

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

SPECIAL CLOSED SESSION & ANNUAL ORGANIZATIONAL MEETING
of the
VILLAGE BOARD OF TRUSTEES
Tuesday, April 18, 2006

President Whowell called the meeting of the Village Board to order at 5:00 pm in the Village Hall, 175 Valley View Drive, Fontana, Wisconsin.

Trustees present: Roll call vote: Bidwill, Pollitt, O'Connell, President Whowell, Petersen

Trustees absent: Bromfield (arrived late at 5:45 pm), Turner

Also present: Village Administrator Kelly Hayden-Staggs, Village Clerk Dennis Martin, CDA Executive Director Joseph McHugh, Don Roberts

Announcement for Board of Trustees to Consider Going Into Closed Session

Petersen/O'Connell 2nd made a MOTION for the Village Board to go into closed session pursuant to Chapter 19.85 (1) (g) Wis. Stats., for the purpose of "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 the lawsuit filed by BZA, and the roll call vote followed:

Pollitt – Yes

O'Connell – Yes

President Whowell - Yes

Petersen – Yes

Bidwill – Yes

The motion carried 5-0, with Bromfield and Turner absent.

McHugh and Roberts left the meeting room during the closed session.

Adjournment of Closed Session

O'Connell/Petersen 2nd made a MOTION to adjourn the closed session at 5:28 pm and to reconvene in open session at 5:45 pm, and the MOTION carried without negative vote.

President Whowell announced the Board was in open session at 5:45 pm.

Also present: Robert Allen, Trustee Bromfield, Angela Buchholz, Police Lt. Brad Buchholz, Officer Jeff Cates, Officer Mark Chalcoff, Library Director Nancy Krei, Duane Matranga, Police Dept. Administrative Assistant Gail Nichols, Belva Olson, Chief Steve Olson, Treasurer Peg Pollitt, Robert Sandy, Karen Varhula

Visitors Heard

Following discussion, Trustee Pollitt read a letter written by newspaper reporter Paul Sloth. Pollitt stated that he told Sloth he would read the letter into the record because Sloth could not attend the meeting. Pollitt stated that if the Board did not agree that he could read the letter, which was not related to an agenda item, he would request that it be added as an agenda item for the next meeting of the Village Board. Roberts stated that he felt if someone was not able to attend a meeting, it would be appropriate for another person to read a statement in their absence. Sloth's letter stated that he was not fired from the Lake Geneva Regional News, he submitted his resignation in order to accept a job at another newspaper. Hayden-Staggs stated that the general manager of the Regional News told village officials on two occasions that Sloth had been fired.

General Business – President Whowell

Section 2-39 Liaison Appointments

President Howell stated he was seeking approval of the appointment of himself as the Board's liaison to the Library Board.

O'Connell/Bromfield 2nd made a MOTION to approve the appointment of President Howell as the Village Board's liaison to the Library Board, and the MOTION carried without negative vote.

President Howell stated he was seeking approval of the appointment of Trustee Bidwill as the Board's liaison to the Park Commission.

Petersen/O'Connell 2nd made a MOTION to approve the appointment of Trustee Bidwill to the Park Commission, and the MOTION carried without negative vote.

President Howell stated he was seeking approval for the appointment of himself as the Board's liaison to the Lake Use Committee.

Petersen/O'Connell 2nd made a MOTION to approve the appointment of President Howell to the Lake Use Committee, and the MOTION carried without negative vote.

Section 2-61 Environmental Committee Appointments

President Howell stated he was seeking approval of the appointment of Trustee Bidwill, Ron Nyman and Craig Workman to the Environmental Committee. There still is an opening for one citizen appointment.

Petersen/Bromfield 2nd made a MOTION to approve the appointment of Trustee Bidwill, Ron Nyman and Craig Workman to the Environmental Committee, and the MOTION carried without negative vote.

Section 2-62 Finance Committee Appointments

President Howell stated he was seeking approval of the appointment of Trustee Pollitt, Jim Feeney, Andrew Gilchrist, Lou Loenneke, Rick McCue and Arlene Patek as members of the Finance Committee and Trustee O'Connell as an advisor to the Finance Committee. Pollitt, the committee chairman, stated that he contacted all of the members and they indicated they would be willing to continue their service on the Finance Committee.

