

1. **Call to Order:** The regular meeting of the Downtown Ad Hoc Committee Meeting was called to order by President Staton at 6:00 p.m. on Monday, November 17, 2008.
2. **Roll Call:** Village President Steve Staton, Trustee, Jon Lourigan, CDA Chair Steve Peotter, HPC Chair Arlan Kay arriving at 6:07 p.m. and Planning Commission Chair Greg Schnelle.
3. **Call to Order:** The regular meeting of the Village Board was called to order by President Staton at 6:00 p.m. on Monday, November 17, 2008.
4. **Roll Call:** Present: Steve Staton, Eric Poole, Darlene Groenier, Jon Lourigan, Phil Harms, and Randy Way. Absent: Jerry Bollig. Also present: Village Administrator Mike Gracz, Finance Director Renee Hoeft arriving at 6:21 p.m., Public Works Director Mark Below, Village Attorney Matt Dregne leaving at 8:19 p.m. and Clerk Assistant III Peggy Haag.

Certain items were taken out of order but remain in order for ease in reading.

5. **MSA's Presentation and Hold Second Public Forum regarding Phase 2 of Downtown Project-Hitching Park, Village Hall Alleyway and Spring Street:** Kevin Lord of MSA Professional Services, Riley O'Donnell of the Wisconsin DOT, and Mike Sturm of Ken Saiki Designs presented the projects. There is a review being done by Carol Cartwright on the Village Hall building along with its historical status. If Village Hall is going to be done it would be done in August. Below thinks it would be best to do this all under one contract. Below stated the doors and windows of Village Hall are not original. They were replaced in the 80's. There was discussion of the Village Hall entrance project. This would be funded out of the TE Grant. Eric Dundee of Ken Saiki Designs explained the entrance options with lighting and landscape updating to make it connect to downtown.

At this time President Staton invited public input.

Jon Deits, of 123 S. Main Street is questioning how the Village is working with Pizza Pit for the reconstruction of the Hitching Park. He has a concern about restrooms downtown.

Hans Noeldner, 133 W Lincoln St., sent an e-mail that Staton read stating,

"1) We are in a recession that is likely to be long and severe and the Village Board must curtail spending overall.

2) Spending a significant sum (of \$25K or more) on streetscaping, way finding and etc. in the Hitching Parking Lot is a waste of money. Just patch the asphalt and make sure to provide a safe well-marked pedestrian thru-way.

3) Cycling amenities and the main east-west path should go through the Triangle Park area – this is where such traffic will benefit the downtown overall, and this is where there are stop lights. The Fire Station – which occupies about ½ of the Hitching Parking Lot – is not a “destination” for bicyclists and directing bicycle traffic towards Kwik Trip is absurd.

4) The Village should concentrate further spending on streetscaping, way finding and other improvements on Triangle Park and the parking area west of South Main. The latter is a much better, much more important investment for downtown businesses than the Hitching Parking Lot.

5) The grass area of Triangle Park should be enlarged around the band shell. The two options I saw at the first listening sessions were outrageous and should not be set up that way”.

Way had a comment about the alleyway depending on what happens with the central garbage, there may be a way to have 2-3 parking spaces in the Fire District's area for garbage. If that was provided he would encourage the planners to look at the parking spaces by the band shell and move them in the alley way providing more green space band shell.

Mike Sturm presented the plan for the Hitching Park displaying the bike route following a zigzag path because it reduces the number of pedestrian bicycle conflicts that may occur by the Fire Department and Tri-County.

Kevin Lord presented the plan for the alleyway incorporating connecting all the roof drains for the storm sewer, a combined trash enclosure, and the burying of the underground utilities. Alliant Energy reduced their price by \$6,000 but Searl Electric's price is about \$14,000 which is an additional \$8,000 from the first estimate.

Mike Weidler of the Firefly Coffeehouse at 114 N. Main Street just wants to know what the Village Board is looking at as a cost estimate since it is more than originally budgeted.

