

1. **CALL TO ORDER.** President Staton called the regular meeting of the Village Board to order on Monday, August 3, 2009, at 5:30 p.m.
2. **ROLLCALL.** Present: Jerry Bollig, Darlene Groenier, Phil Harms, Jon Lourigan, Eric Poole, Steve Staton and Randy Way. Also present: Village Administrator Mike Gracz, Finance Director Renee Hoeft, Police Chief Doug Pettit, Library Director Susan Santner and Village Clerk Georgia Johnson. Village Attorney Matt Dregne was present for closed session.
3. **PUBLIC APPEARANCES AND PUBLIC HEARINGS.**

- a) **Conceptual Discussion with Veridian.** Harms stated the Planning Commission addressed some concerns at their meeting July 23rd when the conceptual plan was presented and noted Veridian has addressed those concerns. Jeff Rosenberg, of Veridian Homes, gave a presentation of the conceptual plan noting the number of sites was reduced (as requested by the Planning Commission), the site is about 53 acres with a total of 154 units, there would be three different residential types, Veridian homes are all *green* homes, they have taken the Village's stormwater issues into consideration and feel the stormwater management is good and it is anticipated that it will be approximately two years before final plat application. Discussion followed included the need to expand the Urban Service Area, whether gravity sewer would be utilized, concern with the current economic climate, the number of vacant lots currently available in the Village, future connection with the new interceptor sewer, the neighbors' concerns with the location of the pathway and how they would be maintained, sidewalks and whether they would be on both sides of the street, and the Public Works Director's opposition to a lift station was noted. Discussion followed with the Board giving Veridian Homes the approval to proceed with the plan.

President Staton invited anyone from the audience that wanted to speak to this issue. Nancy Freeman-Wallace, of 124 Fawn Court, addressed her concerns with (1) the existing tree line (would like it to remain), (2) safety and security with the walking paths, and (3) the possible need for blasting due to the limestone and blue clay in that area. There was further discussion. It was noted the Village will put the email and the revised plan on its website.

- b) **Conceptual Discussion with Elliott regarding the proposed Change in use for Foxboro Commons Building #2.** Harms noted Mr. Elliott's proposal to the Planning Commission is with regard to the second building on the east, Elliott is requesting to be allowed to change the commercial area of that building (11,259 sq.ft.) into residential due to the current downslide in demand for commercial, will consist of 10 units, there is ample underground parking, and Elliott would not be altering the outside of the building. Harms noted that Elliott got Planning Commission approval and if the Board approves the conceptual plan, Elliott will come back with a general development plan and specific implementation plan. Discussion followed with the Board giving Elliott the approval to proceed with the plan.
- c) **Paul Lynch re: Discussion of Sewer Connection Fees.** Paul Lynch, of PLH & Associates, addressed concerns with the dollar amount of sewer connection fees at 945 Janesville Street and also with the Village's ordinance regarding the fees and would like clarification of the wording. Following discussion, it was agreed that Lynch would meet with staff to work these issues out and the outstanding balance would be put on hold for now.
- d) **Discussion and Possible Action re: Request for Fireworks at The Legend at Bergamont on August 22, 2009.** Risa Kuhlman, Managing Director of the Legend Clubs was present to answer any questions the Board might have regarding the request. This is a request for a 10 minute firework's display; the fireworks will be conducted by Bartolotta Fireworks Company, Inc. and will be launched off the #10 tee box west of the clubhouse. Discussion followed. Following discussion, Chief Pettit stated there is no public safety issue that would be reason for denial. It was recommended that the surrounding neighbors be notified of the event. **Lourigan moved, second by Harms, to approve the request for fireworks at The Legend at Bergamont on August 22, 2009. Motion carried 7-0.**

