

**VILLAGE BOARD MINUTES
VILLAGE OF DEERFIELD**

**FOR A MEETING OF THE VILLAGE BOARD OF THE VILLAGE OF DEERFIELD HELD AT THE DEERFIELD
COMMUNITY CENTER, 3 W. DEERFIELD STREET, DEERFIELD, WISCONSIN ON
MONDAY, APRIL 23, 2012 AT 7:00 P.M.**

CALL TO ORDER – NOTING OF ROLL BY CLERK

The meeting was called to order at 7:00 pm by President Kiefer. Roll Call: Wilkinson, Tebon, Fritz, Frutiger Schreiber and Kiefer present. Also present: Village Administrator, Patrick Vander Sanden and see sign in sheet on file in the clerk's office.

CONSENT AGENDA/SIGN IN SHEET

Motion by Tebon, second by Fritz to amend the April 23, 2012 agenda to allow for the appointment of Jerry McMullen to be discussed first. All ayes, motion carried.

A. APPROVAL OF MINUTES FROM MARCH 26, 2012 AND APRIL 12, 2012

Motion by Tebon, second by Frutiger to approve the minutes from March 26, 2012 as written. All ayes, Fritz and McMullen abstained, motion carried.

Motion by Frutiger, second by Tebon to approve the minutes from April 12, 2012 as written. All ayes, Fritz and McMullen abstained, motion carried.

B. APPROVAL OF VOUCHERS

The Board reviewed the list of checks scheduled to be paid for April 23, 2012. The Finance Committee also reviewed and approved payment of all the checks.

Motion by Wilkinson, second by Tebon to approve payment of check #46115 to #46156 totaling \$65,811.45. All ayes, motion carried.

C. COMMITTEE REPORTS

1. PLANNING COMMISSION 04/17/12

Kiefer informed the Board that everything the Planning Commission discussed is on tonight's Board agenda.

2. EMS 04/19/12

Frutiger reported that the staffing at the Deerfield station is at 80 to 90 %; grant requests have been submitted by Jerry McMullen and the four (4) joint Board meeting is scheduled for May 31st at 6:30pm in Cottage Grove.

3. LIBRARY 04/20/12

Fritsch reported that it is a quiet time at Library enabling time to get things done.

4. FINANCE 04/23/12

Kiefer reported that everything the Finance Committed discussed is also on tonight's Board agenda.

PUBLIC APPEARANCES

A. PUBLIC COMMENTS

UNFINISHED BUSINESS, REVIEW & ACTION THERE ON

1. 2012 STREET & UTILITY PROJECTS

The Board introduced themselves and Engineer, Warren Myers, identify the scope of work planned for each of the 2012 Street and Utility projects. Kiefer asked if there was anyone present who wished to speak.

Brenda Ingersoll, 10 N. Washington Street, asked the Board to not replace the water main, curb and gutter and street for the portion of N. Washington between her property and the intersection of Washington and Nelson streets. She does not want the Hildreths to lose their trees and is happy with the way the road is now. She also asked the Board to look at the intersection of W. Nelson and N. Main Street as it is a very dangerous intersection.

David Olson, 108 N. Washington Street, agreed that the street needs improving but asked the Board to reconsider installing sidewalks on the east side of the street as he would lose a good portion of his driveway leaving him to park on the street. Olson also stated that the current width of N. Washington is sufficient enough to allow for parking on both sides even when there is snow present and he sees no reason go to the expense of widening it.

Doug Hildreth, 15 N. Washington Street, expressed his concern with the removal of the water main as it is his understanding that the pipe contained asbestos. Myers informed Hildreth that the removal of the water main was addressed in the bidder's contract. Barb Hildreth, 15 N. Washington Street, stated that this project affects their property the most and finds it very upsetting that they have spent hundreds of dollars improving it only to have it ruined just so the Village can match up a road.

Adam Lazarre, 105 N. Washington Street, expressed his concern regarding the visibility at the intersection of W. Nelson and N. Main Street and suggested that a parking stall be removed on the east side of N. Main Street. Lazarre also agreed that N.

