

Village Board Meeting Minutes
Monday, January 20, 2020

1. Call to Order

Village President, Jeanne Carpenter, called the Regular Village Board meeting to order at 5:00 p.m. on Monday, January 20, 2020.

2. Roll Call

Present: Randy Glysch, Amanda Peterson, Jeanne Carpenter, Jerry Bollig, David Donovan, Jenna Jacobson, and Cory Horton.

Also Present: Village Administrator Mike Gracz, Senior Center Director Rachel Brickner, Police Chief Brian Uhl leaving at 7:17 p.m., Finance Director Lisa Novinska, Director of Public Works Jeff Rau, Village Planner Elise Cruz, Village Attorney Matt Dregne arriving at 5:02 p.m. and leaving at 6:13 p.m., Village Clerk Peggy Haag, and members of the public

Some items were taken out of order but remain in order for ease of reading.

3. Proclamation Honoring Senior Center Employee Bonnie Haugen and Board Action Approving Proclamation

Senior Center Director, Rachel Brickner, shared that Bonnie Haugen has dedicated 27 years to the Adult Day Program at the Oregon Senior Center and thanked her for her service. Village President Jeanne Carpenter and trustees read a proclamation for Bonnie Haugen.

Motion by Jacobson, second by Peterson, to approve Bonnie Haugen proclamation. Motion carried 7-0.

4. Presentation of Police Department Accreditation Award – Wisconsin Law Enforcement Accreditation Group (WILEAG) Treasurer Bob Rosch

Bob Rosch, a retired police chief and member of the governing board of WILEAG, explained what a big deal this is for the Oregon Police Department. There are over 550 Wisconsin law enforcement agencies, but only 36 are accredited. Oregon is one of those 36 agencies. Once the process is complete, an onsite review is done. There are approximately 600 things a department has to prove to comply with the WILEAG assessment. Getting full accreditation in three years is unheard of.

A big thank you goes to all officers involved, and a special thanks to Pagenkopf and Trace.

5. Public Appearance

a) Discussion and Possible Action re: Oregon Apartments, LLC's (Adam Coyle) request for Tax Increment Financing (TIF) Assistance for Apartment Project at 124 Rosewood Avenue (Please Note the Village Board may go into closed session during the meeting to discuss the request.)

Frank Roman, of Ehlers, explained he reviewed the Tax Increment Finance request for 124 Rosewood Avenue to satisfy the 'but for' test, evaluate the cash flow of the project, along with the developer's returns. In his professional opinion, the project would not attract the appropriate investment capital without Tax Increment District participation.

There was a lengthy discussion.

Bollig moved, seconded by Glysch, to approve Oregon Apartments, LLC's request for Tax Increment Financing (TIF) Assistance for Apartment Project at 124 Rosewood Avenue. Motion carried 7-0.

6. Village Attorney/Village Administrator Report

a) Discussion and Possible Action re: Ordinance #20-01 Amending Section 9.26 of the Code of Ordinances

- **Possible First Motion to Consider: The Board by a 2/3 vote of the Board members may suspend the rules and waive the 1st and 2nd Readings at tonight's meeting.**

First Motion: Donovan moved, seconded by Jacobson, to suspend the rules and waive the 1st and 2nd Readings at tonight's meeting. Motion carried 7-0.

- **Possible Second Motion to Consider: If the Board chooses to suspend the rules, the Board may then consider adopting Ordinance #20-01.**

The Police Department asked the deposit amount to use when issuing citations for alcohol-related violations. Dregne recommends using Wisconsin's State deposit schedule. The changes include the penalty amounts provided by the Wisconsin Statutes.

Second Motion: Jacobson moved, seconded by Horton, to approve and adopt Ordinance #20-01. Motion carried 7-0.

b) Discussion and Possible Action re: Municipal Court Deposit Schedule 2020 – Recommended Motion: Approve Municipal Court Deposit Schedule 2020 (Note: Judge Cox has to also approve the schedule.)

Donovan moved, seconded by Peterson, to approve Municipal Court Deposit Schedule 2020.

