

1. **CALL TO ORDER.** President Staton called the regular meeting of the Village Board to order on Monday, June 22, 2009 at 5:00 p.m.
2. **ROLLCALL.** Present: Darlene Groenier, Phil Harms, Eric Poole, Steve Staton and Randy Way. Absent: Jerry Bollig and Jon Lourigan. Also present: Village Administrator Mike Gracz, Finance Director Renee Hoeft, Police Chief Doug Pettit, Public Works Director Mark Below, Library Director Susan Santner and Village Clerk Georgia Johnson.
3. **APPROVAL OF VOUCHERS.** Poole moved, second by Groenier, to approve the payment of vouchers for the General Operating Fund in the amount of \$42,704.02 per the list dated June 22, 2009. Roll call vote: Groenier – yes; Way – yes; Staton – yes; Poole – yes; Harms – yes. Motion carried 5-0.
4. **CONTINUED DISCUSSION AND POSSIBLE ACTION ON DISCONNECTION FOR FAILURE TO PAY MUNICIPAL SERVICES BILL.** Hoeft noted the process for disconnection notices as follows: the notices will be sent out on Friday, June 26<sup>th</sup>, the following week staff will try to call everyone, on July 6<sup>th</sup>, Water Department staff will start marking the curb stops at those residences that water will be shut off, and the shut offs taking place on the 7<sup>th</sup> to 9<sup>th</sup>. It was noted if there is a heat advisory by the National Weather Service, the water cannot be shut off. There are currently 28 notices going out. The Public Service Commission (PSC) has advised that the Village would have to go through a rate review to increase the after hour fee as discussed at the meeting June 8<sup>th</sup>. There was discussion.  
  
*The Board approved moving agenda items around as necessary.*
5. **DISCUSSION OF DANE COUNTY BOARD'S ENVIRONMENT, AGRICULTURE AND NATURAL RESOURCES COMMITTEE'S APPROVAL VOTE OF RESOLUTION AUTHORIZING FLOOD DAMAGE ASSISTANCE TO THE VILLAGE—NEXT COUNTY BOARD MEETING—PERSONAL & FINANCE COMMITTEE ON JULY 6<sup>TH</sup> AT 5:30 P.M.** For informational purposes only. There was some discussion and Staton noted he could attend the meeting on July 6<sup>th</sup>.
6. **DISCUSSION OF DOWNTOWN WATER TOWER STRUCTURAL ANALYSIS REPORT AND COMMUNICATION FROM WISCONSIN NATIONAL TRUST FOR HISTORIC PRESERVATION.** It was noted a motion will be coming from the Historic Preservation Commission's June 18<sup>th</sup> meeting to proceed with looking for grant monies to cover the cost. There was some discussion.
7. **DISCUSSION AND POSSIBLE ACTION REGARDING RESOLUTION #09-18 VILLAGE OF OREGON'S ESTABLISHMENT OF VOLUNTARY UNPAID LEAVE PROGRAM FOR 2009 DUE TO BUDGET DEFICIT.** The Board has been talking about the deficit in 2009 that results from the decrease in building permit revenue and investment income. Gracz noted if the Resolution is approved, a memorandum will go out to all employees with the voluntary unpaid leave information on Friday. **Harms moved, second by Groenier, to adopt Resolution #09-18 establishing a voluntary unpaid leave program for 2009.** The Village is looking at between \$60,000-\$70,000 deficit. Poole asked how much adding the part time position to the Clerk's office will add to that deficit. It is estimated \$4,000 is the cost for the position with some of that being charged to sewer and water, there will be a reduction in the overtime at the Police Department, so the actual dollar cost is about \$700. There was discussion. Gracz noted the July 20<sup>th</sup> Board meeting is when staff will provide its proposal on how to deal with the 2009 deficit. There was further discussion. **Motion carried 5-0.**
8. **DISCUSSION AND POSSIBLE ACTION REGARDING AWARDING 2009 SIDEWALK PROGRAM TO RENNHACK CONSTRUCTION IN THE AMOUNT OF \$23,673.07.** Below noted the bids were opened on Thursday, the low bid was Rennhack Construction and he recommended approving

the bid at a cost of \$23,673.07. It was noted this is the area up by Bill's Shopping Center. **Poole moved to award the contract for the 2009 sidewalk program to Rennhack Construction in the amount of \$23,673.07. Second by Harms.** There was a brief discussion including where the funds would come from and whether property owners have been notified. **Motion carried 5-0.**

