

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

(Official Minutes)

MONTHLY MEETING of the VILLAGE BOARD OF TRUSTEES
Monday, May 2, 2016

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: Rick Pappas, Dave Prudden, Stan Livingston, Arvid Petersen, President Pat Kenny, Tom McGreevy

Trustees Absent: Tom Whowell

Also Present: Greg Blizard, Jade Bolack, Courtney Castelein, Rallee Chupich, David Lindelow, Clerk Theresa Loomer, Administrator Dennis Martin, Zoning Administrator Bridget McCarthy, Fire & Rescue Dept. Chief Wolfgang Nitsch, Police Chief Steve Olson, Dave Patzelt, Mike Pauly, Scott Peterson, Duane Ratay, Darien Schaefer, Ed Snyder, Treasurer Scott Vilona

Visitors Heard – Visit Lake Geneva Executive Director Darien Schafer

VISIT Lake Geneva Board of Directors Chairman David Lindelow, who is employed as the Abbey Resort and Avani Spa general manager, thanked the Village for its support of the convention and visitors bureau membership since 2008 and spoke about the continued growth and change of the organization in order to promote tourism in the Lake Geneva area. In 2015, the Lake Geneva Chamber of Commerce and the Lake Geneva Area Convention & Visitors Bureau merged into one organization which is now known as VISIT Lake Geneva. Lindelow said there has been a 64 percent increase in room tax from 2010 to 2016 and he projected it will go up by another \$180,000 in five years. Lindelow stated that although the Lake Geneva tourism budget has nearly doubled to \$1 million, it is still half the amount of what Wisconsin Dells and Door County spends on their tourism budgets. Petersen asked why it was named VISIT Lake Geneva, which is the name of the city, rather than Geneva Lake which represents the entire Geneva Lake area including Fontana and Williams Bay. Lindelow said more than 80 percent of visitors are from Illinois and believe the body of water is called Lake Geneva, and VISIT Lake Geneva was created and named in order to appeal to that large market. Martin read the names of the four Geneva Lake West Chamber of Commerce interns who will be attending local board meetings: Grant Germano, Brenna O'Brien, Destiny Schmidt and Gloria Escaro.

Announcements

Martin introduced Mike Pauly from Elite Lawn Care Service which took over the village landscape maintenance from Blackstone this year.

Approval of Village Board Minutes

The minutes for the April 11, 2016 Village Board meeting and the April 25, 2016 Joint Plan Commission and Village Board meeting were distributed.

Trustee Petersen/Trustee McGreevy 2nd made a MOTION to approve the minutes as submitted, and the MOTION carried without negative vote.

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

The March 2016 Treasurer's, Vendor and Payroll Overtime reports were distributed.

Trustee Petersen/Trustee McGreevy 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

Martin stated Deputy Clerk Julie Olson has been on vacation so the Village and Utility Payable list has not been distributed. He asked if the Board would consider advanced approval of the budgeted monthly bills and a list would be presented at next month's meeting.

Trustee McGreevy/Trustee Prudden 2nd made a MOTION to approve payment of the Village and Utility payable at the discretion of staff, and present the list at next month's meeting, and the MOTION carried without negative vote.

General Business – President Kenny

Operator's License Application Filed by Marc J. Kosiek (Abbey Resort)

There were no issues with the applicants background check and the \$60 fee has been paid.

Trustee McGreevy/Trustee Prudden 2nd made a MOTION to approve the Operator's License application filed by Marc J. Kosiek for the Abbey Resort, and the MOTION carried without negative vote.

Temporary Liquor License Application Filed by St. Benedict Church, Big Ticket Raffle, June 29, 2016

Trustee Prudden/Trustee McGreevy 2nd made a MOTION to approve the Temporary Liquor License Application Filed by St. Benedict Church for the Big Ticket Raffle on June 29, 2016 and the MOTION carried without negative vote. President Kenny abstained.

