

**CALL TO ORDER.** The regular meeting of the Village Board was called to order by President Staton at 6:37 p.m. on Monday, December 3, 2007.

1. **ROLLCALL.** Present: Darlene Groenier, Phil Harms, Jon Lourigan, Steve Staton and Randy Way. Absent: Jerry Bollig and Eric Poole. Also present: Village Administrator Mike Gracz, Police Chief Doug Pettit, Public Works Director Mark Below and Clerk Georgia Johnson.

*It was agreed to take certain items out of order to accommodate members of the audience. For ease in reading, items appear in the same order as listed on the agenda.*

2. **APPROVAL OF MINUTES.**

- a) **Regular meeting 9/17/07.** Way moved, second by Lourigan, to approve the minutes of the regular meeting of June 4, 2007. It was noted these minutes are from the June meeting and Gracz stated there were concerns with the accuracy of the minutes. In that minutes are often referred back to it was important to proof them thoroughly to make sure they were correct. **Motion carried 5-0.**
- b) **Special Village Board/Park Board 10/17/07 (Budget meeting).** Lourigan moved, second by Harms, to approve the minutes of the special joint meeting of the Village Board/Park Board Budget meeting of October 17, 2007. **Motion carried 5-0.**

3. **APPROVAL OF VOUCHERS.** Harms moved, second by Lourigan, to approve the payment of vouchers for the General Operating Fund in the amount of \$236,463.51 per the list dated December 3, 2007. There was some discussion regarding the Ruckert-Mielke's charge of \$9,000 and it was noted that was regarding the Village flooding. Way noted that #7250 payment to Stafford Rosenbaum legal firm is regarding a legal opinion they were asked to render regarding Way's ability to vote on budgeting and other issues. Way noted he would be abstaining from the vote on this motion. **Roll call vote: Way – abstained; Harms – yes; Bollig – yes; Staton – yes; Groenier – yes; Poole – yes; Lourigan – yes. Motion carried 4-0-1 with Way abstaining.**

4. **COMMUNITY INPUT.** Hans Noeldner, 133 W. Lincoln, spoke to the use of bicycles and walking rather than the use of automobiles.

5. **PUBLIC APPEARANCES AND PUBLIC HEARINGS.** None.

6. **PROCLAMATIONS AND ANNOUNCEMENTS.**

- a) **Village Staff Comments.**
  - 1) **Election Workers needed for 2008/2009 Appointments.** Johnson stated she is continuing to recruit persons interested in being pollworkers. Appointments will be made at the next Board meeting (December 17<sup>th</sup>). Approximately 90 pollworkers are needed for the larger elections in 2008 and currently 77 have signed on. Anyone interested should be contacted Johnson at Village Hall @ 608-836-3118.
  - 2) **Discussion and Possible Recommendation re: The ASU Group (Local Government Property Fund Insurance) denying Village's Claim for Replacement of Voting Equipment.** Johnson referred to the materials in the packet stating that the Village's insurance through the Local Government Property Fund Insurance is denying the Village's claim for replacement of the voting equipment. There was discussion. **Harms moved, second by Groenier, to request an ASU Group Insurance Representative to attend a future Village Board meeting.** There was further discussion. **Motion carried 5-0.**

