

1. **CALL TO ORDER.** The regular meeting of the Oregon Village Board was called to order at 5:32 p.m. on May 17, 2004 by Board President Jerry Luebke.
2. **ROLL CALL.** Present: Darrell Klimke, Jerry Luebke, Mark Mortensen, Eric Poole, Marv Severson and Steve Staton. Absent: Jerry Bollig.

Also present: Village Administrator Mike Gracz, Village Attorney Dick Yde, Police Chief Doug Pettit, Public Works Director Mark Below and Clerk Georgia Johnson, with Senior Center Alison Koelsch arriving later.

3. **EXECUTIVE SESSION.** Poole moved to adjourn into Executive (Closed) Session at 5:33 p.m. per the exemption under Wisconsin Statutes Sec. 19.85(1)(c) (e) and (g) for the purpose of deliberating the possible acquisition of park land for Westside Community Park, potential dispute with sewer interceptor contractor, possible acquisition of downtown property, Post Office Lease, Lycon Pre-Annexation Agreement, Joint Business Park Negotiations and Clerk's Office personnel matter. Second by Staton. Roll call vote: Severson – yes; Mortensen – yes; Luebke – yes; Poole - yes; Klimke – yes; Staton – yes. Motion carried 6-0.

Klimke moved, second by Mortensen, to reconvene into open session at 5:59 p.m. Motion carried 6-0. A short break was taken and the meeting reconvened at 6:02 p.m.

4. **APPROVAL OF MINUTES.** Klimke moved to approve the minutes of the regular Village Board meeting of May 3, 2004. Second by Mortensen. Motion carried 6-0.
5. **APPROVAL OF VOUCHERS.** Klimke moved, second by Staton, to approve payment of vouchers for the Water and Sewer Utility Funds in the amount of \$262,335.04 per the list dated May 17, 2004. Roll call vote: Severson – yes; Poole– yes; Klimke – yes, Mortensen – yes; Staton – yes; and Luebke – yes. Motion carried 6-0.

Klimke moved, second by Staton, to approve the payment of vouchers for the General Operating Fund per the list dated May 17, 2004, in the amount of \$81,242.99. Roll call vote: Severson – yes; Poole– yes; Klimke – yes, Mortensen – yes; Staton – yes; and Luebke – yes. Motion carried 6-0.

To accommodate members of the audience it was agreed to take the additional items on the agenda out of order. For ease in reading the minutes, the items are listed as they appeared on the agenda.

6. **PUBLIC APPEARANCES AND PUBLIC HEARINGS.**

Janice Ringhand, current Mayor of the City of Evansville, introduced herself and advised that she would be running for the District Assembly Representative in District 80—the seat Mike Powers currently holds. She wanted to let the community know that she would be out and about and seeking election in the fall. Mike Powers will not be running for re-election.

- a) **Chamber of Commerce Monthly Report.** Director Linda Pollock gave the monthly report for the Chamber of Commerce.
 - b) **Oregon Youth Center Report.** Director Amy Koeppert gave the Youth Center Monthly Report.
7. **COMMUNICATION AND MISCELLANEOUS BUSINESS.**
- a) **Certificates of Appreciation—Bob Munson and Karen Gipp.** Luebke presented Karen Gipp with a Certificate of Appreciation and expressed the Board's and Park Board's appreciation for the number of years she served the Community.

Former Trustee Bob Munson was then presented with a Certificate of Appreciation and thanked for his years of service on the Village Board.

- b) Appointment of R. Michael Brennan to Police Commission. Luebke recommended appointing R. Michael Brennan to fill the Police Commission vacancy who has volunteered to fill this position. **Motion by Klimke, second by Poole, to approve the appointment of R. Michael Brennan on the Police Commission. Motion carried 6-0.**
- c) Appointment to Park Board. Luebke recommended appointing Jennifer Skibba to fill the Park Board vacancy. **Motion by Mortensen, second by Poole, to approve the appointment of Jennifer Skibba on the Park Board.** Luebke thanked Danny Tomaro, a resident who also expressed interest on serving on the Park Board, noting that his name will be kept on file for possible future use. **Motion carried 6-0.**
- d) Appointment to Zoning Board of Appeals. Luebke recommended appointing Janet Murray to fill the Zoning Board of Appeals vacancy. **Motion by Staton, second by Poole, to approve the appointment of Janet Murray on the Zoning Board of Appeals. Motion carried 6-0.**
- e) Status of Joint Business Park—Schedule of Meetings and May 4th Minutes. Gracz referred to the Meeting Schedule in the packet and highlighted the June 1st meeting date and the June 3rd meeting date. On June 1st a public listening session is scheduled for 5:30 p.m. and on June 3rd a public forum will be held at 6:00 regarding the agreement and the rail line. The public is encouraged to attend both sessions. Luebke went over the key items in the business park and a brief history of the process beginning about three years ago. There was some discussion. Gracz referred to the colored land use map and the land use descriptions as well as the Municipal Services matrix which is a breakdown of what services will be provided by whom. Gracz noted the changes since the beginning of the discussions in October 2003. It was agreed to include the service matrixes as part of the final agreement.
- f) Special Board Meeting for Comprehensive Plan Public Hearing—July 27 at 6:00 p.m. Gracz advised the Planning Commission has set July 27th to have a joint Board and Planning Commission public hearing on the Comprehensive Plan. Prior to that date it will be sent to the surrounding municipalities and it will be on file 30 days in the Clerk's Office. There was some discussion.
- g) Resolution #04-15, Authorization to proceed with Eminent Domain Process for Acquisition of Parkland. Attorney Yde stated when the Ladapoulos property was annexed it was planned to purchase property adjacent to Keller Alpine Meadows. Since the parties were unable to agree upon a purchase price, and to follow the process set out in the Annexation Agreement, it was agreed that a Chapter 32 process be used. The purpose of the Resolution is to start the litigation process which will culminate in determining the purchase price. **Klimke moved to adopt Resolution #04-15 authorizing proceeding with Eminent Domain Process for the acquisition of parkland. Second by Staton. Motion carried 6-0.**
- h) Consideration of Alpine Meadows Phase II Developer's Agreement. Gracz stated this is Phase II of the Alpine Meadows Development and similar to the Phase I Developer's Agreement. It is currently being reviewed by the Village Attorney and it is recommended to proceed with having the Village President and Village Clerk sign the agreement contingent on the attorney's review. Attorney Yde noted there were some minor changes to the Agreement and Jerry Hendrich has not received those yet but some of the changes are to comply with the GASB accounting requirements. **Klimke moved to approve the Village President and Village Clerk signing the Phase II Developer's Agreement. Second by Poole. Motion carried 6-0.**

