

1. **CALL TO ORDER.** President Staton called the special meeting of the Village Board to order on Monday, May 11, 2009 at 5:35 p.m.
2. **ROLLCALL.** Present: Jerry Bollig, Darlene Groenier, Phil Harms, Jon Lourigan, Eric Poole and Steve Staton, with Randy Way arriving later. 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.*

3. **PUBLIC APPEARANCES AND PUBLIC HEARINGS.**

a) Village Attorney.

- 1) Discussion and Possible Action re: Assignment of Developer's Agreement for Drumlin Addition to Alpine Meadows. At its meeting on May 7, 2009, the Planning Commission sanctioned the developer's conceptual plan. It was noted discussion of items #a (1) and (2) could be combined because of the street light issue and the sidewalks in that the Assignment Agreement addresses both issues. Jerry Luebke, President of the Oregon Community Bank & Trust, and Ron Klaas, (Engineer), were present. There have been some changes to the Assignment Agreement and Luebke stated they have no problem with the changes. [Way arrived at 5:40 p.m.] Dregne stated the Oregon Community Bank & Trust assumes all responsibility under the previous Developer's Agreement. Discussion included clarification that rather than 50 condominiums there will be 17 residential lots, the general development plan will be reviewed by the Planning Commission and come back to the Board in the future and it was noted this is a much better plan especially for stormwater management.
- 2) Review of Proposed Revisions to the Drumlin/South Pointe Condominiums Plats. (from May 7<sup>th</sup> Planning Commission Meeting – Conceptual Discussion with Developer.) Staton noted the Planning Commission reviewed the revisions. Discussion followed including PUD zoning allows for sidewalk on one side of the street, the fact that the streets are narrower, need to address use of emergency vehicles, use of restricted parking on one side of the street, will be providing a general development plan at which time these concerns can be answered. Dregne noted there was no action necessary on the plat revisions. Discussion continued.

Following discussion, **Lourigan moved to approve the Assumption Agreement as discussed. Second by Way. Motion carried 7-0.**

b) Jim Mann from Ehlers & Associates.

- 1) Amending TIF #3 and #2 and Possible Action on Amending TIF #3 and #2. Jim Mann from Ehlers & Associates presented Ehlers' proposal for amending TIF #3 noting that it restates some of the projects and allows for more flexibility. The same procedure is necessary for creating or amending TIF districts and went over the procedure. The difference is that the State does not require any waiting period after the Board acts on the amendment. There was discussion. The revision would restate the project scope to clarify dollar amounts for TID eligible expenses, would allow for developer incentives (is currently unable to) and so forth. Regarding amending TIF #2, Hoeft explained it would allow for revenue sharing between the TIFs for a 3-4 year period to help with cash flow issues. There was discussion. There would be a cost savings by having both TIFs amended at the same time. Discussion continued. **Harms moved to authorize Ehlers & Associates' proposal to amend TIF#3 and to include amending TID #2. Second by Bollig. Motion carried 7-0.**
- 2) Flyer from Ehlers on Proposed Distressed TID Legislation. For informational purposes. There was discussion.

- c) John Bonsett-Veal on Update from WOW on Generating Income. Staton noted this will be placed on a future agenda following the submission of a business plan.

4. **APPROVAL OF MINUTES**. There were none.

5. **APPROVAL OF VOUCHERS**.

- a) Follow-up to Discussion re: Alliant Bill from May 4<sup>th</sup> Meeting. There was discussion regarding the \$9,000 on the April billing and it was noted it is for Building #60 which houses the SCADA system which is expensive. It was noted there is some fluctuation of the amount for certain periods.

6. **COMMUNITY INPUT**. There was none.

7. **PROCLAMATIONS AND ANNOUNCEMENTS**.

- a) Village Board Comments. Staton stated there was a good turnout for the bike/pedestrian path forum.

b) Staff Comments.

- 1) Update on RTA Legislation. Gracz verified the legislation regarding sales tax would be strictly for light rail noting there is a movement to get the legislature to review the legislation. It was clarified it affects only those within the MPO.

8. **COMMUNICATION AND MISCELLANEOUS BUSINESS**.

a) Director of Public Work's Report.

