

1. **CALL TO ORDER**. President Staton called the regular meeting of the Village Board to order on Monday, June 1, 2009 at 6:00 p.m.
2. **ROLLCALL**. Present: Darlene Groenier, Jon Lourigan, Eric Poole, Steve Staton and Randy Way, with Jerry Bollig arriving a few minutes late. Absent: Phil Harms. Also present: Finance Director Renee Hoeft, Public Works Director Mark Below and Village Clerk Georgia Johnson.

It was agreed to wait for Bollig to arrive for item 3a).

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

a) **Finance Director Report**. Hoeft referred to the summary sheet regarding the offers to purchase 340 and 370 Florida Avenue. The Village has been talking to Dane County staff regarding the process for reimbursement from the County. First the Village needs to make offers to purchase the properties, and title work needs to be done—both need to be sent to the County; after the County receives the offers and title work, it will go to the County Board—possibly as early as June 4th. The County Board would then assign it to committees at the County level and after the committee meetings would come back to the County Board either July 16th or possibly August 6th (at the latest). Hoeft stated the County staff does not have any problems with the grant noting that it was not included on the list of items the Chair of Finance was looking at. The staff recommendation is to make an offer to purchase for 340 Florida Avenue without any contingency on the County Grant funding and to make an offer to purchase on 370 Florida Avenue contingent on the County approving the reimbursement of approximately \$165,000.00. The Nimocks have found a house they want to purchase and they are asking the Village to purchase their home now (340 Florida Avenue). The Village has \$55,000 of DNR money remaining which would be used on the purchase of 340 Florida Avenue. Hoeft reiterated that until the Offers to Purchase and title work are sent to the County, we will not know if we have the grant from the County Board.

1) **Discussion and Possible Action re: Real Estate Purchase Agreements for 340 and 370 Florida Avenue**. Discussion included whether the homeowners are in agreement with the offers to purchase – the Nimocks received a copy approximately ten days ago, the McAllisters got it on Saturday; there has been a change in how the initial dollars are used for funding but when its all done—complete with the County funding—the dollar amount is still the same; no taxpayer dollars are being used for the purchases; if the County funding does not come through Village funds would be used to buy the lowest elevation house and additional funds would have to be found to buy the last house; it was noted there is a change in the Real Estate Purchase Agreement for 370 Florida Avenue changing the wording in the last sentence in paragraph 2 to: in an amount not less than \$165,000.00, “which Buyer is authorized to use for the purchase of the property”.

a. **Bollig moved to approve and authorize execution and delivery of the Real Estate Purchase Agreement for 340 Florida Avenue. Second by Lourigan. Roll call vote: Way – yes; Lourigan – yes; Poole – yes; Staton – yes; Bollig – yes; Groenier – yes. Motion carried 6-0.**

b. **Lourigan moved to approve and authorize execution and delivery of the Real Estate Purchase Agreement for 370 Florida Avenue contingent on Dane County awarding a grant in the total amount of \$165,000.00. Second by Way. Roll call vote: Way – yes; Lourigan – yes; Poole – yes; Bollig – yes; Groenier – yes; Staton – yes. Motion carried 6-0.**

4. **APPROVAL OF MINUTES**. None available.

5. **APPROVAL OF VOUCHERS**. Poole moved, second by Lourigan, to approve the payment of vouchers for the General Operating Fund in the amount of \$150,728.62 per the revised list dated June 1, 2009. [Bollig arrived at 6:02 p.m.] Roll call vote: Way – yes; Lourigan – yes; Poole – yes; Staton – yes; Bollig – yes; Groenier – yes. Motion carried 6-0.