9. **DISCUSSION AND POSSIBLE ACTION REGARDING ADOPTING RESOLUTION #09-19— COMPLIANCE MAINTENANCE ANNUAL REPORT AND DISCUSSION OF INSPECTING SUMP PUMP DISCHARGES.** Harms moved, second by Poole, to adopt Resolution #09-19, the **Compliance Maintenance Annual Report.** Below stated this report is done every year as required by the Department of Natural Resources to comply with the District permit for the wastewater treatment facility and is a form of report card for the Village. He referred to the last page under influent flow and loadings the Village received a Grade C. The plant was over its inlet inflow to the WWTP building – exceeded the number of gallons. Below noted that in early 1990 the department did an actual house to house inspection to get the sump pumps out of the wastewater stream. It would be a huge benefit to eliminate those as there is no reason to treat that water. There was discussion. **Motion carried 5-0.**
10. **DISCUSSION AND POSSIBLE ACTION RE: RENTAL OF TUB GRINDER FOR COMPOST PILE IN THE AMOUNT OF \$3,500 TO \$4,000 OUT OF TREE & BRUSH/LEAVES ACCOUNT.** Below stated the compost pile is at a point now where something needs to be done to dispose of it. The cost is not specific to rental of a tub grinder but it would come out of brush/leaf account. **Way moved to approve the rental of a tub grinder for the compost pile in the amount of \$3,500 to \$5,000 with the cost to come out of the brush/leaf account. Second by Groenier.** There was a brief discussion. **Roll call vote: Way – yes; Harms – no; Groenier – yes; Poole – no; Staton – yes. Motion carried 3-2 with Harms and Poole opposed.**
11. **REPORT OF PARK BOARD COMMITTEE 6/10/09.**
  - a) Discussion and Possible Action regarding Request for Port-a-Potty at Soccer Field at Cledell and Ames. **Staton moved to approve the request for a port-a-potty at the soccer field at Cledell and Ames Streets. Second by Harms.** Below noted the email that was received regarding complaints and the need for a port-a-potty. He stated it is warranted for the months of April through October. There was discussion. **Motion carried 5-0.**
  - b) Discussion and Possible Action regarding Oregon Adult Softball Associations' Request regarding Weed Spraying. **Staton moved to approve the Oregon Adult Softball Association contracting with Lone Oak Interest LLC for applying weed killer with a stipulation that homeowners are contacted prior to weed killer being applied. Second by Poole.** Gracz noted Trustee Lourigan's concern with spraying weed killer who questioned if that was allowed. The Board has not allowed this in the past and there is concern with the Softball Association authorizing spraying. There was discussion. It was noted staff could not find anything in writing regarding week spraying being allowed or not. Staff was requested to get more specifics and to find out what the School District does and **the motion was removed from the table.**
  - c) Discussion and Possible Action regarding Purchasing Scoreboards for Parks. **Staton moved, second by Harms, to approve up to \$7,000.00, with at least \$4,275.00 coming from organizations that use the fields, purchasing scoreboards for Village parks, to be installed with the help from the organizations and the Public Works Department and to allow the disposal of the existing scoreboards.** It was noted the monies would come out of Park Fund in that it is an improvement to the parks. There was discussion regarding the scoreboards and disposing of the existing scoreboards. **Motion carried 5-0.**
12. **COMMUNITY INPUT.** There was none.