Pollitt/Bidwill 2nd made a MOTION to approve the appointment of Trustee Pollitt, Jim Feeney, Andrew Gilchrist, Lou Loenneke, Rick McCue and Arlene Patek as members of the Finance Committee and Trustee O'Connell as an advisor to the Finance Committee, and the MOTION carried without negative vote.

Section 2-63 Harbor and Lakeshore Committee Appointments

President Howell stated he was seeking approval of the appointment of Trustee O'Connell, Steve Beers, Joel Bikowski, Robert Chanson, Lee Eakright, Ed Snyder and Rick Rosenow to the Harbor and Lakeshore Committee.

Bromfield/Bidwill 2nd made a MOTION to approve the appointment of Trustee O'Connell, Steve Beers, Joel Bikowski, Robert Chanson, Lee Eakright, Ed Snyder and Rick Rosenow to the Harbor and Lakeshore Committee, and the MOTION carried without negative vote.

Section 2-64 Human Resource Committee Appointments

President Howell stated he was seeking approval of the appointment of Trustee Pollitt, Sandra Erickson, Jennifer Johnson, Jeff Koepke and George Spadoni to the Human Resources Committee.

Petersen/O'Connell 2nd made a MOTION to approve the appointment of Trustee Pollitt, Sandra Erickson, Jennifer Johnson, Jeff Koepke and George Spadoni to the Human Resources Committee, and the MOTION carried without negative vote.

Section 2-66 Protection Committee Appointments

President Howell stated he was seeking approval of the appointment of Trustee Bromfield, Robert Allen, David Eshoo, Patty Goff, Roger O'Brien, Tom McGreevy and Hal Grabow to the Protection Committee.

Bromfield/O'Connell 2nd made a MOTION to approve the appointment of Trustee Bromfield, Robert Allen, David Eshoo, Patty Goff, Roger O'Brien, Tom McGreevy and Hal Grabow to the Protection Committee, and the MOTION carried without negative vote.

Section 2-67 Public Works Committee Appointments

President Whowell stated he was seeking approval of the appointment of Trustee Petersen, Bruce Adreanni, Mark Kennedy, Marvin Sollars, Ken Pariser and Robert Stewart to the Public Works Committee. There still is an opening for a citizen member.

Bromfield/O'Connell 2nd made a MOTION to approve the appointment of Trustee Petersen, Bruce Adreanni, Mark Kennedy, Marvin Sollars, Ken Pariser and Robert Stewart to the Public Works Committee, and the MOTION carried without negative vote.

Section 2-68 Emergency Management Committee Appointments

President Whowell stated he was seeking approval of the appointment of Police Chief Steven Olson, Fire Department Chief Jon Kemmett, Rescue Squad Chief Larry Austin, Director of Public Works Craig Workman, Administrator Kelly Hayden-Staggs, himself, and Allan Kaminski to the Emergency Management Committee.

Bromfield/O'Connell 2nd made a MOTION to approve the appointment of Police Chief Steven Olson, Fire Department Chief Jon Kemmett, Rescue Squad Chief Larry Austin, Director of Public Works Craig Workman, Administrator Kelly Hayden-Staggs, President Whowell and Allan Kaminski to the Emergency Management Committee, and the MOTION carried without negative vote.

Section 2-231 Board of Appeals Appointments

President Whowell stated he was seeking approval of the appointment of Thomas McGreevy (citizen chairman) to complete the unexpired term of Jim Feeney, and the appointment of Pat Kenney and Kim Hirn (Alternate II) to three-year terms on the Board of Appeals. There still in an opening for the Alternate I position.

Petersen/Bromfield 2nd made a MOTION to approve the appointment of Thomas McGreevy (citizen chairman) to complete the unexpired term of Jim Feeney, and the appointment of Pat Kenney and Kim Hirn (Alternate II) to three-year terms on the Board of Appeals, and the MOTION carried without negative vote.

Section 2-256 Board of Review Appointments

President Whowell stated he was seeking approval of the appointment of himself, Trustee Bromfield, Gary Walsh, Steve Beers and Rick Pappas to the Board of Review.