- 3) Status of Leaf Collection. Below stated with the change in the weather the leaf collection has ended. He will look to possibly having a pickup in the spring to pick up the leaves that have been covered with snow. There was discussion.
  - 4) Pettit reminded residents to remove snow from the sidewalks and fire hydrants. He also advised that residents are not to deposit snow onto Village streets and noted that the officers will be issuing citations. It was noted sidewalks are to be cleared within 24 hours. There was discussion including contacting the Public Works Department with complaints on walks not cleared, what the plowing sequence is, cul de sacs not being cleared in a timely manner, and so forth.
  - b) Village Board Comments. Harms noted his concerns with the sidewalks not being cleared. Below stated the Public Works Dept. is still in the process of clearing them. Pettit stated sidewalk ramps also need to be cleared as well as fire hydrants need to be shoveled around. There was discussion.
7. **COMMUNICATION AND MISCELLANEOUS BUSINESS.**
- a) Discussion of Cart Deliveries and Refunding of Unused Stickers. Gracz advised that Pellitteri will be delivering the refuse and recycling carts December 17<sup>th</sup>; both carts will be delivered at the same time; residents are reminded that the flyer and schedule will be in the bottom of the cart. It was noted that Kwik Trip is willing to make refunds on residents' stickers through January 31, 2008. There was some discussion regarding disposal of the old carts and recycling bins. It was noted the information being delivered will include a neighborhood schedule for the individual neighborhoods.
  - b) Resolution #07-25 opening Cusick Parkway effective December 8, 2006. It was noted that the Board voted to open Cusick Parkway on 12/8/06 which should have been done by resolution. This resolution documents that the effective date of the street opening is 12/8/06. **Lourigan moved, second by Harms, to approve Resolution #07-25 opening Cusick Parkway. Motion carried 5-0.**
  - c) Discussion and Possible Action re: Application for Class B Picnic License for Cory Saniter Benefit 12/7/07. Pettit noted there were a couple of issues with the application under Chapter 125—(1) the organization applying must have been in existence at least 6 months or longer and (2) the application must have been on file with the Clerk's office at least 15 days prior to the event. Pettit spoke with Roger Johnson at the Department of Revenue who advised that the law is more stringent when a wine license is requested. If an application is for beer only the 15 days would not be an issue. It was noted that if the group organizing the event could get a non-profit organization to sponsor the event and if they were willing to serve beer only, the Village would be able to move forward with approving the application. There was some discussion. Heidi Davies and Karen Taylor, the organizers of the event, spoke to the Board advising the event is this coming Friday (the 7<sup>th</sup>), the event would be held at the Red Brick Building (Gorman Company) and they have hired a bartender for the event. Following discussion and with the names of non-profit organizations that could possibly help them with sponsoring the event, Davies and Taylor left the meeting. When they returned later in the meeting, they provided a signed application by the Oregon-Brooklyn Lions Club. The Lions Club has agreed to sponsor the event. After a brief review, **Lourigan moved to approve the Class B Picnic License for beer only for the benefit being held at the Red Brick Building Friday, December 7<sup>th</sup>, as presented. Second by Way. Motion carried 5-0.**
  - d) Distribution of Settlement Agreement for North Alpine Parkway Project for Discussion at the special December 5<sup>th</sup> Board Meeting. For informational purposes.
  - e) Reminder regarding Special Board Meeting on December 5<sup>th</sup> at 5:00 p.m. and Joint Meeting with Planning Commission on December 6<sup>th</sup> at 6:30 p.m. For informational purposes.

