

1. **CALL TO ORDER.** The regular meeting of the Oregon Village Board was called to order at 5:00 p.m. on June 21, 2004 by Board President Jerry Luebke.
2. **ROLL CALL.** Present: Jerry Bollig, Darrell Klimke, Jerry Luebke, Mark Mortensen, Eric Poole and Marv Severson, with Steve Staton arriving later.

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

3. **EXECUTIVE SESSION.** Bollig moved to adjourn into Executive (Closed) Session at 5:01 p.m. per the exemption under Wis. Stats. Sec. 19.85(1) (c) (e) and (g) to discuss deliberating the possible acquisition of parkland for Westside Community Park, potential dispute with sewer interceptor contractor, possible acquisition of downtown property, personnel matters and labor negotiations concerning the Fire/EMS District, Post Office Lease, Joint Business Park Negotiations and Clerk's Office personnel matter. Second by Klimke. Roll call vote: Bollig – yes; Klimke – yes; Poole - ; Luebke – yes; Severson – yes; Mortensen - yes. Motion carried 6-0.

Klimke moved, second by Bollig, to reconvene into open session at 6:08 p.m. Motion carried 6-0. A short break was taken and the meeting reconvened at 6:10 p.m. [Staton arrived.]

4. **APPROVAL OF MINUTES.**
 - a) **Klimke moved to approve the minutes of the regular Village Board meeting of May 17, 2004. Second by Bollig. Motion carried 7-0.**
 - b) **Klimke moved to approve the minutes of the Special Village Board meeting of June 3, 2004. Second by Staton. Motion carried 7-0.**
5. **APPROVAL OF VOUCHERS.** Bollig moved, second by Mortensen, to approve payment of vouchers for the Water and Sewer Utility Funds in the amount of \$732,274.73 per the list dated June 21, 2004. Roll call vote: Poole – yes; Staton– yes; Luebke – yes, Mortensen – yes; Klimke – yes; Severson – yes; and Bollig – yes. Motion carried 7-0.

Staton moved, second by Klimke, to approve the payment of vouchers for the General Operating Fund per the list dated June 21, 2004, in the amount of \$250,846.71. Roll call vote: Poole – yes; Staton– yes; Luebke – yes, Mortensen – yes; Klimke – yes; Severson – yes; and Bollig – yes. Motion carried 7-0.

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

With the presence of Nick Ladopoulos and the Village Attorneys, it was agreed to take item #7a) & b) out of order at this time.

7a) Second Amendment to Oregon Parks Neighborhood Plat and b) Consideration of Revised Oregon Parks Neighborhoods' Development Agreement and Status of Master site Grading Plan Issue.

Ladopoulos expressed his concerns and dissatisfaction with Section 5 of the Developer's Agreement and advised that he would have a revised grading plan by Friday. Ladopoulos asked that Item E on page 13 of the agreement be stricken indicating that the Pre-Annexation Agreement sets this out and is not needed in the Developer's Agreement. He stated he did not wish for this to end in Court and suggested that the Village take 10 acres in lieu of taking this to Court. There was discussion. Luebke advised that the Board would not be able to take up any additional offers at tonight's meeting and that the Developer's Agreement needed to be signed. Attorney Yde advised that the Village has 30 days

within which to make a jurisdictional offer. Discussion continued. Luebke advised that the Developer's Agreement needed to be signed and Ladopoulos stated that they could not live with the agreement language and that he would be signing it under duress. Staton stated that this has been going on for a long time and that an offer cannot come to the Board tonight for them to act on and that the process needs to be followed. There was further discussion.

Regarding item 7a), **Klimke moved to approve the Second Amendment to the Oregon Parks Neighborhood Plat subject to the Developer's Agreement being signed. Second by Mortensen. Motion carried 7-0.**

Regarding 7b), **Klimke moved to approve the Developer's Agreement as presented. Second by Staton. Motion carried 7-0.**

Mortensen noted that with regard to the master site grading plan Ladopoulos has been advised that the plan has to be to the Village by Friday or a stop work order would be submitted. There was some discussion. **Mortensen moved to authorize the Public Works Director to notice Ladopoulos in writing that an acceptable master site grading plan in compliance with Village Ordinance be submitted by Friday, June 25th, or work will be stopped. Second by Staton. Motion carried 7-0.**

- a) Mark Pressprich—Survey Regarding Lycon Plant and Business Park. Mark Pressprich, 230 E. Richards Road, provided the Board with the results of a survey he conducted in the Richards Road area and the area wherein the Lycon ready-mix concrete plant would be located. Luebke advised that further studies will be done, including impact studies regarding stormwater and sewer. Pressprich asked to receive copies of any impact studies completed and he was advised to email the Village with his request.
- b) Chamber of Commerce Monthly Report. Director Linda Pollock gave the monthly report for the Chamber of Commerce.
- c) Oregon Youth Center Report. No report.
- d) Fire/EMS District Report – Randy Sellnow. No report.

