

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

MONTHLY MEETING of the VILLAGE BOARD OF TRUSTEES
with SPECIAL JOINT SESSION of the FINANCE COMMITTEE
Monday, December 6, 2010

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.

Finance Committee Chairman Pat Kenny called the special meeting of the Finance Committee to order at 6:00 pm in the Village Hall.

Trustees present: Roll call vote: Pat Kenny, Cindy Wilson, Micki O'Connell, George Spadoni, President Arvid Petersen, Tom McGreevy, Peg Pollitt (arrived at 6:06 pm)

Finance Committee members present: Trustee Kenny, Arlene Patek, Mike Sheyker, Jim Feeney, Rick McCue, Drew Gilchrist (arrived at 6:01 pm), Lou Loenneke (arrived at 6:06 pm)

Also present: Steve Beers, Greg Blizard, Administrator/Treasurer Kelly Hayden, Rob Ireland, Library Director Nancy Krei, Village Clerk Dennis Martin, Assistant Zoning Administrator Bridget McCarthy, Joseph McHugh, Jim Howe, Building Inspector/Zoning Administrator Ron Nyman, Sharon O'Brien, Police Chief Steve Olson, Rick Pappas, Ted Peters, Village Attorney Dale Thorpe, Jill Wegner, Director of Public Works Craig Workman

Visitors Heard

Eddie Snyder, manager of the Abbey Marina, submitted an email to the village that states the Abbey Marina was one of the recipients of the new Clean Marinas certification last Thursday during the Clean Marina Workshop in Racine. The Wisconsin Clean Marina program certification process was launched in July 2010 and so far nine Wisconsin marinas have voluntarily adopted practices needed to become certified. Other newly certified marinas include Gaslight Pointe Marina, Lakeshore Towers and SkipperBud's Reefpoint Marina, all in Racine, and the Manitowoc Marina. The Abbey Marina is the first and only inland marina in the state certified to date.

Announcements

1. GLLEA Board Monthly Meeting – **Wednesday, December 8, 2010, 10:00 am**
2. Village Hall Open for Customer Service Hours – **Saturdays, December 11 & 18, 2010, 8:00 am to noon**
3. FW/WPCC Board Meeting – **Tuesday, December 14, 2010, 7:30 pm**
4. Plan Commission Staff Meeting – **Wednesday, December 15, 2010, 1:00 pm**
5. Park Commission Meeting – **Wednesday, December 15, 2010, 6:00 pm**
6. VOF Quarterly Newsletter Article Deadline – **Thursday, December 23, 2010**
7. Village Hall & Public Library Closed for Christmas Holiday – **Friday to Monday, December 24-27, 2010**
8. Plan Commission/ETZ Committee Meeting – **Tuesday, December 28, 2010, 5:30 pm**
9. Village Hall & Library Closed for New Year Holiday – **Friday, December 31, 2010 to Monday, January 3, 2011**

Finance Committee – Trustee Kenny

2011 Utility Budget

Hayden stated that the 2011 budget for the water and sewer utilities is an operational guideline for the year that is funded by user fees, not a tax levy. Hayden stated that the budget as distributed contains estimated figures for the debt payment as the final amortization schedule has not been received from the state following the recent refinancing. Hayden stated that the proposed budget features a total of \$269,000 for water department repair projects, and if the Village Board decides to undertake all of the projects in 2011, there will be borrowing required. Hayden stated that if the Village Board decides complete half of the Duck Pond water tower repainting project in 2011 and the other half in 2012, there will be no borrowing necessary for the water fund. Hayden stated that the sewer side of the budget is balanced and there is no need for borrowing. Workman stated that the Public Works Committee initially planned for the Duck Pond water tower project to be carried out over two years and to split the expenses into two budget years. Workman stated that the other expenses in the utility budget are annual operational costs and they are in line with previous years.

The Finance Committee then approved a motion to recommend approval of the 2011 utility budget as presented. After a motion was made and seconded by the Village Board to adopt the budget, Pollitt asked if there was borrowing included in the budget. Hayden stated that the total cost of the Duck Pond water tower project is in the budget, but the Village Board will have to authorize if the entire project will be completed this year, or if the project will be completed over two years. Hayden stated that if the Village Board votes to complete the entire project in 2011, the Board will also have to approve borrowing funds. Hayden stated that if the Village Board decides to just undertake half the water project in 2011, there will be no borrowing necessary.

