

1. **CALL TO ORDER.** President Staton called the organizational meeting of the Village Board to order on Tuesday, April 21, 2009 at 6:00 p.m.
2. **ADMINISTER OATHS OF OFFICE.** Not necessary.
3. **ROLLCALL.** Present: Phil Harms, Eric Poole, Steve Staton and Randy Way, with Jon Lourigan arriving right after roll call was taken. Absent: Jerry Bollig, Darlene Groenier. Also present: Administrator Mike Gracz, Village Attorney Matt Dregne, Finance Director Renee Hoeft, Public Works Director Mark Below, Police Chief Doug Pettit and Village 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 order in which they are on the agenda.

4. **COMMUNICATIONS AND MISCELLANEOUS BUSINESS.**
 - a) **Transfer of Property to School District (from April 16th Special Planning Commission Meeting.**
 - 1) **Approval of Agreement Transferring Property to School District.** Representatives from the School District included: School Superintendent Brian Busler, Business Manager Andy Weiland, School Board President Doug Kornetzke, and Sports Booster Club Representative Wayne Mixdorf. A letter of support from the Oregon Athletic Booster Club was read into the record. It was noted that the School District has been maintaining the property since 1993. Discussion included: size of field, provides two competitive fields, whether or not there is a need for two competitive fields, the current soccer field will be upgraded first which includes drilling holes into the ground and filling them with a certain type of material, the multi-use path, upgrade to the parking area, whether fields will be available for public purposes if not being used by the School District, a map of the area was provided to Attorney Dregne and it was noted will be used as Exhibit A in the Agreement, square footage was discussed, it was noted the Village needs confirmation from the Department of Natural Resources as to whether the transfer is consistent with the terms of the initial property purchase, and concerns with stormwater were expressed (paragraph (f) on page 2 of the Agreement). Following discussion, **Way moved to approve the Agreement for the Transfer of Property to the School District contingent on confirmation from the Department of Natural Resources. Second by Poole. Lourigan moved to amend the motion to remove paragraph 3(f) dealing with stormwater. Second by Harms. Discussion continued. Roll call vote on amending the motion to remove paragraph 3(f): Way – no; Harms – yes; Lourigan – yes; Poole – no; Staton – no. Motion failed 2-3. Roll call vote on approving the Agreement for Transfer of the Property: Harms – yes; Lourigan – no; Poole – yes; Staton – yes; Way – yes. Motion carried 4-1 with Lourigan opposed.**
 - 2) **Approval of Final Certified Survey Map for Jaycee Park east of N. Perry Parkway. Lourigan moved to approve Final Certified Survey Map for Jaycee Park East of North Perry Parkway. Second by Poole. Roll call vote: Harms – yes; Way – yes; Poole – yes; Lourigan – yes; Staton – yes. Motion carried 5-0.**
 - b) **Discussion and Possible Action regarding Resolution #09-08 Authorizing the Submittal of a State Grant Application for a Stewardship Grant Project.** Gracz noted the application has to be submitted by May 1st, applications are scored, it is a 50/50 grant and similar to the grant for the Alpine Dairy property. Discussion included whether or not TIF funds could be used, TIF #3 would have to be amended (which will be discussed later on the agenda), the grant monies would be for the first segment of the path at a total cost of \$483,000, amendment of TIF #3 would have to go before the Joint Review Board, whether applying for the grant obligates the Village to the project, the Village will not know whether the grant is approved until fall of 2009. Hoeft went over the 2008 borrowing (pg.4 of the handout) noting that approximately \$100,000 is available, these monies could be held until fall when the Village knows whether the grant monies are awarded, and could use the monies for other projects in the TIF District. Following further discussion, **Harms moved, second by Way, to adopt Resolution #09-08**

authorizing the submittal of a State Grant Application for a Stewardship Grant Project. Motion carried 5-0.

