

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

ORGANIZATIONAL MEETING of the VILLAGE BOARD OF TRUSTEES

**Tuesday, April 28, 2009**

President Petersen called the annual organizational 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: Thomas McGreevy, Patrick Kenny, William Turner, Merilyce O'Connell, George Spadoni, President Arvid Petersen

**Trustee absent:** Diane Lewis

**Also present:** Village Administrator/Treasurer Kelly Hayden, Village Clerk Dennis Martin, Village Attorney Dale Thorpe

**Announcement for Board of Trustees to Consider Going Into Closed Session**

O'Connell/Spadoni 2<sup>nd</sup> made a MOTION for the Village Board to go into closed session pursuant to Chapter 19.85 (1) (g) Wis. Stats. to confer 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 claim filed by the Lake Geneva Yacht Club, and the roll call vote followed:

Kenny – Yes

Turner – Yes

O'Connell – Yes

Spadoni – Yes

President Petersen – Yes

McGreevy – Yes

**Adjournment of Closed Session**

Kenny/Spadoni 2<sup>nd</sup> made a MOTION to adjourn the closed session of the Village Board at 5:07 pm and to reconvene in open session, and the MOTION carried without negative vote.

**Closed Session Business**

President Petersen announced that the Village Board was in open session at 5:07 pm and stated that he would entertain a motion to reflect the decision made in the closed session with regard to the claims for excessive taxes filed by the Lake Geneva Yacht Club.

Spadoni/Turner 2<sup>nd</sup> made a MOTION to deny the claims filed by the Lake Geneva Yacht Club pursuant to provisions of Chapter 70 of the Wisconsin State Statutes, and to direct Village Attorney Dale Thorpe to provide notification of the denial to the Lake Geneva Yacht. The MOTION carried without negative vote

**Also present:** Rob Ireland, Library Director Nancy Krei

**General Business – President Petersen**

**Annual Village Appointments**

President Petersen distributed the Village of Fontana committee and commission membership list with his proposed appointments. Two members of the Protection Committee, Michal Van Dyke and Patti Goff, and one member of the Park Commission, Robert Stewart, requested to be replaced; and newly elected Trustee McGreevy asked to be replaced on the Plan Commission. All the other current committee and commission members were reappointed. The only other changes proposed by President Petersen were to appoint Trustee Spadoni the liaison on the Lake Use Committee, to replace the late Ron Pollitt; and to appoint Trustee McGreevy the chairman of the Public Works Committee, to replace President Petersen. New appointees nominated by President Petersen are

Sharon O'Brien, to complete McGreevy's unexpired term on the Plan Commission; Rick Pappas, to fill the Protection Committee position formerly held by Goff; and Sharon Conklin, to fill the Park Commission position formerly held by Stewart. There still is one position that has to be filled on the Finance Committee and one position that has to be filled on the Protection Committee, both of which currently have six voting members. President Petersen asked the Village Board members to suggest residents or property owners to be appointed to the open positions.

Spadoni/Kenny 2<sup>nd</sup> made a MOTION to approve the 2009-2010 appointments as nominated by President Petersen, and the MOTION carried without negative vote.

***Section 2-39 Liaison Appointments – Library Board; Park Commission; Lake Use Committee***  
Library Board Liaison Trustee Lewis; Park Commission Liaison Trustee Lewis; and Lake Use Committee Liaison George Spadoni.

***Section 2-61 Environmental Committee Appointments***

Chairman Trustee Kenny; and citizen members Ron Nyman, Bill Morrison and Craig Workman.

***Section 2-62 Finance Committee Appointments***

Chairman Trustee Kenny; citizen members Jim Feeney, Andrew Gilchrist, Lou Loenneke and Arlene Patek; property owner member Rick McCue; and Advisor Trustee O'Connell.

***Section 2-63 Harbor and Lakeshore Committee Appointments***

Chairman Trustee O'Connell; citizen members Steve Beers, Joel Bikowski, Robert Chanson and Rick Pappas; and property owner members Lee Eakright and Ed Snyder.

***Section 2-64 Human Resource Committee Appointments***

Citizen Chairman Jeff Koepke; property owner member Sandra Erickson; citizen member Brandon Marvin; and Trustee Spadoni.

***Section 2-66 Protection Committee Appointments***

Chairman President Petersen; property owner members Robert Allen, David Eshoo and Eugene Dymek; citizen members Rick Pappas and Michele Teale; and Advisor Trustee Spadoni.