Finance Committee member Feeny/Finance Committee member McCue 2nd made a MOTION to recommend approval of the 2011 Utility Budget as presented, and the MOTION carried without negative vote.

Trustee Spadoni/Trustee McGreevy 2nd made a MOTION to approve the 2011 Utility Budget as recommended, and the MOTION carried without negative vote.

Direction on Funds Deposited at First Banking Center, A Division of First Michigan

Hayden stated that First Banking Center has been purchased and is now a division of First Michigan Bank. Hayden stated that after the federal notice earlier this year that First Banking Center was in financial distress, the Village moved the majority of its deposits from First Banking Center to the State Investment Pool to ensure all the village funds were insured. Hayden stated that the State Pool does not pay very much interest on deposits, and the rate was only .22 percent last month. Hayden stated that if the funds are moved back to the First Banking Center – A Division of First Michigan, the village could get up to .5 percent interest on the funds.

Finance Committee member Feeny/Finance Committee member Sheyker 2nd made a MOTION to recommend that the Village transfer the funds back from the State Investment Pool to First Banking Center – A Division of First Michigan Bank, and the MOTION carried without negative vote.

Trustee O'Connell/Trustee Spadoni 2nd made a MOTION to direct Village staff to transfer the funds back from the State Investment Pool to First Banking Center – A Division of First Michigan Bank, as recommended, and the MOTION carried without negative vote.

Tax Bill Update

Hayden stated that the state reported the final aid figures late last week and all the information has been submitted to Walworth County for the printing of the annual tax bills. Hayden stated that the computer receipting program information already has been downloaded into the Village system; however, the printed tax bills will not be delivered and mailed out until later in the week. Hayden also distributed the annual Tax Worksheet and a comparison of the mill rates for this year and last year.

Monthly Finance Committee Review Items

Sheyker reviewed the Payables & Bank Reconciliation Reports, the Revenue/Expense Statement, the Balance Sheets, the Vendor Report, the Payroll Overtime Report, and the Cash Flow Statements. Hayden stated that the Room Tax Comparison for the Abbey Resort was distributed and the total receipts are in line with the revenue estimates budgeted last year. Feeny stated that a letter the village received from Moody's Investors Service on November 19, 2010 that was previously distributed to the Village Board and Finance Committee members should be recorded in the minutes. The letter from Moody's states that on November 11, 2010, the Village's bond rating was reviewed by Moody's and a rate of A1 was assigned to the Village.

Finance Committee member Sheyker/Finance Committee member Patek 2nd made a MOTION to acknowledge the receipt of the reports and to place them on file for the audit, and the MOTION carried without negative vote.

Adjournment Finance Committee

Finance Committee member Feeny/Finance Committee member Gilchrist 2nd made a MOTION to adjourn at 6:15 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 as submitted for the meetings held October 25, 2010, November 1, 2010, November 10, 2010, and November 15, 2010, and the MOTION carried without negative vote.

Village Treasurer's Report, Cash Flow Statement, Vendor Report, & Payroll Overtime Report

Petersen stated that the reports were distributed and/or emailed to the Village Board members.

Trustee Spadoni/Trustee McGreevy 2nd made a MOTION to acknowledge the receipt of the October 2010 treasurer's reports and the current Cash Flow Statement, Vendor Report and Payroll Overtime Report and to place them on file for the audit. The MOTION carried without negative vote.

Approval of Village and Utility Payables

Payables were distributed and presented at the meeting.

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

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

Approval of New Agent, Robert Timm, for Big Foot Country Club Liquor License

Big Foot Country Club is seeking authorization to change the agent on its liquor licenses back to Robert Timm, who is again employed at the country club. There were no concerns in the required background check.

Trustee Spadoni/Trustee Kenny 2nd made a MOTION to approve Robert Timm as the agent for the liquor licenses issued to the Big Foot Country Club, and the MOTION carried without negative vote.

Operator's License Applications Filed by Connie M. Patten and Scott C. Roberts (Fontana Corner Market)

There were no concerns in the required background checks.

Trustee Spadoni/Trustee Kenny 2nd made a MOTION to approve the operator's license applications filed by Connie M. Patten and Scott C. Roberts, employees at Fontana Corner Market, and the MOTION carried without negative vote.