13. **PROCLAMATIONS AND ANNOUNCEMENTS.**

- a) Village Board Comments. It was noted Summer Fest is this coming weekend. There was discussion regarding some of the new policies with regarding to carry ins and so forth. If anyone is interested in assisting or helping out for the event volunteers are still needed.
- b) Staff Comments.
  - 1) Update on Census 2010. Johnson noted that Dan Elsass the Census 2010 representative has advised there is no field work going on in the Village with the Census at this time. It is anticipated the field work will start in the spring of 2010.
  - 2) Discussion and Possible Action regarding Liquor License Renewal for Union Sport Club LLC. Johnson stated this is being tabled to the Thursday morning meeting, June 25<sup>th</sup>, to allow the owner additional time to correct the violations discussed at the June 15<sup>th</sup> meeting. Chief Pettit noted the owner of the Club had not received a listing of the violations, he indicated the work is progressing and he believes everything will be corrected by Thursday or shortly thereafter. Following discussion regarding the upcoming Board meeting dates (item #14), discussion returned to the liquor license. It was noted the inspection report has been revised to require that the owner of the property be provided with a copy of any reported violations. It was questioned whether there have been prior violations at this establishment and Johnson will check into that and provide prior reports.

14. **UPCOMING BOARD MEETINGS:**

- June 25<sup>th</sup> at 6:30 a.m. with Labor Attorney—agenda distributed June 22<sup>nd</sup>. Gracz noted that it was decided earlier in the meeting to have a meeting next Monday, the 29<sup>th</sup>, with the Town of Rutland at 5:30 p.m. and the liquor license approval will be added to that agenda.
- No meeting on July 6<sup>th</sup>
- July 13<sup>th</sup> Special Board at 5:30 p.m.
- July 20<sup>th</sup> – Regular Board meeting – discuss start time. There was discussion and it was agreed to start at 6:00 p.m. since it is the regular meeting date. Gracz noted staff will be bringing recommendations to that meeting on how to address the 2009 deficit.

15. **POLICE CHIEF'S REPORT.**

- a) Continued Discussion re: Village Ordinance 9.07 Loud and Unnecessary Noise Ordinance. Pettit noted that other communities treat these types of problems on a complaint basis and he will be putting something together for the next Personnel, Public Safety & Protection committee meeting. He noted there have been no complaints other than from the initial complainant since this was brought up at an earlier meeting.
- b) Follow-up to Complaint regarding Parking at 362 E. Lincoln Street. Pettit noted that the officer was not aware the vehicle blocking the driveway belonged to the homeowner and once that was determined no citation was written. It was noted it is permissible to block one's own driveway. Regarding the high rate of speed complaint, based on the information provided they were able to track down the driver who was issued a warning citation and has been counseled regarding speeding.
- c) Monthly Statistic Reports including Motorcycle Use Data. The motorcycle has not been in use yet. Now that there are two more officers on staff it is anticipated to begin using it this weekend. There was a brief discussion. Pettit noted the monthly statistical report does show the 2008 to 2009 comparison as requested.
- d) Discussion and Possible action re: Purchasing of Tasers for Police Department. Pettit noted this was a 2009 budgeted item. The Police Department does not have enough tasers for its staff, this is a safety issue for officers and it would be beneficial to purchase an additional four tasers. In that the Village is

looking at a deficit in 2009 Pettit noted he is bringing this back for approval by the Board. Pettit noted it would be particularly helpful during the Summer Fest event and it was noted if he gets authorization by the Board tonight he could have them in time for that event. Following discussion, **Poole moved to purchase four tasers at a cost of \$3,000.00. Second by Harms. Motion carried 5-0.**