***Section 2-67 Public Works Committee Appointments***

Chairman Trustee McGreevy; property owner members Bruce Adreani, Mark Kennedy and Robert Stewart; and citizen members Marvin Sollars, Ken Pariser and Jan Whitler.

***Section 2-68 Emergency Management Committee Appointments***

Chief of Police Steve Olson; Fire Chief Wolfgang Nitsch; Rescue Squad Chief Jon Kemmett; Director of Public Works Craig Workman; Administrator/Treasurer Kelly Hayden; President Petersen; and citizen member Allan Kaminski.

***Section 2-231 Board of Appeals Appointments***

Lou Loenneke reappointment to three-year term.

***Section 2-256 Board of Review Appointments***

President Petersen; Trustee Kenny; and citizen members Thomas Whowell, Steve Beers and Rick Pappas.

***Section 2-281 Joint Area Transit Commission Appointments***

Does not meet; no appointments made.

***Section 2-311 Library Board Appointments***

Citizen Chairman Genriq Murphy, reappointment to three-year term; and township representative Mary Anne Pearce, annual appointment.

***Section 2-336 Park Commission Appointments***

Citizen members Sharon L. Conklin, Jill Wegner and Daniel Green, to two-year terms.

***Section 2-366 Plan Commission Appointments***

Chairman Trustee Spadoni, Trustee O'Connell and President Petersen; Park Commission Chairman Sarah Lobdell; citizen member Sharon O'Brien, to complete the unexpired term of Trustee McGreevy; and citizen member Derek D'Auria, reappointment to a three-year term.

***Section 18 ETZ Appointments***

Citizen Chairman Derek D'Auria; and citizen members Sarah Lobdell and Mike Poivey.

***Section 2-392 Public Safety Board of Appeals Appointments***

Chairman Trustee Spadoni; and citizen members Robert Chanson and Thomas Roche.

***Section 2-425 Police and Fire Commission Appointment***

Ken Ryndak, reappointment to a five-year term.

***Section Appendix A FWWPCC Appointments***

President Petersen; Trustee O'Connell; and citizen members John Bromfield and John O'Neill.

***Section 54 Geneva Lake Law Enforcement Agency Appointments***

President Petersen and Police Chief Steve Olson.

***Section 54 Geneva Lake Use Committee Appointment***

Citizen member Lou Loenneke.

**Proposed Agreement to Relocate Residence at 208 Dewey Avenue**

Hayden stated that Thorpe drafted a preliminary agreement that would address all of the liability and expense concerns for the Village to approve a proposal from Eleazar Aguilar, 924 W. Centralia Street, Elkhorn, to relocate the Village owned residence at 208 Dewey Avenue. Aguilar submitted a letter dated March 2, 2009 that states he is interested in moving the house at 208 Dewey Avenue to a lot he owns in Elkhorn and he would be responsible for all expenses to raise and transport the house, he would obtain any insurance required to move the house, he would assume all liability for the project, he would obtain all the necessary permits to complete the relocation, and he would be responsible for the demolition of the foundation and the required backfill. Hayden stated at the April 6, 2009 Village Board meeting that if approved, the relocation of the house would save the Village \$5,000 to \$7,000 to raze the house; however, the Village Board voted 3-1 to approve a motion to deny the request. Hayden stated that she met with Aguilar and he has agreed to the proposed terms for the relocation. Thorpe stated that he would like to incorporate additional language into the proposed agreement concerning insurance. Thorpe stated that the Village should also sell the house to Aguilar for \$10 and complete the residential sales closing process and transfer the title to Aguilar prior to the moving of the home. Thorpe stated that Aguilar would then be moving the home completely at his own risk.

Spadoni/Turner 2<sup>nd</sup> made a MOTION to authorize the sale of the house at 208 Dewey Avenue for \$10 to Eleazar Aguilar, 924 W. Centralia Street, Elkhorn, and to direct Village staff to proceed with the closing and title transfer for the home, and to approve the hold harmless and indemnification agreement as presented, with further conditions added by Attorney Thorpe. The MOTION carried without negative vote.

**Adjournment**

Spadoni/McGreevy 2<sup>nd</sup> made a MOTION to adjourn the Village Board meeting at 5:15 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 kept on file at the Village Hall.

APPROVED: 5/4/09