

1. **CALL TO ORDER.** The meeting of the Village Board was called to order on Monday, March 16, 2009 at 6:10 p.m.
2. **ROLLCALL.** Present: Jerry Bollig, Darlene Groenier, Phil Harms, Jon Lourigan leaving at 9:00 p.m., Eric Poole, Steve Staton and Randy Way. Also present: Village Administrator Mike Gracz, Finance Director Renee Hoeft, Public Works Director Mark Below, Police Chief Doug Pettit, Village Attorney Matt Dregne, Village Engineer Joe Eberle and Clerk's Assistant Peggy Haag.
3. **PUBLIC APPEARANCES AND PUBLIC HEARINGS.**
 - a) **Discussion and Possible Action re: Repair of Stormwater Pipe next to Peaceful Heart as part of Downtown Project:** Gracz summarized the issues at Peaceful Heart. The 12" storm sewer located adjacent to the side of their building where the leak was coming from. It was agreed the best solution would be to install a liner in the pipe. The Village is assuming the responsibility for the remaining amount of the repair cost estimated at approximately \$9,000. This will be submitted to the Village's insurance company. If this is not repaired it will be looked at as necessary. Jon & Doris Deits expressed their concerns about making sure the water will not come back into their building. After much discussion it was questioned whether the foundation is damaged. Engineers have stated the more the ground is disturbed the more possibility of damage. Lourigan stated this is a private property issue. Gracz does not want a legal claim filed on this. Village Engineer, Eberle, stated he could go and take a look but he would like to do so with MSA and the Contractor since they are more familiar with what is going on. Gracz & Below suggested bringing in Parisi Construction and MSA Professional Services for a Board meeting.
 - b) **Bill Rizzo, PhD, UW Extension Community Resource Development Educator regarding Strategic/Community Planning Process.** Bill Rizzo, from Dane County, summarized strategic planning strategies, for example, where Oregon wants to be as a community or the most important issues that will face Oregon in the future. It is very important the public be apart of this process. There were ten basic steps handout in the packet. As a quick outline it would be important to develop a planning team from a number of areas. Once formed, decide which steps are important to use, develop a plan, and design the implementation process and then look at if it can happen. Strategic issues are farther out in time, potentially cost more, and may take major efforts to change. Gracz will help set up a meeting but the discussions will be Board oriented. Rizzo would give homework to Board members so there is not a lot of discussion throughout the meetings and more time spent on making decisions.
4. **APPROVAL OF MINUTES.**
 - a) **Special Board meeting 2/23/09.** Bollig moved, second by Harms, to approve the minutes of the special meeting of 2/23/09. Motion carried 7-0.
 - b) **Regular meeting 3/2/09.** Bollig moved, second by Poole, to approve the minutes of the regular meeting of 3/2/09. Motion carried 7-0.
5. **APPROVAL OF VOUCHERS.** Bollig moved, second by Lourigan, to approve the payment of vouchers for the General Operating Fund in the amount of \$689,476.36 per the list dated March 16, 2009. There was some discussion on items concerning a squad car and a snow plow. Roll call vote: Bollig – yes; Poole – stepped out of the room; Lourigan – yes; Way – yes; Groenier – yes; Harms – yes; Staton – yes. Motion carried 6-0.
6. **COMMUNITY INPUT.** None.
7. **PROCLAMATIONS AND ANNOUNCEMENTS.**
 - a) **Village Board Comments:**
 - 1) **President Staton's Comments regarding Board Members serving as substitutes for appointed representatives on Village Boards and Commissions.** Harms encouraged Board members to

attend future Chamber Banquets because of the opportunity to meet with the business community and for growth. Groenier reported on issues concerning the Council on Aging including the smoking ban.