Proposal for Amendment to Lake Street Alcohol Ordinance Municipal Code Section 6-21(2)(h)

Martin stated that owner of Gordy's, Trustee Tom Whowell, requested an ordinance amendment in Chapter 6-21 to allow restaurant servers or designated staff to cross the street with alcohol from one side of the property at Gordy's Boat House to the other. Martin said when the Village Board authorized outdoor alcohol service on the lake side of Lake Street, service on the closed street was brought up and was not approved at that time. Chief Olson stated he has serious concerns about safety and the possibility that people may end up in Reid Park or outside of the designated area with alcohol. Rallee Chupich stated Gordy's takes their liquor licensing through the Village very seriously and explained that sometimes when customers are waiting for a table at the restaurant they will go across the street by the lake and order a drink from the Shore Shack. As soon as their buzzer goes off when their table becomes available, they must quickly consume their drink or dump it out, in order to cross the street to get to the restaurant for their dinner reservation. Chupich stated there would be designated staff to carry the drinks across the street for the customers. Prudden asked if the street would be closed during this this time. Chupich stated the approval request would be for Thursday through Sunday, but the road is only closed Friday afternoon through Sunday. Prudden stated that if the street is closed and the area is secure then he sees no problem with the amendment. Pappas stated he is okay with giving it a try on a temporary basis to see how it works out. The ordinance amendment was directed to the Protection Committee for follow-up. Thorpe stated he would look for the file started several years ago and draft a new ordinance.

Shodeen Construction Request for Row Homes Parking Spots on Third Avenue

Dave Patzelt from Shodeen Row Homes made a request to remove the "no parking" restriction along the north side of Third Street for short-term visitor parking for the new row homes. Chief Olson submitted research he conducted regarding the possible addition of parking stalls on Third Avenue. Third Avenue is 30-feet wide from the intersection at Reid Street west to about 100-feet east of Highway 67. The double "yellow" lines run down the center of the street and the recommended width for a traffic lane is 9- to 12-feet-wide. In order to create parallel parking spaces on Third Avenue, the double yellow lines would have to be removed and a new lines painted about 3.5-feet south of the existing lines. The yellow paint on the curbing on the north side of the street (except in restricted areas) would need to be removed, and parking stalls would need to be painted. Olson said that because of where the fire hydrants are located, there is not much room for parking. Thorpe stated he remembered that when the zoning amendment was discussed by staff and the Plan Commission during the approval process for the Row Homes development, it was specifically stated that parking could not occur on Third Avenue and would need to be included somewhere on the property. Patzelt stated he is bringing up the parking issue because potential buyers have asked for it and it would be for when a visitor stops by and parks in front of the resident's front door, and not for long-term or overnight. Martin stated that he spoke to Trustee Whowell who could not attend the meeting because of a vacation trip, but he stated the reason for the no-parking rule on Third

Avenue is because it is the lead-in lead-out to the Village launch and boat trailer parking lot and in the summer there are trailers with boats traveling in both directions on Third Avenue. Several other parking options were discussed including the library parking lot and along Second Avenue. Pappas stated that on busy weekends during the summer, parking spaces on Third Avenue would be taken up early and not be available for visitor parking. McCarthy encouraged the Village Board to look at the Village as a whole when considering the parking limitations, and said there is another development right down the road which would likely also ask for parking on Third Avenue in front of their development if this is approved. The item was directed to the Protection Committee for further review.

Approve GLLEA 2016 Officer Appointments

The list of the 2016 GLLEA Officer Appointments was distributed and includes Thomas Hausner, Lloyd "Steve" Cole, Dana Ackman, Danielle Apker, Brian Clarke, Katherine Daniels, Steven Fraser, Greg Gregory, Nicole Heckel, Timothy Mackesey, Paul Matouski, Kevin Patrenets, Craig Rasmussen, Shaun Sowa, and Dale Vavra.

Trustee Petersen/Trustee Pappas 2nd made a MOTION to approve the recommended GLLEA 2016 Boat Patrol Officers, subject to final approval by the PFC, and the MOTION carried without negative vote.