Reschedule January 2011 Monthly Meeting Date

The first Monday of January 2011 is a scheduled day off for Village of Fontana employees. Kenny stated that he could not make it if the meeting is rescheduled for Tuesday, January 4, 2011, and Pollitt stated that she could not make it if the meeting is rescheduled for Monday, January 10, 2011.

Trustee Spadoni/Trustee O'Connell 2nd made a MOTION to reschedule the monthly meeting for January 2011 to Monday, January 10, 2011 beginning at 6:00 PM, and the MOTION carried with one negative vote cast by Pollitt.

Resolution to Adopt Amended Fees for 2011 – Beach Daily Admission; Non-Resident Beach Passes; New Buoy, Slip and Ramp Rates; Parking Lots

The resolution authorizes the previously approved increased fees for the daily beach admission rate for adults, for the nonresident season beach pass, and for the village buoys, slips and ramp space leases. Hayden stated that the proposed resolution also establishes the \$1 per hour parking fee for all the Village parking lots since the Village will be purchasing another parking meter pay station for the beach and former lift station parking lots on Fontana Boulevard and the old meters will be removed.

Trustee O'Connell/Trustee McGreevy 2nd made a MOTION to approve Resolution 120610-01 as presented, and the MOTION carried without negative vote.

Resolution Setting Exempt Salaried & Hourly Non Union Personnel Rates for 2011

The annual resolution sets the exempt salaries and hourly pay rates for non union personnel. There are again no increases proposed. Spadoni asked if the Finance Committee had conducted a pay rate survey of other area municipalities to determine if the Village's non union personnel should again receive no pay increase. Spadoni stated that it has been two or three years since the non union employees received a pay increase and he wondered if other municipalities have also instituted multiple year pay freezes. Spadoni stated that the Village should compensate its good employees for their job performances, especially considering the Village of Fontana is property value rich and the tax levy should be able to absorb some level of pay increases for non union employees. Spadoni

stated that no salary increases for three consecutive years is not fair for the non union employees. Feeney stated that the Village of Fontana's current debt level is about \$25 million and the Village is barely scraping by with its annual budget. Kenny stated that the Finance Committee was directed to hold the tax levy in line with no increase so the committee did not consider pay increases again this year. Kenny stated that the committee will conduct a survey of area municipalities pay rates for non union employees for the 2012 budget.

Trustee O'Connell/Trustee McGreevy 2nd made a MOTION to approve Resolution 120610-02 as presented, and the roll call vote followed:

Trustee Kenny – Aye

Trustee Wilson – Aye

Trustee O'Connell – Aye

Trustee Spadoni – Nay

President Petersen – Aye

Trustee McGreevy – Aye

Trustee Pollitt - Aye

The MOTION carried on a 6-1 vote.

Approve Sale of 2000 Ford Explorer

The Police Department would like authorization to sell the old SUV with the recent purchase of a 2010 Ford Expedition. The Village will list the 2000 Ford on eBay. Chief Olson stated that the Village may get \$3,000 to \$4,000 for the Explorer.

Trustee Kenny/Trustee McGreevy 2nd made a MOTION to authorize the sale of the 2000 Ford Explorer on eBay, and the MOTION carried without negative vote.

Chapter 17 and 18 Rewriting Project Contracts & Moratorium Direction

Thorpe stated that since the Village Board is planning to undertake a complete rewriting project on Chapters 17 and 18 of the Municipal Code, a comprehensive moratorium on the filing of rezone, platting and subdivision applications could be considered. Thorpe stated that a moratorium would not affect the issuance of building permits and that the board may want to consider excluding the TID from the moratorium. In response to a question from Petersen, Thorpe stated that the Village can be flexible with the terms of the moratorium, which can be enacted for a reasonable amount of time while the two chapters are being rewritten. Thorpe stated that the approval process for a moratorium has to commence with a recommendation from the Plan Commission.

Trustee O'Connell/Trustee Spadoni 2nd made a MOTION to authorize the village attorney to draft a moratorium proposal that excludes the Village of Fontana TIF District No. 1 and the issuance of regular Building Permits, to be in effect during the rewriting project on Chapters 17 and 18 of the Municipal Code and to present it to the Plan Commission for a recommendation. The MOTION carried without negative vote.

