



VILLAGE OF WILLIAMS BAY

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OFFICIAL MINUTES SPECIAL VILLAGE BOARD MEETING 9/27/2023 MEETING WEDNESDAY, SEPTEMBER 27, 2023 AT 6:30 PM VILLAGE HALL COUNCIL ROOM 250 WILLIAMS STREET WILLIAMS BAY, WI 53191

I. Call to Order

President Duncan called the meeting to order at 6:30pm.

II. Roll Call

Present: President Bill Duncan, Trustees Jim D'Alessandro, Lowell Wright, Robert Umans, Adam Jaramillo, and Steven Russell

Also Present: Administrator Lothspeich, Police Chief Timm, Police Lieutenant Kostock, Clerk Kolls

Excused: Trustee George Vlach

III. Pledge of Allegiance

The Pledge of Allegiance was recited by all.

IV. Items for Discussion, Consideration, or Action

- A.** Village President receipt of appeal from the affected party requesting waiver of Chapter 299, Village's sex offenders ordinance.

Village Attorney Schroeder explained how the appeal requesting waiver of Chapter 299, the Village's sex offenders ordinance, was to be handled by the Village Board. Attorney Schroeder explained that the burden of proof was placed on the person requesting the waiver. Village Attorney Schroeder explained that the Village Board would need to decide on two separate factors, the first being, if the affected party provided proof that he posed a lower risk of reoffending than other offenders, and the second being, that the affected party provided proof that if the waiver were not granted it would cause undue hardship for him and his family.

Police Chief Timm explained parts of his report to the Village Board.

Trustee Umans explained that the affected party was not a sexually violent predator (SVP), and according to the Wisconsin Legislative Council - Issue Brief dated March 2021, Wisconsin statutes does not limit where most sex offenders may live, only SVP offenders, which he was not.

Trustee Jaramillo questioned if the Village Board should be speaking about the confidential information contained in the Village Board Agenda Packet.

Village Attorney Schroeder explained that the Village Board should not be looking at previous situations. Village Attorney Schroeder explained that the only reason the past conviction was included in the packet was because the affected party included it in his submission, so we were left with no choice.

Trustee D'Alessandro inquired from Police Chief Timm about any police contact with the affected party.

Police Chief Timm explained that the affected party was arrested in 2015 in Williams Bay. Police Chief Timm explained that was the only incident which happened in Williams Bay. Police Chief Timm explained that it was a probation violation.

Trustee Wright explained that he received a letter from Trustee Vlach and explained that in his letter Trustee Vlach stated that the affected party had been a reoffender and, according to Ccaps, had other misdemeanors and felonies.

V. Consideration of a Motion to Convene into Closed Session Pursuant to Wis. Stat. Sec. 19.85 (1) (a), Deliberating Concerning a Case Which Was the Subject of a Judicial or Quasi-Judicial Trial or Hearing Before the Village Board, ie., Appeal Requesting Waiver of Chapter 299, Village's Sex Offenders Ordinance

The Consideration of a Motion to Convene into Closed Session Pursuant to Wis. Stat. Sec. 19.85 (1) (a), Deliberating Concerning a Case Which Was the Subject of a Judicial or Quasi-Judicial Trial or Hearing Before the Village Board, ie., Appeal Requesting Waiver of Chapter 299, Village's Sex Offenders Ordinance was initiated by Trustee Jaramillo and there was no second. Motion Failed.

VI. Reconvene Into Open Session for Discussion, Consideration or Action on Items Discussed in Closed Session

Trustee Umans explained his thoughts on Ordinance 299 compared to Wisconsin state laws. Trustee Umans explained that this was the affected parties' first and only offense. Trustee Umans explained that in his opinion, Frost Park is not visited by many. Trustee Umans explained that he felt the hardship was not only on the affected party but on his family as well.

Trustee D'Alessandro inquired as to how many sex offenders currently reside in Williams Bay.

Police Chief Timm explained that there was currently only one that predates the Village Ordinance.

Trustee Vlach read a statement from Trustee Vlach. Exhibit A.

Trustee Wright explained that he felt that the Village Board was being asked to grant grace for something that happened before. Trustee Wright explained that the Village of Williams Bay has an ordinance and he felt that they should not have to change their ordinance.

Trustee D'Alessandro explained that there was a lack of proof of an undue hardship.

Trustee Jaramillo explained that rejection is hard and he felt that this family was being pushed out of Williams Bay. Trustee Jaramillo expressed concern about the future treatment of the affected party as well as his family and stated that he would be voting no.

The motion to deny the appeal from the affected party requesting waiver of Chapter 299, the Village's sex offenders ordinance, was initiated by Robert Umans and seconded by Lowell Wright.

Votes:

Yes: President Bill Duncan, Trustees Jim D'Alessandro, Lowell Wright, Steven Russell, Robert Umans

No: Trustee Adam Jaramillo

Abstain: None

Result: Passed

VII. Adjournment

The motion to adjourn was initiated by Trustee D'Alessandro and seconded by Trustee Umans at 07:07pm. Unanimously carried.

/s/ Tina Kolls, Village Clerk

These are not official Minutes until approved by the Governing Body.