SteveO's Park Place LLC Liquor License Transfer to New Premises at Pie High Pizza, 411 Mill Street

Martin stated he received a request from Steve Fairchild and Brian Pollard, owner of the building at 441 Mill Street, to transfer SteveO's Park Place LLC Class "B" Beer and "Class B" Liquor License to the unit at 441 Mill Street that is the current site of Pie High Pizza. John Karabas who holds a Class "B" Beer and Class "C" wine license will have to surrender his licenses in order for Fairchild to transfer his license to the same premise. There is no state quota or maximum number of beer or wine licenses that a municipality can issue like there is for full liquor licenses. Thorpe stated that if the Board would chose not to approve the transfer of Fairchild's license from the former Park Place Lounge at 268 Reid Street, they would need a valid reason for denial. Trustee Pappas made an initial motion seconded by Trustee Petersen to table the liquor license transfer. Pappas indicated that he would like to see more information first and asked if there was paperwork requirements. McGreevy stated that a special meeting could be held later in the week if the inspections must be done prior to approving the transfer of the license. Thorpe stated that typically the board will make the approval dependent on if certain conditions are met such as the required inspections and proper licensing. He stated he did not believe there was any further information needed. After discussion, Trustee Pappas withdrew his initial motion to table and Trustee Petersen withdrew his second.

Trustee Prudden/Trustee McGreevy 2nd made a MOTION to approve the transfer of Steve O's Park Place LLC to 441 Mill Street, with the conditions the three required inspections by the Building and Zoning Department, Fire Department and Police Department are completed, that John Karabas surrenders his Class "B" Beer and "Class C" wine license for the same premises, that a copy of the lease agreement between Fairchild and Pollard is submitted, and that Fairchild's Seller's Permit is active and in good standing. The MOTION carried on a 4-2 vote with Trustee Pappas and Trustee Petersen opposed, and Trustee Whowell absent.

Protection Committee – Trustee Prudden

Proposal to Extend Second Shift Paratech Contract for Remainder of Year

Fire & Rescue Dept. Chief Wolfgang Nitsch said the current Paratech contract amendment for second shift services is set to expire at the end of May 2016. The Village contracted with Paratech last year due to the increased response time to the south shore area of the Village due to the bridge being under construction and unusable. The contract is set to expire upon completion and reopening of the bridge this month. Nitsch stated that with Paratech, the response time is better, and local staff continues to decrease. He stated that although the department has attended job fairs and has put out signs, they do not have enough staff to appropriately cover the night shift which makes up for 50 percent of all calls. The cost to continue the contact with Paratech is approximately \$17,500 per month, which has not been budgeted for after May. Treasurer Scott Vilona explained that the 2015 audit has not been completed yet, but during the 2014 audit there was \$1.4 million in excess of the balance called for in the Village's Contingency Fund resolution that established the stated goal for

funding to be set aside for emergencies and unforeseen circumstances. Vilona stated that if this is something the Board deems as an emergency situation, then a budget amendment can be made and the Contingency Fund money can be allocated. Martin said the budget amendment will be proposed when CPA Pat Romenesko presents the 2015 audit. A proposal was submitted by Chief Nitsch, Deputy Chief of EMS Courtney Castelein and Mercy Medical Director Dr. James MacNeal to hire six full-time fire and EMS employees through the Village and terminate the contract with Paratech. Board members agreed that in order to get through the summer months, it is appropriate to extend the Paratech contract through October 1, 2016. Martin recommended creating an Ad Hoc Committee to address the immediate and future concerns of the Fontana Fire and Rescue Department. Trustee Petersen/Trustee Prudden 2nd made a MOTION to extend the second shift Paratech Contract until October 1, 2016 using funds from the Contingency Fund, and to refer the staffing proposal to an Ad Hoc Committee for further discussion and a recommendation to the Village Board, and the MOTION carried without negative vote.

Police Officers Memorial Day Proclamation – May 15, 2016

Clerk Loomer read the annual proclamation which designates May 15th as annual Police Officers Memorial Day.

