

Village Board Meeting Minutes
Monday, November 16, 2020
Virtual Meeting – Zoom

The Village of Oregon Board Meeting was held as a live virtual meeting to practice social distancing. The public was encouraged to participate and/or watch the meeting in one of the listed options below. Connection Instructions were provided at the beginning of the agenda. Additional Instructions/Information was listed at the end of the agenda and is included in the meeting minutes.

Virtual Meeting will be held at: Join Zoom Meeting
Zoom login info:

Join Zoom Meeting
<https://us02web.zoom.us/j/84903352965>
Meeting ID: 849 0335 2965
Passcode: 278638

Call In
1-312-626-6799
Meeting ID: 849 0335 2965
Passcode: 278638

1. Call to Order
Village President Jeanne Carpenter called the Village Board Meeting to order at 5:00 p.m. on Monday, November 16, 2020.
2. Roll Call
Present: Jenna Jacobson, Jerry Bollig, Amanda Peterson, Cory Horton, Randy Glysch, Jeanne Carpenter, and Luke Sticht.

Also Present: Village Administrator Mike Gracz, Finance Director Lisa Novinska, Public Works Director Jeff Rau, Rachel Brickner, Library Director Jennifer Way, Village Planner Elise Cruz, Chief of Police Jennifer Pagenkopf, Village Attorney Matt Dregne, and Village Clerk Peggy Haag.

3. Community Input. This part of the agenda allows members of the public to provide information to the Village Board, including 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.

4. Public Appearance
 - a) (Information will be available at the Board Meeting) Discussion with Ehlers re: Initial Analysis of Lakestone's Tax Increment Finance (TIF) Request for Janesville Street Affordable Housing Project and Possible Board Direction -- (The Board may go into closed session at the end of the meeting to further discuss the TIF request.)
Dawn Gunderson-Schiel and David Ferris with Ehlers and Brian Spanos and Bret Reiman of Lakestone appeared for item 4a.

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In short, the project would not be able to move forward without Tax Increment Financing assistance. Ehlers Version three is the best option for both the Village and Lakestone, including 10% retainage and no interest on the Municipal Revenue Obligation to get close to the 2.76 million in net Tax Increment Financing.

The Staff is comfortable with option three. The goal is to start at 25% retainage and then find the sweet spot for the Village and the developer. The idea of retaining money is to get the Tax Increment Districts to pay for themselves, not the general levy. The Tax Increment District closes in 2036. Staff is trying to determine whether or not the Tax Increment District closing date should extend beyond 2036.

Reiman and Spanos haven't talked to Baker Tilly, a bank, or their attorney yet, so they are not 100% sure option three will work for them, but they think it is close.

Gracz asked for authority to prepare the Tax Increment Financing agreement to keep things moving while Reiman and Spanos get the answers they need from their team. Gracz asked if the Board is ok with working between 5%-10%.

All Board members are ok with giving staff the flexibility to continue working on this project. Neither a closed session nor a motion was needed.

b) Discussion with Sleep Inn Hotel Representatives re: Suspending the Room Tax Payments for Sleep Inn Hotel due to COVID-19 Pandemic for a specific period of time and Request to Use Previously Paid Room Taxes for targeted advertising -- Possible Board Action

Paul Harms and Dan Eagan from S & L Hospitality appeared before the Board. The Sleep Inn Hotel is struggling to collect revenues during the pandemic. Managers Harms and Eagan are getting pressure from majority owners to brainstorm alternative revenue sources and cut expenses, or they may have to close until after the pandemic. The Sleep Inn Hotel is down almost \$700,000 in budgeted revenues and is asking the Village of Oregon if the hotel can keep the occupancy taxes collected for the third and fourth quarters. They are also requesting to use taxes previously paid to the Village of Oregon for advertising.

The Sleep Inn Hotel has paid \$85,704 in room tax. Almost \$60,000 or 70% of what is collected goes to the Tourism Commission. The Village of Oregon collects 30%, or in this case, about \$25,000. The Village of Oregon kept \$25,000 but had to pay the advance back to create the room tax ordinance. The Village of Oregon will use \$18,000 for the 2021 budget, leaving a balance of \$5,000.

