

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

SPECIAL VILLAGE OF FONTANA BOARD OF TRUSTEES JOINT MEETING
with the
VILLAGE OF FONTANA PLAN COMMISSION and CDA BOARD OF DIRECTORS

Thursday, November 4, 2004

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

Trustees present: Roll call vote: Geye, O'Connell, Petersen, Turner, President Whowell

Trustees absent: Bromfield, Pollitt

Plan Commission members present: Geye, Spadoni, Treptow, President Whowell

Plan Commission members absent: Larson, Mohr, Poivey

CDA members present: Bliss, Chanson, Petersen, Turner, Wilson

CDA members absent: Koepsel, McHugh, O'Brien

Also present: Village Engineer Mike Bridwell, Village Administrator Kelly Hayden-Staggs, Village Clerk Dennis Martin, Attorney Michael Orgeman

Announcement for Board of Trustees to Consider Going Into Closed Session - President Whowell

Geye/Petersen 2nd made a MOTION to go into closed session pursuant to Wisconsin State Statutes 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;" Chapter 19.85 (1) (e), "Deliberating or negotiating the purchase of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require;" and 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," and the roll vote followed:

Turner – Yes

O'Connell – Yes

President Whowell – Yes

Petersen - Yes

Geye – Yes

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

Geye/Whowell 2nd made a MOTION for the Plan Commission to go into closed session pursuant to Wisconsin State Statutes 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;" Chapter 19.85 (1) (e), "Deliberating or negotiating the purchase of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require;" and 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," and the roll vote followed:

Geye- Yes
Whowell – Yes
Spadoni – Yes
Treptow – Yes

The motion carried 4-0, with Larson, Mohr and Poivey absent.

Petersen/Turner 2nd made a MOTION for the CDA to go into closed session pursuant to Wisconsin State Statutes 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;” Chapter 19.85 (1) (e), “Deliberating or negotiating the purchase of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require;” and 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,” and the roll vote followed:

Petersen- Yes
Turner – Yes
Bliss – Yes
Chanson – Yes

The motion carried 4-0, with Koepsel, McHugh and O’Brien absent.

Turner/Petersen 2nd made a MOTION for the CDA to adjourn at 6:33 pm, and the MOTION carried without negative vote.

Geye/Whowell 2nd made a MOTION for the Plan Commission to adjourn at 6:34 pm, and the MOTION carried without negative vote.

Bridwell and Orgeman left the meeting at 6:34 pm.

Spadoni remained in the closed session of the Village Board to provide an update on contract negotiations with the police officer’s union.

Geye/Turner 2nd made a MOTION to adjourn the Closed Session at 6:38 p.m. and to reconvene in open session, and the MOTION carried without negative vote.

President Whowell announced that the Board was still in session at 6:38 pm.

Trustee Petersen left the meeting at 6:39 pm.

General Business – President Whowell

Approval to Advertise for DPW Employee

Turner/O’Connell 2nd made a MOTION to advertise for a new Department of Public Works employee, and the MOTION carried without negative vote.

Update on Wausau Insurance Denial of Jacobson Claim

Wausau Insurance Technical Claim Specialist Diane Schwarzhuber reported the Village Board would be taking a risk of setting a precedent for future claims if it approves the payment of Jacobson’s \$500 home owner’s insurance deductible. Schwarzhuber reported that if the Village Board approved the deductible payment, the Village Attorney should consider drafting some type of release to insure the Village is protected from losses that occurred on the date of the incident, and for any corresponding damage that may be alleged in the future.

Geye/O’Connell 2nd made a MOTION to deny the request from Jacobson to pay his \$500 deductible, and the MOTION carried on a 2-1 vote, with Geye and O’Connell voting yes, Turner voting no, and Whowell abstaining.

Amendment to Section 18-151 (c). Existing Nonconforming Buildings of the Village of Fontana Municipal Code

Hayden-Staggs stated language changes discussed at the Village Board's November 1, 2004 meeting were incorporated into Ordinance 11-01-04-1.

Geye/Turner 2nd made a MOTION to approve Ordinance No. 11-01-04-1, and the MOTION carried without negative vote.

Adjournment

O'Connell/Turner 2nd made a MOTION to adjourn at 6:49 pm, and the MOTION carried without negative vote.

Minutes prepared by: Dennis L. Martin

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: 12-6-04