

Regular Meeting of the Oregon Village Board,
Monday, June 19, 2006

1. **CALL TO ORDER.** The regular meeting of the Village Board was called to order by President Luebke at 6:00 p.m. on Monday, June 19, 2006.
2. **ROLL CALL.** Present: Jerry Bollig, Jon Lourigan, Jerry Luebke, Hans Noeldner, Eric Poole and Steve Staton. Also present: Village Administrator Mike Gracz, Public Works Director Mark Below, Police Chief Doug Pettit and Village Clerk Georgia Johnson.
3. **APPROVAL OF MINUTES.** **Bollig moved to approve the minutes of the regular Village Board meeting of June 5, 2006. Second by Lourigan. Motion carried 5-0.**
4. **APPROVAL OF VOUCHERS.** **Bollig moved, second by Noeldner, to approve payment of vouchers for the Water and Sewer Utility Funds in the amount of \$129,295.45 per the list dated June 19, 2006.** Question was asked about the Lycon Inc. payment and it was noted that is for curb repair for the water main. **Roll call vote: Poole – yes; Lourigan – yes; Bollig; yes; Luebke – yes; Noeldner – yes. Motion carried 5-0.**

Noeldner moved, second by Bollig, to approve the payment of vouchers for the General Operating Fund in the amount of \$133,664.03 per the list dated June 19, 2006. There was a question regarding the \$8900 payment to Hammersley Stone and there was discussion regarding it being a mobilization charge. **Roll call vote: Poole – yes; Lourigan – yes; Bollig – yes; Luebke – yes; Noeldner – yes. Motion carried 5-0.**

5. **COMMUNITY INPUT.** Tom Eithun noted that the Village Board has received his resignation and he thanked them for their patience in awaiting the decision. Eithun stated he plans to continue to look into the legalities of the issue but did not want to prolong it further and has made the decision to resign. Eithun made the recommendation that the Board consider filling the vacancy with Randy Way. Even though Mr. Way is a Lieutenant with the Fire/EMS District, Eithun stated he spoke with Assistant Attorney General Tom Balistreri and there is an exception to the incompatibility of seats for someone who is a volunteer or makes under \$15,000 and would be able to serve on the Board. There was discussion. Noeldner asked Eithun if Mr. Balistreri would put that in writing and Eithun responded that it is in State Statute. Discussion continued. Bollig asked Eithun why the recommendation was Mr. Way rather than one of the candidates in the Spring election? Eithun stated he feels that Mr. Way was a good choice for that seat.

Brian Berquist, a new resident to the Village, stated he works for an engineering firm (Town & Country) and they do work for municipalities. He stated he knew the Village was looking for engineering services and he would like the opportunity for their firm to provide a proposal for services. Luebke advised that the Village will be sending out RFP's sometime before the end of the year.

6. **FUTURE AGENDA ITEMS.** Noeldner advised that he has been very fired up about a downtown concept and has been presenting that to different people to find out what people think about it. Mr. Lourigan prepared the concept and Noeldner stated he is planning on bring it to the Board formally at a future time. It was noted that Noeldner will be meeting with Gracz and Below later in the week for a discussion regarding it. There was discussion.
7. **PUBLIC APPEARANCES AND PUBLIC HEARINGS.**
 - a) **Presentation of Plaque to Linda Barrows for Library Board Service.** It was noted Linda Barrows was unable to attend tonight's meeting and the plaque will be presented at the Board's July 17th meeting.
 - b) **Presentation of Conceptual Hitching Park Design by Vandewalle and Associates.** Jim Schaffer, of Vandewalle & Associates, was present to answer any questions the Board might have. It was noted the concept has been reviewed by the Historic Preservation Commission, the Community