There are several categories of money in discussion:

1. The request to the Village Board to suspend the room tax until the pandemic is over. No additional room tax would be collected by the Village during this time.
2. The 70% of room tax money already collected, going to the Tourism Commission. The Village is not able to decide how that money is spent.
3. The 30% of room tax money already collected, going to the Village. Out of \$25,000, only 5,000 is still available.
4. The money collected by the hotel but not yet paid to the Village was collected in the third and fourth quarter, at just over \$11,600. The Village portion of this money is

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about \$3,500 for a Village total of approximately 8,500 that could be used as an economic grant.

Dregne said the required use for the money in discussion is for tourism and visits to the hotel. During a pandemic, it is not something people want to promote. There is no requirement that the Village Board has a room tax in effect in the Village of Oregon. Moving forward, the Village Board can make the policy decision to repeal the room tax revenue and revisit later. Room Tax is different than a straight property tax payment.

Instead of giving money back and repealing the ordinance, Carpenter asked if room tax payments can be deferred until 2021? She doesn't like the idea of giving money back because it may cause issues in the future.

Since the money is a tax, the best way to work through it is to repeal the ordinance or modify it to say it's suspended for some time and revisit. Dregne is not as familiar with deferring the obligation to pay the funds. He is unsure how this would work.

Board members were not in agreement on how to proceed, but after much discussion, they agreed to suspend room tax collection for six months and revisit.

After learning the Tourism Commission receives the 70%, Eagan determined the hotel should go to the Tourism Commission instead of the Village Board.

Peterson moved, seconded by Carpenter, to direct staff to draft an ordinance to temporarily suspend the collection of room tax until the end of the second quarter in 2021.

Motion carried 7-0.

It was noted the Sleep Inn Hotel is required to pay third quarter 2020 room tax.

c) Discussion with Brad Clark from Oregon Snow-Blazers re: Snowmobile Route to Mulligans -- Possible Board Action

Brad Clark of the Oregon Snow-Blazers appeared before the Village Board to discuss the best route to get from the far west end of the Village to Mulligan's Bar & Grill. It was requested to avoid crossing an intersection at a diagonal. The Snow-Blazers will work with Dane County on the county's right of way. Rau thanked the Oregon Snowblazers for being a good organization to work with.

Horton moved, seconded by Glysch, to approve working with Staff to cross Highway CC perpendicular instead of diagonal.

Motion carried 7-0.

5. 2021 Village Budget (Note: Entire 2021 Revised Budget is on the Village's Web Page)

a) Open Public Hearing for 2021 Village Budget

The public hearing opened at 6:09 p.m.

- b) Review of 2021 Budget Overview (PowerPoint Slides) including the review of Additional Changes made to the 2021 Budget since the approval of the Preliminary Budget
- Review of Tax Levy Sheet- *Village Administrator's Note: Please note the proposed 2021 increase is \$44.67 for an average assessed home compared to \$88.64 in 2020. Following the approval of the 2021 Preliminary Budget on October 19th, Lisa and I reviewed the Budget document again and have made some final adjustments to it, which will be discussed during the 2021 Budget Hearing.*

Gracz noted the tax increase is \$44.67 on an average assessed home for the 2021 budget compared to \$88.64 for 2020. The tax levy is going up a little over 3%. The budget will allow the Village to qualify for the 2022 expenditure restraint payment.

Novinska shared changes to the preliminary budget since the last budget meeting.

Gracz said the 2021 budget allows the Village to address several major projects. Staff is keeping the contingency higher in case state aid is reduced due to less federal aid for COVID expenses. Gracz reviewed capital equipment purchases.

- c) Take Public Comments
There were no public comments.
- d) Close Public Hearing
The Public Hearing closed at 6:22 p.m.
- e) Discussion and Possible Action re: Adopting Resolution #20-35 Tax Levy and 2021 Budget -- **Recommended Motion: Approve Resolution #20-35 adopting the 2021 Budget and Changes to Budget since the October 19th Budget Meeting**

Glysch moved, seconded by Jacobson, to approve Resolution #20-35 adopting the 2021 Budget and Changes to Budget since the October 19th Budget Meeting.

Bollig thanked the Staff for their year-round work on the budget.

Motion carried 7-0.