Dregne explained the only change to the Municipal Court Deposit Schedule is on the first page. It says, "The deposit amounts for some offenses are set by the Wisconsin Judicial Conference and are published in the Wisconsin State Deposit Schedule. The Village of Oregon will use deposit amounts from the SDS for all traffic and alcohol offenses. The SDS deposit amounts are shown here only for reference if the SDS changes the new state schedule will control."

Motion carried 7-0.

7. Approval of Minutes

a) January 6, 2020

Peterson moved, seconded by Glysch, to approve January 6, 2020, regular meeting minutes of the Village Board. Motion carried 7-0.

8. Approval of Vouchers

Bollig moved, seconded by Peterson, to approve vouchers dated January 20, 2020, in the amount of \$793,199.65.

Roll call Vote: Donovan – yes; Carpenter – yes; Peterson – yes; Glysch – yes; Jacobson – yes; Bollig – yes; Horton – yes.

Motion carried 7-0.

9. Community Input. This part of the agenda allows members of the public to provide information to the Village Board, including on items not listed on the Board's agenda. Under the Open Meetings Law, this section of the agenda allows the Board to receive information, and to ask questions of a presenter to facilitate a better understanding of the information. Fifteen (15) minutes will be provided; otherwise, the agenda will proceed as posted. Note for Board Members and Public: After receiving information from a member of the public, Board members need to be careful about how they discuss an issue among themselves. Board members may discuss procedural matters relating to the information, such as whether the information should be directed to staff, referred to a committee, or placed on a future Village Board agenda. However, Board members may not expand their discussion beyond such procedural matters. (This note will not be read at Board meetings.)

There was no community input.

10. Proclamations and Announcements

a) Board Comments:

There were no comments.

- b) The Senior Center's Annual Pancake Breakfast and Bake Sale will be held on Sunday, January 26, 2020, from 7:00 AM until noon at the Senior Center. Everyone is welcome! Members of the Oregon/Brooklyn VFW Post 10272 will do the cooking, and Senior Center volunteers provide the Bake Sale goodies. Proceeds help support Senior Center programming.

c) Staff Comments:

1) Upcoming Meetings:

- a) January 27, 2020 – Public Works & Utility Committee Meeting
- b) February 3, 2020 – Board Meeting
- c) February 10, 2020 – Board Meeting – Gracz anticipates a short meeting.
- d) February 17, 2020 – No Board Meeting due to Primary Election
- e) February 24, 2020 – Board Meeting – Jerry Bollig will lead the meeting.

11. Communication and Miscellaneous Business

- a) Discussion and Possible Action re: Approval of People's United Methodist Church Facility Use for 2020 Elections - **Recommended Motion: Approve People's United Methodist Church Request Form in the amount of \$600.00 for four (4) Elections in 2020. The fee has not changed for the last 7 years.**

Bollig moved, seconded by Horton, to approve People's United Methodist Church Request Form in the amount of \$600.00 for four (4) Elections in 2020. Motion carried 7-0.

- b) Discussion and Possible Action re: Historic Preservation Commission Appointment - **Recommended Motion: Appoint Linda Syth as the Historic Preservation Commission's Alternate Member for a term expiring 2022.**

Glysch moved, seconded by Jacobson, to appoint Linda Syth as the Historic Preservation Commission's Alternate Member for a term expiring 2022. Motion carried 7-0.

- c) Library Information: The Buzz and Capital Campaign: Progress Update December 2019
Information is in the packet.

- d) Discussion and Possible Action re: Request to Execute Addendum to Dane County 2020 Purchase of Service Agreement (POS) – Recommended Motion: Execute Addendum to Dane County 2020 Purchase of Service Agreement (POS)
Peterson moved, seconded by Jacobson, to approve executing Addendum to Dane County 2020 Purchase of Service Agreement (POS). Motion carried 7-0.
- e) Discussion re: Janesville/South Perry Parkway Intersection Evaluation Update
The traffic count does not meet the warrant for traffic light signals. This does not mean the Village can't have traffic lights, it means Dane County will not help pay for them.
- f) Discussion and Possible Action re: Drainage District #32 – Lerner Lateral Dredging - Recommended Motion: Approve Curtis Excavation for a not-to-exceed amount of \$25,000 for the cleanout of the Lerner Lateral.
Horton moved, seconded by Peterson, to approve Curtis Excavation for a not-to-exceed amount of \$25,000 for the cleanout of the Lerner Lateral.