7. **COMMUNICATION AND MISCELLANEOUS BUSINESS.**

- a) Second Amendment to Oregon Parks Neighborhood Plat.
- b) Consideration of Revised Oregon Parks Neighborhoods' Development Agreement and Status of Master site Grading Plan Issue. [See above.]
- c) Accept Senior Center 2003 Annual Report. It was noted this report was distributed at the last Board meeting (5/17/04) and is before the Board to accept. **Klimke moved to accept the 2004 Senior Center Annual Report. Second by Severson.** Staton commended Director Koelsch for a job well done. **Motion carried 7-0.**

8. **REPORT OF OFFICERS.**

- a) Janesville Street Project. Below reported that the rain has delayed this project. The County will put down the first layer of blacktop before Summer Fest in order that the street can be opened during that time and then will come back in a week to complete the project.
- b) Downtown Brownfield Grant. Below advised that the Village received this Brownfield Grant for the downtown and since the people backed out of that project this will be taken to the Public Works Committee for discussion and guidance.

Pettit reported on a shooting in the 300 block of E. Lincoln Street over the weekend. The officers discharged four rounds, the person was shot with a non-life threatening injury, the police officers were not injured, and the Dane County Sheriff's Department is conducting the investigation. Pettit will be making a report to the Personnel, Public Safety & Protection Committee regarding the incident.

Pettit reported on an event at the Oregon Sports & Convention Center a few weeks ago where approximately 1600 were in attendance. There were a number of issues that came up and following the event he met with the owners and the security company the following week, made a number of recommendations for security and safety purposes and got compliance from the promoters. Pettit attended the dance over the weekend and the changes made did pay off although the event was smaller but with the changes should make for future events to be safer.

9. **REPORT OF COMMITTEES.**

a) Public Works & Utility 5/24/02.

- 1) Engineering Change Order #1 Janesville Street Storm Sewer Work. **Poole moved to approve Change Order #1 for the Janesville Street storm sewer work in the amount of \$2,900. Second by Severson.** This is for the engineering work done to complete the Janesville Street storm sewer work that came up unexpectedly. **Motion carried 7-0.**
- 2) Engineering Agreement for Surveying and Wetland Delineation of West Side Park. **Poole moved to approve the Engineering Agreement for surveying and wetland delineation in the amount not to exceed \$5,900. Second by Severson.** Below stated this is to identify the wetlands in the West Side park area which needs to be done in order to comply with the Master Plan. **Motion carried 7-0.**
- 3) Engineering Agreement for Keller Alpine Meadows Park Survey and North Alpine Parkway Profile Design. **Poole moved to approve the Engineering Agreement for Keller Alpine Meadows Park Survey and North Alpine Parkway Profile Design in an amount not to exceed \$12,100. Second by Severson.** This is for the survey work to be done for the Alpine Parkway, setting the route and the design, from Hwy. CC to Netherwood. **Motion carried 7-0.**

b) Personnel, Public Safety & Protection 5/24/04.

- 1) Consideration of Police Lieutenant Position. **Klimke moved to approve the promotional process for the Police Lieutenant's position. Second by Bollig.** The Police Department is restructuring its command staff and this will allow for a police lieutenant's position. The two sergeants will be eligible to apply for this position. This position also has to be approved by the Police Commission. **Motion carried 7-0.**
- 2) Consideration of Hiring Replacement for Public Works' Crew Person. **Klimke moved, second by Bollig, to approve the hiring of a Public Works' Crew Person at a starting wage of \$15.14.** This is the position for filling the vacancy left by Mark Modaff's resignation. **Motion carried 7-0.**
- 3) Approval of Increasing Adult Day Program staff hourly wage. **Klimke moved to approve the step increase from \$10.48 to \$10.64 for the adult day care program staff. Second by Bollig. Motion carried 7-0.**
- 4) Approval of 2004-2005 Liquor License Application Renewals. **Klimke moved, second by Bollig, to approve the Class "A" Beer license renewals as listed. Motion carried 7-0.**

Klimke moved, second by Bollig, to approve the “Class A” Combination liquor license renewals as listed, with the approval of D&R Liquor’s renewal contingent upon receipt of proof of payment for outstanding liquor bills. Motion carried 7-0.

Klimke moved to approve the “Class B” Combination liquor license renewal as listed. Second by Staton. Motion carried 7-0.

Klimke moved to approve the Class “B” Fermented Malt Beverage and “Class C” Wine licenses as listed. Second by Bollig. Motion carried 7-0.