- f) Reminder regarding Public Hearing on Dane County Mitigation Plan (December 17th). For informational purposes. The meeting will be held in the Village Board Room and is scheduled to begin at 6:00 p.m.
  - g) Discussion and Possible Action re: Approval of 2008 Salary Schedule for Non-Represented Employees—Resolution #07-27. This is for approval of the 2008 salaries for non-represented employees and the funding was approved as part of the 2008 Budget. **Way moved to adopt Resolution #07-27. Second by Groenier.** Harms asked what the overall dollar amount would be. There was discussion. **Motion carried 4-1, with Harms opposed.**
  - h) Review of 2007 Estimated Tax Bills. Gracz stated the lottery credit for 2007 will be \$107.00 which is lower than last year. The estimated tax rate is \$23.25. At that rate a home valued at \$180,000 net taxes would go up about \$220.00 and the net taxes on a \$360,000 home would go up \$431.95. That dollar amount does include the Department of Revenue correction for the Town of Oregon error made in 2006.
  - i) Discussion and Possible Action re: 2008 Annual Fee Resolution #07-26. Staton noted this fee resolution is done every year. Gracz stated it is reviewed as part of the budgeting process and any increases recommended are included in the budget. It was noted the mowing charge that is being changed came up because the Village is spending so much time mowing private properties it was felt that by raising the fee it might encourage property owners to do their own mowing. There was discussion. **Lourigan moved, second by Harms, to approve Resolution #07-26 the 2008 Annual Fee Schedule.** Lourigan asked about the collection fees and if that might be charged back as a surcharge through the Collection Agency. There was discussion. **Motion carried 5-0.**
  - j) Review of ATC Material from Fitchburg. Gracz referred to the resolution being adopted by the City of Fitchburg. There was discussion regarding whether the Village wants to be part of the coalition, the need to be proactive where this matter is concerned and so forth. Following discussion, it was agreed that Gracz prepare a resolution and bring it to the next Board meeting.
  - k) Discussion and Possible Action re: Re-Adoption of Resolution #07-22—2008 Annual Budget. Gracz advised that after the public hearing notice for the 2008 budget was published the Village received the levy limit calculation worksheet from the State and because we annexed land from the Town of Oregon in 2007 the Village is allowed to increase its levy by the amount of taxes paid to the Town. In preparing the resolution for the public hearing staff adjusted the 2008 tax levy to the allowable amount which is an increase of \$2,781. Since this was not mentioned at the November 26<sup>th</sup> Board meeting at which the resolution was adopted initially, this is back to the Board tonight to re-adopt the resolution with that change. Gracz stated the problem is if the Village does not take the increase this year it loses it. There was some discussion. It was noted the Village's portion of the tax levy is going down by \$.17 for a home valued at \$180,000. **Harms moved to re-adopt Resolution #07-22, the 2008 annual budget. Second by Groenier.** Way stated in that the Resolution includes funds for the Fire/EMS budget he will be abstaining from voting. **Roll call vote: Lourigan – yes; Staton – yes; Groenier – yes; Harms – yes; Way – abstained. Motion carried 4-0-1.**
8. **REPORT OF COMMITTEES**
- a) Public Works & Utilities 11/26/07. (Chair – Trustee Lourigan)
    - 1) Discussion and Possible Action re: storm water issues in the Bergamont Subdivision regarding the property at 347 Riviera Street and meeting with Phil Peterson. **Lourigan moved to proceed with obtaining a proposal from Ruckert Mielke to look into possible options to resolve the storm water issues at 347 Riviera Street and authorize staff to negotiate with Phil Peterson to either purchase property right of way or obtain an easement for**