Development Authority and the Planning Commission. There is information regarding the presentation on the Village's website. Schaffer stated Vandewalle & Associates was asked to take a look at a design for Hitching Park that is consistent with the downtown plan that was done a few years ago. The site was identified as a historic site that should remain a parking lot but make it more pedestrian friendly and tie in a bike path that is planned to go through the center of the Village. Schaffer went over the slides. The presentation included identifying the location of the park, noting that it was used to hitch horses in years past, the importance of including certain historic concepts into the plan such as with the use of period lighting, identifying the area that used to be an open stream before the streets were paved. It is planned to have a County bike path that would go through the center of the Village and Schaffer noted where that would be in the plan. He identified an area that was planned for a long-term bike route since it would require getting under the railroad and that is the preferred route. The long term goal is also to bring bicyclists traveling east and west on the County route down to the center of the Village. There would be a wide brick paved enhanced walkway that would cut across the front of the existing Fire/EMS building (east and west), with brick paving wide enough to do some nice furnishings. The parking has been changed from angle parking to perpendicular. Schaffer stated there would be some informational displays, a bike rack with historic features, period lighting as shown on the historic photographs, some sort of urban furnishings and trash receptacles as well as gateway monikers, drinking fountain features and planters and so forth. It is hoped to make it pedestrian friendly and to have such things that entice people off their bikes and to sit in a shaded area. Schaffer explained that the site could be closed off for any types of festivals and the area would lend itself well to that type of a function. Following the presentation Schaffer asked for any questions and input. Gracz emphasized that although the concept plan has gone through the various committees, no changes have been made as it went through committee. A final conceptual plan will then be put together by Vandewalle incorporating the changes and suggestions including the results of a meeting with the owners of the Pizza Pit. That final plan will be presented at a future downtown meeting and will be placed on the Village's website. There was some discussion including parking issues, number of stalls, the goal to cut the speed and traffic using the Hitching Park, whether there will be a public hearing on this matter, what is left in the budget for this project, the fact that a public forum was held and attendance was low, doing an informational meeting about the downtown and this issue could be incorporated into that meeting, and so forth. Regarding the kiosk, Noeldner asked if there would be a way to announce events—either electronic or something. Noeldner questioned the fact that stalls were not identified specifically for firefighters. There was further discussion.

- c) Fire Chief Bloom Status Report. Chief Bloom distributed paperwork entitled Wisconsin Retirement System Q & A. This comes as a request from the Board for him to report on the WRS system. Bloom noted he worked with the Secretary (Phil Van Kampen) to put it together and made a presentation to the Jt. Board. The Jt. Board approved it as well as a policy to implement it. The bottom line is that they felt there is a need for 10 positions. Costs are minimal with a maximum of \$4500 to \$4600 this year and about \$8100 for a full year. Bloom referred to the savings on the "paid on call" line item by utilizing interns and filling shifts so it is felt there will not be a budget impact. Luebke noted that next year the Village will have to budget \$8100 to cover it. Bloom stated it should not increase next year's budget since right now there is enough savings to be able to cover it. There was discussion. Gracz asked Bloom if there would be enough of a balance to hold monies over to 2007 and Bloom stated yes. Discussion continued. Noeldner stated it is his understanding that this change will decrease the likelihood of having to go to fulltime hours so it makes lower costs for individuals available more hours than a fulltime person. Bloom stated absolutely. Noeldner stated in the meeting it was discussed if there was a way to run the numbers on that and they did not come up with a way to do that. Discussion continued. Bollig stated he would ask that in the future when something comes up that will adversely affect the Village's budget that it be brought to the Village Board before voting. Noeldner noted that at the last meeting they decided to increase ambulance fees with a projected increase to revenues of

approximately \$25,000. Noeldner stated it was voted on and approved. There was further discussion.

Bloom gave a brief report of the monthly activity.

Noeldner stated there were a few other things that came up at the last Commission meeting and asked to present them at this time. One was on the attorney—it was noted that has been referred to Personnel, Public Safety & Protection.

Luebke referred to Bloom's letter dated June 14 addressing the Hitching Park issue. Bloom stated the concern is that they sometimes use that area as a straight shot to Main Street because it is very difficult to come out on Spring Street and having to quick turn onto Main Street. They are requesting that parking on Grove Street be limited to one side—then there would be plenty of room to make the turn. There was discussion.

Luebke asked about the worker's comp costs—47% over Wisconsin Fire District, which will be up 8%. Bloom noted that the worker's comp experience modifier number went from 1.39 to 1.47 which is the 8% increase. He went on to explain that 1.0 is an average for a fire department in Wisconsin, so the Village is running about 47% over the average. That has been addressed at the Commission level and an auditor will be coming in to meet with staff to see what can be done to bring that modifier number down. There was some discussion.

