

1. **CALL TO ORDER.** President Staton called the special meeting of the Village Board to order on Monday, August 10, 2009, at 5:31 p.m.
2. **ROLLCALL.** Present: Darlene Groenier, Phil Harms, Steve Staton and Randy Way, with Jon Lourigan arriving shortly after roll call. Absent: Jerry Bollig and Eric Poole. Also present: Village Administrator Mike Gracz, Village Attorney Matt Dregne, Police Chief Doug Pettit, Public Works Director Mark Below, Village Engineer Joe Eberle and Village Clerk Georgia Johnson.
3. **EXECUTIVE SESSION.** At 5:31 p.m., **Harms moved** to adjourn into closed session pursuant to Wis. Stats. §19.85(1)(c) and (e), permitting a closed session to discuss and consider personnel issues and union contract negotiations. **Second by Groenier. Roll call vote: Groenier – yes; Harms – yes; Way – yes; Staton – yes. Motion carried 4-0.** [Lourigan arrived.]
4. **RECONVENE INTO OPEN SESSION.** At 5:53 p.m., the Board reconvened into open session on **motion by Lourigan, second by Harms. Motion carried 5-0.**
5. **COMMUNICATION AND MISCELLANEOUS BUSINESS.**
 - a) **Discussion and Possible Action re: Approve Resolution #09-20 to Update the Annual Fee Resolution to Include the Room Tax.** Johnson referred to the fee schedule noting the room tax has been added and the Board needs to approve Resolution #09-20 to make it effective. **Lourigan moved, second by Way, to approve Resolution #09-20 to include the room tax in the annual fee schedule. Motion carried 5-0.**
 - b) **Discussion and Possible Action on Creation of New Fund for Room Tax.** The recommendation is to create a new special revenue fund for room tax. Gracz noted this will allow for tracking the money and for auditing purposes. There was discussion. **Way moved, second by Groenier, to create a new special revenue fund for room tax. Motion carried 5-0.**
 - c) **Discussion and Possible Action re: Town of Oregon Building Inspector Service Arrangement.** Gracz referred to the email from Phil Van Kampen in which the Town Board has approved extending the current arrangement with use of the building inspector's services. It would be handled like a contractual agreement. **Groenier moved to approve the Building Inspector Service Arrangement currently in place. Second by Harms.** There was discussion. **Motion carried 5-0.**
 - d) **Discussion of Budget Schedule with Board.** There was discussion regarding the budget meeting dates and Board members checking their calendars to determine what works best. In order to hold the public hearing on November 16th it has to be published October 29th. It is suggested to start the meetings the last week of September. There was discussion. This will be discussed further at the 1st meeting in September (the 8th).
6. **UNFINISHED BUSINESS.**
 - a) **Discussion and Possible Recommendation to the Village Board re: using Money from the Sale of Holiday Lights for Possible Purchase of Banners for the Downtown.** Staton noted from the agenda that the Downtown DO IT Committee members already have the \$400 plus another \$195 in their checking account which they will use to buy holiday lights for the decorative poles on Spring Street and the Hitching Park in 2009. None of the funds are tax dollars. The recommendation is to keep the funding in the DO IT checking account. **Harms moved, second by Way, to keep the funding in the DO IT checking account. Motion carried 5-0.** There was discussion.

It was agreed to take up other items on the agenda until 6:30 when the Planning Commission arrives. The Board was able to conduct the remaining items on the agenda and at 6:15 p.m. took a recess until 6:30 for the Planning Commission portion of the agenda.

7. **PLANNING COMMISSION TO ORDER.** There was not a quorum of the Planning Commission present and it was agreed to go ahead with items #9 and #12 for discussion purposes.

8. **ROLL CALL.** It was not necessary to take roll call. Members present were Jeff Groenier, Phil Harms and Scott Meier.

Groenier stepped down for item #9.

9. **CONCEPTUAL DISCUSSION REGARDING FOXBORO CREEK SIDE PROJECT—DARRELL WILD.** Darrell Wild, of Innovative Real Estate Services, Inc., was present. Groenier distributed a General Development Plan along with a map of the parcel involved. The project covers Lot 1 only, would consist of 80 rental units and 18,000 sq.ft. of commercial space on the first floor, there would be underground parking, there are two structures (wings) with the west wing 4 stories and the east wing 3 stories, the two structures would be connected as shown on the diagram. Groenier stated there is an approved plan but this is requesting a change to allow for an increase in the number of residential units and a reduction in the amount of commercial square footage. There was discussion including parking, whether a fire lane is required, current ground water levels, whether a market study has been done, the project would be partially funded by the Federal Housing Authority (FHA), concern with the density of the project, the possibility of changing to condo units in the future, rental prices and so forth. Following discussion, it was noted this will be on the Planning Commission's September 3rd agenda for conceptual discussion.