There was discussion that only Board Members who serve on a committee can vote; other Board Members cannot just fill in for them. There was also discussion of having alternates, but Dregne stated there would be a lack of continuity. This can be discussed further at the organizational meeting.

b) Staff Comments:

- 1) Government Accountability Board's Notice regarding Registration Maintenance – Response required by March 23, 2009. It was noted the Government Accountability Board has sent notices out to Wisconsin voters that have not voted in four years. Voters wishing to retain active status must respond by March 23rd, 2009. Finance Director, Renee Hoeft, stated the 2008 General Fund is at a \$1,700 deficit which is approximately \$30,000 better than anticipated.

8. **COMMUNICATION AND MISCELLANEOUS BUSINESS.**

- a) Discussion and Possible Action re: Proceed with purchasing 370 Florida Avenue rather than waiting until the May 4th Board meeting. *[Note: At this point Village staff has not been able to identify any additional funding that could be used that could be used for the acquisition of 370 Florida. Therefore I am recommending that the Village should proceed with purchasing 370 Florida Avenue at the same time as 340 Florida Avenue in order to ensure that the funding from Dane County is still available. (Village Administrator- Gracz).*

Gracz gave background information on this stating he would like to lock in the money from Dane County so it does not have to be shared with another municipality. Finance Director, Renee Hoeft, went through the financial information on this that was listed in the finance packet. There was discussion on the money the Village would use to purchase these houses and what that money might otherwise be used for. It is thought the appraisals would be received by the end of March or beginning of April. Gracz said they are not official until the DNR gives it's blessing which would probably be around the end of May. There was more discussion. Bollig feels the Board owes the McAllisters a decision as soon as possible. He asked the Board to review the information and if there are questions ask staff and be ready to make a decision next week. Poole agrees but is not sure if it will happen by next week because the Village won't have two of the numbers needed to complete the equation accounting for everything. Lourigan would like to expedite this because he believes it would be a savings to the Village. If the Village waited on the grant this time the next possible time this could be applied for would be July of 2010 for possible purchase in 2011. There was more discussion. Item 8a is tabled until next Monday, March 23rd at 5:30 p.m.

- b) Discussion and Possible Action regarding Establishing Subsidized Cab Service in Village. This item will be discussed under future agendas.
- c) Discussion and Possible Action regarding Regional Economic Development and Transit Authority Meetings. This item will be discussed under future agendas.
- d) Discussion regarding March 23rd Committee meetings into a Special Board Meeting. The next Village Board meeting will be March 23rd at 5:30 p.m.

e) Continued Discussion and Possible Action regarding.