6. **COMMUNITY INPUT.** Linda McAllister, 370 Florida Avenue, spoke to concerns with the lack of maintenance of the lot at 360 Florida Avenue and requested the Village to cut the weeds and trim the grass and to keep it maintained. There was discussion. It was agreed that would be taken care of this week and put on a schedule to be done throughout the summer.
7. **PROCLAMATIONS AND ANNOUNCEMENTS.**
 - a) Village Board Comments. Groenier noted that the houses that are being moved are being moved to Brooklyn, Plain and Cottage Grove and not to Manitowoc as originally planned.
 - b) Staff Comments.
 - 1) Notices of Assessment Mailed 5/19/09 and 5/20/09. Johnson noted Open Books hours are Wednesday, June 3rd, from 12:00 to 7:00 p.m. and Thursday, June 4th, from 8:00 am to 3:00 pm. Anyone interested in meeting with an assessor to discuss their assessment can either make an appointment or come to the Village Hall during those hours.
 - 2) Below noted the homes will be moved during the night—probably after eleven or twelve o'clock. There was a brief discussion.
8. **COMMUNICATION AND MISCELLANEOUS BUSINESS.**
 - a) Discussion and Possible Action regarding Donating Ice Skate Rink's Boards to Oregon Community Sports Arena, Inc. (OCSA) for Public Skating Rink on OCSA's property. The Village used to maintain these boards but OCSA contacted Below and it makes more sense for them to keep them. **Bollig moved to donate the skating rink boards to the Oregon Community Sports Arena for use on OCSA's property for the public skating rink. Second by Poole.** The boards then become the property of the Oregon Community Sports Arena, should the Village have something in writing from OCSA, there will be public skating that will be free and open to the public, and whether to include that as part of the motion. **Bollig amended the motion to include that the skating will be free and open to the public. Second by Poole. Motion carried 6-0.**
 - b) Discussion and Possible Action regarding Searl Electric's Request re: Upgrade and Redo Wiring/Lighting at the Tennis Courts. Below noted this was discussed last fall and the Park Board approved it. It is to upgrade and redo the wiring and lighting at the tennis courts, funds will be taken from the Park Funds, they will be putting in motion lights and some rewiring and the life of the equipment is 10-20 years. **Lourigan moved to approve Searl Electric's proposed to upgrade the wiring and lighting at the tennis courts. Second by Groenier.** It was noted this will include the skate board park as well. **Motion carried 6-0.**
 - c) Discussion and Possible Action regarding Granting Permission to Land Blackhawk Helicopter for Oregon Safety Camp June 16th. Johnson noted there was not time to get Park Board approval prior to the event and the Board is being asked to approve it tonight. **Bollig moved, second by Poole, to grant permission to land the Blackhawk helicopter for the Oregon Safety Camp on June 16th.** Below referred to a similar landing a few years ago noting that Board members were not aware of it so this is also to advise the Board of the landing. **Motion carried 6-0.**
 - d) Discussion and Possible Action re: Request of Isaac Lindert for Eagle Scout Project in front of the Public Works Building. Below stated this is an Eagle Scout Project requested by Isaac Lindert, he would be putting in a rain garden at the Public Works building, Lindert has already raised around \$700 toward the cost of the project, it is anticipated the cost will be around \$1,000, the Public Works crew will be assisting with some of the work, the size of the garden will be approximately 30' x 40', Below has met with Lindert and approved the plan. There was discussion. **Lourigan moved to approve the request of Isaac Lindert for the rain garden project at the Public Works building. Motion carried 6-0.**
 - e) Discussion and Possible Action re: Approve Proposals from Utility Companies for Relocation of Utility Pole at the Corner of Spring and Janesville Streets. It was noted items #1 and #2 are for a project that was discussed at the Downtown Ad Hoc Committee meetings regarding moving the canon giving it a

more formal setting and which would require moving the utility pole. These are the proposals from the utility companies to move the pole.

- 1) Proposal from Alliant Energy in the amount of \$10,115.10. **Poole moved to approve the proposal from Alliant Energy in the amount of \$10,115.10 to relocate the utility pole at the corner of Janesville and Spring Streets. Second by Bollig.** Following discussion, **motion carried 6-0.**
 - 2) Proposal from Charter Communications in the amount of \$11,900.00. It was noted the actual cost from Charter is for \$11,590.93. **Bollig moved to approve the proposal from Charter Communications in the amount of \$11,590.93 to move the wires to relocate the utility pole at the corner of Janesville and Spring Streets. Second by Groenier.** There was discussion including whether the wiring should be underground, the cost to put in underground wiring was estimated to be approximately \$140,000 when it was discussed at the Ad Hoc meetings, where the pole will be relocated to, funding is coming from the downtown TIF monies, whether to delay approving the motion to take a thorough look at putting in underground wiring, whether a delay would hinder Phase II of the downtown, and so forth. It was concluded to withdraw the motion and put this on a Special Board meeting for June 22, 2009. **Bollig withdrew the motion and Poole the second.**
 - 3) Proposal from Verizon in the amount of \$30,000.00. Below noted the recommended motion is worded incorrectly. The work is to bury the wires behind Village Hall which requires relocating the pedestal. Below referred to the drawing provided. Following discussion, **Bollig moved to approve the proposal from Verizon in the amount of \$30,000.00 to relocate the electric pedestal—the wiring—behind Village Hall. Second by Poole.** There was further discussion. **Motion carried 6-0.**
 - f) Discussion and Possible Action regarding Amendment to Best Flex Plan. Johnson referred to the memorandum stating this is to amend the Section 125 Cafeteria Plan with regard to enrollment under the Children's Health Insurance Program to change eligibility requirements to allow additional event dates for enrollment. **Poole moved, second by Lourigan, to authorize the Village President to sign the Amendment to the Best Flex Plan to be attached to the Plan dated 11/2/2006. Motion carried 6-0.**
 - g) Discussion and Possible Action regarding Rescinding Ordinance #93-05 Creating a Procedure for Annual Review and Evaluation of Village Department Heads. It was noted this is coming from the Personnel Committee meeting of May 18th. Staton noted there will be a new ordinance coming to the Board regarding a procedure for annual review and evaluations. **Poole moved to approve rescinding Ordinance #93-05 regarding the annual review and evaluation procedure for department heads. Second by Groenier. Motion carried 6-0.**
9. **REPORT OF COMMITTEES.**
- a) Public Works & Utilities 5/19/09.
 - 1) Discussion and Possible Action re: Letter from CARPC regarding Shared Cost for Ground Water Modeling. **Lourigan moved to approve funding for ground water modeling in the amount of \$6,421.00. Second by Bollig.** This will help determine ground water elevations throughout the Village. Funding was budgeted for—over a two year period. Following discussion, the **motion carried 6-0.**
 - 2) Discussion and Possible Action re: Agreement from Dane County Fly 2009/2010. **Lourigan moved, second by Way, to approve the agreement from Dane County Fly 2009/2010 in the total amount of \$29,191.90 and authorize the Board President to sign the Agreement.** Below noted this was discussed and approved during the budget process, a portion of the cost was included in the 2009 budget with the remainder in the 2010 budget, this will help Village engineers and planners with contours and elevations in and around the Village. There was discussion. **Motion carried 6-0.**