8. **COMMUNICATION AND MISCELLANEOUS BUSINESS.**

- a) Acceptance of Tom Eithun's Resignation and Discussion of Vacant Board Position. Luebke noted this is to accept Tom Eithun's resignation and to discuss the vacant Board position. **Noeldner moved to accept the resignation of Tom Eithun. Second by Bollig. Motion carried 5-0.**

Luebke opened the discussion for filling the vacant position noting that Staton has requested holding off on making any decision tonight regarding this issue. Noeldner recommended putting a notice in the Oregon Observer that the Village is looking for persons interested similar to what was done when filling the vacancy on the Community Development Authority. Lourigan stated it should go on the Village's website also. Bollig stated his concerns as stated earlier to Mr. Eithun and did not understand why the Board wouldn't look to one of the candidates on the Spring ballot. They spent their time, money and effort and they all received a good number of votes, so why would the Board want to consider other candidates before asking them? Poole stated in the past the Board has approached it this way—by having people interested being interviewed by the Board—and he assumed that's the way it would be handled this time. There was discussion. Bollig suggested the Administrator contact the three candidates to find out if they would even be interested in serving. There was discussion regarding how it was handled the last time this happened. It was noted that the options are: 1) open it to any interested persons; 2) go to ballot in the Spring; or 3) do not fill the vacancy. Discussion continued including which option to go with, the need to get somebody on the committees to fill the vacancies, filling the vacancy for the ten months until the Spring election, the need to make a decision at the next Board meeting, whether to have the Personnel Committee look at the issues involved, the amount of time each of the options would take, whether Staton would be at the July 17th Board meeting, whether to move on the issue tonight or wait for Staton, whether this particular issue is covered in the Village's ordinance, the need to make sure whatever is done is legal and so forth. Gracz will discuss the legalities with the Village attorney and make sure it is done correctly. Following a lengthy discussion, **Bollig moved to direct the Administrator to contact the three candidates on the last Spring election ballot to see if they are interested in filling the vacancy. Second by Luebke.** There was some discussion. **Roll call vote: Poole – no; Lourigan – no; Bollig – yes; Luebke – yes; Noeldner – no. Motion failed 2-3.** **Noeldner moved to post a notice of the opening in the Oregon Observer and interested persons should contact the Village Administrator and be prepared to appear**

before the Village Board meeting on July 17th, contingent on conformance with State law in filling a vacancy. Second by Bollig. Bollig noted his concern to be expeditious and asked if the Board planned to make a decision at the July 17th meeting. There was discussion. Noeldner suggested that the motion be amended to include that letters of interest be received on or before July 10th. There was further discussion. **Noeldner amended the motion to include that letters of interest be received on or before July 10th. Second by Bollig.** It was concluded that an appointment/decision would be made on July 17th. There was further discussion. **Roll call vote: Poole – yes; Lourigan – yes; Bollig – yes; Luebke – no; Noeldner – yes. Motion carried 4-1, with Luebke opposed.**

- b) Appointment of Citizen Member and Board Member to Community Development Authority. Luebke noted that Steve Peotter has shown interest in being a member on the Community Development Authority and he was asked to come to the microphone. Peotter stated he is an Oregon resident and is interested on serving as a member of the Community Development Authority. He saw the notice of the vacancy on the Village's website, contacted and spoke with Gracz regarding the opening, went to the CDA meeting last week and is very interested in becoming a member. Luebke appointed Steve Peotter to the CDA. **Bollig moved to accept the appointment of Steve Poetter, second by Poole.** There was discussion regarding Peotter's experience with tax increment districts. Peotter noted his involvement with TIF financing in a blighted redevelopment project on Monona Drive and has done some research on what TIF financing entails, what it is good for and what the qualifications are for establishing districts and so forth. **Motion carried 5-0.**

Luebke stated there is a Village Board representative opening on the CDA and asked Board members if anyone was interested in serving on that committee. There has been a problem getting quorums at the meetings and he would like to get someone appointed. There was discussion and it was concluded that Lourigan would fill the CDA vacancy, Lourigan would be taken off the Finance Committee and Bollig would be put on Finance. **Luebke moved to put Lourigan on CDA, take Lourigan off Finance, and put Bollig on the Finance Committee. Second by Noeldner.** This will be revisited when the Board vacancy is filled. **Motion carried 5-0.**

