

**VILLAGE BOARD MINUTES  
VILLAGE OF DEERFIELD**

**FOR A MEETING OF THE VILLAGE BOARD OF THE VILLAGE OF DEERFIELD HELD AT THE DEERFIELD  
VILLAGE HALL, 4 N. MAIN STREET, DEERFIELD, WISCONSIN ON  
MONDAY, APRIL 13, 2015 AT 7:00 P.M.**

**CALL TO ORDER – NOTING OF ROLL BY CLERK/SIGN IN SHEET**

The meeting was called to order at 7:00 pm by President Frutiger. Roll call: Wilkinson, Tebon, Schreiber, Reichert, Fritz and Frutiger present. Also present: see sign-in sheet on file in the Clerk's office.

**CONSENT AGENDA**

Motion by Wilkinson, second by Tebon to approve the April 13, 2015 agenda with the addition of the Public Works and Finance meetings under Committee Reports and a Deerfield Cares meeting on 04/09/15 and the 06/16/15 date for the EMS meeting being changed to 03/16/15. All ayes, motion carried.

**A. APPROVAL OF MINUTES FROM MARCH 9, 2013**

Motion by Frutiger, second by Fritz to approve the minutes from March 9, 2015 as presented. All ayes, Wilkinson abstained, motion carried.

**B. APPROVAL OF VOUCHERS**

The Finance Committee reviewed and recommended payment of all vouchers presented.

Motion by Wilkinson, second by Tebon to approve payment of check #49653 to #49711 totaling \$95,090.72. All ayes, motion carried.

**C. TREASURER'S REPORT FOR MARCH 2015**

McCredie presented the March 2015 Treasurer report with the beginning balance in the checking account of \$12,443.58 deposits totaling \$302,571.01, checks totaling \$237,837.57 and the other expenses for the month totaling \$50,508.00 leaving an ending balance of \$26,669.02. The ending balance in the Money Market account was \$1,595,316.42 and the SIP's was \$1,840,720.75, resulting in a total fund balance at the end of March 2015 of \$3,462,706.19.

Motion by Tebon, second by Frutiger to approve the March 2015 Treasurer's report with the prior month balances for the Money Market and the SIP being added. All ayes, motion carried.

**D. COMMITTEE REPORTS**

**1. DCCVA 03/11/15**

Frutiger informed the Board that DCCVA discussed the inoperable status of DaneCom and the lack of communication between the different organizations.

**2. PARKS 03/16/15 & 04/06/15**

Fritz informed the Board that at the March 16<sup>th</sup> Parks meeting Randle Toepfer presented a request to allow the Girls Softball team to install advertising signs on the fence in the Community Park as a fundraiser. The request was tabled in order to obtain information on ordinances and insurance questions but unfortunately the 04/06/15 meeting was cancelled due to the lack of a quorum. The Committee also approved allowing a car show to be held in the Firemen's Park on July 18<sup>th</sup>.

**3. EMS 03/16/15 & 03/19/15**

Frutiger reported that the March 16<sup>th</sup> meeting was cancelled and that at the 03/19 meeting the discussion of a car owned by an EMS person in one of the Fire Station stalls was tabled. EMS also discussed Life Quest's regulations relating to open record requests for their contract.

**4. LIBRARY 03/20/15**

Fritz reported that the Library Board discussed the Friends of the Library's tax exempt status, the ability to check out DVDs and to pay fines on-line and the installation of a flag pole.

**5. FINANCE 03/23/15 & 04/13/15**

On 03/23/15 the Finance Committee approved the vouchers and on 04/13 they approved the vouchers and to forward, to the Board, a resolution opposing the elimination of Personal Property taxes and a Fund Balance policy.

**6. CABLE 03/25/15**

Dave Lemke reported that the Cable committee discussed upgrading the recording system at the Village Hall.

**7. DEERFIELD CARES 03/26/15 & 04/09/15**

Frutiger informed the Board that at both meetings the members discussed and worked on the Heroin presentation folders.

**8. JOINT INTERACTIVE 04/06/15**

Wilkinson reported that the School District is anticipating the loss of \$300,000.00 in revenue due to State tax cuts which could force them to go out for referendum again.

**9. PUBLIC WORKS 04/13/15**

The Public Works Committee discussed the 2015 Street projects, the 2016 Stormwater budget, the 2014 CCR, the upgrade of the recording system at the Village Hall and the Savannah Parkway Developer's Agreement.

**PUBLIC APPEARANCES**

**A. PUBLIC COMMENTS**

Dave Lemke informed the Board that the Dane County Board of Adjustment will hold a public hearing on April 23, 2015 for an appeal made by Jon Halverson/Oak Park Quarry appealing the Town of Deerfield's March 3, 2015 decision.

**B. 2015 ARBOR DAY PROCLAMATION**

President Frutiger presented the 2015 Arbor Day Proclamation proclaiming April 24, 2015 as Arbor Day in the Village of Deerfield and urged all citizens to celebrate Arbor Day and to support efforts to protect our trees and woodlands. It was noted that the proclamation was on old letterhead.

Motion by Wilkinson, second by Fritz to proclaim April 24, 2015 as Arbor Day in the Village of Deerfield and to approve President Frutiger signing it after it is placed on current letterhead. All ayes, motion carried.

**UNFINISHED BUSINESS, REVIEW & ACTION THERE ON  
NEW BUSINESS**

**A. RESOLUTIONS**

**1. RESOLUTION R2015-06 AUTHORIZING THE VILLAGE OF DEERFIELD TO APPLY FOR A STORM WATER GRANT FROM THE WISCONSIN DEPARTMENT OF NATURAL RESOURCES (WDNR)**

Tebon informed the Board that the Public Works committee reviewed and recommended approval of resolution R2015-06 authorizing the Village of Deerfield to apply for a Storm Water grant from the WDNR. Fritz questioned the amount of the grant and was informed that it was for \$5,000.00 and would be used for the Stormwater Utility's finalization and implementation.