- 1) Discussion regarding Installation of Sidewalks on N. Main Street. Reference was made to Kevin Lord's email regarding snow storage. There was discussion. It was noted the Final Resolution will be on the May 18<sup>th</sup> Board agenda.
- 2) Planting and Watering Schedule for Downtown Planters and Punch List – Below. Below stated the contractor is responsible for the planting and watering and was including as part of the contract. There was discussion.
- 3) Continuing Discussion on Elimination of Curbside Pickup for Brush and Leaves. There was considerable discussion including the need to look into options for leaf and brush pickup, the cost of the programs and the affect on the budgets, how other municipalities handle pickup of brush and leaves, whether or not these are services the Village can afford to continue or should it look at eliminating, look into what Pellitteri would charge for leaf pickup and brush pickup, Pellitteri currently services Fitchburg, whether it would be a line item on the tax bill, could the Village do its own composting, the cost of doing composting including picking up leaves, managing the site, grinding the compost and disposing of it, how long the program has been in effect in the Village, and so forth. It was concluded that staff would contact Pellitteri and get separate estimates for brush and leave pick up. It was noted the second meeting of each month there will be discussion on the 2010 budget. Discussion continued.

b) Possible Action on Disconnection for Failure to Pay Municipal Services Bill. Hoeft went over the increase in delinquent utility bills noting that a total of \$17,000 is still outstanding from 2008 and an additional \$11,000 is due for the first quarter in 2009. There was discussion regarding the possibility of disconnecting service for outstanding amounts over a certain dollar amount, the need to send out letters to those facing the possibility of disconnection, what dollar amount to use as a cut off, delinquent utilities collected from placement on the tax roll, use of a deferred payment agreement and the fact that the Village's utilities are governed by the Public Service Commission.

c) Discussion and Possible Action on Water Rate Increase. Hoeft noted we are not looking at raising the water rates at this time. The last rate increase was in March of 2004. Hoeft stated the Village's rate of return came in at 7.61% and the 2009 simplified rate application is 7.4% which means that the Village could not request a simplified rate increase at this time.

Hoelt stated items 8(b) and (c) are related noting that the TRIP program was implemented last year which has proven to be beneficial. Following discussion it was agreed that staff will provide a policy for disconnection.

- d) Update on Expenditures for DNR and FEMA Grants and Projected Total Costs.
  - 1) Copies of Revised Appraisals for 340 and 370 Florida Avenue (FYI only) – Waiting for DNR Review. Gracz referred to the two revised appraisals. The DNR has to agree with the appraisal revisions after which Attorney Dregne would prepare offers to purchase both properties. There was discussion. Gracz noted that as soon as the Offers to Purchase are prepared they will be processed.
  - 2) Schedule for Moving Homes on Florida Ave. and N. Burr Oak. It is anticipated that offers to purchase could be finalized next week. It was noted the homes will be moved to Manitowoc. There was discussion. It was noted they starting moving the N. Burr Oak property today.
- e) Review of Investments, Connection Fees, Impact Fees and Building Permits. There was discussion.
- f) Discussion on Adoption of Room Tax – Village Attorney is Working on Ordinance for June 8<sup>th</sup> Meeting. For informational purposes.
- g) Discussion of Annual TIF Reports. For informational purposes. There was some discussion.
- h) Number Not Used.
- i) Discussion and Possible Action on Write Off Utility Bill due to Bankruptcy. **Bollig moved, second by Harms, to write off the amount of \$424.26 discharged by the Bankruptcy Court.** Hoelt noted the only time the Village can write off delinquent utility amounts is when the Bankruptcy Court discharges the debt. There was discussion including the increase in bankruptcies. **Motion carried 7-0.**
- j) Discussion on Mailing of 2009 Assessment Notices by May 19, 2009 and Impact on Individual Tax Bill. Johnson noted the assessment notices will be mailed out on May 19<sup>th</sup> by the Assessor. They will be sent out in Village envelopes with a notation “Annual Assessment Information”. Hoelt went over the comparison of changes in assessed values and impact on tax rates. There was discussion.
- k) Discussion and Possible Direction to Staff on 2009 General Fund.
  - 1) Rescind Motion to Fill Vacant Front Office Position. Gracz requested an official motion to rescind the motion to fill the front office position. There was discussion including the dividend check received from the League of Wisconsin Municipalities Mutual Insurance in the amount of \$21,626.00 which will reduce the current anticipated deficit in 2009, the percentage of permit and license fees received to date, the article regarding the reduction in Dane County’s projected building permits and loss of investment income. Following discussion, **Bollig moved, second by Lourigan, to rescind the motion to fill the front office position. Motion carried 7-0.**
  - 1) Discussion and Possible Direction to Staff on 2010 Budget. Staton noted the Village Attorney has advised the Board not to include any discussion on union matters in this discussion. Gracz noted there will be another reduction in State shared revenues, (should have numbers in the next week), the recycling grant may be reduced to \$40,000, the Village will not qualify to receive expenditure restraint grant monies and could lose up to 5% in transportation aids. Reference was made to the handout regarding initial thoughts on how to cover 2010 deficit, the department heads have been discussing and are looking into possible suggestions and ideas. Listed are: not filling the front office position (action already taken), not to fill the additional possible vacancy, reduce capital budgets, the savings of laying off one person (after paying unemployment and COBRA), not hiring summer staff for mowing, the possibility of staff taking days off without pay, cut in Senior Center budget and only giving the Library the levy limit requirement. There was discussion.