- e) Discussion regarding Email from Patrick Molzahn regarding Village Tree Policy. Gracz stated this should be referred to the Public Works Committee. It was noted Public Works Director Below has done an inspection of terrace trees and a couple have been taken down on N. Main Street. Mr. Molzahn will be invited to the Committee meeting. There was discussion.
- f) Discussion and Possible Action re: Peaceful Hearts' Stormwater Issues. Gracz referred to the memorandum providing background information on this issue and a recommendation from staff to proceed with the work as outlined. There was discussion. John Deits was present and noted their approval. Following discussion, **Poole moved, second by Way, to proceed with the work and direct MSA to prepare plans and specifications as discussed.** Discussion continued including the cost of MSA would not exceed \$1,800, the need for an engineer to oversee the project and the costs for the work would be covered by the 2008 bond proceeds for the Downtown project. Harms noted he would abstain from voting. **Motion carried 6-0-1, with Harms abstaining.**
4. **EXECUTIVE SESSION.** At 6:52 p.m., **Poole moved** to adjourn into closed session pursuant to Wis. Stats. §19.85(1)(e) and 19.85(1)(g), permitting a closed session to confer with legal counsel regarding personnel issues and union contract negotiations and discussion with Village Financial Advisor regarding negotiations with hotel developer. **Second by Bollig. Roll call vote: Bollig – yes; Groenier – yes; Harms – yes; Way – yes; Poole – yes; Lourigan – yes; Staton – yes. Motion carried 7-0.**
5. **RECONVENE INTO OPEN SESSION.** At 8:40 p.m., the Board reconvened into open session on **motion by Bollig, second by Groenier. Motion carried 7-0.**
6. **APPROVAL OF MINUTES.** There were none available.
7. **APPROVAL OF VOUCHERS.** **Bollig moved, second by Poole, to approve the payment of vouchers for the General Operating Fund in the amount of \$362,299.53 per the list dated August 3, 2009.** There was discussion regarding certain items. Way noted he would be abstaining from voting. **Roll call vote: Harms – yes; Bollig – yes; Groenier – yes; Way – abstained; Poole – yes; Lourigan – yes; Staton – yes. Motion carried 6-0-1, with Way abstaining.**
8. **COMMUNITY INPUT.** None.
9. **PROCLAMATIONS AND ANNOUNCEMENTS.**
 - a) Village Board Comments. None
 - b) Staff Comments. None
10. **COMMUNICATION AND MISCELLANEOUS BUSINESS.**
 - a) Discussion and Possible Action re: Adoption of Ordinance #09-03 re: Room Tax. **Poole moved, second by Harms, to approve the second reading and adopt Ordinance #09-03 regarding implementation of a room tax.** There was discussion. **Motion carried 7-0.**
 - b) Status of Closing for 370 Florida Avenue. It was noted the closing is scheduled for August 4th, 2009.
 - c) Discussion and Possible Action re: Accept Resignation of Jeanne Felix, Senior Center Adult Day Program Activity Coordinator. **Bollig moved, second by Poole, to accept the resignation of Jeanne Felix. Motion carried 7-0.**
 - d) Discussion and Possible Action re: Midwest Claims Service Recommendation for Denial of Damage Claim of Lindsey Zentko of April 27, 2009. Johnson referred to the letter from Midwest Claims Service noting this claim was for damage to Zentko's vehicle when she hit a pot hole in front of Bill's Food Market. The Public Works Department was doing work in that area at the time. There was discussion. **Way moved to deny the claim of Lindsey Zentko. Second by Bollig. Motion carried 6-1, with Harms opposed.**

11. **REPORT OF COMMITTEES.**

a) Historic Preservation Commission 7/15/09.

- 1) Discussion and Possible Action re: adding the WWI Monument as a National Landmark. **Harms moved to approve adding the WWI Monument as a National Landmark. Second by Bollig.** Harms noted the monument is on the State Historical listing—this puts it on the National Landmark listing. **Motion carried 7-0.**
- 2) Discussion and Possible Action re: Using Money from the Sale of Holiday Lights for Possible Purchase of Banners for the Downtown. Gracz requested this matter be tabled to the August 10th Board meeting.

b) Committee Minutes Not Requiring Action.

- 1) Board of Review 6/24/09
- 2) Fire-EMS District 6/4/09

12. **UNFINISHED BUSINESS.**

- a) Continuing Discussion and Possible Action re: Curbside Pick Up for Brush and Leaves and Compost Pile – Information from Pellitteri. Village staff will present some initial ideas and thoughts regarding the composting site at the August 17th meeting.

13. **FUTURE AGENDA ITEMS.**

- a) Schedule League of Wisconsin Municipalities Mutual Insurance Company's Viewing of DVD on Public Officials' Liability
- b) Draft Ordinance Regarding Procedure for Annual Review and Evaluation of Village Department Heads
- c) Discussion regarding Public Officials' Handbook
- d) Provide Update to Village Board re: Community Sensitive Design Status for Hwy. 14 Project
- e) Update regarding Parking at Oregon High School (3rd meeting in September)

14. **ADJOURNMENT.** The meeting was adjourned at 8:48 p.m. on **motion by Bollig, second by Lourigan.**
Motion carried 7-0.

Submitted by
Georgia Johnson,
Village Clerk