The Lerner Lateral Dredging project is in the drainage district jurisdiction and will be paid out of 2020 borrowing. The best time to work on the Lerner Lateral project is while things are frozen, so Rau is trying to move quickly to clean out the drain. Work will be done within a tight corridor, so there should not be any damage to wildlife or habitat. There is no plan for an access road.

Motion carried 7-0.

- g) Discussion and Possible Action re: Highlands of Netherwood Park – Geotechnical Analysis - Recommended Motion: Approve the contract with CGC, Inc. of Madison for the amount of \$3,640.00 for geotechnical testing and reporting for the Highlands of Netherwood Park.
Donovan moved, seconded by Jacobson, to approve the contract with CGC, Inc. of Madison for the amount of \$3,640.00 for geotechnical testing and reporting for the Highlands of Netherwood Park. Motion carried 7-0.

12. Report of Committees

- a) Planning Commission Meeting – January 9, 2020 (President Carpenter)
- 1) Discussion and Possible Action re: Approval of Zero Lot Line Certified Survey Map (CSM) for a duplex at Lot 43 of Greenacre Heights (208 and 210 Walnut St.)
Planning Commission Motion: Bieno moved, seconded by Mahr to recommend to the Village Board approval of Zero Lot Line Certified Survey Map (CSM) for a duplex at Lot 43 of Greenacre Heights (208 and 210 Walnut St.). Motion carried 5-0.
Carpenter moved, seconded by Bollig, to approve Zero Lot Line Certified Survey Map (CSM) for a duplex at Lot 43 of Greenacre Heights (208 and 210 Walnut St.). Motion carried 7-0.
- 2) Discussion and Possible Action re: Approval of CSM in Town of Oregon in Extra-Territorial Jurisdiction Area along Netherwood Rd.
Planning Commission Motion: Bieno moved, seconded by Mahr to recommend to the Village Board approval of CSM in Town of Oregon in Extra-Territorial Jurisdiction Area along Netherwood Rd. Motion carried 5-0.
Carpenter moved, seconded by Peterson, to approve CSM in Town of Oregon in Extra-Territorial Jurisdiction Area along Netherwood Rd.

Donovan has concerns about approving the Extra-Territorial Jurisdiction as it may limit development in the future. He asked if the area would be a priority area for development. It's a good question, but Slavney would have raised the question if he thought there was a concern. The Village will have the right-of-way.

Motion carried 7-0.

- 3) Discussion and Possible Recommendation to the Village Board re: Ordinance #20.02 Amending Section 17.206 (8)(j) of the Village of Oregon Municipal Code Relating to Home Occupations.

Background Information:

- This change will allow the Planning Commission and Village Board to apply a consistent set of rules (found in Sections 1. A-J) to all home occupations.
- All home occupations will be reviewed consistently and with the same set of standard regulations to follow.
- Home Occupations have a particularly high impact on neighborhoods and quality of life, as they are commercial uses in a residential neighborhood.
- This is one of several updates to the Zoning Code that Village Staff is looking to revise in the next few years, largely due to Act 67 being passed in 2017. Act 67 limits the municipality's power to deny a Conditional Use Permit (CUP) and requires "Substantial Evidence" for any conditions to be imposed on a CUP applicant.

Planning Commission Motion: Bieno moved, seconded by Mahr to recommend to the Village Board approval of the Ordinance Amending Section 17.206 (8)(j) of the Village of Oregon Municipal Code Relating to Home Occupations. Motion carried 5-0.