Trustee Petersen/Trustee Prudden 2nd made a MOTION to approve the National Police Officers Memorial Day Proclamation, as presented, and the MOTION carries without negative vote.

Approve CSO Hiring – Kaplan Welch

There was a typo on the agenda and the CSO applicant recommended for approval is Kalan Welch. The wage is set at \$15 per hour.

Trustee Pappas/Trustee Livingston 2nd made a MOTION to approve the hiring of Kalan Welch as the community service officer, and the MOTION carried without negative vote.

Finance Committee – President Kenny

New Phone System Recommendation for Safety Building

The phones at the Safety Building are currently being rented as the old equipment fried-out and had to be replaced. The bid from Phones Plus.Biz, Inc., is for the traditional phone system in the amount of \$8,562.60. Village Hall, the Library and the DPW also received quotes, but there is no funding in this year's budget and the phone system are operating fine at this time.

Trustee Prudden/Trustee Livingston 2nd made a MOTION to approve the new phone system proposal from Phones Plus.Biz, Inc., for a traditional system at the Safety Building, in the amount not to exceed \$8,562.60, and the MOTION carried without negative vote.

2016 Utility Budget

Martin stated the Utility Budget was recommended for approval by the Finance and Public Works Committees. A water rate increase is being considered as directed by the Finance Committee but has not been included in the Utility Budget as it has not yet been applied for to the PSC or approved. Kenny stated the Village typically introduces small rate increases so it does not happen all at once, and there has been no increase in the last three or four years. Staff was directed at the Public Works Committee meeting to pursue a simplified water rate increase from the Wisconsin PSC and a minor sewer rate increase in 2016.

Trustee McGreevy/Trustee Petersen 2nd made a MOTION to accept the 2016 Utility Budget, as presented and recommended, and the MOTION carried without negative vote.

Plan Commission – Trustee Prudden

CSM Filed by Zoran Atlija for STFV 00227 (Formerly 122 Fontana Avenue)

McCarthy explained the Certified Survey Map was submitted by Zoran Atlija for approval to subdivide a lot in the SR-5 zoning district into two lots. The property is located on Mill Street and Fontana Avenue. The parcel located on Mill Street contains an existing accessory structure which staff recommends should be removed within 90 days of approval of the CSM unless permits to build a principal structure on the lot are obtained. The lot on Fontana Avenue contains an existing principal structure. Both lots meet the minimum density and intensity requirements of the SR-5 zoning district. Staff recommends approval of the CSM with the following conditions:

1. The final CSM shall include all pertinent and required information (as opposed to being on two separate forms, as was submitted. The two documents shall be combined onto one CSM).
2. The comments from the Village engineering firm, Ruekert-Mielke, dated April 18, 2016, shall be addressed; specifically:
 - a. The legend indicates a different symbol for a found chiseled “X” than is shown on the map. There is shown on the map. There is a line in Mill Street that is not labeled or shown in the legend.
 - b. The Surveyor’s Certificate must indicate the POINT OF BEGINNING.
3. The applicant shall conform to Section 236.34 (recording of certified survey map; use in changing boundaries; use in conveyancing) Wisconsin State Statutes.
4. The applicant shall be responsible for any and all recording fees.
5. The applicant shall be responsible for recording the appropriate instrument with the Walworth County Register of Deeds within 12 months from the Village of Fontana’s approval date.
6. The applicant shall provide the Village of Fontana with one (1) recorded copy of the deed or instrument and the plat of survey exhibit within thirty (30) days of recording such document, which will constitute final Village approval of the certified survey map.
7. The applicant shall be made aware that construction on this lot shall not commence (building & zoning permits shall not be issued) until the certified survey map has been properly recorded and a copy has been provided to the Village of Fontana.
8. The existing accessory structure on Lot 1 shall be removed within 90 days from approval of the CSM unless permits to build a principal structure on the lot are obtained within this timeframe.
9. The applicant shall pay all cost recovery fees incurred.