Gracz stated at the Ad Hoc level it was discussed if the underground work was done the Village would pick it up as part of the project but that is a Village Board decision. There was discussion regarding changing out/upgrading the electric. The \$14,000 estimate is to take the existing electric to the building. If the businesses boxes can't handle the underground already there they have to get a new box. Gracz said if the Village goes with the delayed bidding process there is no need to make a decision on this tonight. See the proposal from Searl Electric. 1) Do we do one project? 2) Do we ask MSA to give us an amendment to their agreement so they can help design Spring Street? 3) Recommend to delay going out and starting the project until after Summerfest.

6. **Ad Hoc Committee's Discussion and Possible Recommendation to the Village Board re: 2nd Phase of Downtown.** Motion by Kay to recommend the Village Board do the Second Phase of Downtown all as one contract for the Hitching Park, Alley way, the Village Hall Parking Lot, and Spring Street entrance to Village Hall starting the construction after Summerfest. Second by Schnelle. Motion carried 5-0.
7. **Village Board's Discussion and Possible Action re: 2nd Phase of Downtown.** Motion by Way to recommend the Village Board do the Second Phase of Downtown all as one contract for the Hitching Park, Alley way, the Village Hall Parking Lot, and Spring Street entrance to Village Hall starting the construction after Summerfest. Second by Harms. Motion carried 6-0.
Below anticipates time wise Alliant Energy's work would be less than the downtown project and done prior to the start of construction.
8. **Discussion of December 15th Public Forum on Waterman Park Layout.** There will be a public forum to get ideas on this.
9. **Discussion and Possible Action re: October 27th Letter from Advand Group, LLC re: Property at 135 S. Main Street.** This item is tabled at this time.
10. **Adjourn Ad Hoc Committee.** Motion by Schnelle to adjourn the Joint Ad Hoc Committee Meeting at 6:51 p.m. Second by Peotter. Motion carried 5-0.
11. **Village Board Returns To Regular Board Meeting.**
12. **The Village Board may adjourn into closed session (at approximately 6:30 p.m. from time to time during the course of the meeting pursuant to Wis. Stat. sec. 19.85(1)(e), to discuss possible development agreements with developers relating to property (Lot 3) in the Alpine Business Park, and to discuss road maintenance agreement negotiations with Lycon and will reconvene into open session at approximately 7:00 p.m. Lourigan moved to adjourn into closed session pursuant to Wis. Stat. sec. 19.85(1)(e), to discuss possible development agreements with developers relating to property (Lot 3) in the Alpine Business Park, and to discuss road maintenance**

agreement negotiations with Lycon. Second by Harms. Roll call: Poole – yes; Way – yes; Staton – yes; Harms – yes; Lourigan; and Groenier – yes. Motion carried 6-0.

13. Discussion and Possible Action on modifying the TID #2 related special assessment obligations pertaining to Lot 3 in the Alpine Business Park (along West Netherwood), and direct Village Attorney to prepare a development agreement relating to the development of such property. Dregne stated Dave Payne & Gromor wanted to know if there is not a road maintenance agreement in place at the time building permits are requested if the Village will still issue permits. Secondly, the developers asked to enter into an agreement similar to the agreement the Village entered into with Trachte specifying the proportionate share of potential special assessment obligations. Dave Payne asked for the deadline for hitting his development number be extended beyond the 2010 deadline in the existing agreement with Lycon to December 31, 2011. The Village Board has approved both, specifying Lot 3's share of the special assessment obligation. It was also approved to extend the deadline for Payne to hit his development number. The Board adopted a motion authorizing Village Staff and Matt Dregne to prepare agreements meeting these requirements.