Spadoni asked if the Village is required and if it should seek bids for the rewriting project. Thorpe stated that the Village has received proposals for the contracted services from the Village planner and engineer and an estimate for his village attorney services to complete the project and the bidding process is not required. After reviewing the updated cost proposals submitted by Planner Mike Slavney and Engineer Joe Eberle, O'Connell stated that the project should be commenced with the drafting of a list of concerns by the village staff members. Following more discussion, Hayden stated that the updated proposals were distributed and the funds are allocated in the 2011 budget for the project. Wilson then made a motion that was seconded by Spadoni to authorize the January 1, 2011 commencement of the project to rewrite Chapters 17 and 18 of the Municipal Code as proposed by Vandewalle and Associates, Ruekert-Mielke and the village attorney. Pollitt asked if the Village Board should have actual contracts in hand and defined costs before approving the commencement of the project, and asked for a clarification on how much has been allocated in the 2011 budget for the project. At the budget hearing on November 15, 2010, the Village Board directed staff to transfer \$60,000 from the contingency account in the budget to the Plan Commission professional services expense line item for the rewriting of Chapters 17 and 18, and with the \$40,000 initially budgeted for the project, the total budgeted for the project is \$100,000. Wilson and Spadoni withdrew their initial motion.

Trustee Wilson/Trustee Spadoni 2nd made a MOTION to approve the estimates as submitted by Vandewalle and Associates, Ruekert-Mielke and Village Attorney Dale Thorpe to rewrite Chapters 17

and 18 of the Municipal Code, and the MOTION carried with one negative vote cast by Trustee Pollitt.

DOR Appeal for TID Increment

Hayden stated that the Village received notification from the Wisconsin Department of Revenue that the appeal has been received and that an attorney will be assigned by the DOR for the appeal process; however, appeals can only be based on the determined value of a TIF district. Hayden stated that the Village of Fontana TID valuation is not incorrect, the Village objects to the change in the annual certification methodology and the fact that it was not phased in over a period of several years. Hayden stated that the DOR will not communicate with the Village on the issue as long as the appeal is on file, and the Village may be better off withdrawing the appeal. Hayden stated that if the appeal is withdrawn, the Village will be able to resume negotiations with the DOR for some type of relief on the methodology change.

President Petersen/Trustee Kenny 2nd made a MOTION to direct village staff to withdraw the appeal of the TID increment with the Wisconsin Department of Revenue, and the MOTION carried without negative vote.

Email Policy

Thorpe stated that the previously distributed policy regarding email and Internet issues would regulate all village employees and officials. Thorpe stated that the most important issue addressed in the policy is a requirement that all Village business which requires the use of email be undertaken through the Village's email computer server. Thorpe stated that this will greatly facilitate the future process of collecting records for purposes of responding to future record requests. Thorpe stated that as evidenced in Lake Geneva, allowing elected and appointed officials to use home computers for purposes of undertaking municipal business will greatly increase the potential for lost records, deleted records, expensive records searches and other potential issues. Thorpe stated that the proposed policy also will guarantee that email records will be preserved as part of the Village's existing archive and tape backup capability, and that the Village will be in better compliance with its statutory record-keeping obligations. Hayden stated that if adopted, Village staff will work with the Util-IT to get it instituted. Pollitt stated that she has a concern with the "Personal Use of Computing Equipment" section of the policy that states the "incidental and infrequent personal use of Village's systems and access to the Internet for personal use during or outside of normal work hours may be allowed without management approval provided none of the above prohibitions are violated." Pollitt stated that the Village Board should consider a zero tolerance policy for village employees and the personal use of the Village computers.

Trustee Kenny/Trustee Spadoni 2nd made a MOTION to approve the Village of Fontana Policy on Acceptable Use of Village Internet, Website and Email Resources as presented, and the MOTION carried without negative vote.

