

1. **CALL TO ORDER.** The special meeting of the Village Board was called to order by President Staton at 5:00 p.m. on Monday, August 27, 2007.
2. **ROLL CALL.** Present: Jerry Bollig, Darlene Groenier, Phil Harms, Eric Poole and Steve Staton with Randy Way arriving after the roll call and Jon Lourigan arriving later. Also present: Village Administrator Mike Gracz, Finance Director Renee Hoeft, Village Attorney Matt Dregne, Public Works Director Mark Below, Police Chief Doug Pettit, Village Engineer Joe Eberle and Clerk Georgia Johnson.
3. **DISCUSSION AND POSSIBLE ACTION RE: UPDATE REGARDING FLORIDA AVENUE AND N. BURR OAK PROPERTIES:** Staton requested a summary of the motion from the 8/23/07 Special Board meeting in that he was out of town for that meeting. Bollig stated it was to address the initial concerns of the residents on Florida Avenue and the one on N. Burr Oak. To summarize, the motion was made to help families deal with the immediate financial needs they faced with being flooded out of their homes. After getting an opinion from the Village Attorney and after considerable discussion, it was moved to allocate the amount of \$2,000 to each family, if needed by that family, and not to exceed \$2,000 per family, that live at 140 N. Burr Oak Avenue, 340 Florida Avenue, 350 Florida Avenue, 360 Florida Avenue, 370 Florida Avenue, 380 Florida Avenue in the Village of Oregon for the first 30 day period to meet public purpose for helping people in an emergency flood situation. Bollig stated if the Board were dealing with the matter for the first time tonight, the motion would probably be worded differently, mostly because it is not stated clearly but the Board will deal with that in 30 days when the motion expires.

(1) **Status of Flood Insurance, Insurance Reimbursements and Health Inspection.** Following their introductions, the residents on Florida Avenue and N. Burr Oak were asked to update the Board with regard to their current status, including where they are at with flood insurance, any insurance reimbursement, and anything else they would like addressed to the Board or any comments they have.

Monte & Lori Johnson, 140 N. Burr Oak: The flood insurance adjuster and home owner adjuster have been at the house but haven't heard back—will probably have more information first of next week. Have moved out of their home; had to sign a 3-month lease so will need more clarification on the motion for the period after the 30 days. The clean-up has been completed, but they do not plan to go back. Asked how the \$2,000 could be used—can we break it up anyway we want? Pettit asked if the rental property they had to sign the lease with was from one of the suggested rentals provided? She stated it was—and they had to pay a security deposit. There was discussion since it was not what the Village had been told as well as what the \$2,000 could be used for. Bollig noted that if the motion was done over again it would likely be deemed as a housing allowance—the intent was to get home owners to a safe place. Staton noted that the Finance Director will provide vouchers, the expenses can be written in and receipts provided.

Ann Slack & Tom Rice, 360 Florida Ave.: Insurance adjuster was at the home Friday evening—waiting to hear back—he was from an all catastrophe place and needs to talk to their insurance company. Have been looking for housing—currently staying with parents. Staton advised there is a house right around the corner from Orchard Drive for rent and he would be happy to contact the landlord and explain the situation and ask the landlord to look at offering a shorter term lease—any of the Board members would be happy to help in anyway they can in that regard.

Robert & Linda McAllister, 370 Florida Ave.: Insurance adjusters have been there, was told it varies and since their home is considered a “first floor”, not a basement, because of the level of the dirt, so they may pay for the cost to put the drywall back up, but those homes with basements that type of repair will not be paid for, the adjuster asks that the McAllister's write it down and submit the losses and they'll hear back that way. The rooms were finished in the basement and when that work was done the cement walls were fine, but now 3 cracks have been found in the foundation. Asked the adjuster if this would be included in the claim and was told they do not cover that; they would just pay for putting the walls back up. No guarantees that the house will not shift or more cracking of the walls—does not feel replacing the walls is enough because the water will continue to come through the cracks.

Kent & Amy Nimocks, 340 Florida Ave.: Insurance adjusters have been there but have not heard back from them yet.

David & Denise Schommer, 350 Florida Ave.: Insurance adjuster has been there; even though they have enough coverage, there is a bathroom in the basement and because the Schommers were not willing to cut off the damaged 3 feet and leave the rest there, at best will just get the fixtures. It's a matter of what the insurance is willing to cover and what they are willing to do.

Fae Enstead, 380 Florida Ave.: The home owners insurance adjuster has been there and was told she would receive nothing for the personal possessions; as far as flood insurance, the adjuster has been through but it is not known what they will cover—it is structural only. Noted that 3 of the rafters in the attic are split and hanging down and the adjuster would not look at it—that there wasn't enough water to do that kind of damage. Harms asked Enstead if she had had a home inspection done before she moved in and if anything was noted regarding the rafters at that time? Enstead stated the home inspection noted one rafter that was cracked. Is still living there—is not able to make a rent payment and a mortgage payment—not willing to take that risk. There was discussion regarding the rent free home in Brooklyn but Enstead is afraid of taking that risk. Daughter's vehicle worth \$600 was lost as well.