- m) Discussion on Letter to Charter. It was noted this has not been completed. The Village Attorney had drafted a letter back in June of 2008 to Charter and they have not responded. Gracz will include another request in the letter he prepares. There was a brief discussion.
- n) Status of Charter Bankruptcy Notice. There was discussion including the hiring of an attorney to look at the bankruptcy, the attorney has advised it is difficult to do that because of the type of bankruptcy filed—Charter filed a pre-approved bankruptcy where all the bond holders have been negotiated prior to filing, the Village will continue to receive the franchise fees, and the attorney advised the Village continue to monitor the bankruptcy but attorney involvement at this time is not necessary.
- o) Discussion on Email from Tom Davidson about Small Town Cable Access Alternative – Refer to Cable Committee. For informational purposes only at this time.
- p) Discussion on Moving Public Work’s Meeting to May 19<sup>th</sup>. Following discussion, it was agreed to start the meeting at 5:45 p.m. on the 19<sup>th</sup> (Tuesday).
- q) Discussion on moving May Personnel & Public Safety Meeting to May 18<sup>th</sup> at 5:15 p.m. There was no problem with holding the Personnel Committee meeting prior to the Village Board meeting on the 18<sup>th</sup>.
- r) Possible Action on 2009 Budget Transfer #2. Hoeft went over the budget transfer noting it is to remove the planner from the budget and the front office position, includes an investment adjustment, etc. **Poole moved to approve Budget Transfer #2 as presented. Second by Harms. Motion carried 7-0.**
- s) Update on Collections from Kathleen Kraus a/k/a Kathleen Naylor. There was some discussion including the outstanding balance is \$2,600, this provides for a 13 week extension of the wage assignment, how much has been spent on this matter since it occurred and so forth.
- t) Copy of Delinquent Personal Property Taxes Published in Oregon Observer. For informational purposes.
- u) Senior Center will be Closed Tuesday June 9<sup>th</sup> for a Staff In-Service Day. For informational purposes.
- v) 2008 Dividend of League of Wisconsin Municipalities Insurance Fund. As noted above, this check improved the 2009 general fund numbers.
- w) Discussion and Possible Action regarding the Town of Oregon Comprehensive Plan. There was discussion noting this was discussed at the Planning Commission meeting, the Town has made the change from agricultural preservation to rural preservation and it is recommended the Village send a letter to Dane County stating its support of the Town’s Comprehensive Plan. **Bollig moved, second by Harms, to approve sending a letter to Dane County supporting the Town of Oregon’s Comprehensive Plan. Motion carried 7-0.**

9. **UNFINISHED BUSINESS.**

10. **FUTURE AGENDA ITEMS.**

- a) Schedule League of Wisconsin Municipalities Mutual Insurance Company’s Viewing of DVD on Public Officials’ Liability.
- b) Brian Busler, Oregon School District Superintendent, to Attend May 18<sup>th</sup> Board Meeting.
- c) Possible Offers of Purchase of Homes on Florida Avenue and Authorize Village Staff to Execute Documents (due to potential scheduling conflicts).

11. **CLOSED SESSION.** It was not necessary to have a closed session.

12. **ADJOURNMENT.** The meeting was adjourned at 7:55 p.m. on **motion by Bollig, second by Lourigan.**  
**Motion carried 7-0.**

Submitted by  
Georgia Johnson,  
Village Clerk