Washington needs to have the street repaired but felt it was unnecessary to install sidewalks on the east side of N. Washington. Lazarre suggested that the Board look at changing the village's policy on assessments.

Steve Cardwell, 20 Legreid Street, questioned the storm sewer work to be done on S. Washington Street and which trees on Legreid Street would be removed. Myers and Public Works Director, John Doyle, gave Cardwell explanations to his questions.

Les Williams, 102 W Nelson Street, didn't feel that sidewalks were necessary on the east side of N. Washington as no one uses them and he would also lose the use of his driveway if they were installed. He also did not think the intersection of Washington and Nelson Street was dangerous and saw no reason to change it.

Joe Huston, 16 Legreid Street, asked about the alleyway to the west of his property. He was informed that the grade of the alleyway would be blended back.

Ann Holmes, 14 N. Washington Street, thanked the Board for inviting the property owners to the meeting and stated that they like their neighborhood the way it is and we need to remember what Deerfield has to offer.

Norm Nelson, 111 N. Washington Street, stated that the water main from the old tower location down to S. Industrial Park Road

had already been replaced.

Bill Holland, 204 Legreid Street, asked Myers to rank the projects. Myers ranks the projects in the following order:

1. Greenwood Street
2. N. Washington Street from Nelson to S. Industrial Park Rd.
3. Legreid Street
4. Storm sewer from Liberty to Greenwood
5. Liberty Street
6. N. Washington Street south of Nelson Street.

Holland also agreed that Legreid Street should be repaired since the cracked pipe had to be replaced.

Wilma Brouwer-Herwig, 117 S. High Street, agreed that Legreid Street was in bad condition but asked that the Village reconsider the reconstruction by Hildreth's house due to the severity it would cause to their property. Brouwer-Herwig also suggested that the Village look at their assessment policy as a "one size fits all" policy doesn't work and there should be adjustments made for older areas.

The Committee discussed holding off on doing the south side of N. Washington Street and doing Liberty Street instead as it is a heavily traveled road and in need of repair. The Committee also discussed having the residents, that live on N. Washington Street between E. Nelson and S. Industrial Park Road, submitting a petition requesting sidewalks not be installed on the east side of the street.

Motion by Tebon, second by Wilkinson to proceed with the 2012 Street projects, at a cost of 1.475 million, as described in option number four (4) of the memo from Vander Sanden dated April 23, 2012 for Greenwood, Liberty Street, Phase III completion of the West Central Storm Sewer, Legreid Street and N. Washington Street between E Nelson and S. Industrial Park Road pending holding off on the sidewalk reconstruction for the east side of N. Washington contingent upon all residents agreeing to eliminate them.

Fritz questioned the equipment listed in the borrowing package. He was informed it is for the purchase of a new chipper and a riding lawn mower.

All ayes, motion carried.

NEW BUSINESS

A. RESOLUTIONS

B. LICENSES & PERMITS

1. CONSIDER REQUEST FOR A TEMPORARY CLASS "B" RETAILER'S LICENSE TO THE DEERFIELD SOFTBALL LEAGUE FOR THE BUCKY SCHMIDT MEMORIAL SOFTBALL TOURNAMENT, MAY 4, 2012 TO MAY 6, 2012

The Finance Committee reviewed and approved the request from the Deerfield Softball League for the Bucky Schmidt Memorial Softball tournament from May 4, 2012 to May 6, 2012.

Motion by Tebon, second by McMullen to approve the issuance of a temporary Class "B" Retailer's license to the Deerfield Softball League for the Bucky Schmidt Memorial softball tournament from May 4, 2012 to May 6, 2012. All ayes, motion carried.

2. CONSIDER REQUEST FOR A TEMPORARY CLASS "B" RETAILER'S LICENSE TO THE DEERFIELD SOFTBALL LEAGUE FOR THE PERIOD OF MAY 1, 2012 TO OCTOBER 31, 2012

The Finance Committee reviewed and approved the request from the Deerfield Softball League for the period of May 1, 2012 to October 31, 2012.

Motion by Tebon, second by Frutiger to approve the issuance of a temporary Class "B" Retailer's license to the Deerfield Softball League for the period of May 1, 2012 to October 31, 2012. All ayes, motion carried.