Petersen asked about storm water plans and McCarthy stated that is addressed at the time the building permits are issued and is not part of the approval process of a CSM for the new lot lines. Trustee Livingston/Trustee McGreevy 2nd made a MOTION to approve the CSM filed by Zoran Atlija for STFV 00027 (formerly 122 Fontana Avenue), with the nine conditions listed in the staff report as recommended by the Plan Commission, and the MOTION carried on a 5-1 vote with Trustee Petersen opposed.

Site Plan Filed by Jerry’s Majestic Marine for Lot at 102 W. Main Street

The Plan Commission recommended approval of the Site Plan filed by Jerry’s Majestic Marine for the lot at 102 W. Main Street across Highway 67 on the opposite corner from the 138 Fontana Boulevard site. Jamie Whowell is the owner of the property and has leased it to Jerry’s Marine, which has been displaying boats under an expired Building, Site and Operation Plan (Site Plan), which was renewed twice since originally filed and approved in 2005; however, the approval lapsed after the 2014 season. Martin stated that Jamie Whowell has submitted a couple of conceptual development plans over the years for the parcel, but has since stated he does not plan to pursue any of the building plans in the previous submittals. McCarthy stated that staff recommendations mirror those that were included on the Site Plan for Munson Marine at 138 Fontana Boulevard including a maximum of eight boats for outdoor display during the first season and six boats during the second season. The following staff conditions were recommended:

1. The applicant and/or property owner shall work with in accordance with the Village of Fontana Municipal Code of Ordinances to develop a permanent use for the property.
2. The approval of this site plan shall become null and void at the completion of two years from the date of this approval, without exception, and all use of the property shall cease until a comprehensive redevelopment plan (permanent in nature) has been submitted and approved.
3. There is no exterior lighting indicated on the submitted site plan. If exterior lighting exists, it shall remain and be utilized as-is. Exterior lighting shall not be moved, relocated, or added to, including increasing lumens.
4. The following requirements regarding signage shall be met:
 - a. The combined size of the ground sign shall not exceed 36 square feet.
 - b. Signage at or within the outdoor display area is expressly prohibited.

5. The use of the outdoor display on this property as proposed shall be seasonal in nature and shall be restricted to April 1 to November 1 , at which time all boats trailers, stands, blocks and steps shall be removed from the property.
6. Sales are restricted to boats only; sales of vehicles is expressly prohibited. Boats shall be displayed horizontal in nature; no stacking or vertically angled display is allowed.
7. Service and storage shall not be permitted at the property.
8. There shall not be storage of empty boat trailers or other storage of items or materials allowed.
9. A maximum number not exceed eight boats in the first season, and not to exceed six boats in the second season for outdoor seasonal display at any given time.
10. The site plan submitted depicts hand drawn boats throughout the vacant parcel for outdoor display. All outdoor display shall meet the requirements of this section. In accordance with Sec. 18-56(e)(4), display areas shall be separated from any circulation area by a minimum of ten (10) feet. This separation shall be clearly delineated by a physical separation such as a greenway, curb, fence or line of planters, or by a clearly marked paved area.
11. This approval shall be limited to the owner of the business applying for this site plan approval only and not tied to the property itself.

Trustee Petersen/Trustee McGreevy 2nd made a MOTION to approve the Site Plan filed by Jerry's Majestic Marine for 102 W. Main Street, including the 11 conditions listed in the staff report as recommended by the Plan Commission, and the MOTION carried without negative vote.

Public Works – Trustee McGreevy

South Lakeshore Drive Bridge Construction Pay Request No. 6 Submitted by Zenith Tech

Pay Request No. 6 was submitted by Zenith Tech for the South Lakeshore Drive Bridge construction contract. The \$190,398.66 pay request was reviewed by Village Engineers and staff and is recommended for approval.

Trustee McGreevy /Trustee Petersen 2nd made a MOTION to approve Pay Request No. 6 submitted by Zenith Tech for the South Lakeshore Drive Bridge construction contract in the amount not to exceed \$190,398.66, and the MOTION carried without negative vote.

