

**Regular Meeting Oregon Village Board
Monday, February 15, 2010**

1. **Call to Order:** Village President Steve Staton called the regular Village Board meeting to order at 6:00 pm on Monday, February 15, 2010.
2. **Roll Call:** Randy Way, Phil Harms, Jon Lourigan, Darlene Groenier, Jerry Bollig, Village President Steve Staton. Absent: Eric Poole. Also Present: Village Administrator Mike Gracz, Public Works Director Mark Below, Village Attorney Dick Yde, and Deputy Clerk/ Deputy Treasurer Tracey Berman.
3. The Village Board may adjourn into closed session from time to time during the course of the meeting pursuant to §19.85(1)(e) to discuss Village's negotiations with hotel developer and to discuss the Oakhill Sewer Agreement: Harms moved to adjourn into closed session at 6:03 pm pursuant to §19.85(1)(e) to discuss Village's negotiations with hotel developer and to discuss the Oakhill Sewer Agreement. Second by Lourigan. Roll Call: Way - yes; Harms - yes; Lourigan - yes; Groenier - yes; Bollig - yes; Staton – yes. Motion carried 6-0.
4. **Reconvene into Open Session at Approximately 6:30PM:** The Village Board convened into open session at 6:28 pm. No motions were made in closed session.
5. **Public Appearances and Public Hearings**
 - a) Presentation by RSV Engineering re: 455 Jefferson Street Development of DiMaggio Property: Jean Trainer daughter of Joe DiMaggio was in attendance. Trainer requested the Board make a decision on a meeting that occurred in 2005 that RSV did a presentation at. Trainer thought the meeting was to the Village President, an Earth Tech Representative, and various Village staff members. Trainer explained her father paid a \$1,400 developer fee and submitted the application and never received an answer. Trainer was unsure why no answer was ever received. Trainer noted her father does not have plans to develop the property at this time. Trainer thought the zoning was changed in 1983 from agriculture to conservancy without notification. Trainer explained her father worked for various years to get the zoning changed back and in 2005 hired RSV engineering firm to assess his land and come up with a report to the viability of development for the property. The report was given to the Village. RSV's report concluded there is 6 ½ acres of developable land. Trainer referenced an e-mail received from Attorney Matt Dregne and addressed some of the concerns she had with the letter. Trainer discussed the wetland boundaries, soil and lack of drainage, flood plain boundaries, setbacks, permits, sanitary sewer and the Urban Service Area. Trainer noted the increase in the taxes in 2008. The assessor has been met with and his response to the increase was there is acreage on the property that is developable. Trainer felt the tax rate should be put back to the 2007 rate. Trainer concluded by asking the Village Board if they will allow the zoning to be changed and request a resolution to the original request that her father submitted in 2005. Gracz noted the deposit was paid; however \$784.00 of the deposit was refunded to RSV in November 2005. Way questioned if the intent is to develop the land, why do they want Agriculture zoning instead of single family? Trainer felt all land that is developable comes from agricultural. Harms wanted to gather more information before any decision is made. Trainer just wants what is fair and just. Gracz explained the family was using an attorney that had a conflict of interest with the Village and dropped out. Trainer was unaware of this, and explained she is unaware that her father understood this or was ever notified. Gracz noted when the lawyer dropped out no one contacted the Village to pursue this any further so the money was returned. Staton commented it is the law firm's responsibility to notify the client in situations like that. Staton noted the Village Board will give an answer however more information is needed before that can be decided. Trainer will provide the Village with a copy of the RSV engineering report. Attorney Dick Yde explained the process of rezoning a property. Gracz recommended to the Village Board sending this item to the Planning Commission as a conceptual discussion along with the Village covering the fee associated with the application. Gracz noted if a formal application is needed after speaking with the Planning Commission and the Village Board, then a deposit will be requested. There was clarification as to what the DiMaggio family was requesting. Yde

summarized noting the assessment is overseen by assessor and Board of Review not the Village Board. Yde also noted for clarification if the property was zoned as use value assessment for agricultural the property does have to be actively commercially farmed. The rules are determined by the Department of Agriculture. There was discussion regarding the ability to farm the land. Staton thanked the family for the information and timeline. This item will be forwarded to the March Planning Commission meeting. Staton moved to item 10 as a courtesy.

