

VILLAGE OF FONTANA ON GENEVA LAKE
WALWORTH COUNTY, WISCONSIN
(Official Minutes)
MONTHLY MEETING of the VILLAGE BOARD OF TRUSTEES
Monday, January 7, 2019

Village President Pat Kenny called the monthly meeting of the Village Board to order at 6:00 pm in the Village Hall, 175 Valley View Drive, Fontana, Wisconsin.

Trustees Present: Roll call vote: Trustee Pappas, Trustee Prudden, Trustee Livingston, Trustee Petersen, President Kenny, Trustee McGreevy, Trustee O'Neill

Also Present: Greg Blizard, Jeff Cates, Kevin Day, Bill Grunow, Maureen Holsen, Theresa Loomer, Mike McKay, Pete Novak, Kathie Perkins, Mike Slavney, Terry Tavera, Dale Thorpe, Scott Vilona, Tom Whowell

Visitors Heard

None

Approval of Minutes

The minutes for the meetings held on December 3, December 5, and December 18, 2018 were distributed.

Trustee Petersen/Trustee O'Neill 2nd made a MOTION to approve the minutes from the December 3, December 5, and December 18, 2018 meetings, as submitted, and the MOTION carried without negative vote.

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

Trustee Petersen/Trustee Livingston 2nd made a MOTION to approve the Treasurer's Report for November and December, and the Vendor Report and Payroll Overtime Report as distributed for December, and to place them on file for the audit, and the MOTION carried without negative vote.

Approval of Village and Utility Payables

Two additional payables were added. Attorney Thorpe's invoice for the amount of \$6,184.81 and an invoice from Gordy's Boat House for the Village holiday party for the amount of \$3,097.40.

Trustee Livingston/Trustee Petersen 2nd made a MOTION to approve payment of the Village and Utility payable list, as presented, with the addition of the two payables, and the MOTION carried without negative vote.

General Business – President Kenny

A Resolution Authorizing and Providing for the Sale and Issuance of \$7,780,000* General Obligation Corporate Purpose Bonds, Series 2019A, and All Related Details

Maureen Holsen from Ehlers provided an overview of the bond sale report. The total amount of bonds issued were \$7,705,000 to low bidder D.A. Davidson, Denver, CO, at the rate of 2.7644%. The report states, "The total principal and interest over the life of the debt is \$144,787 lower than presale estimates due to a premium received and lower interest rates over planning estimates." Prior to the sale, Moody's Investor's Service rated the Village at a Aa3 rating. The complete Sale Day Report is on file at Village Hall.

Trustee O'Neill/Trustee Livingston 2nd made a MOTION to approve Resolution 010719-01 Authorizing and Providing for the Sale and Issuance of \$7,705,000 General Obligation Corporate Purpose Bonds, Series 2019A, and All Related Details and the MOTION was as follows:

Trustee Prudden – Aye

Trustee Livingston – Aye

Trustee Petersen – Aye

President Kenny – Aye

Trustee McGreevy – Aye

Trustee O'Neill – Aye

Trustee Pappas – Aye

The MOTION carried on a 7-0 vote.

Fall 2019 Triathlon Proposal

A preliminary proposal was submitted by Wendy and Bob Hanisch from Peak Performance Professionals to host a triathlon in Fontana on September 21, 2019. Tom Whowell spoke on behalf of the proposed triathlon. With the layout of the community, Whowell stated Fontana is the perfect location and the organization is willing to pay any costs associated with the event up front.

Additionally, participation will be limited to around 1,000 registrants.

Trustee Prudden/Trustee McGreevy 2nd made a MOTION to hold the date of September 21, 2019 and request a contract for review at the next regularly scheduled village board meeting, and the MOTION carried without negative vote.

Presentation by Mr. and Mrs. Perkins Regarding Possible Boat Showroom at 158 Fontana Boulevard

Kathie Perkins stated they are seeking to hold off on the construction of a restaurant at 158 Fontana Boulevard, and instead construct a boat showroom/retail space. She asked whether the change in plans would require any additional approvals from the Village. Village Planner Mike Slavney stated the approvals issued last September included all uses in the Village Center District, and as long as the construction and design of the outside of the building remain the same, then the change in use would be permitted without requiring any additional approvals. Slavney asked Perkins to submit a written description of the proposed changes for staff to review to determine definitively if any additional approvals would be required.

Appoint Jeffrey Durant, Patricia Durant and Cynthia Heindl as Election Inspectors

Trustee Petersen/Trustee McGreevy 2nd made a MOTION to appoint Jeffrey Durant, Patricia Durant and Cynthia Heindl as Election Inspectors for the remainder of the 2019 calendar year, and the MOTION carried without negative vote.