- c) Discussion and Possible Action re: Baseball Fields in Rustic Vineyard Park and review of Emails from Rustic Vineyard Residents regarding Fields. Staton referred to the packet of information provided to the Board prior to the meeting which includes a number of emails regarding this issue and noted that this matter is being referred to the Park Board and will be on their May 6th agenda. Staton proposed that the key players on this matter develop a survey to be distributed in the neighborhood and a particular protocol to getting the information both to and from the residents in the neighborhood. Staton suggested that a letter or email be sent to be included in the Park Board packet indicating what the residents need from the Park Board. He then allowed input from members of the audience regarding this issue and there were speakers both for and against the playing field in the park. Speakers included: Dan Connery, 1010/1018 Vineyard Dr.; Tim Bales, 1135 Emily Circle; Dana Leikness as the Girl's Youth Softball Coach, Dan Dean as a Youth Baseball Coach, Pat McGuine, 5 Fairway Meadows Ct.; Marilyn Hendricks, 1033 Vineyard Dr.; John Bieno, 1817 Vineyard Dr., Dave Gratz, a Village resident; and Gene Bettinger, 785 Fairfax Ave. There was considerable discussion after which **Poole moved to approve one diamond in the current location in Rustic Vineyard Park with the remaining issues referred back to the May 6th Park Board meeting. Second by Harms.** Discussion continued regarding the survey, putting another diamond in that park, reviewing the report done by Vandewalle, whether or not there is interest in another diamond, the use of a practice field, what the field would be used for as a "practice field", and so forth. **Way moved to amend the motion to include: proceed with the option of one diamond or one diamond and one practice field based on the residents' survey. Second by Harms.** There was further discussion. **Way moved to amend the motion for the survey to include that the practice field would not be used for game play. Second by Harms.** Discussion continued. **Roll call vote on the amended motion to include a question on the survey to include one diamond or one diamond and a practice field with the practice field to be used for non-competitive play: Way – yes; Lourigan – no; Poole – no; Staton – yes; Harms – yes. Motion carried 3-2, with Lourigan and Poole opposed. Roll call vote on motion to approve one diamond in the current location with the survey question included from the prior motion, moving the backstop and the remaining issues referred to the May 6th Park Board meeting: Motion carried 5-0.** Staton clarified that the survey should say something to the effect of: do you favor having a second area as a practice area only and there was further discussion.

5. **NEW BUSINESS.**

- a) Review of Investments, Connection Fees, Impact Fees and Building Permits. Hoeft noted this includes permits through the end of March noting that the permit revenue budget has been reduced another one-third. There was discussion.
- b) Update on DNR & Grant Expenditures to Date. Hoeft stated this breakdown includes the cost to determine whether there is asbestos, there is still some shifting of funds that will occur, currently shows deficit of \$8,000, the two appraisals are being reviewed and there is still clarification needed and then the appraisals will be sent to the property owners. There was some discussion.
- c) Discussion and Possible Action on email from Dane County re: Request for Funding from Dane County for Purchase of Homes on Florida Avenue. Hoeft referred to the draft letter to Land & Water Resources—Dane County requesting funding for the purchase of the two homes on Florida Avenue. **Lourigan moved to authorize staff to send the letter to Dane County requesting funding for purchase of the homes on Florida Avenue. Second by Poole. Motion carried 5-0.**
- d) Discussion and Possible Action on 2009 and 2010 Budgets. Hoeft stated concerns with the 2009 and 2010 budgets noting revenues are decreasing by 1% while expenditures are increasing by 3%. State Shared revenue will decreased by \$12,000 in 2010, recycling grant monies received in 2009 decreased by \$5,500 and another decrease is anticipated in 2010, Wisconsin Retirement System anticipates an 8% increase in rates in 2010, health insurance costs increased 7% in 2009 and anticipated to increase 10% in

2010. Revenue from building permits has decreased significantly and investment income has decreased by approximately \$75,000. It is anticipated there will be a \$70,000 deficit in 2009. There was discussion.

- e) Discussion and Possible Action on Purchase of Video Recording Equipment. Pettit noted his request to purchase video and audio recording equipment for the Police Department. \$7,000 was budgeted in the 2009 police budget and Pettit just received word that a State grant in the amount of \$3,325 has been approved. **Poole moved, second by Harms, to authorize the purchase of video recording equipment for the Police Department as presented. Motion carried 5-0.**
- f) Discussion and Adoption of Identify Theft Prevention Program. Hoeft stated the Federal Trade Commission is requiring the adoption of an identify theft prevention program. The focus is on a person who creates an identity with the utility and uses that as proof for identification elsewhere—such as for voting registration or obtaining a bank account. There was discussion. **Harms moved, second by Way, to adopt the Identity Theft Prevention Program as presented.** It was noted this is a policy the Board will be asked to adopt every year. **Motion carried 5-0.**
- g) Discussion and Possible Action on Write-Off of Delinquent Personal Property Taxes. This is a request to write-off \$267.51 for delinquent personal property taxes. Hoeft explained the process and noted that if the delinquent amounts are collected later on, the other taxing entities receive that entity's portion. Following discussion, **Harms moved to write-off the delinquent personal property taxes in the amount of \$267.51. Second by Lourigan. Motion carried 5-0.**
- h) Update on Tax Refund Intercept Program (TRIP). Hoeft noted the monies collected from the TRIP program—\$14,223.23 in court fees and \$5,960.46 in delinquent utilities. There was discussion.
- i) Review of selected pages from the 2008 Public Service Commission Annual Report. Hoeft noted this report is due April 1st (annually) from the Public Service Commission. It shows 2007/2008 income and balance sheet items. Hoeft went over the rate of return (pg. 5) stating that the Village came in at 7.61% rate of return and noting that the 2009 simplified rate application is 7.4% which means that the Village could not request a simplified rate increase at this time. There was discussion.