6. Village Attorney/Village Administrator Report
- a) Discussion and Possible Action re: Reimbursement Agreement with School District for School Site in Fitchburg (**Village Administrator's Note: I have presented two (2) questions for the board to consider in sections 1.2 & 2.1. of the agreement.**)

Item 6a is not ready tonight and is tabled to a future meeting.

- b) Discussion and Possible Action re: Reconsideration of Special Election for Trustee Position (1-Year Term) -- Village Staff's Request to discuss the motion from the July 20, 2020, Board Meeting with the Village Board --*Horton moved, seconded by Glysch to fill the vacant Trustee position by appointment until April 2021. In April 2021 the Trustee position will be put on the ballot for a one-year term (ending April 2022) during a Special Election. Motion carried 6-0.*

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Jones discussed with the Board the idea of having Sticht serve out the end of the term until April of 2022. Gracz and Jones also thought there would be less confusion because there will also be a Village President seat and three other Trustee seats up for election in 2021. Sticht did plan on running for the open position. Jones mentioned there were only two people that put applications in for the position. She may think differently if several people had applied.

In a COVID world, it might make sense to have fewer people out asking for signatures. All Board members agreed on having Sticht continuing through April of 2022.

Gracz said staff purposely did not talk to Sticht about this topic, so nobody was influenced prior to the meeting.

Peterson moved, seconded by Glysch, to approve extending Luke Sticht's Village Trustee appointment through the full term of April 2022. 6:40 p.m.

Motion carried 6-0-1 with Sticht abstaining.

7. Approval of Minutes

a) None.

8. Approval of Vouchers

a) Voucher List for November 16, 2020

Glysch moved, seconded by Peterson to approve vouchers dated November 16, 2020, in the amount of \$237,452.19.

Roll call vote: Bollig – yes; Glysch – yes; Carpenter – yes; Horton – yes; Peterson – yes; Sticht – yes; and Jacobson – yes.

Motion carried 7-0.

9. Proclamations and Announcements

a) Board Comments:

Library Director, Jennifer Endres Way, shared that the Library Gala had a great turnout and raised over \$11,000 for the new Library.

b) Alternate Side Parking (November 15th through April 1st) (Chief Pagenkopf)

Chief Pagenkopf said the Police Department is evaluating alternate side parking warnings daily during the pandemic since many people are working from home. Officers will hit the warning tickets hard. If they find they are issuing a lot of warning tickets, they may extend the warning period another week.

c) Update regarding Leaf Collection (Rau)

Leaf collection is wrapping this up this week. Residents can call if something was missed, and Public Works will stop to pick up leaves.

d) Staff Comments:

1) Upcoming (Virtual) Meetings:

a) December 7, 2020 Board Meeting

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- b) December 21, 2020 Board Meeting
- c) January 4, 2021, No Board Meeting
- d) January 11, 2021 Board Meeting
- e) (Thursday) January 14, 2021, Joint Meeting with Planning Commission for Vandewalle's presentation on the Westside Park's Conceptual Plans
- f) January 18, 2021 Board Meeting

Gracz said the local food pantry is looking for goods and is reminding people to be generous during the holidays.

10. Communication and Miscellaneous Business

- a) Discussion and Possible Action re: Resolution #20-36 (Second Submittal) Declaring Expenditures to be Submitted to Routes to Recovery: Local Government Aid Grants – Recommended Motion: Approve Resolution #20-36 Note: The Village's allocation is \$165,339.

Peterson moved, seconded by Sticht, to approve Resolution #20-36 declaring expenditures to be submitted to Routes to Recovery: Local Government Aid Grants.

Gracz thanked Candie Jones for working on the Routes to Recovery Aid Grant.

Motion carried 7-0.

- b) Discussion and Possible Action re: Polling Location for 2021 Elections – Recommended Motion: Approve polling location for 2021 election cycle.
2021 Elections
Spring Primary - Tuesday, February 16, 2021 (if needed)
Spring Election - Tuesday, April 6, 2021

Polling Locations for 2021 Elections

Wards 1, 5-6, 11, & 13 – Village Hall Community Room – 117 Spring Street, Oregon, WI 53575

Wards 2-4, & 12 – Village Hall Board Room – 117 Spring Street, Oregon, WI 53575

Wards 7-10 – Village Hall Community Room – 117 Spring Street, Oregon, WI 53575

Peterson moved, seconded by Jacobson, to approve polling location for the 2021 election cycle.