Motion by Tebon, second by Reichert to approve resolution R2015-06 authorizing the Village to apply for a \$5,000.00 Stormwater grant from the Wisconsin Department of Natural Resources. All ayes, motion carried.

**B. LICENSES & PERMITS**

**1. CONSIDER A REQUEST FOR AN OPERATOR'S LICENSE FOR THE PERIOD OF APRIL 14, 2015 TO JUNE 30, 2015 FOR LISA C. KEINER**

The Finance Committee reviewed the Operator's license application from Lisa Keiner and found no reason for denial.

Motion by Tebon, second by Reichert to approve issuance of an Operator's license for the period of April 14, 2015 to June 30, 2015 to Lisa C. Keiner. All ayes, motion carried.

**C. REVIEW & ACTION:**

**1. DISCUSS/CONSIDER NOTICE OF CONSENT TO SUBLEASE GROUND LEASE AND SUBSEQUENT LEASE BACK OF A PORTION OF CELL TOWER SITE LOCATED AT 308 S. INDUSTRIAL PARK RD.**

Recently American Tower entered into an agreement with Verizon Communications to acquire the rights to several tower sites including the tower located at 308 S. Industrial Park Road which is owned by the Village. American Tower is requesting the Village's consent to the Ground Lease and Leaseback.

Motion by Wilkinson, second by Fritz to consent to sublease the Ground Lease 33722 and subsequent leaseback of a portion of Site 112357, located at 308 S. Industrial Park Road. All ayes, motion carried.

**2. CONSIDER REQUEST FOR AN AMENDMENT TO AN OFFER TO PURCHASE, GRANTING THE AUTHORITY TO SIGN AMENDMENTS TO THE PURCHASE THAT ARE REQUESTED OR NEEDED IN THE FUTURE AND CONSIDER GRANTING AUTHORITY TO THE VILLAGE ATTORNEY TO PREPARE ADDITIONAL DEVELOPMENT DOCUMENTS REQUIRED BY THE PURCHASE CONTRACT**

BCP is requesting that the Village approve an amendment to the offer to purchase signed December 29, 2014 for vacant property located off River Birch Court. Attorney Anderson was informed about the request and had no opposition to the request but recommended that the Village Board consider granting authority to the Village President and Administrator to sign amendments to the purchase contract that are requested or needed in the future, provided that (1) the amendment falls within the scope of the current purchase contract and (2) it has been reviewed and approved by the Village Attorney, President and Administrator and Trustee Tebon. Anderson also suggested the Board authorize her to prepare additional development documents required by the purchase contract, with costs being charged against TID #2.

Motion by Schreiber, second by Fritz to approve the amendment to an offer to purchase from BCP for vacant property located off River Birch Court. All ayes, motion carried.

Motion by Schreiber, second by Fritz to grant the Village President and Administrator to sign amendments to the purchase contract that are requested or needed in the future, provided that (1) the amendment falls within the scope of the current purchase contract and (2) it has been reviewed and approved by the Village Attorney, President and Administrator and Trustee Tebon. All ayes, motion carried.

Motion by Schreiber, second by Tebon to authorize Attorney Anderson to prepare additional development documents required by the purchase contract, with costs being charged against TID #2. All ayes, motion carried.

**3. CONSIDER A MOVE TO CLOSED SESSION PURSUANT TO § 19.85(1)(G) FOR THE PURPOSES OF CONFERRING WITH LEGAL COUNSEL WHO IS RENDERING LEGAL ADVICE REGARDING LITIGATION OR POTENTIAL LITIGATION IN WHICH THE VILLAGE MAY BECOME INVOLVED (BONDING COMPANY TAKEOVER OF GRADE-TECH PAVERS CONTRACT/2013 STREET PROJECTS; DENIAL OF GRADE-TECH PAVERS' CLAIM; FINAL REQUEST FOR PERFORMANCE)**

Motion by Schreiber, second by Reichert to move to closed session pursuant to § 19.85(1)(g) for the purposes of conferring with legal counsel who is rendering legal advice regarding litigation or potential litigation in which the Village may become involved (bonding company takeover of grade-tech pavers contract/2013 street projects; denial of grade-tech pavers' claim; final request for performance). Roll call vote: Wilkinson aye, Tebon aye, Schreiber aye, Reichert aye, Fritz aye and Frutiger

aye, motion carried.

**4. CONVENE IN OPEN SESSION TO TAKE ACTION, IF ANY, RELATED TO CLOSED SESSION**

Motion by Wilkinson, second by Schreiber to move to open session. Roll call vote: Wilkinson aye, Tebon aye, Schreiber aye, Reichert aye, Fritz aye and Frutiger aye, motion carried.

No action taken.

**ORDINANCES  
COMMUNICATIONS**

Frutiger thanked Roger Fritz for his time spent on the Village Board and wished him good luck in the future.

**STAFF REPORTS**

**A. ADMINISTRATOR'S REPORT**

McCredie gave a report on the results from the spring election and informed the Board that the Village earned the recognition of becoming a 2014 Tree City USA. The Board member were also reminded about turning in their meeting attendance chart.

**ADJOURN**

Motion by Wilkinson, second by Reichert to adjourn at 8:30pm. All ayes, motion carried.

/S/ Elizabeth McCredie  
Village Administrator/Clerk/Treasurer