

1. **CALL TO ORDER.** The Special meeting of the Village Board was called to order by President Staton at 6:00 p.m. on Monday, November 10, 2008.
2. **ROLLCALL.** Present: Phil Harms, Jerry Bollig, Randy Way, Eric Poole, Steve Staton, Darlene Groenier, and Jon Lourigan. Also present: Village Administrator Mike Gracz, Finance Director Renee Hoeft, Public Works Director Mark Below, and Clerk Assistant Peggy Haag.
3. **CLOSED SESSION:** The Village Board may adjourn into closed session from time to time during the course of the meeting for the following purposes: (1) pursuant to Wis. Stats. §19.85(1)(e) permitting a closed session for deliberating or negotiating the purchase of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session to discuss the Labor Contract Negotiations with AFSCME and WPPA. **Motion by Bollig, second by Poole to enter into closed session at 6:03 p.m. Lourigan – yes; Groenier – yes; Staton- yes; Way – yes; Bollig – yes; Harms – yes. Motion carried 7-0. Motion by Bollig, second by Way to end closed session at 6:18 p.m. Motion carried 7-0.**
4. **PUBLIC APPEARANCES AND PUBLIC HEARINGS.** None.
5. **2009 BUDGET.**
 - a) **Discussion and Possible Approval of Municipal Court’s 2009 Budget – Increase of \$1,000 for Teen Court and Making Court Clerk Full-Time but without health insurance and pension.** Judge Cox highlighted a few items from this year. All three reports are in the packet including the annual report for court, evaluation of peer court and a truancy enforcement report. There was some discussion and this is in the recommended budget. **Motion by Bollig to approve the Municipal Courts 2009 Budget – Increase of \$1,000 for Teen Court and Making Court Clerk Full-Time but without health insurance and pension benefits. Second by Lourigan. Motion carried 7-0.**
 - b) **Continuing Discussion of 2009 Budget Update/Overview and Status of Water & Sewer Budgets.** The total levy for the Village next year is \$4,071,164.00 which is an increase over the prior year. The Village of Oregon went through a re-evaluation last year so the Village’s total assessed value went from \$631 million to \$854 million and that is why the tax rate has dropped so much. The water & sewer budget will be discussed at the next meeting.
 - c) **Discussion and Possible Approval of 2009 Sidewalk Program.** Below said sidewalk will be installed from the corner of Dorn Hardware to Braun Road connecting to the sidewalk in front of McDonalds. There have been numerous requests to put this in. **Motion by Way to approve the 2009 Sidewalk Program. Second by Bollig. Motion carried 7-0.** There was discussion of where future sidewalks may be installed but there is nothing in place at this time.
 - d) **Reminder: 2009 Budget Public Hearing – November 24th at 6:00 p.m.**
6. **APPROVAL OF MINUTES.** Available at November 17th Board Meeting.
7. **RAILROAD & BRIDGE /DOWNTOWN UPDATE**
 - a. **Status of Property Insurance: Board Needs to Decide by December 1st Whether to jointly insure the rail line with Fitchburg and Discussion of having Insurance Company Representative at November 17th Board Meeting to discuss 2009 insurance coverage.** Gracz talked to Tony Roach and he reminded Gracz the Village has until November to decide if the Village will jointly continue to insure the rail line. Way thought the Village was going to pursue finding related parties to help cover costs for this. Gracz said if the Village would like this insurance then this would be pursued. Poole asked what would happen if the City of Fitchburg wants this and the Village of Oregon does not. Gracz stated he does not believe Fitchburg has taken a position. He feels they will take the insurance because this is an important part of their comprehensive plan.