South Lakeshore Drive Bridge Weight Limit – Ordinance Amendment for Enforcement

Martin read an email sent by Project Manager Nick Matthews and the bridge is on schedule to be open on Friday, May 20, 2016. Martin stated the Village Engineers were directed to calculate a weight limit that will ensure 50- and 100-year estimated life spans and will allow smaller trucks towing boats to access the bridge. Dump trucks and semi-trailers would be banned. The recommendation from the village engineers is a maximum of 15 tons. Pappas recommended setting the weight limit at 8 tons. Board members discussed whether penalty should be flat, escalate, or based on weight. Since the Village does not own a scale, it was recommended the penalty should escalate based on the number of offenses. There will be exemptions for some vehicles including municipal and emergency vehicles.

Trustee Pappas/Trustee McGreevy 2nd made a MOTION to set an 8-ton weight limit for vehicles to cross the South Lakeshore Drive bridge, to direct the Police Department to penalize on an escalating scale based on the number of offenses, and to direct the Village Attorney to draft the corresponding ordinance, and the MOTION carried without negative vote.

Chain Link Fence Replacement Proposal for Bridge Construction Utilities Damage

During the utility line burial and bridge reconstruction, the chain link fence on the County Club Estates parking lot property at the lakefront was damaged. B & M Fence Company, Inc. submitted a proposal for the materials and installation of 390 linear feet of 4-foot high, black, 8-gauge chain link fence to replace the damaged portion. McGreevy stated the County Club Estates Association Board of Directors met earlier in the month and discussed paying for additional fencing replacement to be installed when the land is restored, but the proposed amount for Village Board approval is \$8,100.

Trustee Pappas/Trustee Petersen 2nd made a MOTION to approve the B & M Fence Company, Inc. quote for the fence replacement on the Country Club Estates property in an amount not to exceed \$8,100, and the MOTION carried without negative vote. Trustee McGreevy abstained.

Abbey Springs Water Main Contract Pay Request No. 1 and Change Order No. 1

Pay request No. 1 for the Abbey Springs Water Main contract was submitted in the amount of

\$488,927.95. The pay request was reviewed by staff and village engineers and recommended for approval.

Trustee McGreevy/Trustee Petersen 2nd made a MOTION to approve the Abbey Springs Water Main Contract Pay Request No. 1 in the amount not to exceed \$488,927.95, and the MOTION carried without negative vote.

Change Order No. 1 was submitted by the Wanasek Corporation for the furnishing and installing of an enclosure at the Brookwood Water Tower that will house the SCADA controls for the tower. The change order was reviewed by staff and village engineers and is recommended for approval.

Trustee McGreevy/Trustee Pappas 2nd made a MOTION to approve the Abbey Springs Main Contract Change Order No. 1 in the amount not to exceed \$34,337.10, and the MOTION carried without negative vote.

Walworth County Bridge Inspection Program

Martin stated that following the initial inspection of the new bridge which is included as part of the contract with Collins Engineers, the Wisconsin DOT requires a routine bridge inspection once every two years. Walworth County has contracted with a new company to conduct bridge inspections, Ayres Associates. The cost to contract with Ayres is \$190 per bridge inspection as opposed to \$1,000 for the Village to contact with Collins Engineers for one bridge inspection.

Trustee Petersen/Trustee Prudden 2nd made a MOTION to approve entering into the Walworth County routine bridge inspection program commencing in August 2016 with the initial inspection to cost an amount not to exceed \$190, and the MOTION carried without negative vote.

Proposal to Patch Drain Tile at 642 Walworth Avenue Into Village Storm Sewer Basin

Martin stated the item was discussed at the Public Works Committee meeting and a motion was made to deny the request. Martin stated he and President Kenny met with Marc Jensen, property owner at 642 Walworth Avenue, and the drain tile appears to be coming up from underneath the road. There are two drain tile lines that run right along the roadway and goes into a culvert. There is a culvert right behind Jensen's garage and Martin recommended having Utility Crew employees Danny Gonzalez and Luke Perepell clear the culvert out and run the storm tile into the culvert where it was always leading. Martin stated he proposes once the additional work is completed by Gonzalez and Perepell, the two DPW employees who recently were assigned to take on the Village storm water duties, staff will continue to monitor the situation to see if there turns out to be a steady flow of water coming from under South Lakeshore Drive, in which case it could be readdressed. McCollum stated that a service was broke at the top of the hill during construction, but since that has been repaired, most of the groundwater flow is now gone. Martin stated staff will continue to monitor the situation and take it back to Public Works Committee if necessary.