Lake Street Ownership Legal Review

The Village Board approved a motion at a joint meeting with the CDA on November 10, 2010 to accept the report and findings as presented by Attorney Hank Gempeler. Petersen and Spadoni stated that the board needed to decide what next step to take, if any, as described in Gempeler's report. Petersen stated that the Village received a letter dated December 3, 2010 from Attorney John Maier regarding the commercial real estate interest of the Whowell family. The letter states that the Whowell family members are following up on their promise to work with the Village to define the limits of Lake Street. Maier states in the letter that he has been directed by the Whowell family to prepare a draft of a written easement, to include a survey description and plat, which would serve to identify the agreed upon right-of-way for Lake Street. Petersen stated that the letter states that the proposed easement agreement will be submitted by mid-December to the Village administrator and village attorney and that staff should consider, review and comment upon the easement agreement when it is submitted. Thorpe stated that the proposed easement regarding the roadway would not completely resolve the situation as described in Gempeler's report. Thorpe stated that the strip of land located between the road and the lakefront will also have to be addressed in some document. Hayden stated that following the village staff review of a proposed easement agreement once it is submitted, it would also have to be directed to the Plan Commission and Village Board for consideration. Petersen suggested that the matter be tabled until something is submitted by Maier.

Trustee O'Connell/Trustee Kenny 2nd made a MOTION to table the item until further information is submitted to the Village, and the MOTION carried without negative vote.

Schedule Meeting with Insurance Company to Discuss Worker's Compensation Options

Hayden stated that she needs to get some tentative dates from the Village's worker's compensation insurance provider for a closed session meeting with the Village Board.

Preauthorization for Payment of 2010 Expenditures

Hayden stated that the annual auditing process will be easier to complete if the Village pays as many 2010 budgeted expenses as possible prior to the end of the month. Hayden stated that the routine payables would be paid in advance and presented for review and official approval at the January 10, 2011 Village Board meeting.

Trustee Spadoni/Trustee Kenny 2nd made a MOTION to preauthorize the payment of 2010 budgeted expenditures prior to the end of December 2010 with the condition the expenditures are reviewed by President Petersen and Trustee O'Connell, and the MOTION carried without negative vote.

Plan Commission – Trustee Spadoni

Hawks Woods Condominium Plat Filed by Stephen P. Beers 1994 Revocable Trust, 454 N. Lakeshore Drive

Spadoni stated that the Plan Commission recommended approval of the condominium plat filed by Beers with the conditions outlined in the Village staff report. Spadoni then made a motion that was seconded by McGreevy to make findings in favor of the condominium plat and declarations as filed by the Stephen P. Beers 1994 Revocable Trust, 454 N. Lakeshore Drive, as the proposal abides by all the applicable terms of the Municipal Code; and to approve the condominium plat and declarations with the five conditions for approval listed in the staff report dated November 22, 2010. O'Connell stated that the proposal does not adhere with statements made in the Comprehensive Plan.

O'Connell stated that the Comprehensive Plan states that the protection of the lakefront is the highest priority and she does not feel that the proposal filed by Beers meets the standards so she can't support approval. Wilson asked for clarification on the total size of the common area element of the condominium plat and the definition of a lot and minimum size requirements. Thorpe stated that common areas are not considered lots so they are not regulated by the section Wilson was referring to. Wilson stated that although staff has made the determination that the proposal is in complete accordance with the Municipal Code at the time it was filed, as a Village Board member it is her responsibility to make a decision if the proposal is good for the future of the village. Wilson stated that over-exploitation of the lakefront is a concern and the Village needs to preserve the character of Geneva Lake. Pollitt stated that this issue has garnered the most responses she has received from citizens since she took office. Pollitt stated that one person who contacted her was in favor of the proposal, but all the rest were opposed. Pollitt stated that the proposal filed by Beers is not "what we want for our village" and it is not part of the master plan. McGreevy stated that he has heard all of the negative comments from the citizens; however, he is concerned about a lawsuit and the fact that there is no provision in the Municipal Code that supports denial of the condominium plat. McGreevy stated that the Village has been hit with lawsuits in the past and he does not want to put the Village into another legal battle. McGreevy stated that the proposal conforms with the Municipal Code as written at the time of the application. Spadoni stated that the Municipal Code is the law and it supports the proposal. Spadoni stated that the applicant has every right to form a condominium association that features the same provisions as the other condominium associations in the village. Spadoni stated that just about every homeowner and condominium association in the village, as well as the Village of Fontana, affords lakefront rights to property owners who do not own lots located directly on the lakefront. Spadoni stated that because of an ordinance amendment approved after the application was filed, similar proposals will no longer be approvable in the future. Pollitt asked Thorpe if the proposal meets all the parameters of the Municipal Code, why is the matter before the Village Board. Thorpe stated that all plats have to be approved by the governing body of the municipality before they are signed by the chief elected official and clerk and recorded.

