

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

SPECIAL MEETING of the BOARD OF TRUSTEES
Thursday, December 27, 2012

Village President Arvid Petersen called the special meeting of the Board of Trustees to order at 5:15 pm in the Fontana Village Hall, 175 Valley View Drive, Fontana, Wisconsin.

Village Board members present: Roll call: President Petersen, Tom McGreevy, Pat Kenny, Rick Pappas, Cindy Wilson, George Spadoni,

Village Board member absent: Bill Gage

Also present: Administrator/Treasurer Kelly Hayden, Cary Kerger, Village Clerk Dennis Martin, Assistant Zoning Administrator Bridget McCarthy, Building Inspector Ron Nyman, Dean Richards, Dale Thorpe

General Business – President Petersen/Administrator-Treasurer Hayden

Approve 2012 Payables

Hayden stated the one list of payables has been prepaid as directed at the last monthly meeting, and a second list of payables is recommended for approval prior to the end of the year. Hayden stated that the \$331,500 pay request submitted by L.C. United Painting Company for the Duck Pond standpipe painting contract will be considered later in the meeting.

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

Temporary Liquor License & Operator's License Applications for Ice Gone Wild Fundraising Party Saturday, January 26, 2013

The Protection Committee and Park Commission recommended approval of the Temporary Liquor License application filed by the Dan Green's Touch A Life, Heal A Heart, Inc. organization for the Fontana Fire Department's fundraising Ice Gone Wild event on the municipal beach Saturday, January 26, 2013. The Park Commission also recommended approval of Temporary Operator's License applications for Kelly Hayden, Wolf Nitsch, Joe Special and Klaus Nitsch.

Trustee Spadoni/Trustee McGreevy 2nd made a MOTION to approve the Temporary Liquor License application and Temporary Operator's License applications for Kelly Hayden, Wolf Nitsch, Joe Special and Klaus Nitsch, as recommended. The MOTION carried without negative vote.

Plan Commission – Trustee Spadoni

Conditional Use Permit Application Filed by Abbey Resort, 269 Fontana Boulevard, to Authorize Replacement of Monument Signs & Use of Vinyl Siding for Exterior Renovation

Spadoni stated that following the required public hearing, the Plan Commission approved a motion to recommend Village Board approval of the CUP application as filed.

Trustee Spadoni/Trustee Kenny 2nd made a MOTION to approve the Conditional Use Permit application as filed by the Abbey Resort, 269 Fontana Boulevard, to authorize the replacement of monument signs and the use of vinyl siding for an exterior renovation plan, and the MOTION carried without negative vote.

Lakefront Committee – Trustee Pappas

Rip Rap Repair Permit Application Filed by Austin Pier for Buena Vista Association

Pappas stated that in order to allow for Austin Pier Service to get an early start on the project, the Lakefront and Harbor Committee held a special meeting December 10, 2012 to consider the rip rap repair permit application filed for a project at the Buena Vista Association lakefront. The committee

approved a motion to recommend Village Board approval of the rip rap repair permit application as filed, subject to the conditions outlined in the Wisconsin Department of Natural Resources approval letter dated December 4, 2012; and with the recommendation that Austin Pier Service be authorized to start the project prior to final approval by the Village Board as long as there are no concerns registered by the Village Board members. The Village Board members were contacted and there were no concerns with authorizing an early start on the project.

Trustee Pappas/Trustee Spadoni 2nd made a MOTION to approve the rip rap repair permit application filed by Austin Pier Service for the Buena Vista Association, subject to the conditions outlined in the Wisconsin Department of Natural Resources approval letter dated December 4, 2012, as recommended. The MOTION carried without negative vote.

Park Commission – Trustee Wilson

Awning Purchase for Park House

Wilson stated that the Park Commission decided to address three concerns at the Park House with the proposal to allocate 2012 budget funds to purchase and install an awning on the west side of the building to address sunlight and heat in the summer and to better identify the Park House. The new awning will feature “Fontana Park House” printed in the same lettering font and on the same blue background color as the other village park signs. Wilson stated that the commission approved a motion to recommend approval of the proposal submitted by Linda Stevenson of Trendsetters, Inc. Trustee Wilson/Trustee Pappas 2nd made a MOTION to approve the allocation of 2012 Park Commission budget funds in an amount not to exceed \$1,200 to purchase and have a window awning/sign installed on the west side of the Park House as recommended. The MOTION carried without negative vote.

CDA – President Petersen

Appraisal for Duck Pond Development Site

Hayden stated that she obtained from L.A. Duesterbeck & Associates, Inc., a proposal to complete one appraisal with two values or two separate appraisals on the Duck Pond Development site lot. The lot currently has two portions that encompass the potential development site footprint and the adjacent site of the former village dump. In response to questions, Hayden stated that the CDA wants separate appraisals of the highest and best value for the restricted former dump site lot and the buildable lot as they are delineated in a site diagram prepared by Ruckert-Mielke. Hayden requested that the item be tabled until she receives another quote.

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

Public Works – Trustee McGreevy

Pay Request for Duck Pond Standpipe Contract

Hayden stated that the \$331,500 pay request submitted by L.C. United Painting Company, Sterling Heights, MI, includes the \$12,000 change order approved at the last Village Board meeting. Hayden stated that the pay request was reviewed by the village engineer and approval is recommended.

Trustee Spadoni/Trustee McGreevy 2nd made a MOTION to approve the \$331,500 pay request submitted by L.C. United Painting Company, Sterling Heights, MI, as recommended, and the MOTION carried without negative vote.

Big Foot Country Club Final Ratification of Agreement

Thorpe stated that he emailed an updated agreement to the Village Board members that features two amendments to the document approved July 14, 2012. Thorpe stated that one amendment is the replacement of the Exhibit D, which now depicts the as-built location of the new storm water pipe in the field, and the second amendment is the extension of the deadline to have a storm water detention pond constructed by March 31, 2013. Thorpe stated that the two changes will protect the Village and make the agreement a solid contract for years to come.

Trustee Spadoni/Trustee Kenny 2nd made a MOTION to approve the two amendments to the Big Foot Country Club settlement agreement as presented, and the MOTION carried without negative vote.

Closed Session

Trustee McGreevy/Trustee Spadoni 2nd made a MOTION at 5:25 pm to go into Closed Session pursuant to Wisconsin Statutes Chapter 19.85 (1)(c), to consider employment, promotion, compensation or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility, specifically Village of Fontana Department of Public Works, and the Roll Call vote followed:

Trustee McGreevy – Aye

Trustee Kenny – Aye

Trustee Pappas – Aye

Trustee Wilson – Aye

Trustee Spadoni – Aye

President Petersen – Aye

The MOTION carried on a 6-0 vote, with Trustee Gage absent.

Trustee Spadoni/Trustee Pappas 2nd made a MOTION at 5:45 pm to adjourn the Closed Session and to reconvene in Open Session, and the MOTION carried without negative vote.

Closed Session Business

Thorpe stated that it would be an appropriate time to consider the motion approved in the Closed Session.

President Petersen/Trustee Spadoni 2nd made a MOTION to hire outside counsel at the Village attorney rate of pay to assist the Village administrator with two pending Public Safety Board of Appeals hearings for Public Works Department employees, to ensure that both parties are protected in the hearings. The MOTION carried without negative vote.

Adjournment

Trustee Spadoni/Trustee Kenny 2nd made a MOTION to adjourn the Village Board meeting at 5:45 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, the official minutes will be on file at the Village Hall.

APPROVED: 1/7/2013