- c) Status of Public Transit Committee and Survey Results. Noeldner noted the meeting was rescheduled so he has nothing new to report.
- d) Discussion of Village Board Goals. Luebke referred to the summary of the goals and the narrative from Gracz. Luebke feels that it is possible to get the things done. Lourigan stated that under item #3, the Fire/EMS District, he thinks there is a letter of withdrawal still pending and there was discussion regarding whether the letter had ever been sent. There was discussion and Gracz will check into whether the letter was sent. Gracz thought they were waiting for a report from Mike Pohlman and does think it was sent but he will check into that. There was discussion about where the Board stands on the withdrawal and it is the consensus of the Board to try to work out amending the contract. Noeldner asked about Braun Rd. and requested that he be advised of any meetings being held with regard to TIF #2 projects. There was some discussion. Luebke stated that a former trustee had been working with WISCO and Mr. Copus regarding the land needed and he will be checking into the status of that in order to get that moving. Gracz will follow up. Gracz advised that he and the Finance Director have been working on putting the Red Brick financial proposal into TIF#3 to see how it cash flows. Discussion continued.
- e) Discussion of July Meeting Schedule. Luebke referred to the calendar in the packet and noted that the Planning Commission meeting will be held July 13th. There was some discussion. Luebke stated that in regard to the June 26th meeting, the financial proposal is available and asked that everyone take a look at it. He encouraged trustees to review it, if they have any questions to

forward those questions to Gracz so that Harrigan can be prepared to answer those questions at the meeting. Gracz advised that the proposal will be put on the website also.

- 1) June 26th Special Board Meeting for Red Brick (5:00 p.m.)
 - 2) July 3rd Board Meeting Cancelled
 - 3) July 10th Finance Re-Scheduled to 5:00 p.m. on July 17th
 - 4) July 17th Board Meeting (6:00 p.m.)
- f) Post Office Official Posting Place. Johnson advised that the Post Office personnel have been advised they are not able to have any posting in the inner lobby so the Village's posting board has been moved into the outer lobby. The posting place is just to the right of the post office boxes, it is a larger area than was previously available and much more visible. This change took place last Thursday.
- g) Luebke stated he has received inquiries regarding Oregon's water and asked Below to comment on the Village's drinking water what with the water issues in Madison recently. Below advised that the Village is required to complete a consumer confidence report (CCR) annually (by June 30th) and the report for 2005 was just completed and sent out. It is a requirement to do sample tests for different things in the water and all the results have come up below the required EPA limit. A copy of the CCR report can be picked up at Village Hall and has been posted at the Village's three posting sites and on the Village's website. The report is also submitted to the nursing homes, the School District office and the Fire/EMS District office.
- h) Gracz noted that he got a call regarding what would happen with the compost site when the Oregon Sports Facility was built and stated that it will most likely be moved to the west of where it is now.
- i) Pettit noted there were a number of complaints during the Village-wide pickup from residents who found that people had added items to their pickup pile. Most of the items added were items that would not be picked up by Waste Management without a charge such as microwaves. Items that are not picked up are items that cannot go to landfills. Pettit stated that people were taking the items that weren't pickup at their residence to another pile that hadn't been picked up yet. Pettit advised residents that that is illegal dumping and what happens when someone does this is that resident has to notify Waste Management and pay to have the item(s) taken away. Pettit wanted residents to be aware that if they received complaints the Police Department will be investigating to determine who the original owner was and that owner could be issued a citation. There was some discussion.

9. REPORT OF COMMITTEES.

- a) Special Public Works & Utilities 6/19/06.
- 1) Letter from 186 Cedar Drive regarding Sidewalk Obstruction. Poole noted this item was tabled to the July meeting to allow Below time to meet with the homeowner to discuss alternative means for correcting the sidewalk obstruction.
 - 2) Selection of New Village Engineer. **Poole moved to approve the firm of Ruekert-Mielke as the new Village Engineer through the end of the year. Second by Bollig.** Poole stated Below received quotes from two firms for this service and based on the fees and everything provided, the recommendation is to hire Ruekert-Mielke. The Committee wanted to get the Finance Director's opinion on a few things before final approval and Below will be checking those things out. It was noted this will be for services to the end of the year. The plan is to do requests for proposals for 2007 services. **Poole moved to amend the motion to include "contingent on the Finance Director's approval"**. There was discussion regarding getting developer's input, the frustration of developers and the problems the Village and the developers have with the engineer's billing format. The Committee discussed the billing issues

and that is something that will need to be considered when hiring an engineering firm for 2007.
Motion as amended carried 5-0.