14. Discussion with Tim Bolhuis from Pellitteri and possible action regarding having all Village residents have their recycling collected on the same week (Tim will be here at approximately 7:15 p.m. Bolhuis stated Pellitteri has acquired more municipalities and would like to condense the Village of Oregon's schedule making it more efficient. Recycling is up in Oregon. **Motion by Harms to have recycling picked up on the same week throughout the Village of Oregon. Second by Lourigan. There is not a cost to change this and in the long run it will save on fuel. Motion carried 6-0.**

15. 2009 Budget (Discussion to take 45 minutes to 1 hour). Bring to the next meeting November 24th.

a) Discussion and Possible Approval of Water & Sewer Utility Budgets (White paper).

- 1) April 9, 2007 Memo (Pink paper).
- 2) Joint Meter Charge to Sewer (Yellow paper).
- 3) 2008 Cash Flow spreadsheets for Water & Sewer Utilities (Legal paper)
- 4) 2009 Water & Sewer Budgets (Purple paper)
- 5) 2009 Water & Sewer Cash Flows (Blue paper)
- 6) 2009 Water & Sewer Capital Budgets (Green paper)

b) Discussion and Possible Approval of Purchasing Variable Frequency Drive (VFD) for Booster Pumps for Well No. 3 in the amount of \$17,000 in 2008. The electrical controls are from 1967 and because of the chemicals used in the building the plastic parts are breaking down. Below said the Village has had a significant number of water main breaks over by the high school. This is happening because the pump comes on and the pipes start to rattle. Each water main break costs between \$2000.00 - \$4000.00 and there are approximately 5-6 breaks in a winter. **Motion by Lourigan to approve purchase of a variable frequency Drive for Booster Pumps for Well No. 3. in the amount of \$17,000.00 in 2008. Second by Poole. Motion carried 6-0.**

c) Discussion and Possible Action re: Letter from Hawthorn Estates' Homeowners requesting the Village to address the stormwater pond on Concord Drive in 2009 Budget. The pond behind Hawthorn's Restaurant gets choked with weeds and in the summer and fall it becomes stagnant and smelly. The DNR has been contacted about the problem and have offered some solutions. Below is not sure what the suggested items from the DNR would cost. It was discussed if it is done for one pond it will have to be done for all ponds. This item is being moved to the Public Works Meeting Agenda and the Mitchell's will be notified.

- d) Continuing Discussion of 2009 Budget Update and Estimated Tax Rate and Reminder of 2009 Budget Public Hearing November 24th at 6:00 p.m. The Village portion of the mill rate is estimated at \$4.76 per \$1000.00 of assessed value which is a decrease from the \$6.09 per \$1000.00 of assessed value last year because the equalized value has gone from \$631 million to \$854 million. The Village's total tax levy for next year is \$4,071,000 with \$3.2 million of that going to the general fund and the remainder going to debt service. \$170,000 will be transferred from the general fund to capitol projects.

16) **Public Appearances and Public Hearings.**

Staton opened the Public Hearing at 8:44 p.m.

- a) Hold Public Hearing to Amend Chapter 41 (Board members: Material was included with your November 13th Planning Commission Packet – Planning Commission recommended approval) and Possible Adoption of Ordinance #08-08 Amending Chapter 41. Below stated FEMA has come in and is working on flood plain maps. The final versions of the map are now out. The only thing changing is the wording on first floor elevation versus lowest exposure elevation.

Staton closed the Public Hearing at 8:45 p.m.

Motion by Harms to approve Ordinance #08-08, the flood plain ordinance, amending Chapter 41 including the waving of the first and second reading to move towards adoption. Second by Way. Way asked if the change in the wording will have a major effect on things. Below stated he did not agree with it but The Village is forced into it. If the Village refused to change this they would not be eligible for flood insurance program. **Motion carried 6-0.** Below stated this was at the Planning Commission meeting last week and they did not support this.