- 3) Discussion and Possible Action re: Ruckert Mielke letter regarding Market Street Relief Storm Sewer. **Lourigan moved to deny Tri County Paving, Inc.'s proposal for Market Street relief storm sewer. Second by Bollig.** There was discussion including this is the second part of the contract and the Committee recommended denial of the proposal. **Motion carried 6-0.**
- 4) Discussion and Possible Action re: 2009 Street Repairs. This is for mill and overlay work in 2009 in the amount of \$79,600. **Lourigan moved, second by Bollig, to approve the 2009 street repairs in the amount of \$79,600.** It was noted this is budgeted for and will cover Shady Oaks Lane and Timber Ridge. Initially it was planned to do four streets, but with costs having increased, only two streets can be done this year. **Motion carried 6-0.**
- 5) Discussion and Possible Action re: Change Order #3 from Parisi Construction regarding Phase 2 of the Downtown Project. **Lourigan moved to approve Change Order #3 from Parisi Construction for a credit amount of \$4,180.00. Second by Bollig. Motion carried 6-0.**
- 6) Discussion and Possible Action re: Adding wayfinding signs to downtown signs for Library and Senior Center buildings. **Lourigan moved to approve adding additional wayfinding signs to the downtown for the Library and Senior Center buildings. Second by Way.** It was noted funds will come from TIF #3 and will be added to the downtown signage already there. **Motion carried 6-0.**
- 7) Discussion and Possible Action re: Change Order #3 for the 72-inch Storm Sewer Replacement. **Lourigan moved, second by Groenier, to approve Change Order #3 from Advance Construction in the amount of \$16,461.46.** This is part of the 72-inch storm sewer replacement and includes a number of modifications. Below noted this should be close to being completed. **Motion carried 6-0.**
- 8) Discussion and Possible Action re: Ordinance Updating Sec. 8.078 regarding snow and ice removal. **Lourigan moved, second by Bollig, to accept the 1st reading of Ordinance #09-02 amending Section 8.07 of the Municipal Code relating to snow and ice removal.** There was discussion regarding the changes made, the snow and ice removal code needed to be updated to clean up definitions and to require cleaning around fire hydrants and so forth. It was noted this also gives more substance to the code as far as enforcement. **Motion carried 6-0.**

- b) Committee Minutes Not Requiring Action.
 - 1) COA 4/9/09

10. **UNFINISHED BUSINESS.**

11. **FUTURE AGENDA ITEMS.**

- a) Schedule League of Wisconsin Municipalities Mutual Insurance Company's Viewing of DVD on Public Officials' Liability.
- b) Discussion and Possible Action re: Annual Renewal of Liquor Licenses. Johnson noted approval of the licenses will be on the June 15th agenda.

12. **ADJOURNMENT.** The meeting was adjourned at 6:52 p.m. on **motion by Bollig, second by Lourigan.**
Motion carried 6-0.

Submitted by
Georgia Johnson,
Village Clerk