- e) Status of 523 Janesville Street Garage and Property Clean Up. Pettit stated there is no new information, there is not much left on the property—a motor sitting outside the building and a trailer by the shed.
- f) Implementation of Neighborhood Watch Program. The first information meeting was held on Thursday last week and there was not a good turnout for it—only a couple of families. Pettit stated he would like to see more interest from the community for the program but they will continue to move forward with it.
- g) Status of Police Department providing Security at Events at Sports Center. Pettit stated a Conditional Use Permit was given to this group about 5½ years ago to allow for specific events. Part of the CUP was that they had to have security on site all the time, security is managed by Madison Metro and augmented by the Oregon Police Department, the amount of security on site depends on the size of the event, there have been very few problems over this time period, similar to any other establishment in the Village, they willingly work with the Police Department doing everything they are asked to do and they maintain a good working relationship with the Police Department. There was some discussion.
- h) Update on Canine Fund Raising. Pettit stated other communities are being surveyed to find out how they handle fund raising, who is responsible for the funds, and so forth. Right now he is leaning toward having a bank handle the donations.

16. **REPORT OF COMMITTEES.**

- a) Committee Minutes Not Requiring Action.
  - 1) COA 5/4/09.

**JOINT MEETING WITH TOWN OF RUTLAND BOARD (5:30 P.M.)**

17. **JOINT MEETING WITH TOWN OF RUTLAND—HWY 14 PROJECT: DISCUSSION AND POSSIBLE ACTION RE: BIKE/PEDESTRIAN PATH ALONG HWY. 138 AND COMMUNITY SENSITIVE DESIGN.** There were three Town of Rutland Board members present including Chair Dale Beske. There was an open discussion including:

- Option – no bike path starting on the east side of the bridge
- State will be putting in a 5-foot path on west side
- Paths under the bridge are paid 100% by Department of Transportation
- Maintenance of area including snow plowing and mowing
- Use of low maintenance materials
- Village would agree to doing maintenance – would have to be some type of agreement
- Village Engineer feels it best to wait in light of future development
- Where the 10' path the DOT is putting down will end
- Issues with culvert
- Total estimated cost including property acquisition
- Need for a maintenance agreement between all three entities

Following discussion **Way moved to approve the bike/pedestrian path along Hwy. 138—that portion covered by the DOT—and to authorize preparation of a maintenance agreement. Second by Groenier.** There was further discussion. **Motion carried 4-1, with Harms opposed.**

**The Town of Rutland passed a motion to direct the Town's Attorney to review the agreement proposed by the State and suggesting changes and working with the Village Attorney to finalize such an agreement that would be approved at the Town's July meeting.**

There was discussion regarding the Community Sensitive Design Program and it was noted the allotted amount is \$140,000. Discussion included what the money has to be spent on, need to use maintenance free materials—both for landscaping and in the median areas, use of stamped concrete and estimated costs, whether to use grass, asphalt or stamped concrete, whether or not to put any landscaping in the center of the roundabout, concern with blocking vision, safety concerns with regard to any maintenance of the area, use of decorative lighting, what Mt. Horeb used in their community, and so forth. It was agreed to meet with the Town of Rutland again on June 29<sup>th</sup> at 5:30 p.m. The Town adjourned their meeting.