Attorney Matt Dregne was present and addressed the question about what the \$2,000 could be used for. He noted it would be helpful if the Board would clarify what would be reimbursable. Although it appears that it was intended to be used as a housing allowance, legally, Dregne stated, there is some flexibility for the Board to decide what is appropriate—but it should be clarified. There was considerable discussion including what categories to use, whether non-receipted expenses would be paid for, and so forth. It was concluded to allow for housing, utilities—on premise and off premises, clothing and food and to allow for payment of non-receipted expenses such as laundry expenses. Hoeft asked for clarification on paying vouchers. Poole questioned the information distributed regarding rental information from landlords and would like that checked into. Pettit indicated he would check into that. Pettit indicated he had talked to Jim Clark at the Dane County Division of Health who is an expert on mold and there was discussion regarding mold issues. Dane County has inspectors that could come out to residents' homes—the homeowner merely needs to contact Dane County Health Division. There was discussion about getting an inspector to come out under Chief Pettit's request so that each homeowner would not have to contact the County individually. It was noted that FEMA will be in Oregon Tuesday morning at 10:00 a.m. They plan to speak to the residents directly affected by the flooding. There was further discussion. Anyone of the affected residents who is not going to be home will provide a key to one of the neighbors. **Poole moved to authorize that the five families on Florida Avenue and one family on N. Burr Oak Avenue be reimbursed up to \$2,000.00 to be used for housing, utility expenses either on their property or alternate housing, food or replacing clothing or cleaning clothing that was damaged in the flood between now and the October 1st Board meeting. Second by Harms. Motion carried 7-0.** There was further discussion regarding individual homeowners having to contact Dane County for health inspections to make it easier for these homeowners; the need for the Board to not get involved in insurance claim issues and so forth. Staton noted anyone interested in making donations can contact the Oregon Police Department.

Regarding the vouchers, the question was asked if payment could be made on the spot? Hoeft said payment could be made within a few days of the receipt of the voucher. There was discussion. Board members felt they could bypass the normal process with the payment list appearing on the monthly payment list. **Bollig moved to authorize Village staff to make payment of vouchers as they are received. Second by Lourigan. Motion carried 7-0.**

Residents were advised that the next scheduled Board meeting is September 4th, at 6:00 p.m.

(2) Village Attorney's Discussion concerning Procedure for Possible Acquisition. Gracz requested this be held off until the next meeting.

(3) Refer the Potential Acquisition to Finance Committee to Determine Funding. **Bollig moved to refer the potential acquisition of the property on Florida Avenue and N. Burr Oak to the Finance Committee for review and possible funding. Second by Lourigan. Motion carried 7-0.**

4. **DISCUSSION AND POSSIBLE ACTION RE: AUGUST 18TH RECENT FLOOD EVENT: ADDITIONAL CORRESPONDENCE AND CONTACTS FROM VILLAGE PROPERTY OWNERS WHO EXPERIENCED FLOODING AND FLOODING DAMAGE TO VILLAGE HALL.** Staton invited other property owners who had experienced flooding and flooding damage to come forward. Following is a listing of those speakers and their addresses:

Speakers who experienced flooding & flood damage included:

Sarah Hussin, 128 W. Grove Street; water in basement (8")—tore out the carpeting.

Chad & Aga Cordova, 239 Thomson Lane, Unit A; (no basement) water came through patio doors—ruined wood flooring and carpeting.

Ann Dorn, 239 Thomson Ln., Unit B; (no basement) about 2" of water throughout every room.

Mary & Roger Mueller, 239 Thomson Ln., Unit C; (no basement) tore out carpeting & wood flooring.

Dave Hicks, 299 Park Street; ruined flooring, carpeting & furniture.

Vern Arzt, 365 Nygaard; came home Sunday to coolers floating in laundry room; water came through patio doors, had insurance adjuster out but told no coverage, carpeting ruined.

Vicki Moeser, landlord/owner 211-215 Prairie View; indicated water over tops of thighs, basement rental 1300 sq.ft., tenants had to leave, also indicated sewer backup.

Derek & Cassandra Powell, tenants of 211-215 Prairie View (had to leave their home—are in a hotel courtesy of Red Cross)(request from Moeser to treat the Powells the same as the property owners on Florida Avenue)

Kimberly Cromley, 289 Jefferson; property abuts N. Burr Oak—car stalled in water and could not move it out—had to have it towed, water in basement.

Nick & Jenny Nelson, 140 W. Grove; water in basement (3")—lost water heater, dryer, everything in the basement.

Jim & Chris Vande Kolk, 126 Johnson Street; about 2' of water around the house, did not get in the basement due to thousands of dollars spent on preventative measures in the past (this area has been discussed before due to runoff coming from former Methodist Church).