- 1) Park & Ride Lot Agreement with DOT. Gracz feels the Board should make a motion tonight directing the staff to get the DOT to move there proposed park & ride location to a different place. Staff doesn't feel the Village should be using valuable commercial property for a park & ride. Village Engineer, Eberle, feels the park & ride should be integrated with the shopping center that would be in that area at some point. There is still a concern an agreement would be signed and Village tax payers would be paying for a regional park & ride. Gracz would like the Board to direct staff to talk to the DOT about these issues. **Motion by Bollig to have staff talk to the WI DOT about the location of the park & ride and maintenance agreement for the lot, with the understanding the Village does not want to be responsible for maintaining the lot. Second by Way.** Poole questioned the DOT owning this property and how can it be commercial land. Eberle stated they own it but don't need it. Governor Doyle and his predecessor have been trying to get rid of excess R.O.W. all over the state. There was discussion about the park and ride being owned by the Village and who would be using it. Gracz stated the Village may not be apposed to the park and ride being in the proposed spot. There is more of a concern regarding the Village paying for something many local communities would be using. There was more discussion. **Motion carried 7-0.**
- 2) Discussion of Bike/Pedestrian Path along Hwy 138. Eberle stated Mike Rampetsreiter of the DOT mailed out information in the packets for item 8e. He has preliminary costs and cost sharing for each of the three colors, green 100% Village cost, blue cost sharing and orange would be 100% DOT. Ruekert Meilke's recommendation is to do the orange and the blue to the west. Eberle is not recommending doing the green until the interchange is done because it would be a crap shoot as to if it would be in the correct place. There was discussion. The path would be a 10 foot path. There was discussion of the cost of the 8ft path versus the 10 ft path. If you look at the blue segment cost break down it would be about \$2,000 – \$3,000, the orange segment would be zero cost to the Village. Poole asked if it would be beneficial to contact the Town of Rutland to see if they would be willing to pay part of the Village's \$2,000 cost. Poole doesn't want to see anything happen to a bicyclist because the Village did not go the extra 200 feet for the path. There was discussion that if there is a 5' shoulder on the highway to Stoughton there will be bikers on the path. Hoeft had a concern this needs to be checked on to make sure money can be spent like this outside of the Village boundaries. Staton mentioned this has to get back to the DOT and there isn't time for the Town of Rutland to give the Village feedback not that we can't ask. **Motion by Lourigan to do a 10 foot wide asphalt path including the green segment, blue segment west of the interchange and orange segment portions of the bike/pedestrian path along Highway 138 and contact the Town of Rutland to help with the cost.** There was more discussion regarding the use of the 5' shoulder. **Second by Poole. Motion carried 6-1 (with Harms voting no).**
- 3) Discussion of Community Sensitive Design. This was discussed in detail.
- 4) Preliminary Design at Janesville/Park Street Intersection. Eberle suggested delaying a decision on this until the TIF gets going and there is a revenue source to pay for it. **Motion by Way to recommend holding off on a round-a-bout or signaled intersection until there is a revenue source. Second by Bollig.** Lourigan is not sure he agrees. If we are looking at enhancing this area for development he would rather have the road complete so businesses do not have to be disrupted. Poole agrees with Lourigan. He believes the Village would be able to get a better price if the intersection was done now instead of waiting a few years. Eberle could not guess what is going to happen in the future. There was discussion regarding funding for this intersection. Eberle stated if the Village is going to go ahead with this project the Village Board will have to decide tonight whether they would like a round-a-bout or a signaled intersection because of the timing of the schedule. Hoeft stated for the round-a-bout 25% would be charged to the TIF, 75% to the general debt service. **Roll call vote: Groenier – yes;**

Lourigan – no; Staton – yes; Way – yes; Harms – no; Bollig – yes; Poole – no. Motion carried 4-3.

- f) Discussion and Possible Action regarding proposed changes to prevailing wage law in Governor Doyle's proposed State Budget. Gracz would like the Board's permission to get the State Senators and Representatives positions on this. In the Milwaukee Journal it states the concern is anything over \$2,000 a prevailing wage would kick in. When the Village would provide TIF assistance to a private developer for a project with public money involved, prevailing wages have to be paid.
 - g) Discussion regarding attendance at Dane County Cities and Village Association Retreat – Saturday, March 21, 2009. Gracz wanted the Board members to know that this is good to attend and it's in Fitchburg.
 - h) Update regarding Stimulus Application. Kevin Lord sent an e-mail to Below and Gracz stating the Village of Oregon is not eligible for stimulus money for the downtown phase II project and because it is locally let we will not be eligible for stage II, however; Village will resubmit our street projects.
9. **REPORT OF COMMITTEES:**
- a) Planning Commission 3/5/09.
 - 1) Discussion and Possible Action regarding Request for Conditional Use Permit at 101 S. Main Street (BrouxNellie's Diner) to expand the outdoor dining area. **Harms moved, second by Bollig, to approve a Conditional Use Permit at 101 S. Main Street to expand the outdoor dining area. Motion carried 7-0.**
 - 2) Discussion and Possible Action regarding Request for Conditional Use Permit at 114 N. Main Street (The Firefly) to allow for an outdoor seating area and allow the serving of beer, wine and wine coolers in the outdoor eating area. **Harms moved to approve a Conditional Use Permit at 114 N. Main Street for an outdoor seating area and the serving of beer, wine and wine coolers in the outdoor eating area. Second by Bollig. Motion carried 7-0.**
 - 3) Discussion and Possible Action regarding conceptual plan regarding proposed independent living/low income housing project at 201 Concord Drive. **Harms moved, second by Bollig, to approve conceptual support of a proposed independent living/low income housing project as 201 Concord Drive. Motion carried 7-0.**
 - b) Park Board 3/4/09.
 - 1) Discussion and Possible Action regarding Oregon School District's request of transferring ownership of Huntoon Field from the Village to the School District. Gracz stated the Board should wait to make a motion on this until the Village has the agreement to make a decision on this. There was discussion.
 - 2) Discussion and Possible Action regarding Girls' Fast Pitch Softball request for fence line and dugouts for the Rustic Vineyard Park. **Harms moved, second by Poole, to approve installation of a foul line and outfield fencing with treated lumber benches for the players at Rustic Vineyard Park with Oregon Youth Baseball covering the cost and approval of using \$2,500 for the purchase of a back stop at Rustic Vineyards.** Poole asked if the money was in the budget and Groenier stated it was. **Motion carried 6-0.**
 - c) Finance Committee 3/16/09.
 - 1) Discussion and Possible Action regarding an OTIS Service and Repair Order—Order is asking for a 50% down payment. Below stated the Village is required to have the elevator hydraulic cylinder shaft inspected and this is an additional cost. There is a request to increase the