Trustee Spadoni/Trustee McGreevy 2nd made a MOTION to make findings in favor of the condominium plat and declarations as filed by the Stephen P. Beers 1994 Revocable Trust, 454 N. Lakeshore Drive, as the proposal abides by all the applicable terms of the Municipal Code; and to approve the condominium plat and declarations with the following five conditions for approval as

listed in the Village staff report dated November 22, 2010:

1. The owner/applicant shall be responsible for any and all recording fees.
2. The owner/applicant shall be responsible for recording all appropriate documents with the Walworth County Register of Deeds within 90 days from the approval date by the Village of Fontana.
3. The owner/applicant shall provide the Village of Fontana with one recorded copy each appropriate document, within 30 days of recording such document.
4. The owner/applicant shall be responsible for payment of all Cost Recovery fees to the Village of Fontana within 30 days.
5. The owner/applicant shall complete the requirements described in the November 4, 2010, Ruekert-Mielke correspondence (Items No. 2 and No. 3), at the appropriate future time. These items are as follows: Item #2: "Because the future home on Unit 3 of the development is not being developed at this time, it is critical that final plans for the home site are reviewed by the Village prior to issuance of a building permit and construction to ensure compliance with the above referenced drainage plan." Item #3: "Prior to issuing of a building permit for the future home site, the property owner should enter into a developer's agreement or similar instrument with the Village to ensure that the infiltration trenches and other on-site storm water management best management practices are constructed correctly and properly maintained."

The Roll Call vote was as follows:

Trustee Kenny – Aye

Trustee Pollitt – Aye

Trustee Wilson – Nay

Trustee O'Connell – Nay

Trustee Spadoni – Aye

President Petersen – Aye

Trustee McGreevy – Aye

The MOTION carried on a 5-2 vote.

Wisconsin, Power & Light Easements Recommendation

Spadoni stated that the Plan Commission recommended approval of the easement proposals. Thorpe stated that the easements are for the already buried utility lines at the lakefront and along Third Avenue. Workman stated that the easements are necessary so that the utility companies can maintain the lines, and the easements are mainly in non-road areas.

Trustee Spadoni/Trustee O'Connell 2nd made a MOTION to approve the utility line easements as recommended, and the MOTION carried without negative vote.

Protection Committee – Trustee Pollitt

Recommendation to Authorize Intern

Pollitt stated that the committee recommended approval of a proposal for a Gateway Technical College student to complete an unpaid internship at the Police Department from January to May 2011. Pollitt stated that the student would only undertake non-sworn officer duties. In a Protection Committee related matter, Wilson asked if the monthly incident reports that are distributed with the meeting packets can be broken down with monthly totals, as well as the year-to-date totals.

Trustee Spadoni/Trustee Kenny 2nd made a MOTION to authorize an unpaid internship at the Fontana Police Department for a Gateway Technical College student from January to May 2011, as recommended, and the MOTION carried without negative vote.

Public Works – Trustee McGreevy

Engineering RFP Recommendation

McGreevy stated that four firms were interviewed by the subcommittee and the recommendation is for retaining Ruekert-Mielke. In response to a question from Wilson, Petersen stated that Ruekert-Mielke was the clear choice following the interviews and there really wasn't a close second.

McGreevy stated that one of the big factors in the recommendation is the ongoing projects that Ruekert-Mielke has been working on and that everyone felt it would not be prudent to switch engineering firm in the middle of the planning process.

Trustee McGreevy/President Petersen 2nd made a MOTION to approve the proposal submitted by

Ruekert-Mielke to provide village engineering services, and the MOTION carried with one negative vote cast by Trustee Spadoni.

Pottawatomi Drive Construction Contract Pay Request No. 2 & Change Order No. 2

Workman stated that the change order and pay request were submitted just in time to make the agenda, and the items have been reviewed and recommended for approval. Pay Request No. 2 totaling \$281,689 was submitted by the Wanasek Corporation for the Pottawatomi Drive Reconstruction Contract.

