

1. **CALL TO ORDER**. President Staton called the regular meeting of the Village Board to order on Monday, September 14, 2009, at 5:30 p.m.
2. **ROLLCALL**. Present: Jerry Bollig, Darlene Groenier, Phil Harms, Eric Poole, Steve Staton and Randy Way, with Jon Lourigan arriving a few minutes late. Also present: Village Administrator Mike Gracz, Finance Director Renee Hoeft, Public Works Director Mark Below, Library Director Susan Santner and Village Clerk Georgia Johnson. Village Attorney Matt Dregne was present for closed session.

It was agreed to take certain items out of order to accommodate members of the audience but for ease in reading remaining in agenda order.

3. **PUBLIC APPEARANCES AND PUBLIC HEARINGS**.
 - a) **Discussion with Fitchburg Mayor Jay Allen regarding Railroad and Other Issues**. Mayor Jay Allen gave an overview of the City's future plans for the railroad, as well as the need for discussions to begin regarding a border agreement. There was discussion including getting the line operational for freight,
4. **EXECUTIVE SESSION**. At 6:09 p.m., **Bollig moved** to adjourn into closed session pursuant to Wis. Stats. §19.85(1)(c) and (e) to consider the terms under which it may be willing to accept the dedication of, or to purchase, the vacant lot owned by Oregon Manor located on Soden Drive and pursuant to 19.85(g) to confer with legal counsel and financial advisor regarding negotiations with hotel developer. **Second by Poole. Roll call vote: Way – yes; Lourigan – yes; Poole – yes; Staton – yes; Bollig – yes; Groenier – yes; Harms – yes. Motion carried 7-0.**
5. **RECONVENE INTO OPEN SESSION**. At approximately 7:00 p.m., the Board reconvened into open session on **motion by Poole, second by Lourigan. Motion carried 7-0.**
6. **LIBRARY BOARD CALL TO ORDER**. The Library Board was called to order at 7:12 p.m.
7. **ROLL – CALL**. Let the record show that three members of the Library Board were present—Lisa Hustad, Carrie Santulli-Schudda and Trustee Way.
8. **DISCUSSION OF LIBRARY'S 2010 BUDGET**. Budget pages for 2010 were distributed. Library Director Santner highlighted as follows:
 - They are still waiting to see what Dane County does; it is anticipated that assistance will decrease to approximately 88%; should have a decision on that October 1st
 - Slight increase due to link fees
 - Have reduced the number of hours the Library will be open due to budget constraints; will re-evaluate that in the Spring of 2010
 - Suggested contacting someone in the County Offices; also contacting the Village's lobbyist regarding County funding
 - Should have further information from County Executive Falk around October 1st

Discussion followed including anticipated reaction from the public to decreasing Library hours, Library Board has looked at all possibilities for cutting the budget, the Library Board has to maintain a minimum standard which is currently based on a municipality's population, and so forth. The Library Board will keep the Village Board informed as to the County's assistance. Discussion continued.

9. **DISCUSSION AND POSSIBLE ACTION RE: ADOPT RESOLUTION #09-23 REQUESTING EXEMPTION FROM COUNTY LIBRARY TAX**. This resolution is adopted annually which requests exemption from County Library Tax. **Poole moved, second by Lourigan, to adopt Resolution #09-23 requesting exemption from County Library Tax. Motion carried 7-0.**

10. **DISCUSSION AND POSSIBLE ACTION REGARDING VILLAGE BOARD SUPPORT OF LETTER TO COUNTY EXECUTIVE KATHLEEN FALK RE: DANE COUNTY LIBRARY SERVICE 2010 BUDGET.** Santner noted this is a request asking the Village Board to support sending the draft letter to the Dane County Library Service requesting 100% of municipalities' libraries actual costs. Following discussion, **Poole moved to support sending the letter to Dane County Executive Kathleen Falk regarding the 2010 Dane County Library Service Budget. Second by Bollig. Motion carried 7-0.**
11. **ADJOURN LIBRARY BOARD.** The Library Board adjourned at 7:32 p.m.
12. **DISCUSSION AND POSSIBLE ACTION RE: SUBMITTING GRANT FOR WATER TOWER BY OCTOBER 1ST—JOAN GEFKE.** In that Joan Gefke was unable to appear this will be put on a future agenda.
13. **APPROVAL OF MINUTES.** There were none.
14. **APPROVAL OF VOUCHERS.** Poole moved, second by Groenier, to approve the payment of vouchers for the General Operating Fund in the amount of \$25,532.27 per the list dated September 14, 2009. [Lourigan arrived at 5:34 p.m.] There was discussion regarding certain items. Gracz will check into payment for water service #6047. **Roll call vote: Way – yes; Lourigan – yes; Poole – yes; Staton – yes; Bollig – yes; Groenier – yes; Harms - yes. Motion carried 7-0.**
15. **COMMUNITY INPUT.** None.
16. **PROCLAMATIONS AND ANNOUNCEMENTS.**
 - a) Village Board Comments. None.
 - b) Staff Comments.
 - a) Update regarding Downtown Phase II Project. Below updated the Board on the project noting that work will start on the Village Hall parking lot next week and the project is moving along. Gracz stated there have been questions regarding the project including why it is taking so long and why Brook Street wasn't done last year, etc. He noted that a Q&A memorandum is being worked on to put on the Village's web page to respond to the questions. It is anticipated that will be done shortly.
17. **COMMUNICATION AND MISCELLANEOUS BUSINESS.**
 - a) Review of Investments, Connection Fees, Impact Fees and Building Permits. For informational purposes. There were a few building permits and an increase in the remodeling permits. There was discussion. When asked how close to the projected, Hoeft noted that was dropped from \$96,000 to \$25,000, then increased to \$34,000. We are now over \$34,000 so will be looking at increasing that amount.
 - b) Discussion and Possible Action re: Approval of Dane County Agreement for Downtown Intersection. The agreement has been reviewed by the County and the Village and the Board is being asked to authorize approve of the agreement. **Bollig moved, to approve the Dane County Agreement for the Downtown Intersection. Second by Way.** Discussion followed including the initial agreement had not separated the railroad project from the downtown intersection project; the total amount paid by the County will be \$285,000, the County wanting the Village to agree to a jurisdictional take over of the road and so forth. **Motion carried 7-0.**
 - c) Discussion of TIF Amendment Process. For informational purposes. Reference was made to the timetable provided noting that the Joint Review Board will meet on October 1st. The Board will need to make a Trustee and citizen appointment at its next Board meeting.
 - d) Update re: Possible Selling of 340 and 370 Florida Avenue. Below stated letters for proposals were mailed last Friday. The houses will be shown on Wednesday. Below will keep the Board posted.