Proposal to Remove Utility Meter at 642 Walworth Avenue

Martin stated that property owner Marc Jensen has a main house and a cottage at 642 Walworth Avenue and each has its own water meter as Jensen used to lease the cottage unit to renters. Jensen used to rent out the cottage, which is why a second meter and separate line was installed at his request in 2013; however, Jensen no longer wishes to have a separate water meter as the cottage is not being rented out. Village Board members reached the consensus that Jensen could hire a contractor to remove the meter for the cottage building and have both water lines run through one meter as long as Jensen submits a written statement to the Village that he is no longer renting either the cottage of the main house.

Trustee McGreevy/Trustee Prudden made a MOTION to approve the removal of the second water meter, at the cost of the property owner, and with the condition the property owner submits a statement that neither the house nor cottage will be leased to renters. The MOTION carried without negative vote.

Utility Invoice Rebate Requests: Cathleen Gould Residence, 880 Windsor Drive; Jeffrey Smith Residence, 603 Country Club Drive

The Village received a request from Cathleen Gould at 880 Windsor Drive to waive \$500 from her utility account because there was a plumbing problem in the unit and the water ran down the drain. In a letter Gould wrote to the Village, she states that if the Village billed monthly rather than quarterly, the plumbing problem would have been detected earlier. Jeffrey Smith at 603 Country Club

drive reported that his last quarterly invoice showed high usage at 19,000 gallons. Village utility staff went to the residence to investigate, however, the unit was under construction and any evidence of a water main break or leaky fixture was not detectable. There was no way to investigate if or where there could have been a problem. The Public Works Committee recommended denial of both requests.

Trustee McGreevy/Trustee Petersen 2nd made a MOTION to deny the request for a \$500 invoice waiver submitted by Kathleen Gould, 880 Windsor Drive, and the request for a utility invoice rebate submitted by Jeffrey Smith, 603 Country Club Drive, as recommended, and the MOTION carried without negative vote.

Recommendation on New Job Duties for DPW Crew Member Ron Adams

McCollum recommended adding new job duties for Ron Adams to train and manage the new part-time employees and for a \$1 an hour raise for additional compensation. Adams has taken on training the two new part-time employees, and managing the three current part-time staff members. Martin stated that since the proposal was reviewed and recommended for approval by the Human Resources Committee, McCollum had expanded the proposal to reinstitute the DPW Street Dept. lead man title for Adams. Pappas asked if the Payroll Resolution would have to be amended, Martin replied it would not because it is in within the parameters set by the union contract.

Trustee Petersen/Trustee McGreevy 2nd made a MOTION to approve the new job duties and the related \$1 an hour raise for DPW employee Ron Adams, and to reinstitute his title as the Street Department Lead Man, and the MOTION carried without negative vote.

Park Commission – Trustee Whowell

Arbor Day Proclamation

The annual proclamation is required for the Tree City USA designation. The annual Arbor Day Program was held at the Fontana Elementary School on April 29, 2016.

Trustee McGreevy/Trustee Petersen 2nd made a MOTION to approve the Village of Fontana Arbor Day Proclamation, as published, and the MOTION carried without negative vote.

Memorial Bench Donation Proposal for Pioneer Park – Lee Eakright

Lee Eakright has requested to purchase a bench for Pioneer Park in honor of his late wife, Gail Eakright. There are three benches currently being replaced at Pioneer Park, and Eakright's will be the second of the three. The bench will match the first bench recently purchased and installed.