Trustee Spadoni/Trustee McGreevy 2nd made a MOTION to approve Pay Request No. 2 totaling \$281,689 submitted by the Wanasek Corporation for the Pottawatomi Drive Reconstruction Contract, as recommended, and the MOTION carried without negative vote.

Change Order No. 2 calls for an increase of \$2,262 in the contract to address a sanitary sewer lateral conflict with the new storm sewer line.

Trustee Spadoni/Trustee McGreevy 2nd made a MOTION to approve Change Order No. 2 for the Pottawatomi Drive Reconstruction Contract, calling for an increase of \$2,262, as recommended, and the MOTION carried without negative vote.

Update on 2010 Construction Projects

Workman stated that that the Pottawatomi Drive project is on schedule and the asphalt surface layer was installed prior to the first snow. The project will be completed in the spring.

CDA – President Petersen

Reappointments of Bill Turner and Gail Hibbard to CDA Board

The CDA Board approved a motion at its last monthly meeting to recommend the reappointment of Bill Turner and Gail Hibbard to four-year terms on the CDA Board.

Trustee Spadoni/Trustee O’Connell 2nd made a MOTION to approve the four-year appointments of Bill Turner and Gail Hibbard to the CDA Board, and the MOTION carried without negative vote.

Park Commission – Trustee Wilson

Memorial Tree Donation Approval

Wilson stated that the Park Commission recommended approval of a request submitted by Indian Hills Association resident Jean Casciaro, who would like to donate two trees to the Village of Fontana in memory of former Indian Hills Association residents who recently passed away. Wilson stated that the Park Commission recommended approval of two trees to be planted adjacent to the pavilion at the Duck Pond Recreation Area.

Trustee Wilson/Trustee Kenny 2nd made a MOTION to approve the donation request of Jean Casciaro for two memorial trees to be planted adjacent to the pavilion at the Duck Pond Recreation Area, and the MOTION carried without negative vote.

Appointment of Gail Hibbard – Contingent on Park Commission Approval

Wilson stated that Gail Hibbard has offered to fill the open position on the Park Commission.

Wilson stated that Hibbard already attends most Park Commission meetings as a representative of the Fontana Garden Club and she will make a great addition to the commission. The Park Commission has not yet made an official recommendation on the appointment because the monthly meeting in November 2010 was cancelled.

Trustee Kenny/Trustee Spadoni 2nd made a MOTION to approve the appointment of Gail Hibbard to fill the open position on the Park Commission, contingent on Park Commission approval, and the MOTION carried without negative vote.

Lakefront and Harbor – Trustee O’Connell

Mooring Lease Language Amendment

O’Connell stated that the committee recommended approval of the mooring lease language amendment to add the following to the lease: “If a property owner sells his property or a resident moves out of the Village after a mooring lease has been issued, the lease is valid until the end of the current season, but it is not eligible to be renewed the next season.”

Trustee O’Connell/Trustee Spadoni 2nd made a MOTION to approve the mooring lease language amendment as recommended, and the MOTION carried without negative vote.

Village Launch Season Extension Recommendation to End Trial Period – Ordinance

O’Connell stated that the Lakefront and Harbor Committee recommended ending the trial period and changing the end date for the village launch season back to October 15; however, the proposed ordinance requires some other tweaks so the matter should be tabled.

Trustee O’Connell/Trustee Spadoni 2nd made a MOTION to table the item, and the MOTION carried without negative vote.

F/W WPCC – President Petersen

Pay Request No. 12 for Wastewater Treatment Facility Improvement Project

President Petersen stated that the Pay Application No. 12 for the Wastewater Treatment Facility Plant Improvement Project totals \$167,182 and approval is recommended.

Trustee Spadoni/Trustee Kenny 2nd made a MOTION to approve Pay Application No. 12 totaling \$167,182 for the Wastewater Treatment Facility Plant Improvement Project, as recommended, and the MOTION carried without negative vote.

GLLEA Board – President Petersen

Update

President Petersen stated that the GLLEA Board did not meet last month and the next meeting is scheduled for Wednesday, December 8, 2010.

Adjournment Village Board

Trustee Spadoni/Trustee McGreevy 2nd made a MOTION to adjourn the Village Board meeting at 7:18 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 Finance Committee, the official minutes will be kept on file at the Village Hall.

APPROVED: 1/10/11 – VB; 1/27/11 - Finance