The amended ordinance will help protect the quality of life and standardize the list of requirements anyone having a home occupation would be held to.

- **Possible First Motion to Consider: The Board by a 2/3 vote of the Board members may suspend the rules and waive the 1st and 2nd Readings at tonight's meeting.**

First Motion: Carpenter moved, seconded by Peterson, to suspend the rules and waive the 1st and 2nd Readings at tonight's meeting. Motion carried 7-0.

- **Possible Second Motion to Consider: If the Board chooses to suspend the rules, the Board may then consider adopting Ordinance #20-02.**

Second Motion: Carpenter moved, seconded by Jacobson, to approve and adopt Ordinance #20-02.

The Village is being proactive and complying with new state law as home occupations increase.

Motion carried 7-0.

- b) Park Board Meeting – January 8, 2020 (**Trustee Horton**)

- 1) Discussion and Possible Action re: Oregon Soccer Club's request to use the following fields for Spring, 2020:

- Norm Champion Park
- Stone Ridge Park (Review of email from Village Resident Nicole Van Heuklon)

- High Meadows
- Bergamont Park
- Rustic Vinyards (request to play games at park)

Park Board's Motion: Park Board did not take any action on this item.

Carpenter read some meeting minutes and concluded the Park Board will not come to a consensus on this item. They did not take any action, and the soccer association is waiting to get information to the state, so the discussion will be at the Board level. Both Carpenter and Glysch asked the soccer association to identify some parks that would be of use to them and work with other sports organizations.

Eric Anderson of 567 Cherry Wood Dr., Soccer President and Brian Stephen of 385 North Bergamont Blvd, Soccer Academy Commissioner participated in the discussion.

Carpenter went to a membership meeting and encouraged Anderson and Stephen to look at all the parks in the Village, come back to the Board with some recommendations on parks that might currently be underutilized, and would be willing to help contribute money if they need improvements for practices or games. Carpenter noted there needs to be some give and take.

Anderson and Stephen would like to work with the Village by contributing labor and funds to help with needed upgrades to have fields ready for use.

Gracz is concerned any park used seven days a week will have complaints. The Soccer Association will work on schedules, so parks aren't in use seven days a week.

There was a lengthy discussion.

Cruz asked to have the Soccer association prepare in writing the which parks, days of the week, times they would use the parks, send to staff for review, and bring the plan back to the Board for approval.

Jacobson moved, second by Horton, to direct staff to work with the Soccer Association and other youth sports to create a use plan for Norm Champion Park, Stone Ridge Park, High Meadows Park, Bergamont Park (with the conditions discussed tonight), and Rustic Park.

The Soccer Association will try to limit all fields use to no more than three days a week. The Association will let staff know if that does not work.

Motion carried 7-0.

- 2) Discussion and Possible Action re: Consider not beginning Jaycee Park West construction until after September 2020 Soccer's Fall Fury is completed.
Park Board's Motion: Korth moved, seconded by LeBrun to recommend to Village Board considering not beginning Jaycee Park West construction until after the

Oregon Soccer Club has completed their 2020 Fall Fury Tournament (October 2nd – 4th). Motion carried 6-0.

Horton moved, seconded by Jacobson, to approve not beginning Jaycee Park West construction until after the Oregon Soccer Club has completed their 2020 Fall Fury Tournament (October 2nd – 4th). Motion carried 7-0.

- 3) **Discussion and Possible Action re: Consider approving temporary fields for Soccer Tournaments at Re-Developed Jaycee Park West.**
Park Board's Motion: Horton moved, seconded by Korth to recommend to Village Board considering approving temporary fields shown in the Jaycee Park West Facility – Final Concept Plan – Youth Soccer Options for soccer tournaments at the redeveloped Jaycee Park West. Motion carried 6-0.
Horton moved, seconded by Peterson, to approve temporary fields shown in the Jaycee Park West Facility – Final Concept Plan – Youth Soccer Options for soccer tournaments at the redeveloped Jaycee Park West.