6. **Approval of Minutes:**

- a) **Special Meeting 3/10/2008: Harms moved to approve the Village Board minutes from March 10, 2008. Second by Groenier. Motion carried 6-0.**
- b) **Regular Meeting 8/4/2008: Harms moved to approve the Village Board minutes from August 4, 2008. Second by Groenier. Motion carried 6-0.**
- c) **Special Board Meeting/Joint Meeting with Park Board 10/7/2009: Harms moved to approve the Special Board meeting/Joint Meeting with Park Board minutes on October 7, 2009. Second by Lourigan. Motion carried 6-0**
- d) **Special Meeting 10/12/2009: Harms moved to approve the Special Village Board minutes of October 12, 2009. Second by Groenier. Motion carried 6-0.**
- e) **Regular meeting 2/1/2010: Harms moved to approve the regular Village Board minutes of February 1, 2010. Second by Lourigan. Motion carried 6-0.**
- f) **Special Board Meeting and Finance, Buildings & Facilities 1/11/2010: Harms moved to approve the special Village Board, Finance, Buildings & Facilities minutes from January 11, 2010. Second by Lourigan. Motion carried 6-0.**
- g) **Closed Session Minutes 2000 – 2004 (See Attorney Dregne’s email): Groenier moved to approve the Closed Session Minutes from 2000-2004. Second by Harms. Motion carried 6-0.**

7. **Approval of Vouchers: Harms moved to approve the vouchers in the amount totaling \$232859.98. Second by Bollig.** There was discussion regarding the Alliant Energy bill. **Roll Call: Way - yes; Harms - yes; Lourigan - yes; Groenier – yes; Bollig - yes; Staton – yes. Motion carried 6-0.**

8. **Community Input. The Village Board has established an opportunity for the public to address the Board. In the event community members wish to address the Board, 15 minutes will be provided; otherwise the agenda will proceed as posted.** There was no public input.

9. **Proclamations and Announcements:**

- a) **Village Board Comments:** Groenier wanted to remind residents regarding the reassessments going on the Village. Groenier also wanted to remind residents to put reflectors on their bikes.
- b) **Staff Comments:**
 - 1) **Census 2010 Information on Village’s webpage (Johnson):** The information is on the Village’s webpage.
 - 2) **Open Book and Board of Review Dates set in April and May;** Staton reviewed the hours and encouraged residents to attend open book if they had questions. The assessors will be in the Community Room at Village Hall, 117 Spring Street.
 - a. **Open Book Hours—Wednesday April 7th from 12:00 pm to 7:00 pm**
Thursday April 8th from 8:00 am to 3:00 pm
 - b. **Board of Review—Wednesday May 12th from 4:00 pm to 6:00 pm**

- 3) Latest Information regarding Dane County Radio Project (Gracz): Thursday night the Dane County Board will be looking at a resolution that came out of the committee and it appears that will pass at the County Board level. The resolution is similar to the initial counter proposal given to the County. Gracz noted the Mayor of Verona, who is the president of the Dane County Cities and Villages Association will tell the County it doesn't matter because they want 100% paid for by the County. Gracz will attend the meeting and will keep the Board up-to-date on this.