17) **Approval of Minutes.**

- a) Regular Village Board Meeting 9/2/08. **Harms moved to approve the minutes of the regular meeting of 9/2/08. Second by Lourigan. Motion carried 6-0.**
- b) Special Village Board Meeting 9/8/08. **Groenier moved to approve the minutes of the special Village Board meeting of 9/8/08. Second by Poole. Motion carried 6-0.**

- 18) **Approval of Vouchers.** **Poole moved, second by Groenier, to approve the payment of vouchers for the General Operating Fund in the amount of \$608,216.62 per the list dated November 17, 2008.** There was some discussion. **Roll call vote: Groenier – yes; Harms – yes; Poole – yes; Staton – yes; Way – yes; Lourigan – yes. Motion carried 6-0.**

- 19) **Community Input.** None.

20) **Proclamations and Announcements.**

- a) Village Board Comments:
 - 1) Statement of Appreciation for Veterans and Comments regarding Veteran's Day Celebration. Staton said it was very well planned and Veterans were very please with how the area has turned out. Harms would like to see that part of the street closed off otherwise it takes away from the ceremony.
- b) Staff Comments.
 - 1) Update on 11/4/2008 Presidential Election – Total registered electors prior to the Election was 5998. There were 545 new registrations at the polls. Total voted (including by absentee) were 5230. The turnout in the Village was 80%. Thank you notes were read

from residents and election workers. Staton spoke with an observer who said this was the most efficient and well organized election he had seen.

- 2) FYI- First day for Circulating Nomination Papers for Spring Election – December 1, 2008 (See Spring Election Notice). There are four positions open including the Village President as well as three Village Trustees. The incumbents are Darlene Groenier, Eric Poole, Randy Way, and Steve Staton.
 - 3) Leaf Collection and Public Works Projects Update – Below. Public Works is on their second time through the Village and will continue to work their way south, hopefully starting a third time through the Village weather permitting. Main Street is unofficially open and the railroad bridge should be open soon too. The 72” culvert is moving along well and the Market Street Storm Sewer is a day or two behind.
- 21) **Communication and Miscellaneous Business.**
- a) Update regarding acquisition of properties on Florida Avenue.
 - 1) Linda and Bob McAllister’s request for FEMA’s determination. McAllister’s home does not score well enough either way it is looked at for a FEMA Grant.
 - 2) McAllister’s concerns regarding demolition of 360 Florida Avenue. Bob McAllister is concerned with the affect the demolition of 360 Florida Avenue will have on his house with movement or settling. Demolition is to begin November 24th.
 - 3) Schedule of Demolition of 360 Florida Avenue – November 24th. This is on schedule.
 - 4) Thank you note from Ann Slack. Staton read Ann Slack’s thank you note to the Village of Oregon.
 - 5) Update re appraisals for 350 and 380 Florida Avenue. Nothing to report.
 - b) Wisconsin Department of Revenue Decision regarding Appeal of Assessment, 693 Windward Way - FYI. The appeal was denied.
 - c) Thank you note from Dorothy Gasner regarding Bicycle/Pedestrian Path in Westside Community Park. Staton read the thank you from Dorothy Gasner.
 - d) Discussion and Possible Action re: Property Insurance for Railroad in 2009. Gracz stated this is the best Tony Roach of the City of Fitchburg could find for insurance because it is expiring. Initially it was thought don’t take insurance but for a number of reasons it makes sense to remain engaged in the railroad with Fitchburg in 2009, mainly to get the crossing done for Braun Road. That process will be a lot easier if we are joint partners with Fitchburg and also in pursuing a pedestrian/bicycle corridor. Gracz is recommending proceeding with getting insurance which only goes through October of 2009. **Motion by Lourigan to approve the property insurance for the railroad in 2009 in the amount of \$16,332.20. Second by Poole.** Fitchburg has more things tying them to the railroad right now than the Village. Gracz said the money for this will be charged to the railroad account. Way asked if this can be charged to the TIF but Gracz is not 100% sure. It is hard to find insurance for this because the rail is not activated. **Motion carried 6-0.**
 - e) Tabled from (11/10th Meeting) Discussion and Possible Approval of not spending more than \$1,000 to rent vacuum for Cleaning Jaycee Drainage Ditch (per Trustee Bollig’s Request). It is

going to be the Public Works goal to get into the ditch in early December, knocking the weeds down at least and vacuum in the spring.