Gracz said the approval of temporary fields is the Village Board's commitment to work with the Soccer Association to provide extra soccer fields during their tournaments.

Donovan is supportive of the project, but he thinks the timing is wrong. It is premature to make this motion for temporary fields when the Board is unsure of the final design. He does not want there to be any confusion.

There was a discussion at Park Board, and they know the soccer organization plan is conceptual.

Motion carried 6-1 with Donovan opposed.

- 4) **Discussion and Possible Action re: Approve installing Fundraising signs at Jaycee Park West.**
Park Board's Motion: Knutson moved, seconded Schwass recommended to Village Board the approval of installing a fundraising sign at Jaycee Park West. Motion carried 6-0.
Horton moved, seconded by Donovan, to approve installing a fundraising sign at Jaycee Park West. Motion carried 7-0.
- 5) **Discussion and Possible Action re: Ordinance #20-03 Clarify the hours during which the public may use Village Parks and Greenways**
Park Board's Motion: LeBrun moved, seconded by Horton to recommend to Village Board the approval of adopting Ordinance #19-14 – Clarifying the hours which the public may use Village Parks and Greenways using the times of 5:00 a.m. – 10:00 p.m. Motion carried 6-0. (Note: The ordinance number has been changed to #20-03 since the Park Board meeting.)
- **Possible First Motion to Consider: The Board by a 2/3 vote of the Board members may suspend the rules and waive the 1st and 2nd Readings at tonight's meeting.**
- First Motion:** **Horton moved, seconded by Donovan, to suspend the rules and waive the 1st and 2nd Readings at tonight's meeting. Motion carried 7-0.**

- **Possible Second Motion to Consider: If the Board chooses to suspend the rules, the Board may then consider adopting Ordinance #20-03.**

Second Motion: Horton moved, seconded by Carpenter, to approve and adopt Ordinance #20-03.

This ordinance pertains to non-reserved parks.

Motion carried 7-0.

13. Minutes Not Requiring Action

- a) Library Board Meeting – December 11, 2019

14. Unfinished Business

- a) There was no unfinished business.

15. New Business

- a) Approval of Pending NEW Operator Licenses – (Recommended Approval by Police Department)

Kwik Trip #731 – Benjamin J. Barmore

Kwik Trip #731 – Beverly A McLean

Kwik Trip #731 – Tanner C Hake

Jacobson moved, seconded by Peterson, to approve pending new operator licenses for Kwik Trip #731 – Benjamin J. Barmore, Kwik Trip #731 – Beverly A McLean, and Kwik Trip #731 – Tanner C Hake. Motion carried 7-0.

- b) Approval of Pending RENEWAL Operator Licenses – (Recommended Approval by Police Department)

There were none.

- c) Approval of Pending NEW Operator Licenses – (Memo provided by Police Department)

There were none.

- d) Approval of Pending RENEWAL Operator Licenses – (Memo provided by Police Department)

There were none.

16. Future Agenda Items

- a) TIF #4 must close no later than September 15, 2035

- b) Park Shelter Fees

- c) Review of 2019 & 2020 Master Calendar

- d) Tom Dorn regarding request for Tax Increment Financing (TIF) Assistance for Dorn's Phase I Project

- e) Janesville Street/South Perry Parkway Intersection Evaluation & Warrant Analysis

- f) Joint Meeting with Library Board on Monday, June 15th, 2020, to Review Fundraising Status and Construction Manager's and Owner's Representative's Roles in the Design and Construction Process

17. **The Village Board may adjourn into closed session during the meeting pursuant to Wis. Stat. 19.85 (1) (e) to discuss Oregon Apartments, LLC's (Adam Coyle) request for Tax Increment Financing (TIF) Assistance for Apartment Project at 124 Rosewood Avenue. The Board will adjourn from closed session.**

Closed session was not needed.

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18. Adjournment

**Bollig moved, seconded by Peterson, to adjourn the Regular Village Board at 7:55 p.m.
Monday, January 20, 2020. Motion carried 7-0.**

Submitted by,
Peggy Haag
Village Clerk