Trustee Pappas/Trustee McGreevy 2nd made a MOTION to approve the application submitted by Lee Eakright to purchase a memorial bench for Pioneer Park, as recommended by the Park Commission, and the MOTION carried without negative vote.

Big Food Recreation District Movie on the Beach Dates

The Big Foot Recreation District Summer Movies on the Beach dates are scheduled for Saturday evenings at dusk on June 11, June 25, July 9, July 23, August 6 and August 20, 2016.

Trustee McGreevy/Trustee Petersen 2nd made a MOTION to approve the Big Foot Recreation District Summer Movies on the Beach dates as recommended, and the MOTION carried without negative vote.

Park Permit Application Filed by Fontana Community Church for Duck Pond Pavilion, May 22, 2016

Trustee Petersen/Trustee McGreevy 2nd made a MOTION to approve the Park Permit application filed by the Fontana Community Church for Duck Pond Pavilion on Sunday, May 22, 2016 from 11:00 am to 2:00 pm, and waive the fee as recommended, and the MOTION carried without negative vote.

Park Permit Application Filed by Geneva Lake United Soccer Club for Duck Pond Pavilion, June 5, 2016

Trustee Pappas/Trustee Livingston 2nd made a MOTION to approve the Park Permit application filed by the Geneva Lake United Soccer Club for Duck Pond Pavilion on Sunday, June 5, 2016 from 4:00 pm to 8:00 pm, and waive the fee as recommended, and the MOTION carried without negative vote.

Lakefront & Harbor Committee – Trustee Pappas

Pier Permit Application Recommendation for Kunes Property, 1076 South Lakeshore Drive

A pier permit application was submitted by Gregg and Deborah Anne Kunes for the property at 1076 S. Lakeshore Drive. Pappas stated the proposed pier is less than 100-feet, and has a setback of 23-feet on one side, and 63-feet on the other side. They have moorings for three boats which requires 100-feet of frontage and they have almost 200-feet. The DNR application has already been approved.

Trustee Pappas/Trustee Petersen 2nd made a MOTION to approve the pier permit application as submitted by Gregg and Deborah Anne Kunes for the property at 1076 S. Lakeshore Drive, subject to the filing of an as-built survey, as recommended, and the MOTION carried without negative vote.

Fontana Shores Pier Permit Application Recommendation (Tabled 4/11/16)

Fontana Shores submitted a Pier Permit Application to extend their pier by 30-feet to a length of 180-feet, add four boat slips, remove three buoys and reduce the number of PWC's from eight down to six. The existing pier is at an 8.5-foot riparian setback on the south side and is considered existing non-conforming as it was in place before the code was amended to require a 12.5-foot setback. The neighboring property owners have been notified about the application by the DNR and there have been no objections. The DNR has approved the application. The Lakefront and Harbor Committee on a 2-1 vote recommended "...approval of the Pier Permit Application and DMA Amendment submitted by Fontana Shores Association, and to give relief to the 12.5-foot required setback based on the removal of three buoys, improved navigation and no objections from neighbors..." Thorpe stated the code requires a 12.5-foot riparian setback and there is no provision for substandard or encroaching piers. An important consideration is making sure an extension does not encroach on piers that are already in place as setback problems tend to amplify further out into the lake. He stated it is within the Boards discretion to approve the application, but suggested the approval be with the condition the extension does not further encroach the neighboring piers, meaning it cannot encroach more than 8.5-feet. In an effort not to set a future precedence, he suggested the Board direct him to address Chapter 54 of the Village Code. Martin stated removal of the buoys in exchange for pier slips is part of a larger effort in the Village to create more navigable waterways.

Trustee Pappas/Trustee Prudden 2nd made a MOTION to approve the Fontana Shores Pier Permit application as submitted and recommended by the Lakefront Committee, with the condition it does not encroach further, subject to the filing of an as-built survey, and direct the Village attorney to address Chapter 54 of the Fontana Village Code, and the MOTION carried without negative vote.

Adjournment

Trustee McGreevy/Trustee Prudden 2nd made a MOTION at 7:28 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: 06/13/16