- f) Tabled from (11/10th Meeting) Discussion and Possible Approval of 2009 Agreement for Vandewalle & Associates: Village Planner Slavney's hourly rate of \$150.00 will not change in 2009. Motion by Poole to approve the 2009 Agreement for Vandewalle & Associates including Village Planner Mike Slavney's hourly rate of \$150.00. Second by Groenier. Lourigan asked how much a planner is needed this next year. Below said maybe with TIF #4. **Motion carried 6-0.**
- g) Discussion of Starting December 1st Board Meeting at 5:00 p.m. Dinner is included.
- h) Discussion of Possible Approval of Change Order #3 for Westside Community Park and Bergamont/Alpine Park Bike Paths Final Payment. Below said this balances the books. It is actually a decrease of \$30,616.00. **Motion by Harms to approve Change Order #3 for the Westside Community Park and Bergamont/Alpine Park Bike Paths Final Payment. Motion carried 6-0.**

22) **Report of Committees.**

- a) Personnel, Public Safety & Protection.
 - 1) Discussion and Possible Action re: Michael A. Weidler, as Agent for Keehn Beans, LLC, d/b/a Firefly Coffeehouse regarding Application for Class "B" Beer License and Class C Wine License. **Motion by Poole to approve Michael A. Weidler as Agent for Keehn Beans, LLC d/b/a Firefly Coffeehouse for a Class "B" Beer License and Class C Wine License. Second by Way.** Lourigan will abstain. **Motion carried 5-0-1.**
- b) Public Works & Utility.
 - 1) Discussion and Possible Action re: Assistant Highway Commissioner Pam Dunphy – Discussion of October 3rd Letter from Dane County Corporation Counsel regarding jurisdictional transfer of County Highways MM & CC to the Village and County Funding for Railroad Bridge Project and Downtown Project. **Lourigan moved to approve staff forwarding a memo to the Village Attorney for review and an opinion on the Railroad Bridge and Dane County paying the center 22 feet of the road. Second by Harms.** Staton is working on a meeting with Kathleen Falk about this situation. **Motion carried 6-0.**
 - 2) Discussion and Possible Action re: the request by Susan Shedivy for the street tree removal at 220 N. Main St. **Motion by Lourigan to deny the request to remove the walnut tree located at 220 North Main Street. Second by Way.** This tree is in good condition. **Motion carried 6-0.**
 - 3) Discussion and Possible Action re: The Village paying for minor driveway costs for the new Trachte building (TIF #2) **Motion by Lourigan to approve paying for the minor driveway costs for the new Trachte Building in the amount of \$3,477.00 out of TIF #2 funds. Second by Harms. Motion carried 5-1 with Lourigan opposed.**
 - 4) Discussion and Possible Action re: the 2008/2009 Snow and Ice Removal Policy. **Motion by Lourigan to approve the 2008-2009 Snow and Ice Removal Policy by Mark Below. Second by Harms.** Below talked about snow and ice removal downtown. **Motion carried 6-0.**
- c) Committee Minutes Not Requiring Action.
 - 1) Fire/EMS District Commission 10/9/08
 - 2) Library Board 10/9/08

- 3) COA 9/11/08
- 23) **Unfinished Business.** None.
- 24) **Future Agenda Items.** In going back to item 15a it was discussed Below would not be at the meeting and Gracz said it is more about Hoeft's staff memo, the numbers, and cash flow issues. Hoeft said there may be questions about capitol purchase items and why Below would need a piece of equipment. Staton asked if Below would be able to do a short memo. Lourigan asked if just water rates can be raised and not sewer rates. Hoeft agreed it can be done that way.
- 25) **Adjournment.** The meeting was adjourned at 9:24 p.m. on motion by Lourigan, second by Groenier. Motion carried 6-0.

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