8. **REPORT OF OFFICERS.**

- a) Status of Janesville Street Project. Below advised there was a gas main break on the project which slowed the work down somewhat. The project is pretty much on schedule and is expected to be done in early June. There was some discussion.
- b) Motorized Scooters. Pettit stated this was to answer the recent questions regarding the legality of motorized scooters that are being seen around the Village. The scooters are powered either by electric motor or a gasoline motor and can travel from 18 mph to 35 mph. It is not legal to operate these scooters on any highway or Village street and under our Code they are not legal to operate on a sidewalk. The only place they can be operated legally is on private property. They cannot be licensed under DOT standards either. Pettit wanted to inform the public of the illegality of operating these scooters on Village streets and sidewalks. Discussion followed. It was concluded that there should be something in the paper regarding this matter and Staton noted he will bring it to the attention of the school.

Koelsch distributed the 2003 Senior Center Report. This will be on the Board's next agenda for approval.

Johnson reminded residents that Board of Review is scheduled for Thursday, May 27th, from 4:00 p.m. to 6:00 p.m. Anyone interested in attending should contact Village Hall to obtain an objection form and make an appointment.

9. **REPORT OF COMMITTEES.**

- a) Planning Commission 4/8/04.
 - 1) Request for Conditional Use Permit to Allow for Child Care Facility at 797 Market Street. **Staton moved to approve the Conditional Use Permit to allow for a child care facility at 797 Market Street without a sunset clause to be issued to the business owner. Second by Klimke.** It was noted the site plan was approved at the Planning Commission with the addition of a sidewalk extending from the building to the roadway. **Roll call vote: Severson – yes; Poole – yes; Klimke – yes; Mortensen – yes; Staton – yes; Luebke – abstained. Motion carried 5-0, with Luebke abstaining.**
 - 2) Amendment to Oregon Parks Neighborhood Plat. Attorney Yde noted that the approval should include modification of the Developer's Agreement to account for the modification of the plat and authorization of the Village Clerk and Village President to sign the final Developer's Agreement. Yde explained the reasons for the amendment noting that Lots 55, 56 & 57 did not have public street frontage and in order to accomplish that Outlot 4 has been changed to stormwater easements which extends down to Jefferson Street. Additionally, the public access and public utility easement is part of Lot 58 in order to accomplish the need for public street frontage. The purpose of the amendment to the Developer's Agreement is to clarify the Village's rights to those easements and the Developer's obligation to maintain that part of Lot 58 easement and also to clarify that those easement areas could be used for the purpose of calculating lot coverage, setbacks, etc. It was noted Planning Commission recommends approval. **Staton moved to approve the revised Oregon Parks Neighborhood Plat and the revisions to the Developer's Agreement and authorizing signature by the Village President and Village Clerk. Second by Poole. Motion carried 6-0.**
- b) Finance, Buildings & Facilities 5/10/04.
 - 1) Approve legal fees for review of draft Intergovernmental Agreement for Police Records Management System (RMS)—City of Madison. It was noted the amount of the legal fees is not known at this time and this item was postponed to the next Board meeting.

- 2) Disposal of Canon Copier at Dane County Auction May 8th. Klimke noted this item was inadvertently left off the listing the Board approved for auction May 8th. **Mortensen moved, second by Klimke, to approve the disposal of the Canon Copier at the Dane County auction. Motion carried 6-0.**

- c) Committee Minutes Not Requiring Action. The following minutes are for informational purposes.
 - 1) Library Board 4/14/04
 - 2) Historic Preservation Commission 4/28/04

10. **NEW BUSINESS**.
 - a) Change Order #1 for Janesville Street Utility Project. **Poole moved, second by Severson, to authorize Change Order #1 for the Janesville Street Utility Project in the amount of \$21,936.00.** Below noted the contractor is asking for an additional ten days to complete the project. During the project, a 21” storm sewer pipe was found running through one of the intersections and they will be running about 270’ of pipe to a stormwater facility. The pipe found was not being used—it was blocked off on both ends. **Motion carried 6-0.**

11. **ADJOURNMENT**. At 6:59 p.m., Severson moved, second by Staton, to adjourn the meeting. Motion carried 6-0.

Submitted by
Georgia Johnson,
Village Clerk