Bromfield/O'Connell 2nd made a MOTION to approve the appointment of President Whowell, Trustee Bromfield, Gary Walsh, Steve Beers and Rick Pappas to the Board of Review, and the MOTION carried without negative vote.

Section 2-281 Joint Area Transit Commission Appointments

President Whowell stated that the commission has not met since he has been in office, so he does not appoint any members. If a meeting is called, President Whowell will bring a nomination forward for Village Board approval at that time.

Section 2-311 Library Board Appointments

President Whowell stated he was seeking approval of the reappointment of Genie Murphy and Mary Anne Pearce to two-year terms on the Library Board. Other members are Inger Fisher, Mary Kay Frazier, Fran Hill, Sharon O'Brien and President Whowell.

Petersen/O'Connell 2nd made a MOTION to approve the two-year appointments of Genie Murphy and Mary Anne Pearce to the Library Board, and the MOTION carried without negative vote.

Section 2-336 Park Commission Appointments

President Whowell stated he was seeking approval of the appointment of Rick Treptow, Laurie Larson and Susan Geye to the Park Commission. Geye will be resigning her position next month, at which time President Whowell will be nominating Jill Wegner to take her position. Other Park Commission members are Brent Horvath, Dawn Sammons, Sarah Lobdell, Sharon O'Brien and Trustee Bidwill.

Bromfield/Petersen 2nd made a MOTION to approve the appointment of Rick Treptow, Laurie Larson and Susan Geye to the Park Commission, and the MOTION carried without negative vote.

Section 2-366 Plan Commission Appointments

President Whowell stated he was seeking approval of three-year appointments of himself, Laurie

Larson and George Spadoni to the Plan Commission. In response to a question from O'Connell, President Whowell stated that one of the Plan Commission appointments will be amended next month because current Commissioner Lee Eakright will no longer be a citizen, just a property owner. President Whowell stated he will be nominating Thomas McGreevy to replace Eakright at that time. Bromfield/O'Connell 2nd made a MOTION to approve the appointment of President Whowell, Laurie Larson and George Spadoni to three-year terms on the Plan Commission, and the MOTION carried without negative vote.

Section 18 ETZ Appointments

President Whowell stated he was seeking approval of the appointment of Mike Poivey and Rick Treptow to the Joint ETZ Committee. One more Plan Commissioner will be appointed to the Joint ETZ Committee next month.

Petersen/Bromfield 2nd made a MOTION to approve the appointment of Mike Poivey and Rick Treptow to the Joint ETZ Committee, and the MOTION carried without negative vote.

Section 2-392 Public Safety Board of Appeals Appointment

President Whowell stated that members of the committee are appointed to three-year terms, and none of three terms are expiring this year. Current members are President Whowell, Robert Chanson and Thomas Roche.

Section 2-425 Police and Fire Commission Appointments

President Whowell stated that he was seeking approval of the reappointment to a five-year term of Pat Kenny to the Police and Fire Commission. Other members of the PFC are Robert Youngquist, Sherri Eshoo, George Nicosia and Joseph Haughey.

Petersen/O'Connell 2nd made a MOTION to approve the appointment of Pat Kenny to a five-year term on the Police and Fire Commission, and the MOTION carried without negative vote.

Section Appendix A FWWPCC Appointments

President Whowell stated that he was seeking approval of the appointment of Trustees Bromfield, O'Connell and Petersen and John O'Neill to the Fontana-Walworth Water Pollution Control Commission Board of Directors.

Pollitt/Bidwill 2nd made a MOTION to approve the appointment of Trustees Bromfield, O'Connell and Petersen and John O'Neill to the Fontana-Walworth Water Pollution Control Commission Board of Directors, and the MOTION carried without negative vote.