2021 Elections

Spring Primary - Tuesday, February 16, 2021 (if needed)

Spring Election - Tuesday, April 6, 2021

Polling Locations for 2021 Elections

Wards 1, 5-6, 11, & 13 – Village Hall Community Room – 117 Spring Street, Oregon, WI 53575

Wards 2-4, & 12 – Village Hall Board Room – 117 Spring Street, Oregon, WI 53575

Wards 7-10 – Village Hall Community Room – 117 Spring Street, Oregon, WI 53575

Motion carried 7-0.

c) COVID-19 Update

1) Message from Public Health Madison & Dane County -- “Stark Warnings about Thanksgiving as COVID Patients fill local hospitals”
With hospitals filling up in Dane County and across the state, it is more dangerous than ever to gather in person. Health experts are extremely concerned about the upcoming Thanksgiving holiday and are warning people not to hold large family gatherings this year. Getting together with friends and family right now is not safe.

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According to Public Health Madison and Dane County, COVID is spreading rapidly across our area at an average of 347 new cases per day over the last week. Hospitalizations and the number of people in intensive care have reached record highs, and four people in Dane County lost their lives to COVID in the past two weeks. All this as we head into the holiday season.

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Now is the time that many people are starting to make their Thanksgiving plans. But meeting up with family members age 65+ or with other health conditions, like pregnancy or diabetes, could result in those family members getting seriously sick. Public Health urges you to consider if you really need to gather with people outside of your household this year, or if you can sacrifice a year of in-person festivities to keep everyone safe.

Visit [Public Health Madison & Dane County](#) for the latest guidance.

2) Village Hall Staff members are making plans in the event we have to close the Village Hall Front Office if a COVID-19 Outbreak occurs among staff.

3) Message to Village Property Taxpayers: If you want to pay your village property taxes in person, please call the Village Hall at 835-3118 to make an appointment. Village staff is highly recommending taxpayers pay their taxes via the mail or use the Village Hall secure drop-box. Staff can email a receipt to taxpayers if they provide an email address.

d) Discussion and Possible Action re: Hydraulic Hammer for Backhoe – **Recommended Motion: Approve the procurement of an Allied 777E Hydraulic Breaker from LF George in the amount of \$10,882.35.**

Bollig moved, seconded by Sticht, to approve the procurement of an Allied 777E Hydraulic Breaker from LF George in the amount of \$10,882.35.

The hydraulic hammer for the backhoe broke, and it is not a budgeted item. Money is being reallocated to put toward the purchase because it is an important piece of equipment. Public Works uses the hydraulic hammer to dig the frozen ground for graves in the winter and water main breaks.

Motion carried 7-0.

- e) Discussion and Possible Action re: Miscellaneous HVAC Repairs – Kiser Park & Village Hall – Recommended Motion: Approve the purchase and installation from Staley Plumbing of HVAC repairs including \$3,950.00 for a new furnace at the Kiser Park building and \$2,947.00 for a new steam coil at Village Hall.

Glysch moved, seconded by Sticht, to approve the purchase and installation from Staley Plumbing of HVAC repairs including \$3,950.00 for a new furnace at the Kiser Park building and \$2,947.00 for a new steam coil at Village Hall.

Motion carried 7-0.

- f) Discussion and Possible Action re: Village Hall Elevator Service Contract – Recommended Motion: Approve proposal AP6650 from Otis Elevator Company for lubricant and survey service on the Village Hall elevator as long as the Village has the option to opt-out of the contract if we cease operations in this building.

Glysch moved, seconded by Sticht, to approve proposal AP6650 from Otis Elevator Company for lubricant and survey service on the Village Hall elevator as long as the Village has the option to opt-out of the contract if we cease operations in this building.

Rau struck through the automatic renewal on the contract. He added the language that the village can opt-out of continuing the contract if operations at the Spring Street facility cease.

Motion carried 7-0.

- g) Discussion and Possible Action re: Speed & Traffic Analysis – Foxfield and Lincoln Roads – Recommended Motion: Approve the task order from SRF Consulting in the amount of \$6,000 for traffic study and analysis for Lincoln Road and Foxfield Road.

Jacobson moved, seconded by Peterson, to approve the task order from SRF Consulting in the amount of \$6,000 for traffic study and analysis for Lincoln Road and Foxfield Road.