10. **Communication and Miscellaneous Business:**

- a) Discussion and Possible Action re: Foxboro Golf Course Request to Connect to the Village Water System: Staton noted the Board is up-to-date on the request unless the applicant as any additional information. Below referenced an e-mail in the packet. Below noted the applicant was still interested in the connection. They will only be connecting water at this point. Gracz stated if the Board is willing to do this without annexation then an agreement will need to be developed. The cost will be developed on the meter size. The applicant will pay for the construction, installation, developers agreement, change in the ordinance, etc. The meter at this point is a 1 inch meter. **Groenier moved to direct the Village Attorney to draft a developer's agreement for the Foxboro Golf Course to connect to the Village's water system without annexation being required. Second by Harms.** It was noted the dollar amount will be in the agreement and will be based on the appropriate meter size. It was noted the Board is showing their support for this. **Motion carried 6-0.** Staton moved to item #11 (6).
- b) Report on the Strategic Plan's Outreach and Planning Committee: Staton summarized the Roll Out Events and the Committee wants community involvement to determine the residents priorities for the Village moving forward.
- c) Discuss Holding Special Board Meeting on February 22nd (6:00 PM) rather than Committee Meetings -- Possible Agenda Items for Special Board meeting: Staton reviewed the potential agenda items and suggested making this a Special Village Board meeting because of the content being covered.
- 2009 Designations and Carryovers
 - Ruckert Mielke's Brook Street Agreement
 - Veridian Project Update by Veridian,
 - Roundabout Maintenance Agreement with DOT and Town Rutland
 - Mowing Options
 - Oakhill Sewer Agreement
 - 2010 Crackfilling Approval
 - Land Use Lease for Westside Park Land for Farming
- d) Discussion of Tabling Joint Meeting with Planning Commission on March 1st for Proposed Stormwater Ordinance: Gracz asked to table this item until what is being proposed will not hurt future re-development. The item was tabled.
- e) Dane County Emergency Management Press Release pertaining to Flood Insurance (FYI): This is for information purpose only.
- f) Dane County's Correspondence regarding Federal Assistance for Snow Event 12/8/2010— Federal Assistance Not Granted to Dane County (FYI): Federal assistance was not granted to Dane County.

11. **Report of Committees**

- a) **Finance, Buildings & Facilities 2/8/2010:**
- 1) Discussion and Possible Action re Guardian Proposal from Computer Magic for Improved Computer Maintenance (Tabled). This item was tabled.

- 2) Discussion and Possible Action to authorize the Village President to sign paperwork for DNR Reimbursement for 2007 Flood Expenditures and to Apply Grant Funding to General Fund advance to Fund 430—FEMA and Fund 429—DNR **Recommended motion: to authorize the Village President to sign paperwork for DNR Reimbursement for 2007 flood expenditures and to apply grant funding to General Fund advance to Fund 430—FEMA and Fund 429—DNR;** Bollig moved to authorize to authorize the Village President to sign paperwork for DNR Reimbursement for 2007 flood expenditures and to apply grant funding to General Fund advance to Fund 430—FEMA and Fund 429—DNR. **Second by Groenier.** Gracz explained the Village will be receiving additional funding for the 2007 flooding. This grant was not expected. The amount received was \$13,912.31. Gracz suggested upon Staton signing the agreement and the budget transfer the FEMA fund 430 will be closed out and the balance will be put in the DNR fund 429. The Village received reimbursement for overtime. **Motion carried 6-0.**

- 3) Discussion and Possible Action re 2010 Agreement for Legal Services with Stafford Rosenbaum **Recommended motion: to approve the 2010 Agreement for Legal Services with Stafford Rosenbaum;** Bollig moved to approve the 2010 Agreement for Legal Services with Stafford Rosenbaum. **Second by Groenier.** This is the annual agreement with the legal consultant. The rates stayed the same. **Motion carried 6-0.**

- 4) Discussion and Possible Action re: Sewer Connection Fee Review Proposal from Ruekert Mielke **Recommended motion: to approve the proposal from Ruekert Mielke for a sewer connection fee review in an amount not to exceed \$5,500;** Bollig moved to approve the proposal from Ruekert Mielke for a sewer connection fee review in an amount not to exceed \$5,500. **Second by Groenier.** The proposal will ensure the sewer connection fees are in linewith other communities the same size. The sewer connection fees have not been reviewed since 1996. **Motion carried 6-0.**

- 5) Discussion and Possible Action re: Purchase of 2010 Ford Crown Victoria for Police Department **Recommended motion: authorize purchase of 2010 Ford Crown Victoria from Kayser Ford in the amount of \$21,597;** Bollig moved to authorize purchase of 2010 Ford Crown Victoria from Kayser Ford in the amount of \$21,597. **Second by Groenier.** This vehicle was approved in the 2010 budget. It was noted Pettit will advise staff and the Village Board which vehicle will be traded. Lourigan noted since this is the last Crown Victoria that the Village will purchase he would like to see a more economical vehicles which are more fuel efficient. **Motion carried 6-0.**

- 6) Discussion and Possible Action regarding Oregon Electric Demand Reduction Study **Recommended motion: approve Mark Bergum’s request to conduct the Energy Analysis Capstone Study of Village buildings at no cost to the Village;** The students conducting the capstone were in attendance and gave a brief summary of the project. The building inspector Mike Kleisch is the Village contact. **Bollig moved to approve Mark Bergum’s request to conduct the Energy Analysis Capstone Study of Village buildings at no cost to the Village. Second by Lourigan. Motion carried 6-0.** Staton moved to item 6 (a).