- agreement and pay half up front which is typically not done by the Village. **Motion by Bollig to approve the expense of \$317.00 for a down payment on a \$635.00 fee to Otis Elevator for inspection of the Village Hall elevator from the Village Hall Maintenance account. Second by Way. Bollig amended the motion to enter into an agreement with Otis Elevator to inspect the elevator in the Village Hall. Second by Way. Motion carried 6-0.**
- 2) Discussion and Possible Action regarding purchase of shop press and mower. **Groenier moved to approve purchase of a shop press at a cost of \$5,200 and mower in the amount of \$20,000. Second by Bollig. Motion carried 6-0.** Below noted Public Works is off 2 years in the rotation schedule and the mower they are getting rid of is 5-6 years old. It was noted these items are in the 2009 budget.
- 3) Discussion and Possible Action regarding US Cellular Blackberry Contracts.
This item will be discussed on a future agenda.
- 4) Discussion and Possible Action regarding 2008 Budget Transfer #9. This is to close out funds; an adjustment for the water utility tax payment and budgeting for insurance on the railroad. **Bollig moved to approve Budget Transfer #9 as presented. Second by Groenier. Motion carried 6-0.**
- d) Committee Minutes Not Requiring Action
1) Library Board 2/18/09
10. **UNFINISHED BUSINESS.** None.
11. **FUTURE AGENDA ITEM.**
a) Schedule League of Wisconsin Municipalities Mutual Insurance Company's Viewing of DVD on Public Officials' Liability. There was discussion to schedule a viewing of the DVD.
12. **EXECUTIVE SESSION.** At 9:20 p.m., the Village Board adjourned into closed session pursuant to Wis. Stats. §19.85(1)(c) permitting a closed session **to discuss road maintenance agreement negotiations with Lycon, negotiating a resolution to an elevation conflict between existing Verizon Duct Bank and to discuss property acquisition for extension of Braun Road and pursuant to Wis. Stats. §19.85(1)(c) permitting a closed session for considering performance evaluations on the Village Administrator and Department Heads on motion by Bollig, second by Poole. Roll call vote: Bollig – yes; Poole – yes; Lourigan – left meeting early; Way – yes; Groenier – yes; Harms – yes; Staton – yes. Motion carried 6-0.**
13. **ADJOURNMENT.** The meeting was adjourned in closed session at 9:38 p.m. on motion by Bollig, second by Groenier. Motion carried 6-0.

Respectfully submitted by
Peggy Haag,
Clerks Assistant III