10. **PLANNING COMMISSION'S POSSIBLE RECOMMENDATION TO THE VILLAGE BOARD RE: FOXBORO CREEK SIDE PROJECT.** None

11. **BOARD DISCUSSION AND POSSIBLE ACTION RE: FOXBORO CREEK SIDE PROJECT.**
None.

Groenier returned to the table.

12. **DISCUSSION RE: STORMWATER REGULATIONS AND ENFORCEMENT OF NEW STORMWATER ORDINANCE.** Engineer Eberle and Attorney Dregne noted the significant changes to the ordinance have been addressed in Eberle's August 6th letter and the red line version of the ordinance. This came about following the rain events of 2007 after which the Board approved Ruekert Mielke completing a stormwater study and revising the stormwater ordinance.

#1. (Pg. 22-21) Requires a landowner to furnish a certification, sealed by a professional engineer, that the constructed stormwater management practices and conveyance systems comply with the approved Stormwater Management Plan. It will require that the certification include a set of drawings showing any changes from the original plan approved by the Village. This certification is currently a requirement in the Dane County Storm Water Ordinance and will assure that the Village has a record of what was actually built as well as an assurance that it was installed as permitted. There was considerable discussion.

#2. (pg. 22-23) Requires a landowner to furnish an annual report, sealed by a professional engineer, to document the completion of the required annual maintenance. This provision will assure that the installed facilities are properly maintained and operating as anticipated. Pg. 22-46 covers the penalty for any violation of this section. There was considerable discussion.

Since the majority of the Planning Commission was not present and this is material that needs their input, it was decided to end the discussion at this point. It was agreed to place this on the Planning Commission's September 3rd meeting and make it a joint meeting with the Village Board.

13. **PLANNING COMMISSION'S POSSIBLE RECOMMENDATION TO THE VILLAGE BOARD RE: STORMWATER REGULATIONS.** None

14. **VILLAGE BOARD DISCUSSION AND POSSIBLE ACTION RE: STORMWATER REGULATIONS.** There will be continued discussion at a joint meeting with the Planning Commission at its September 3rd meeting.

15. **ADJOURNMENT OF PLANNING COMMISSION.** Not necessary

16. **VILLAGE ATTORNEY'S REPORT.**

- a) **Status of Appraisals for Braun Road Project.** Dregne stated the project requires the Village to purchase property for the right-of-way. The owners of the properties are Five K Partnership (Wisco)(955 Market Street) and Copus Family Limited Partnership (885 Market Street). Appraisals were completed by L.A. Dusterbeck & Associates and are attached. The appraisals have been provided to the property owners and they have 60 days within which to have their own appraisal done. The next step will be negotiating on the price and staff will be looking to the Board for direction at that time.
- b) **Discussion and Possible Action re: Authorization to send RFP's to contractors for removal/sale of 340 and 370 Florida Avenue.** Rather than seeking an extension of the request for proposal to removal the last two homes, staff would like to attempt to sell the homes—particularly the McAllister's home. There was discussion regarding the process, whether or not it would be cost effective, the need for the buyer to know that the home has to be removed and the land restored and so forth. Following discussion, **Way moved to authorize Village staff to advertise the sale of the remaining two homes on Florida Avenue. Second by Groenier.** There was further discussion. **Motion carried 4-1, with Harms opposed.**
- c) **Closing Held August 4th, 2009 on 370 Florida Avenue.** For informational purposes.
- d) **Verizon Reimbursed Village for Costs related to 72" Culvert Project.** For informational purposes.

17. **PUBLIC APPEARANCES AND PUBLIC HEARINGS.** There were none.

18. **APPROVAL OF MINUTES- 8/3/09.** Lourigan moved, second by Groenier, to approve the minutes of the regular meeting of August 3, 2009. **Motion carried 5-0.**

19. **APPROVAL OF VOUCHERS.** Groenier moved, second by Lourigan, to approve the payment of vouchers for the General Operating Fund in the amount of \$462,964.82 per the list dated August 10, 2009. There was discussion regarding certain items. **Roll call vote: Groenier – yes; Way – yes; Lourigan – yes; Staton – yes Harms – yes. Motion carried 5-0.**

20. **COMMUNITY INPUT.** None

21. **PROCLAMATIONS AND ANNOUNCEMENTS.**

- a) **Village Board Comments.** None
- b) **Staff Comments.** Below noted the sidewalk in front of Village Hall will be started tomorrow. The Hitching Park project is moving along. From there they will start on the water laterals and then sewer main. There was discussion. It was noted the project should be 80% completed by the time school starts.

22. **ADJOURNMENT.** The meeting was adjourned at 8:23 p.m. on **motion by Lourigan, second by Groenier. Motion carried 5-0.**

Submitted by
Georgia Johnson,
Village Clerk