Motion carried 7-0.

- h) Discussion and Possible Action re: Revised Use of Force Policy – Recommended Motion: Approve Revised Use of Force Policy

Chief Pagenkopf explained that the Wisconsin Law Enforcement Accreditation Group reached out to the Oregon Police Department to make a couple of updates to their policy per executive order. Oregon Police Department already meets the requirements of the first item but would like to update the second item and explain what a chokehold is and prohibit the use of chokeholds except in situations where deadly force is allowed by law. This item wasn't in the Village's Use of Force Policy because police officers don't train on chokeholds in Wisconsin unless it would be a deadly force situation.

Jacobson moved, seconded by Sticht, to approve Revised Use of Force Policy.

Motion carried 7-0.

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11. Report of Committees

a) Planning Commission – November 12, 2020 Meeting (President Carpenter)

1) FYI Only -- Site Plan Revision to the Oregon Optimists' Splash Pad at Oregon Pool

2) Discussion and Possible Action re: Extra-Territorial Jurisdiction Certified Survey Map (CSM) - Connie Weber property, Tipperary Road, Town of Oregon – Recommended Motion: Approve Certified Survey Map (CSM) for Connie Weber property on Tipperary Road, Town of Oregon

Carpenter moved, seconded by Jacobson, to approve Certified Survey Map (CSM) for Connie Weber property on Tipperary Road, Town of Oregon.

Motion carried 7-0.

3) FYI Only - Conceptual Discussion: Oregon Ice Arena expansion

Carpenter said OIP Land, LLC is requesting to add space to the ice arena building for indoor sporting and retail. They came to the Planning Commission to make sure there is no opposition. The Planning Commission told them to bring plans to the commission for review.

12. Minutes Not Requiring Action

a) Oregon Area Fire-EMS District Commission October 1, 2020 Meeting and Information

b) Library Board October 14, 2020 Meeting

13. Unfinished Business

a) There was no unfinished business.

14. New Business

a) There was no unfinished business.

15. Future Agenda Items

a) At Future Board meeting re: Recent Compliance Checks by Police Department.

b) January 11, 2021, Joint Meeting with Library Board re: New Library Building

c) Park Shelter Fees

d) Review of 2020 Master Calendar

e) Preparing Citizen Guide for assistance in understanding the roles of Village Board and Police Commission as they relate to the oversight of the Police Department

16. **The Village Board may adjourn into closed session during the meeting pursuant to Wis. Stat. 19.85 (1) (e) to discuss TIF Assistance for the Lakestone Janesville Street Project. The Board will adjourn from closed session.**

Closed session was not needed.

17. Adjournment

Glysch moved, seconded by Peterson adjourn the Regular Village Board meeting at 7:20 p.m. on Monday, November 16, 2020. Motion carried 7-0.

Additional Connection Instructions/Information

Participate on-line in Zoom webinar by using the link at the top of the agenda to join:

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(A computer, tablet, or smartphone will allow participation.)

- a) Computer:
First-time users will need to download and run the Zoom client app (zoom.us) for their computer. It may be easiest to use a laptop computer with a built-in camera and microphone, or a desktop computer with a headset or speakers/microphone. If you would like to speak during the meeting, but do not have a microphone on your computer, you will also need to call in with a phone.

- b) Smartphone/Tablet:
First-time users will need to download and run the Zoom client app (zoom.us) for their iPhone, iPad, or Android device to connect with their smartphone or tablet.

- c) To Watch Meeting -- Oregon Community Access (OCA Media)
Oregon Village Board Meetings are televised live by OCA Media on Spectrum Cable channel 983 and TDS cable channel 1019. Archived meetings are available for viewing on OCA Media's YouTube channel: <https://www.youtube.com/user/OCAmedia>

- d) Written Public Comments:
You may send written comments to the Village Board on an issue listed on the agenda or not listed on the agenda by emailing the Village Clerk at phaag@vil.oregon.wi.us.

- e) Requesting Accommodations in Advance of Meeting:
If you do not have internet access or are unable to participate electronically, please contact Village Clerk Peggy Haag for accommodations 24 hours in advance of the meeting. Her phone number is 835-6282.

Submitted by,
Peggy Haag
Village Clerk