Section 54 Geneva Lake Law Enforcement Agency Appointment and Discussion of Trustee Pollitt's Report & Financial Obligation

Trustee Pollitt stated that at the last meeting of the Geneva Lake Law Enforcement Agency, the mayor of Lake Geneva, the Williams Bay Village Board president and the Linn Town Board chairman stated that they would not agree to amend the GLLEA Board of Director's operating ordinance to allow Pollitt to vote on matters before the GLLEA Board. Also, they stated Pollitt could not participate in closed sessions of the GLLEA Board. President Whowell and the Village Board decided to send Pollitt to the meetings in place of President Whowell to represent the Village of Fontana in the hope that the other three lake municipalities would become more receptive to adopting basic procedures of open government. During the past few years, the other members of the GLLEA Board have been unreceptive to President Whowell's proposals to have the GLLEA conduct an annual audit and budget hearing and to incorporate non-voting members on the Board. President Whowell stated that representatives of the Geneva Lake Water Safety Patrol and other lake organizations could provide valuable input to the GLLEA Board. Pollitt stated at this time of the year, the Village has four options with regard to the GLLEA: the Village Board could approve the funding of the Village's first half of its annual financial commitment, which totals \$20,704, and have President Whowell represent the Village on the GLLEA Board; the Village Board could keep Pollitt as its representative on the GLLEA Board and approve funding of the Village's first half of its annual financial commitment without having a voting member on the GLLEA Board; the Village could withdraw from the GLLEA and begin the process of acquiring the Village of Fontana's quarter of the GLLEA assets; or the Village Board could appoint another trustee to attempt to negotiate with the GLLEA Board. O'Connell stated that she would have a hard time approving the financial

commitment without having a voting member on the GLEEA Board. President Howell responded that he has not been well received by the other GLEEA Board members since they requested his help in addressing boat and engine operation and maintenance problems. President Howell stated that since Sgt. Hausner was hired as the GLEEA director last season, the Boat Patrol crew has been operating at an effective and efficient level. President Howell stated that he felt Trustee Pollitt should continue his efforts and keep trying to get some cooperation from the other lake communities by serving as the Village of Fontana's representative on the Board. Pollitt stated that even though the Village would not have a voting member on the Board, the GLEEA Boat Patrol is necessary for the safety of the lake. Bidwill stated that he agreed with Pollitt. Bidwill stated that although there are concerns regarding the GLEEA Board and not having a voting member representing the Village, the lake needs the GLEEA Boat Patrol – especially during the busy summer weekend and holiday periods. Petersen stated that he agreed that Pollitt should be given the opportunity to make progress with the GLEEA Board in an attempt to address the Village of Fontana's concerns regarding the adoption of basic government procedures. Petersen stated that the Village will not have a vote on the Board and there is no financial audit of the government funds being allocated to the agency, which is not good; however, at this time there is no better alternative.

Petersen/Bromfield 2nd made a MOTION to approve the appointment of Trustee Pollitt as the Village of Fontana representative on the GLEEA Board of Directors, and to approve the \$20,704 payment to the GLEEA, and the MOTION carried without negative vote.

Section 54 Geneva Lake Use Committee Appointment

President Howell stated that he was seeking approval of the appointment of Ken Bell to the Geneva Lake Use Committee.

Petersen/Bromfield 2nd made a MOTION to approve the appointment of Ken Bell to the Geneva Lake Use Committee, and the MOTION carried without negative vote.

Chapter 54 Ordinance Revisions (Tabled 04/03/06)

Hayden-Staggs presented the proposed revisions to Chapter 54 of the Municipal Code. Trustee Pollitt stated that he would like time to review the proposed changes prior to adoption.

Pollitt/Bromfield 2nd made a MOTION to table the proposed revisions to Chapter 54 until the May 1, 2006 meeting of the Village Board, and the MOTION carried without negative vote.