- 3) Selection of Village Planner for Veridian Development. **Poole moved to approve Ruekert-Mielke as the Village Planner for the Veridian Development along Hwy. MM. Second by Bollig.** Poole stated Vandewalle & Associates has a conflict of interest in representing the Village for this project and a different firm needs to be hired. Poole referred to Below's June 16th memo and noted it is the recommendation to hire the Ruekert-Mielke firm. There was some discussion. **Motion carried 5-0.**
 - 4) Recommendation to Award Contract for Streets, Sewer, Water and Storm Sewer for Alpine Business Park. **Poole moved to award the contract for streets, sewer, water and storm sewer for Alpine Business Park to Hammersly Stone & Company of Madison, Wisconsin, in an amount not to exceed \$1.904M to include alternate item #1 on the bid (to construct concrete roadway on Netherwood Rd. and the intersection) and to make sure the asphalt has been removed from the bid price. Second by Bollig.** There was discussion. Poole stated this is within the budget that Lycon has given the Village in their Developer's Agreement to fund this project. Lourigan stated he felt the Village should not be doing projects for private development—that it should be a privately held project all the way through. Lourigan stated that with the sewer interceptor and what happened there he is just concerned. Noeldner stated his concerns are with Braun Road—he has reservations with it not being a total package—he stated he would not like to see the Village get numbers for Braun Road and there is no money for it—meanwhile all the traffic gets routed to Netherwood and he personally feels that he made commitments to the public to do everything he could to get the traffic out on Braun Road. **Motion carried 3-2, with Noeldner and Lourigan opposed.**
 - 5) Authorization to Receive Proposals for Engineering Consultant Services for a Proposed New Laboratory and SCADA System for the WWTP. **Poole moved to authorize Below to receive proposals for engineering consultant services for a proposed laboratory and SCADA system for the Wastewater Treatment Plant. Second by Bollig.** Poole stated this was discussed at the Village Board meeting Monday night (the 12th) and to look at the plans from a couple of years ago when the modifications were done to the Treatment Plant, this project was put on hold. It is Below's recommendation to have an engineer do a new set of plans and the bidding documents. **Motion carried 5-0.**
- b) Committee Minutes Not Requiring Action. For informational purposes.
 - 1) Board of Review 6/6/06
 - 2) Library Board 5/10/06. Luebke encouraged Board members to read the statistics and the increase of usage at the Library.
10. **UNFINISHED BUSINESS.**
- a. Consideration of Nepotism Policy (from 5/22/06 Personnel meeting). Gracz stated this policy was drafted based on the samples given the Committee and the preferred policy from Glenwood City. It was concluded to give the policy a try and if it is found that it doesn't work, to rescind it. **Noeldner moved to adopt the Nepotism Policy regarding hiring immediate family members of current employees of the Village. Second by Bollig.** Noeldner noted that there was a grammatical error in paragraph (a) and that should be changed. **Motion carried 5-0.**
11. **NEW BUSINESS.** There was none.
12. **PROCLAMATIONS AND ANNOUNCEMENTS.** See item 8 g), h) and i) above.

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13. **EXECUTIVE SESSION**. At 7:40 p.m., Noeldner moved to adjourn into closed session to discuss Labor Negotiations pursuant to Wis. Stat., §19.85(1)(e) and (g) permitting closed sessions for the purposes of conducting public business when bargaining reasons require a closed session and conferring with legal counsel who is rendering advice involved and to deliberate concerning the selection of Finance Director Candidates pursuant to Wis. Stat. §19.85(1)(c) permitting closed sessions for considering employment, promotion, compensation or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility. Second by Lourigan. Roll call vote: Poole – yes; Lourigan – yes; Bollig; yes; Luebke – yes; Noeldner – yes. Motion carried 5-0.

14. **ADJOURNMENT**. The meeting was adjourned at 7:53 p.m. on motion by Poole, second by Bollig. Motion carried 5-0.

Submitted by,
Georgia Johnson,
Village Clerk