting to work with the Fontana Garden Club on the establishment of a volunteer contact database. The MOTION carried without negative vote.

### **Big Foot Recreation Department Request for Inflatable Movie Screen for Beach**

Hayden stated that the Big Foot Recreation Department would like to host "Movie Nights" at the Fontana Municipal Beach on Saturdays, June 12 and 26, 2010; July 10 and 24, 2010; and August 7 and 21, 2010. Hayden stated that the movies would begin after dark, at about 8:45 to 9:00 pm. Hayden stated that the plan is to set up an inflatable screen near the beach entrance, which is close to electrical service. Patrons would sit on the beach. Hayden stated that the proposal includes the Big Foot Recreation Department collecting the \$1 admission fee and the Village operating its beach concession stand during the movies.

Wegner/Green 2<sup>nd</sup> made a MOTION to recommend approval of the Big Foot Recreation Department Movie Nights proposal as presented, and the MOTION carried without negative vote.

### **Bills to Pay**

#### ***Arbor Day Program \$250 Appropriation for Fontana Elementary School***

#### ***Easter Egg Hunt Invoice for Candy***

The Park Commission makes an annual appropriation of \$250 to the Fontana Elementary School for the annual Arbor Day Program, which will begin at 10:00 am on Friday, April 30, 2010. The Park Commission also received an invoice for \$292 for its portion of the candy expenses for the annual Easter Egg Hunt.

O'Brien/Wegner 2<sup>nd</sup> made a MOTION to approve payment of the annual \$250 appropriation to the Fontana Elementary School and the \$292 invoice from Big Foot Recreation Department for the Easter Egg Hunt, and the MOTION carried without negative vote.

### **Park Applications**

#### ***Carole J. Bartman, Reunion, Duck Pond Pavilion with Beer/Wine Consumption Permit, Saturday, July 24, 2010, 11:00 AM to Dusk***

#### ***Joe and Jenn Special, Birthday Party, Duck Pond Pavilion, Saturday, May 29, 2010, 2:00 to 5:00 PM***

The Duck Pond Pavilion is available on both of the requested dates and the applications are complete.

O'Brien/Krei 2<sup>nd</sup> made a MOTION to recommend approval of the Park Permit applications as filed by Carole J. Bartman and by Joe and Jenn Special, and the MOTION carried without negative vote.

### **Any Other Comments or Concerns**

O'Brien stated that the Samuel Phoenix Chapter of the Daughters of the American Revolution will be planting the burr oak tree it donated to the Park Commission at the Mill House Pavilion on Friday, April 30, 2010 at a ceremony beginning at 11:00 am. Workman will have the Department of Public Works crew members prepare the site where the tree will be planted.

### **Pending Item for Future Agendas**

1. Park Maintenance Plan

**Adjournment**

Green/Wegner 2<sup>nd</sup> made a MOTION to adjourn the meeting at 7:11 pm, and the MOTION carried without negative vote.

Note: These minutes are subject to further editing. Once approved by the Park Commission the official minutes will be on file at the Fontana Village Hall.

Approved: 5/19/10