- b. Payment of Lunda's First Request for Payment and Insurance Property Fund Not Paying Entire Invoice. The Village is contesting the payment of Lunda's first request for payment. The request for payment was reviewed by the Village engineer, he approved it; it was sent to the insurance fund and they are the ones not paying the entire payment.
 - c. Village/City's Contact with Dane County regarding County's Non-Payment. Gracz stated Dane County's position is that they will cover the entire project. The letter handed out stated this is not the case and per state order Dane County's share is 8.8% of the Railroad Bridge Project.
 - d. Email from Village/ City Engineer to Lunda regarding possible Liquidated Damages. This handout is an e-mail from E-80 Plus putting Lunda on notice there is concern about the pace of the project and there could be liquidated damages. There was some discussion.
 - e. Discussion and Possible Approval of Hiring DeWitt, Ross & Stevens as Special Counsel for dispute with Dane County regarding funding for Downtown Improvement Project. Gracz stated after the Public Works Committee talked with Dunphy from Dane County, he tried to figure out a way Jay Ranney of DeWitt, Ross & Stephens, who is working for Fitchburg and Oregon on the Bridge project, work on this and hire Ted Waskowski to work on the downtown project. Stafford can't work on the bridge because of a potential conflict of interest. **Motion by Lourigan to Approve Hiring DeWitt, Ross & Stevens as Special Counsel for dispute with Dane County regarding funding for Downtown Improvement Project. Second by Bollig. Motion carried 7-0.**
8. **APPROVAL OF VOUCHERS.** Bollig moved, second by Poole, to approve the payment of vouchers for the General Operating Fund in the amount of \$404,421.27 per the list dated November 10, 2008. Gracz said Lunda's payment would be reimbursed by the insurance fund. The Village is fronting the \$346,000. **Roll call vote: Poole – yes; Way – yes; Groenier – yes; Bollig – yes; Lourigan – yes; Staton – yes; Harms – yes. Motion carried 7-0.**
9. **COMMUNITY INPUT.** None.
10. **PROCLAMATIONS AND ANNOUNCEMENTS.**
- a) Additional Brush Pick-Up this Fall – Below. Due to weather and wind there will probably be one more pick up in December. Staton stated a gentleman he spoke to said the election was the most efficient he has ever been involved with.
11. **COMMUNICATION AND MISCELLANEOUS BUSINESS.**
- a) Discussion and Possible Approval of not spending more than \$1,000 to rent vacuum for Cleaning Jaycee Drainage Ditch (per Trustee Bollig's Request). Bollig stated he had a resident approach him regarding the condition of the drainage area running parallel to Oak Street along Jaycee Park. Below stated there has not been time to get at this yet this year. Below said it may be around December before this is taken care of. There was discussion and this will be put on the next agenda. Staton asked to get Eberle's view on this.
 - b) Update regarding 72" Storm Sewer Replacement Project and Possible Approval of Change Order #1 for Manhole Repair and connecting existing storm sewer to Storm Inlet Structure for a total cost of \$8,863. Below stated there is a letter to the contractor in the packet that puts them on notice the Village of Oregon thought they would be starting two weeks ago and they have not. They are here now. **Motion by Bollig to Approve Change Order #1 for Manhole Repair and connecting existing storm sewer to Storm Inlet Structure for a total cost of \$8,863 for the 72" Storm Sewer Replacement Project. Second by Way. Below stated there was also a manhole repair. Motion carried 7-0.**

- c) Discussion and Possible Approval of Change Order #3 --Extending Existing 18-Inch Culvert beneath Driveway on West Netherwood Road for Bike/Pedestrian Path for the lump sum cost of \$2,540.00. Below stated to make the drainage work in this area the culvert needs to be extended to get the bike path in. **Motion by Bollig to Approve Change Order #3 Extending the Existing 18-Inch Culvert beneath the Driveway on West Netherwood Road for Bike/Pedestrian Path for the lump sum cost of \$2,540.00. Second by Poole. Motion carried 7-0.**
 - d) Discussion and Possible Approval of Change Order #1 Time Extension from November 15th to November 23rd for completion of Market Street Storm Sewer Project. This is the contract for Market Street. There is no cost to the Village of Oregon. **Motion by Poole to Approve Change Order #1 Time Extension from November 15th to November 23rd for completion of Market Street Storm Sewer Project. Second by Groenier. Motion carried 7-0.**
 - e) Discussion of Starting December 1st Board Meeting at 5:30PM to Accommodate DOT Representative's Appearance. Gracz thought it would be helpful to have the DOT at the meeting but he DOT needs to be gone by 6:30 p.m.
 - f) Review of Investments, Connection Fees, Impact Fees and Building Permits. Overall this should hit budget projections.
 - g) Discussion and Possible Approval of 2009 Agreement for Vandewalle & Associates. Table this until November 17th.
12. **ADJOURNMENT.** The meeting was adjourned at 7:33 p.m. on motion by Bollig, second by Way. Motion carried 6-0.

Respectfully submitted by
Peggy S.K. Haag,
Clerk Assistant III