- 5) Approval of Summerfest Licenses & Permit Applications (June 24th-27th).
 - (a) Temporary Class B Retailers License—Main Beer Tent and Sportside Beer Tent.
Klimke moved to approve the Temporary Class B Retailers License Applications for the Oregon Chamber of Commerce for June 24-June 27th. Second by Bollig. These are the annual licenses required for the Summer Fest activities. **Motion carried 7-0.**
 - (b) Fireworks Permit. **Klimke moved, second by Bollig, to approve the Fireworks Permit for the Oregon Chamber of Commerce for Summer Fest. Motion carried 7-0.**
 - (c) Use of Swimming Pool and Park Areas after 10:00 p.m.. **Klimke moved to approve the use of the pool parking lot and Kiser Park after 10:00 p.m. for the Summerfest activities. Second by Bollig.** Ordinance requires this approval to allow persons in the park and parking lot areas after 10:00 p.m. **Motion carried 7-0.**
- 6) Consideration of Updated Employee Handbook. **Klimke moved to approve the final draft of the Employee Handbook as presented. Second by Bollig.** Klimke advised the Committee and staff have been reviewing and working on this update for the last few months. **Motion carried 7-0.**
- c) Park Board 6/8/04.
 - 1) Approval of Projects in Lerner Conservation Park. **Poole moved to approve the Eagle Scout projects in Lerner Conservation Park. Second by Klimke.** These projects include installing bat houses, cutting down dead trees and building a raised platform. It was noted that the Scouts have always done excellent work in this Park and are commended for their work. **Motion carried 7-0.**
 - 2) Oregon Youth Baseball Association—Naming of JV Baseball Diamond. **Poole moved to approve the naming of JV Baseball Diamond in honor of the Zach Family. Second by Staton.** Poole advised that this is to pay tribute to the Zach Family for all they have done for the Youth Baseball Association. They have not decided on the name yet. **Motion carried 7-0.**
 - 3) Purchasing of Playground Equipment for Hawthorne Estates. **Poole moved to approve spending the amount of \$14,900 for Gerber Leisure playground equipment to be installed in the Hawthorne Estates Park. Second by Klimke.** Poole stated that installation has been set for July 24th. The Public Works Department will assist with digging the holes and the Neighborhood Association will be installing the product. **Motion carried 7-0.**
 - 4) Purchasing of Wood Chips, Cement and Trees for Hawthorne Estates Park. **Poole moved, second by Klimke, to approve the spending of \$1,800 for wood chips, \$500 for cement, and the amount of \$865 for trees in the Hawthorne Estates Park.** The Public Works Dept. will be digging the holes and the Neighborhood Association completing the rest of the work in accordance with the plan that was drawn up. **Motion carried 7-0.**

- d) Planning Commission 6/3/04.
- 1) Consider Rezoning Request at Junction of Jefferson Street and Alpine Parkway from Agricultural to Business General. Gracz advised this is the rezoning request for the new Methodist Church and comes to the Village Board without recommendation from the Planning Commission in that a quorum of that body belongs to the church in question. Gracz advised this comes to the Board in ordinance form (#04-08) if the board approves the rezoning request and it is recommended that the rezoning occur. Section 3 of the proposed ordinance does indicate “upon approval of the site plan and the Developer’s Agreement”.
 - 2) Ordinance #04-08, Rezoning Jefferson Street and Alpine Parkway. **Klimke moved to approve the 1st reading of Ordinance #04-08 rezoning Jefferson Street and Alpine Parkway. Second by Mortensen.** There was some discussion regarding whether or not to adopt the ordinance by waiving the second reading and it was decided that was not necessary. **Motion carried 5-0, with Staton and Mortensen abstaining.** [This will come back to the Board July 19th for 2nd reading and adoption.]
- e) Finance, Buildings & Facilities 6/14/04.
- 1) 2004 Farming Lease—Keller Alpine Meadows Park. **Bollig moved, second by Mortensen, to approve the 2004 Land Use Lease of the Keller Alpine Meadows Park property.** This is the same farming lease we’ve had for the past three years. **Motion carried 7-0.**
 - 2) Approve Intergovernmental Agreement for Consolidation Records Management System—City of Madison. **Bollig moved to approve the Intergovernmental Agreement for Consolidation Records Management System—City of Madison contingent upon attorney approval. Second by Mortensen.** Pettit briefly explained the agreement and the benefits to all communities involved for records management and receiving the most updated information. The City of Madison has receiving federal funding for the start up costs which will go a long way toward sharing information and eventually in the mobile data computers. **Motion carried 7-0.**
 - 3) Approve Legal Fees for Review of Draft Intergovernmental Agreement for Police Records Management System (RMS). **Bollig moved, second by Mortensen, to approve legal fees for review of the draft Intergovernmental Agreement for Police Records Management System in an amount need to exceed \$1,000.** These are the legal fees for the review of the agreement discussed in item #e)2) above. **Motion carried 7-0.**
- f) Committee Minutes Not Requiring Action. The following minutes are for informational purposes.
- 1) COA 4/8/04
 - 2) Library Board 5/12/04
 - 3) Fire/EMS District Commission 4/28/04, 5/15/04 & 5/26/04
 - 4) CDA 5/5/04
 - 5) Historic Preservation Commission 5/26/04
 - 6) Board of Review 5/27/04
 - 7) Park Board 5/4/04
 - 8) Planning Commission Special Meeting 5/13/04
10. **UNFINISHED BUSINESS.** Luebke complimented the Police Department for a job well done regarding the shooting incident in the Village last night.
11. **NEW BUSINESS.** None.

12. **ITEMS FOR FUTURE MEETINGS.**

13. **ADJOURNMENT.** At 7:18 p.m., Severson moved, second by Staton, to adjourn the meeting.
Motion carried 7-0.

Submitted by
Georgia Johnson,
Village Clerk