Corey Mirrors, 284 Market Street; about 3½' of water in the basement, replaced water heater, (also effected by runoff from former Methodist Church).

Alice Ferrell, 290 Market Street; water in basement, tore out carpeting,

Speakers who experienced sewer backup:

Dan Donaghue, 248 Prairie View; (Pettit will add this property to the list for home inspections) indicated sewer backup, tore out all carpeting, insurance does not cover.

Vicki Moeser, 211-215 Prairie View (landlord/owner) (also listed above).

Speakers who expressed concern but had no flood damage:

Brad Janusiak/Jill Tuhacek, 130 N. Burr Oak

Paula Brisco, 137 Lynne Trail

There was considerable discussion including whether or not flooding was caused by the culvert being clogged, what the emergency procedure is and whether there is a need to review it, the presence of the Police Department and Fire Department, number of sand bags used, whether there are sand bags already stocked and ready, possibly building up the berm (Thomson Lane area), any sewer backups need to be reported to the Village Clerk to file an insurance claim, removing the tree stump left on Prairie View when the three properties were bought back in 1999 after the flooding, residents advised that Food Pantry is open Tuesday (August 28th) between 3:00 – 6:00 p.m., why the flooding happened, the significant amount of rain received in a short period of time, need to look at the Comprehensive Plan, will be looking at replacing the drainage pipe that goes through the downtown, request by Moeser to have Powells put on the same policy as the Florida Avenue people, how long the dumpsters will remain for residents to use to get

rid of stuff, what to do with the sand bags now that they are not needed, disappointment with the warning system, concerns by residents near the former Methodist Church and the problems with run off that continue in that area and a need for something to be done, ponds need to be on a maintenance program, concern that the present stormwater system is inadequate, difference between storm sewer and sanitary sewer, process for stormwater review for new construction, the need to have the Village Engineer review the problems in the Market/Johnson Street area (Hoeft advised that is an eligible cost for TIF monies).

At this time Staton invited Moeser and the Powells forward to address the request to put them on the same policy as the Florida Avenue homeowners. There was considerable discussion regarding their needs, how this differs because it is a landlord/tenant issue as well, the rent is no longer chargeable to the Powells in that the house is inhabitable so the mortgage payment is not at issue, the Powells are currently being housed in a hotel courtesy of the Red Cross, the Powells' situation fits in the crisis category, the expenses incurred very much like that incurred by home owners, the need to draw the line at some point, the Attorney cautioned not to act as insurer, distinction between business expenses versus personal expenses and so forth. Following discussion, **Poole moved to add the Powells to the list to include the amount of \$2,000.00. Second by Lourigan.** There was further discussion after which **Poole withdrew his motion and Lourigan his second.** Discussion continued after which **Harms moved that the Powells who were residing at 211 Prairie Avenue be given an allowance of \$1,500 to cover expenses incurred following the flooding of the property they were renting to cover food, furniture and utility costs. Second by Lourigan.** Discussion followed with the Attorney to make sure the Village was handling these matters legally. **Harms amended the motion to cover food, housing and utilities and not to exceed \$1,500.00. Second by Lourigan. Motion carried 7-0.**

Staton noted the Board will put this item on the September 4th agenda to address requests from other Village residents who received damages but that were not considered emergencies.

Gracz stated that the Village Hall was also flooded and that the elevator is out of order. If anyone needs service we would ask that you call ahead and we will come down to the lobby to take care of that business.

5. **DISCUSSION AND POSSIBLE ACTION RE: RE-OPENING FUND 412 FOR STORMWATER EXPENSES.** Hoeft noted this will keep track of all the expenses—everything will be run through Fund 412 including payroll. Bollig wanted to know if each individual claim could be tracked and Hoeft stated each family could be given a project code. There was further discussion. **Bollig moved, second by Harms, to reopen Fund #412 for stormwater expenses. Motion carried 7-0.**
6. **DISCUSSION AND POSSIBLE ACTION RE: STORM WATER ISSUE IN THE BERGAMONT SUBDIVISION RE THE PROPERTY AT 347 RIVIERA STREET – JOSH SEBRNAEK.** Sebrnaek stated he was here to get an update and advise what has been done to date. He advised they have put a sump pump in and the back wall has been raised. There was a huge amount of water that came off the farm property and the back yard filled with water but the basement remained dry. Below stated he has met with Peterson and Bergamont representatives. There was some discussion and it was agreed to put this on the Public Works Committee agenda in September (the 24th) for an update.
7. **MSA CONSULTING ENGINEERS TO REVIEW AND DISCUSS THE PRELIMINARY DRAWINGS FOR THE 2008 DOWNTOWN STREET IMPROVEMENTS.** Tabled to the next meeting.
8. **ADJOURNMENT.** The meeting was adjourned at 7:55 p.m. on motion by Bollig, second by Way. Motion carried 7-0.

Submitted by,
Georgia Johnson,
Village Clerk