Appoint Bill Grunow to Finance Committee

Trustee Pappas/Trustee Prudden 2nd made a MOTION to approve the appointment of Bill Grunow to the Finance Committee, and the MOTION carried without negative vote.

Interfund Balance Transfer Reconciliation

Vilona stated the Utility Fund was housing money for the General Fund and now that the water rate case has been approved he asked for authorization to transfer \$500,000 from the Utility Fund to the General Fund.

Trustee McGreevy/Trustee O'Neill 2nd made a MOTION to approve the transfer of \$500,000 from the Utility Fund to the General Fund, and the MOTION carried without negative vote.

Approval of Water Rate Ordinance

The ordinance codifies the water rate increase that was approved by the Public Service Commission in November, 2018.

Trustee Prudden/Trustee Livingston 2nd made a MOTION to approve Ordinance 010719-01, repealing and recreating Section 78-94(a)(b), 78-95(a), 78-96(a)(b) and 78-97 of the Village of Fontana on Geneva Lake Municipal Code regarding the authorized Fontana water utility rates and the water service rules pursuant to Docket 2020-WR-106 of the Public Service Commission dated November 6, 2018. The MOTION carried without negative vote.

Public Works Committee – Trustee McGreevy

2019 Street and Parking Lot Construction Light Fixtures and Final Detail Approval

Village Engineer Terry Tavera displayed renderings of the proposed street and bollard lights on Lake Street, parking lot no. 1 and the sidewalk that will be extended from Chucks to the Lake Geneva Marine Building during the spring construction. The parking lot will cut a few feet into the park near Lake Street to create wider turn lanes and the number of parking stalls will increase from 125 to 131, however, the stalls will remain the same length. The handicap parking stalls will also be brought into compliance with ADA standards. The current proposed substantial completion date is June 14th. The

board members discussed moving the substantial completion date to the Friday before Memorial Day to ensure the parking lot is open for Memorial Day weekend. Board members also discussed incentives and penalties and ultimately decided it would be worth paying more to have the work finished by Memorial Day weekend to collect revenue on parking and have the lakefront construction complete. Approval was given to allow for construction on nights and weekends.

Approval of 2019 Utility Budget

Trustee McGreevy/Trustee O'Neill 2nd made a MOTION to approve the 2019 Utility Budget, as presented, and the MOTION carried without negative vote.

SCADA Equipment Upgrade Recommendation from Equipment Replacement Fund

There is \$269,130 in the Equipment Replacement Fund which can be used towards sewer equipment. Day received a quote from Altronex for \$98,890 to upgrade the SCADA equipment which is more than 20 years old.

Trustee McGreevy/Trustee O'Neill 2nd made a MOTION to approve using \$98,890 from the Equipment Replacement Fund for upgrades to the SCADA equipment, and the MOTION carried without negative vote.

Contractor's Final Application for Payment for Tarrant Drive Lift Station Replacement

Pay Request No. 8 was received from Super Excavators, Inc. for the Tarrant Drive Lift Station replacement in the amount of \$18,456.25. The work was reviewed by staff and the Village engineer and is recommended for approval.

Trustee Livingston/Trustee Petersen 2nd made a MOTION to approve the Final Pay Request submitted by Super Excavators, Inc., for the Tarrant Drive Lift Station replacement in the amount of \$18,456.25, and the MOTION carried without negative vote.

2017 Road Reconstruction and Drainage Improvements – Final Payment and Closeout change order

A change order was received from Super Excavators, Inc., for the 2017 Road Reconstruction and Drainage Improvements projects for a decrease in the amount of \$32,362.73, and Pay Request No. 8 was received for the amount of \$10,000. The work was reviewed by staff and the Village engineer and is recommended for approval.

Trustee Petersen/Trustee O'Neill 2nd made a MOTION to approve the Closeout Change Order and Final Pay Request in the amount of \$10,000 as submitted by Super Excavators, Inc., for the 2017 Road Reconstruction and Drainage Improvements, and the MOTION carried without negative vote.

Lake Street Water Main Relay – Final Payment and Closeout change order

A change order was received from Woleske Construction for the Lake Street Water Main Project for a decrease in the amount of \$5,761.10, and Pay Request No. 4 was received for the amount of \$4,614.25. The work was reviewed by staff and the Village engineer and is recommended for approval.

Trustee Petersen/Trustee McGreevy 2nd made a MOTION to approve the Change Order and Final Pay Request in the amount of \$4,614.25 submitted by Woleske Construction, Inc., for the Lake Street Water Main Relay project, and the MOTION carried without negative vote.