It was agreed to hold items #j and k over to a future item when the Finance Chair can be present.

- j) Discussion and Possible Action on Water Utility Rates.
- k) Discussion and Possible action on starting disconnection process for failure to pay utility bills.
- l) Continued Discussion on Adoption of Room Tax and Providing Possible Direction to Staff. Hoeft provided a printout of an overview of room taxes and tourism development as well as a sample ordinance from the City of Verona. Following discussion, **Harms moved, second by Poole, to direct staff to work with the Village Attorney to draft an ordinance for a room tax. Motion carried 5-0.**
- m) Discussion and Possible Action on Chamber Request for Funding for Banners Use of TIF #3 Funds and Downtown Oregon Funds. Hoeft noted there is \$329.63 remaining in the Downtown Fund. The recommendation would be to allow the Chamber to use the Downtown Fund monies and monies from TIF #3 to help pay for the installation of flag/banners. Following discussion, **Lourigan moved, second by Harms, to use the TIF#3 Funds and Downtown Oregon Funds for the purchase of banners by the Oregon Chamber of Commerce. Motion carried 5-0.**
- n) Discussion and Possible Action on Amending TIF #3. Hoeft stated the quote from Ehlers to amend TIF #3 is \$12,000 noting that it costs almost as much to amend a TIF as it does to create it. The monies would come from the TIF. There was discussion. **Way moved to approve using Ehlers to amend TIF #3 in the amount of \$12,000. Second by Harms.** Changes that need to be made include (a) include a bike trail; (b) language clarification to move money between project lines; (c) look at the general TIF creation language to allow for more flexibility; (d) with more flexibility in reallocating

monies would allow for incentive monies. Discussion included the amount of time it would take to amend (a couple of months), whether to hold off with the current economy, need for the Village to have incentive for business to move into Oregon, could ask Jim Mann from Ehlers to come to a Board meeting to answer Board members' questions and so forth. It was agreed to have Jim Mann come to a future meeting and **the motion and second were withdrawn.**

- o) Discussion on Ruckert & Mielke's Wisconsin Community Development and Impact Fee Survey. For informational purposes. Since Oregon responded to the survey, the results are provided at no charge. There was discussion.
- p) Discussion and Possible Action on Disposal of Equipment. Staton referred to the additional list of property to be disposed of. **Poole moved, second by Lourigan, to approve disposal of the equipment as listed. Motion carried 5-0.**
- q) Discussion and Possible Action on Purchase of John Deere Mower and Shop Press. Below referred to the request for proposals to replace the mower (is 6 years old) and for a shop press. There was discussion. It was noted the items both came in below budget. **Harms moved, second by Poole, to approve purchase of the John Deere Mower and Shop Press. There was further discussion. Motion carried 5-0.**

6. **MISCELLANEOUS BUSINESS.**

- a) Discussion regarding Board Members Serving as Substitutes for Appointed Representatives on Village Boards and Commissions. Staton noted this was discussed with the Village Attorney who has advised that substitutes cannot make or vote on motions at Board or Commission meetings. There was discussion.