- stormwater purposes. Second by Way.** This was the only options they were able to come up with. Since the meeting Lourigan stated he has had a change of mind. In reviewing the issue Lourigan stated he does not feel the developer has done or is doing all it can do. He feels the developer needs to be told about the water issues and needs to review the issues and specifically with regard to the check dams. Below stated the check dams were blown out during the August rain. Lourigan does not feel the Village should spend any more of the taxpayers' money on this matter. Discussion continued including part of the problem is they are trying to change the natural flow of the water, the developer had to get Planning Commission approval and provide and stormwater plan and it was approved. Way stated he feels the Village should be involved. Discussion continued. Gracz stated it was intended to get the Fiduciary involved and working with the Village on resolving the matter. Staton noted that if the option is approved it does not mean it cannot be brought back. Discussion continued. **Motion carried 3-2, with Lourigan and Harms opposed.** There was further discussion.
- 2) Discussion and Possible Action re: Snow and Ice Control Program for 2007/2008. **Lourigan moved to approve the 2007/2008 Snow and Ice Control Program as presented. Second by Way.** It was noted this program comes to the Board every year and sets out what the Village's policy is with respect to snow and ice control. There was discussion regarding the plowing of cul de sacs and the street classifications. **Motion carried 5-0.**
  - 3) Discussion and Possible Action re: Non-Compliance of the Sanitary Sewer Hookup at 221 Wolfe Street. **Lourigan moved to authorize staff to work with the Village Attorney to get compliance on the sanitary sewer hookup from the property owner at 221 Wolfe Street. Second by Harms.** Below stated initially the property was on a grinder pump and it was agreed that when sanitary sewer was available the owner was to hook up to it. Although the property owner has been requested to hook up there has been no compliance. This is a request to have the Village Attorney assist with getting the property owner to comply. **Motion carried 5-0.**
  - 4) Discussion and Possible Action re: Ruekert Mielke's Engineering Proposal for Designing and Constructing Alpine Business Park Regional Storm Water Pond. **Lourigan moved to accept Ruekert Mielke's Scope of Services for the Alpine Business Park Regional Storm Water Pond in an amount not to exceed \$67,800. Second by Harms.** This has been discussed previously and would be a regional pond in the industrial park that all property owners could drain into. This would be an incentive to developers to come into the Village and would be paid for through the TIF. This will be discussed at the meeting on Thursday's joint meeting with the Planning Commission. Following discussion, the **motion carried 5-0.**
  - 5) Discussion and Possible Action re: Amended Engineering Agreement for Extension of Braun Road from Market Street to Cusick Parkway in Alpine Business Parkway. **Lourigan moved to approve Ruekert Mielke's amended Engineering Agreement for the extension of Braun Road from Market Street to Cusick Parkway in an amount not to exceed \$140,000. Second by Way. (This includes the original contract amount of \$53,454 for extending Braun Road from Market Street to the Railroad tracks.).** This will include everything including the railroad crossing from Market Street to Braun Road and would come out of TIF#2 monies. **Motion carried 5-0.**
  - 6) Discussion and Possible Action re: Street opening of Drumlin Drive in the Drumlin Addition to Alpine Meadows Subdivision—Resolution #07-24. **Lourigan moved, second by Harms, to adopt Resolution #07-24 opening Drumlin Drive in the Drumlin Addition.** This allows for the opening of the street for public use which is done by resolution. **Motion carried 5-0.**

- 7) Discussion and Possible Action re: Insurance Claim of Eileen Olson at 201 E. Lincoln Street (Eileen Olson). **Lourigan moved, second by Harms, to accept the claim of Eileen Olson and direct staff to find the funds to pay the damages upon receipt of documentation from the property owner.** Lourigan noted this is a request from the property owner to review the Village's insurance company's denial of the claim. Gracz stated if the Board decides to pay this; the Board needs to delay it until we find out how it affects the Village's insurance coverage. If it is approved it should be approved contingent on contacting the insurance company. **Lourigan withdrew the motion.** This will be put back on an agenda after the insurance company has been contacted.
  - b) Fire/EMS District Commission. (Village Board Representatives Lourigan and Poole).
    - 1) Discussion and Possible Action re: Ambulance Color Scheme. Lourigan referred to the color schemes and stated the Commission is simply asking what the Board prefers. There was discussion regarding the different color schemes, the Fire/EMS prefers the first one of the four, the second color is close to what they have now etc. Following discussion, **Groenier moved, second by Lourigan to recommend color #1 (orange) and graphics #1 (with panther).** There was further discussion. Way stated he would be abstaining from voting. **Motion carried 3-1-1, with Harms opposed and Way abstaining.**
  - c) Minutes Not Requiring Action.
    - 1) COA 9/13/07.
9. **UNFINISHED BUSINESS.**
- a) Discussion and Possible Action re: Vandewalle 2008 Agreement. It was noted this was inadvertently left off the last meeting agenda and comes from a recommendation made at the November 12 Finance Committee meeting. **Bollig moved, second by Way, to approve the 2008 Agreement with Vandewalle & Associates.** There was some discussion. **Motion carried 5-0.**
10. **FUTURE AGENDA ITEMS.** As listed on the agenda.
11. **ADJOURNMENT.** The meeting was adjourned at 8:00 p.m. on motion by Lourigan, second by Groenier. Motion carried 5-0.

Submitted by  
Georgia Johnson,  
Village Clerk