#### **JOINT MEETING WITH DOWNTOWN AD HOC COMMITTEE (6:15 P.M.)**

18. **DOWNTOWN AD HOC CALL TO ORDER**. It was noted there was not a quorum with only two members present. The meeting proceeded.
19. **ROLL CALL**: Present: Steve Staton and Greg Schnelle. Absent: Steve Peotter, Arlan Kay and Jon Lourigan.
20. **DISCUSSION OF UPDATE ON PROCEEDS REMAINING FROM 2008 BORROWING FOR DOWNTOWN PHASE II PROJECT**. Gracz referred to the proposal for Phase 2 of the Downtown from Mandt Sandfill Trust in the amount of \$689,998. The Village is still working with Dane County to get reimbursement for the downtown intersection. The Finance Director went over the 2008 borrowing sheet that was distributed. The Hitching Park (item #3) under the actual column (\$941,838) includes the water main under Hitching Park, the Village Hall parking lot, the Spring Street streetscaping, the engineering and contingency. The Brook Street number has been updated based on the actual bid plus engineering and contingency. Listed as "Note 2" is Dane County's share which is \$284,000 that the Village billed the County for its share of Phase 1 last year. Once that money is received and if we don't go over contingencies that would leave \$706,000 left for other projects. There was discussion regarding when payment would be received from the County. Hoeft noted the possible additional projects (1) burying the lines on Spring Street estimated at \$282,000 for both Charter and Alliant; (2) the Stewardship Grant for \$242,000—which is the Village's share if we get the grant; (3) the tunnel under the railroad at \$75,000; (4) the Market Street resurfacing and sanitary work for \$350,000. The bond proceeds were issued for TIF #3 so they have to be spent on TIF #3 projects. Discussion followed regarding burying the lines under Spring Street, the need to resurface Market Street, the Stewardship Grant is for the bike trail on the west side of N. Burr Oak, the location of the tunnel, will need an easement for the bike/pedestrian path, who pays the maintenance once the lines are buried, the need to amend TIF #3, when will the Village know whether it gets the Stewardship Grant (in September or October), a decision needs to be made on whether to proceed with burying the wires, there would be some cost to Verizon, the Bowling Alley and the Masonic Lodge but not sure what the cost would be, further discussion regarding the condition of Market Street and the life of underground wiring and so forth. Following discussion, **Harms moved to bury the overhead lines on Spring Street as discussed. Second by Groenier.** Discussion continued. **Roll call vote: Way – yes; Harms – yes; Groenier – yes; Poole – no; Station – yes. Motion carried 4-1, with Poole opposed.** Discussion continued regarding the dollar amount, a proposal will need to be done to get an exact dollar amount, whether the proposal would include the dollar amount for the three businesses, Below noted it was suggested the businesses use a private contractor, and it was requested that the proposal include an estimate of the cost to the businesses and what needs to be done.
21. **DISCUSSION AND POSSIBLE RECOMMENDATION BY AD HOC COMMITTEE TO VILLAGE BOARD RE: PROPOSALS FROM CHARTER COMMUNICATIONS AND ALLIANT ENERGY**

**FOR UNDERGROUND WIRING FROM THE SOUTH SIDE OF THE OLD WATER TOWER TO BROOK STREET.** There was not a quorum.

22. **VILLAGE BOARD ACTION O RECOMMENDATION BY AD HOC COMMITTEE RE: PROPOSALS FROM CHARTER COMMUNICATIONS AND ALLIANT ENERGY FOR UNDERGROUND WIRING FROM THE SOUTH SIDE OF THE OLD WATER TOWER TO BROOK STREET.** The motion is under item #20 above.
23. **DISCUSSION AND POSSIBLE ACTION BY VILLAGE BOARD RE: AWARDING OF PHASE II PROJECT TO MANDT SANDFILL TRUST FOR THE BASE BID OF \$685,498 AND ALTERNATE 1 IN THE AMOUNT OF \$4,500 FOR A TOTAL OF \$689,998 CONTINGENT UPON APPROVAL BY THE DOT.** Way moved to award Phase 2 of the Downtown Project to Mandt Sandfill Trust for the base bid of \$685,498 and alternate 1 in the amount of \$4,500 for a total of \$689,998 contingent upon approval by the Department of Transportation. Second by Harms. There was discussion including subcontractors are being lined up, the alternate 1 is to replace the line, they use the same engineering firm and inspectors as Parisi used and so forth. **Motion carried 5-0.**
24. **ADJOURNMENT OF DOWNTOWN AD HOC COMMITTEE.** Not necessary.
25. **ADJOURNMENT.** At 7:40 p.m., Way moved to adjourn the meeting. Second by Groenier. **Motion carried 5-0.**

Submitted by  
Georgia Johnson,  
Village Clerk