7. **CONFIRMATION OF APPOINTMENTS.**

- a) Announcement of Village President's Appointments: President Staton announced the appointments as follows:
 - 1) Finance, Buildings & Facilities – **Bollig (Chair), Poole, Groenier**
 - 2) Personnel, Public Safety – **Poole (Chair), Harms, Bollig**
 - 3) Public Works & Utilities – **Lourigan (Chair), Harms, Way**
 - 4) Planning Commission – **Harms, VB Rep**
 - 5) Library Board – **Way, VB Rep**
 - 6) Community Development Authority – **Groenier and Lourigan, VB Reps**
 - 7) Historic Preservation Commission – **Harms, VB Rep**
 - 8) Park Board – **Lourigan, VB Rep**
 - 9) Zoning Board of Appeals – **Lourigan, VB Rep**
 - 10) Cable TV Committee – **Harms, VB Rep, Way, Education Rep**
- b) Nomination and Appointment of Vice-President. It was determined to hold off on this until Groenier and Bollig are present.
- c) Board President's Recommended Appointments to Committees, Commissions and Boards Requiring Board Approval: President Staton read the following list of recommended appointments:
 - 1) Planning Commission members Scott Meier(for 3-year term) and Doug Brethauer (alternate for 1-year term)
 - 2) Library Board members Suzanne Cowan and Mary Statz (for 3-year terms)
 - 3) Community Development Authority member Scott MacWilliams (for 4-year term)
 - 4) Historic Preservation Commission members Joan Gefke and Steve Peotter (3-year terms) and Mike Kleisch (1-year term- Ad-Hoc Member)
 - 5) Police Board of Commissioners member Arthur Kurtz (5-year term)
 - 6) Park Board members Dan Olson (3 year term) and Brett Subach (1 year term)
 - 7) Zoning Board of Appeals members John Deininger, Dennis Staskal and Douglas Tucker (for 2-year terms)

- 8) Board of Review: Jerry Bollig, Eric Poole, Darlene Groenier, Randy Way and Georgia Johnson (1-year terms)
- 9) Cable TV Committee members, Steve Scales and Ron Vernon (for 1-year terms)
- 10) Fire/EMS District Commission members Jon Lourigan and Eric Poole
- 11) Fire/EMS Joint Board members Aaron Tomlinson and Cheryl Endicott (1-year term)
- 12) Oregon Council on Aging member Darlene Groenier (1-year term)
- 13) Village/School District Cooperation Committee members Darlene Groenier (VB Rep) and Mike Gracz (Village Administrator) (1-year term)
- 14) Doug Pettit (Police Chief) as member of Oakhill Advisory Committee and Oak Hill Master Plan Committee (1-year term)
- 15) Staton referred to page 6 of the appointment listing and stated the following appointments are 1-year appointments and require Board approval:
 - a. Village Attorney, Matt Dregne and Richard Yde, Stafford Rosenbaum LLP
 - b. Prosecution Attorney, Timm Speerschneider
 - c. Cemetery Superintendent & Sexton, Mark Below
 - d. Forester and Weed Commissioner, Mark Below
 - e. Building Inspector (Public, Commercial & Residential), Mike Kleisch
 - f. Zoning Administrator, Mark Below
 - g. Zoning Administrator Alternate, Mike Kleisch

Lourigan moved to approve the Board President's recommended appointments—agenda items #1 through #14. Second by Harms. Trustee Way noted that he would be abstaining from the vote for appointments to the Fire/EMS District Commissions (items #10 and 11). **Lourigan amended the motion to approve agenda items #1-9 and #12-15. Harms seconded. Motion carried 5-0.**

Lourigan moved to approve agenda items #10 and #11, second by Harms. Lourigan noted that the EMS/Fire Commission meetings have been moved to Monday nights. There was discussion and it was concluded that Lourigan would re-address this with the Commission in that Village Board meetings are on Monday nights which creates a conflict for the Board representatives to be present at the Fire/EMS meetings. **Motion carried 4-0-1, with Way abstaining.**

8. **DESIGNATION OF OFFICIAL NEWSPAPER AND LEGAL POSTING AREAS.**

- a) Official Newspaper. Way moved, second by Poole, to approve the Oregon Observer as the Village's official newspaper. Motion carried 5-0.
- b) Legal Posting Areas. Poole moved, second by Lourigan, to approve Village Hall, the Public Library and the Post Office as the Village's legal posting areas. Motion carried 5-0.
- c) Resolution #09-14, Designation of Financial Institutions/Depositories and Authorize Account Signers. Staton noted Resolution #09-14 designates the Village's financial institutions and authorizes the account signers. Hoeft noted the Deputy Clerk/Deputy Treasurer needs to be added to the resolution. **Harms moved to adopt Resolution #9-14 with the change as indicated. Second by Poole. Motion carried 5-0.**

9. **GENERAL DISCUSSION.**

- a) General Board Activities, Issues and Goals. There was no discussion.

10. **ADJOURNMENT.** The meeting was adjourned at 9:15 p.m. on motion by Poole, second by Lourigan. **Motion carried 5-0.**

Submitted by
Georgia Johnson,
Village Clerk