Human Resources Committee – President Kenny

Recommendation for Proposals for Annual Employee Wage Scale and Performance Evaluation System

Loomer stated she received three proposals to develop job descriptions and conduct a salary study. The quote provided by the Korn Ferry Hay Group was for \$40,000, the quote from Carlson Dettmann Consulting was \$12,000 but did not include job descriptions, and the quote from Village HR consultant Al Kaminski was for the amount not to exceed \$10,000 and also includes the development of an employee performance evaluation system.

Trustee Prudden/Trustee McGreevy 2nd made a MOTION to approve hiring HR Consultant Al Kaminski to develop job descriptions for all Village positions, an employee performance evaluation system and a compensation management plan, not to exceed \$10,000, and the MOTION carried without negative vote.

Rate Increase for Fire Dept. Staff

The HR Committee recommended increasing the rate of fire dept. staff to match the rate of Paratech EMS staff, an increase of \$.25. Trustee Livingston stated that was the 2018 rate and asked about matching the 2019 rate. The board agreed they could revisit the new rate once the 2019 Paratech rate is established.

Trustee Prudden/Trustee O'Neill 2nd made a MOTION to approve a \$.25 pay increase for the Fire Dept. staff to match the 2018 Paratech rate, and the MOTION carried without negative vote. Trustee Livingston abstained.

Recommendation for Street Dept. Crew Member Salary Increase for Water License Certification – Drew Perepell & Tyler Kahlke

This item was discussed in closed session.

Trustee Prudden/Trustee Livingston 2nd made a MOTION to approve a \$.75 pay increase to Drew Perepell and Tyler Kahlke for each Water Certification Test passed, and an additional \$.25 pay increase per test passed once they become Grade 1 Operators after the required length of time and experience, and the MOTION carried without negative vote.

Public Works Director Kevin Day Probationary Review

This item was discussed in closed session.

Trustee Petersen/Trustee McGreevy 2nd made a MOTION to approve the six-month probationary review of Public Works Director Kevin Day, and a salary increase to \$77,500 as specified in Day's employment contract, and the MOTION carried without negative vote.

Administrator/Clerk Theresa Loomer Probationary Review

This item was discussed in closed session.

Trustee Prudden/Trustee McGreevy 2nd made a MOTION to approve the probationary review of Administrator/Clerk Theresa Loomer, and a salary increase to \$80,000, as specified in Loomer's employment contract, and the MOTION carried without negative vote.

Payroll Resolution Amendment

The payroll resolution reflects the pay changes described in the motions under the Human Resources Committee heading. As housekeeping items, it also removes the Building Inspector, Zoning Administrator and Commercial Inspector positions as the services have been contracted out, and updates the Deputy Clerk/Treasurer position pay increase approved at the August 30, 2018 meeting.

Trustee Petersen/Trustee O'Neill 2nd made a MOTION to approve Resolution 010719-02 amending Resolution 080618-02 Setting Exempt Salaried and Hourly Non Union Personnel Rates for the 2019 Calendar Year, and the MOTION carried without negative vote.

Closed Session

Trustee McGreevy/Trustee Petersen 2nd made a MOTION at 6:46 to go into Closed Session Pursuant to Wis. Stats. Chapter 19.85(1)(c), "considering employment, promotion, compensation or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility specifically, "Recommendation for Street Dept. Crew Member Salary Increase for Water License Certification – Drew Perepell & Tyler Kahlke, Public Works Director Kevin Day Probationary Review, Administrator/Clerk Theresa Loomer Probationary Review; and Wis. Stats. Chapter 19.85(1)(g), "conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved," specifically Claims Filed by Irwin & Zabowski.

The Roll Call vote was as follows:

Trustee Livingston – Aye

Trustee Petersen – Aye

President Kenny – Aye

Trustee McGreevy – Aye

Trustee O'Neill – Aye

Trustee Pappas – Aye
Trustee Prudden – Aye
The MOTION carried on a 7-0 vote.

Trustee Pappas/Trustee Petersen 2nd made a MOTION to adjourn closed session and go into open session at 6:53 pm, and the MOTION carried without negative vote.

Open Session

Claims Filed by Irwin and Zabowski

Trustee Pappas/Trustee O’Neill 2nd made a MOTION to allow Attorney Ted Waskowski the discretion to agree that the Village will not seek to dismiss a suit filed by Irwin or Zabowski concerning the subject matter of the notices of claim that they have previously presented to the Village on the basis that suit is untimely so long as suit is filed within six months after the statutory deadlines for filing have expired, and the MOTION carried without negative vote.

Adjournment

Trustee Petersen/Trustee Livingston 2nd made a MOTION to adjourn at 6:54 pm, and the MOTION carried without negative vote.

Minutes prepared by: Theresa Loomer, Village Administrator/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: 02/04/19