- 7) Discussion and Possible Action re: 2009 Budget Transfer #5 **Recommended motion: approve 2009 Budget Transfer #5 as presented;** Bollig moved to approve 2009 Budget Transfer #5 as presented. **Second by Groenier.** Essentially this is a ‘housekeeping’ measure to prepare for the audit. **Motion carried 6-0.**

- b) **Planning Commission 2/4/2010 (Trustee Harms)**
 - 1) Discussion and Possible Action re: the use of Out Lot 1 of the Fox Glen East Subdivision for the Proposed Creekside Development for Geothermal HVAC **Recommended motion: approve the use of Outlot 1 of the Fox Glen East Subdivision for the proposed**

Creekside Development for Geothermal HVAC for Darrell Wild – (As of February 11th, Wild has informed the Village that he does not want to pursue using the Village property for Geothermal): Gracz noted that Darrell Wild is no longer pursuing the property for geothermal. There was no action taken.

- 2) **Discussion and Possible Action re: Possible Change in the Zoning Code in the Extra Territorial Zoning (land divisions)** **Recommended motion: conceptually approving the change in the Zoning Code in the Extra Territorial Zoning—land division code and scheduling required public hearing at April 1st Planning Commission Meeting:** Harms moved to conceptually approve the change in the Zoning Code in the Extra Territorial Zoning—land division code and scheduling required public hearing at April 1st Planning Commission Meeting. **Second by Lourigan.** Harms gave a brief overview, noting Vandewall & Associates explained this will not affect the Village’s growth. **Motion carried 6-0.**

- 3) **Discussion and Possible Action re: Possible change in Zoning to Allow for the Harvesting of Crops in Platted Subdivisions** **Recommended motion: conceptually approving the change to the zoning code to allow for the harvesting of crops in platted subdivisions scheduling required public hearing at April 1st Planning Commission Meeting:** Harms moved to conceptually approve the change to the zoning code to allow for the harvesting of crops in platted subdivisions scheduling required public hearing at April 1st Planning Commission Meeting. **Second by Lourigan.** Below summarized the zoning change noting it will allow the harvesting of alpha in platted subdivision requiring a conditional use permit with a set of guidelines for the applicant to follow. **Motion carried 6-0.**

- 4) **Discussion and Possible Action re: Proposed Zoning Change from Dane County Zoning & Land Regulation Committee in the Town of Oregon at 1045 Hillcrest Lane** **Recommended motion: not to oppose the zoning change from Dane County Zoning & Land Regulation Committee at 1045 Hillcrest Lane in the Town of Oregon:** Harms moved not to oppose the zoning change from Dane County Zoning & Land Regulation Committee at 1045 Hillcrest Lane in the Town of Oregon. **Second by Bollig.** Motion carried 6-0.

c) **Minutes Not Requiring Action:** These are online.

- 1) Oregon Area Fire-EMS District 1/7/2010:
- 2) Library Board 1/13/10

12. **Unfinished Business**

- a) None

13. **Future Agenda Items**

- a) Schedule League of Wisconsin Municipalities Mutual Insurance Company’s Viewing of DVD on Public Officials’ Liability
- b) Provide Update to Village Board re: Community Sensitive Design Status for Hwy. 14 Project
- c) Amend Chapter 1.25(4) of the Municipal Codebook regarding Annual Reviews of Department Heads and Employees

14. **Adjournment:** Bollig moved to adjourn the Village Board meeting at 7:43 pm on Monday February 15, 2010. **Second by Lourigan.** Motion carried 6-0.

Submitted by,
Tracey Berman
Deputy Clerk/Deputy Treasurer