- e) Discussion and Possible Action re: Rate Increase Request of Village Prosecutor (DeWitt Ross & Stevens) (from \$125/hour to \$140/hour). This request is from DeWitt Ross & Stevens, the Village's Prosecution Attorney, for an increase in the hourly rate from \$125 to \$140 per hour. They have not requested an increase since 1998. Following discussion, **Bollig moved, second by Lourigan, to approve a rate increase for DeWitt Ross & Stevens from \$125/hour to \$140/hour. Motion carried 6-1, with Harms opposed.**
- f) Discussion and Possible Action re: Authorizing Village Attorney to Revise Sec. 2.07 of the Municipal Code relating to motions for reconsideration. Gracz noted this has come up a couple of times when the attorney was reviewing Section 2 of the Municipal Code. **Bollig moved, second by Way, to approve the attorney revising Section 2.07 of the Municipal Code.** There was discussion regarding whether there is a need to revise the section, the cost for revising, etc. **Motion carried 7-0.**
- g) Outline of 2010 Budget Major Issues. Reference was made to the memo and whether the Board wanted any additions or changes. There was discussion. It was requested to add the future of the railroad including insurance for 2010 to October 7th Board meeting. Bollig explained his request to include Cable TV franchise fees for review noting that Cable was asked to provide additional revenue sources and they have yet to do so. There was discussion.
- h) Reminder regarding Upcoming September Meeting Dates. Staton noted the following meeting dates and times:
 - 1) September 21st at 6:00 p.m., meeting for major issues including audit review.
 - 2) September 24th at 6:00 p.m., special meeting to include Personnel and Public Works items.
 - 3) September 28th at 5:30 p.m., special board/budget meeting for major issues.
- i) Planning Commission filed Report on the Village Board Resolution to Discontinue Waterman Street—Public Hearing scheduled for October 5th, 2009 at 6:00 p.m. For informational purposes only. It was noted this is the section just east of Oak Street.
- j) Discussion and Possible Action re: Status of Claim of Lindsey Zentko. Johnson indicated the insurance company is taking another look at this claim and should have a response by the next meeting.

18. **REPORT OF COMMITTEES.**

- a) Planning Commission 9/3/09. (Harms)
 - 1) Discussion and Possible Action re: Amendment to GDP for the Villages of Foxboro to allow 10 residential rental units on the first floor of Building 2. **Harms moved to approve the amendment to the GDP for the Villages of Foxboro to allow 10 residential rental units on the first floor of building 2 as presented with the recommendations listed in the Village Planner's memo dated August 27, 2009 along with keeping ownership of these particular units with the capability of the units returning back to commercial space. Second by Poole.** Elliot advised the Board of the proposed changes. There was discussion. It was noted there would be no changes to the outside of the building and when the economy picks up it is anticipated to return the space to commercial use. **Motion carried 7-0.**
 - 2) Discussion and Possible Action to amend the Specific Implementation Plan for the Villages of Foxboro Lot 2 Building 2. **Harms moved to approve amending the SIP for the Villages of Foxboro Lot 2 Building 2 with the two conditions per the recommended findings by the Village Planner. Second by Bollig.** Harms noted this approval would be with the same recommendations listed in the Village Planner's memo dated August 27, 2009. **Motion carried 7-0.**
 - 3) Discussion and Possible Action re: Preliminary Plat of Rolling Meadows Homes. **Harms moved, second by Poole, to approve the preliminary plat of Rolling Meadows Homes contingent upon complying with Ruckert Mielke's comments in their July 23, 2009 letter.** This is 4 or 5 certified

survey maps that were never platted; the owner has had the land surveyed and this is a request for approval of the preliminary plat. Following discussion, **motion carried 7-0.**

b) Committee Minutes Not Requiring Action.

- 1) Park Board 9/2/09
- 2) Library Board 8/12/09 and 9/2/09

19. **UNFINISHED BUSINESS.** None.

20. **FUTURE AGENDA ITEMS.**

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

21. **ADJOURNMENT.** The meeting was adjourned at 8:16 p.m. on **motion by Bollig, second by Lourigan.**
Motion carried 7-0.

Submitted by
Georgia Johnson,
Village Clerk