Police Summer Staffing – Part-Time vs. Full-Time & CSO

Hayden-Staggs stated that the Protection Committee and Village Board authorized the adoption of eligibility lists for part-time and full-time officer position candidates, and the hiring of part-time officers and a Community Service Officer. Chief Olson stated that he was seeking approval of filling a full-time vacancy on the department staff with current part-time officer Aaron West, hiring three Limited Time Employees and hiring Brandon Smith for the CSO position. Bromfield stated that the Protection Committee recommended hiring more part-time officers, but not another full-time officer. Bromfield stated that in totaling the incident report sheets that Chief Olson distributes at the weekly staff meetings for the period from January 1 through April 11, 2006, the department has had an average of one incident per every six hours. Bromfield stated that the Protection Committee recommended hiring part-time officers to get the Village through the busy summer season. Chief Olson stated that if the Village Board does not approve the hiring of a sixth full-time officer, the department will be operating at the same staffing level as 1975. Chief Olson stated that compared to other communities in the area, the Fontana Police Department has less full-time officers. With regard to the incidents, Chief Olson stated that one incident can last for many hours. Chief Olson stated that when he was hired as the Chief of Police in Fontana there were seven full-time officers, and now the department is down to five. Hayden-Staggs stated that previously approved motions have only authorized the establishment of an eligibility list for full-time officer position candidates and the hiring of part-time officers. President Howell suggested that the Village Board consider a motion to approve the hiring of three LTE officers and to send the proposal to hire a full-time officer back to the Protection Committee for a required recommendation. The recommendation could be acted on by the Village Board at its next monthly meeting on Monday, May 1, 2006. Chief Olson stated that three LTE officers will not be adequate to cover the police department's personnel needs. Petersen responded that the Village Board could approve the hiring of up to four LTE officers. Chief Olson stated that training the new LTE officers would not be an easy task. Bidwill asked Bromfield what

the basis was for the Protection Committee's recommendation, and Bromfield responded that the committee didn't feel another full-time officer was necessary at the present time. Hayden-Staggs stated that the Village has had only two LTE officers in the past. Karen Varhula stated that public safety is one of the reasons she moved to Fontana a few years ago, and she is disappointed that the Village Board would not vote that night to approve the hiring of an additional full-time officer. Varhula stated that the Police Department is under-staffed and the issue should not be based on dollars and cents. Lt. Buchholz stated that there is money allocated in the current budget for another full-time officer. Officer Chalcoff stated that the incidents sheets that Bromfield tallied are not correct and the department has responded to more than 500 calls this year. Petersen stated that he would vote to approve the hiring of three LTE officers from the eligibility list, which features five candidates. The Police and Fire Commission has to approve new officers for positions that are approved by the Village Board on recommendation of the Protection Committee. In response to a question from Bidwill, Chief Olson stated that if the Protection Committee and Village Board do not approve the hiring of another full-time officer, the department will need four LTE officers. After discussing the financial ramifications associated with another full-time officer, Bidwill stated that he is not in favor of paying over-time, so he would prefer to add another full-time officer to the department staff. Trustee Pollitt stated that residents at a Town Hall meeting held November 12, 2005 indicated that they would be willing to spend more money to ensure quality, local police protection. President Whowell stated that a recommendation to hire another full-time officer would have to be acted on by the Protection Committee. President Whowell asked Trustees Pollitt and Bidwill to attend the April 22, 2006 meeting of the Protection Committee to discuss the proposal to hire another full-time officer. The Village Board could act on the recommendation at its next monthly meeting on Monday, May 1, 2006, beginning at 6:00 pm.

Petersen/O'Connell 2nd made a MOTION to approve the hiring of up to four Limited Time Employee police officers, to send the proposal to hire an additional full-time police officer back to the Protection Committee for a recommendation, and to bring the recommendation back to the Village Board for action at its May 1, 2006 meeting. The MOTION carried without negative vote.

Petersen/O'Connell 2nd made a MOTION to approve the hiring of Brandon Smith as the Police Department's Community Service Officer, and the MOTION carried without negative vote.

Kovicic Main Lift Station Contract Change Order

Following the approval of the referendum that authorized the expenditure of up to an additional \$700,000 on the construction of the new main lift pumping station in Reid Park, the Village Board was in a position to approve a \$328,169 change order for the project. Hayden-Staggs stated that additional change orders will be brought before the Village Board for approval during the construction process.

Petersen/O'Connell 2nd made a MOTION to approve the \$328,169 change order submitted by Kovicic Construction Company, and the MOTION carried without negative vote.

Lakefront Staff Approval

Hayden-Staggs presented the roster of lakefront employees recommended after the interview process.

O'Connell/Bromfield 2nd made a MOTION to approve the Lakefront Roster 2006 as presented, and the MOTION carried without negative vote.

Adjournment

Bromfield/Pollitt 2nd made a MOTION to adjourn the meeting at 7:27 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: 5/01/06