

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

SPECIAL MEETING of the VILLAGE BOARD OF TRUSTEES

**Thursday, May 8, 2008**

Village Clerk Dennis Martin called the special meeting of the Village Board to order at 5:00 pm in the Conference Room at the Village Hall, 175 Valley View Drive, Fontana, Wisconsin.

**Trustees present:** Roll call vote: Kenny, Spadoni, Petersen, O'Connell, Lewis

**Trustees absent:** President Pollitt, Turner

**Also present:** Village Administrator Kelly Hayden-Staggs, Village Clerk Dennis Martin, Police Chief Steve Olson, Richard Rosenow, Village Attorney Dale Thorpe, Patty Yeager

**Elect President Pro Tem**

Kenny/O'Connell 2<sup>nd</sup> made a MOTION to elect Trustee Spadoni as President Pro Tem for the meeting, and the MOTION carried without negative vote.

**General Business**

**Possible Direction on Park Place LLC Liquor License (Tabled 5/5/08)**

According to an email the Village clerk received May 8, 2008 from Wisconsin Department of Revenue Agent Walter Strahota, the Wisconsin Seller's Permit issued to Richard Rosenow for the liquor license issued to Park Place, LLC was re-activated effective July 1, 2007. Strahota states in the email that the Wisconsin Seller's Permit was previously inactive effective June 30, 2007, so there is no gap in the activity. Thorpe stated that the email from Strahota addresses the Wisconsin Seller's Permit issue; however, the inquiry with regard to the Municipal Code Section 6-12 (b) has not been addressed. Section 6-12 (b) states: "*Continuing business* is hereby defined as follows: Engaging in any activity requiring a license under sections 6-3 and 6-4 of this Code for a period of at least 90 consecutive days, or longer, during the license year. For a license issued for a period of less than one year, the 90-day business continuation period shall be prorated according to the number of months or fractions there remaining until the following June 30." Thorpe stated that although Yeager brought financial documents to the meeting to clarify the inquiry, the Village Board members should not review the documentation that night because the Village Board may have to consider the documents as evidence at a potential non-renewal hearing. Thorpe said it would not be appropriate to hold a "mini-hearing" that night before the Village Board, and the documents should have been reviewed by the Village administrative staff prior to the meeting. Thorpe recommended that the Village Board consider a motion to direct Village staff to move forward with the scheduling of a non-renewal hearing for the liquor license issued to Park Place, LLC; to direct Yeager to schedule a meeting to review the financial documents with the Village administrator; and to cancel the non-renewal hearing if the financial documentation demonstrates that Park Place has adhered to the Municipal Code Section 6-12 (b). Yeager stated that she has financial documentation that shows the Park Place was open for business during the entire licensing year. Yeager stated that she attempted to schedule a meeting with Hayden-Staggs, but she was not successful. Rosenow stated that the issue with the Wisconsin Seller's Permit has been resolved, and Yeager has documentation to resolve the Municipal Code issue, so the whole non-renewal matter should be dropped. Spadoni stated that the Village Board was just considering the scheduling of a hearing that will be cancelled if and when Yeager meets with Hayden-Staggs and the documentation shows compliance with the Municipal Code. Spadoni encouraged Yeager to meet with Hayden-Staggs as soon as possible to resolve the inquiry so the non-renewal hearing can be cancelled.

O'Connell/Kenny 2<sup>nd</sup> made a MOTION to direct Village staff to move forward with the scheduling of a non-renewal hearing for the liquor license issued to Park Place, LLC; to direct Patty Yeager to schedule a meeting to review the financial documents with the Village administrator; and to cancel the non-renewal hearing if the documentation demonstrates that Park Place has adhered to the

Municipal Code Section 6-12 (b). The MOTION carried on a 4-0 vote, with Trustee Petersen abstaining.

**Adjournment**

O'Connell/Kenny 2<sup>nd</sup> made a MOTION to adjourn at 5:05 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: 6/2/08