3. CONSIDER REQUEST FOR A TEMPORARY CLASS "B" LICENSE TO DEERFIELD HOME TALENT BASEBALL FOR THE PERIOD OF MAY 1, 2012 TO OCTOBER 31, 2012

The Finance Committee reviewed and approved the request from Deerfield Home Talent Baseball for the period of May 1, 2012 to October 31, 2012.

Motion by Tebon, second by Frutiger to approve the issuance of a temporary Class "B" Retailer's license to Deerfield Home Talent for the period of May 1, 2012 to October 31, 2012. All ayes, motion carried.

4. CONSIDER REQUEST FOR AN OPERATOR'S LICENSE FOR THE PERIOD OF APRIL 23, 2012 TO JUNE 30, 2012 FOR RYAN S. JULSETH

The Finance Committee reviewed and approved the request from Ryan S. Julseth for an Operator's license for the period of April 23, 2012 to June 30, 2012.

Motion by Tebon, second by McMullen to approve the issuance of an Operator's license for the period of April 23, 2012 to June 30, 2012 for Ryan S. Julseth. All ayes, motion carried.

C. REVIEW & ACTION:

1. APPOINTMENT OF JERRY MCMULLEN TO VACANT TRUSTEE POSITION

Kiefer thanked McMullen for coming forward and agreeing to take the vacant Trustee position.

Motion by Kiefer, second by Tebon to appoint Jerry McMullen to the vacant trustee position. All ayes, motion carried.

2. POLICY #2012-1 WAIVER OF GARBAGE AND RECYCLING BILLING FOR VACANT BUILDINGS

Kiefer informed the Board that this policy was being brought back for discussion due to an error in the date given for a previous meeting. Rock Disposal has also agreed to change their billing procedure allowing the Village to continue forgiving the garbage and recycling charges for residents that comply with policy #2012-1. The Finance Committee also agreed that the verbiage of item number three (3) should be changed to read "a minimum of 3 months". Copies of the policy will be sent to Village residents that utilize the policy.

3. KURT'S NEVER INN – OUTDOOR SERVING AREA AT 26 N. MAIN STREET

Tebon informed the Board that the Planning Commission discussed and reviewed the request from Tom Zickect to create an outdoor serving area at 26 N. Main Street. He has already done some landscaping and decking work to the open space just south of his building and is now wishing to install a fence on the front portion of the space. The Police department had presented a list of concerns for such an arrangement but each item was address and resolved by the Committee. McCredie informed the Board that she had just attended a district meeting and was informed of a new law regulating the issuance of a liquor license to establishments with outdoor serving areas. McCredie will contact the presenter and relate back the details.

Motion by Tebon, second by Fritz to allow Tom Zichert to install a fence per the plan submitted contingent upon the condition that if a complaint is received on the use of the outdoor serving area, at 26 N. Main Street, the Village Board will review the complaint and determine if hours of use should be limited. All ayes, motion carried.

4. MIKE LAWSON, 331 S. ATWOOD LANE, VILLAGE PARKLAND ISSUE

Mike Lawson, owner of 331 S. Atwood Lane came before the Board to see if he could obtain a portion of Measdownood Park that abuts to his property which would allow him to square off his lot. The Board agreed that this issue should be referred to the Park Committee for discussion.

5. INDUSTRIAL PARK SIGNAGE – 406 ENTERPRISE DRIVE

Tebon stated that the Planning Commission reviewed the signage request for 406 Enterprise Drive and had no objections except that they wanted the Building Inspector to review the request. Vander Sanden reported that the Building Inspector reviewed the signage request and had no objections.

Motion by Tebon, second by Frutiger to approve the Industrial Park signage request for 406 Enterprise Drive as presented. All ayes, motion carried.

6. CONSIDER A MOVE TO CLOSED SESSION PURSUANT TO § 19.85(1)(E) FOR THE PURPOSES OF DELIBERATING OR NEGOTIATING THE PURCHASE OF PUBLIC PROPERTIES, THE INVESTING OF PUBLIC FUNDS, OR CONDUCTING OTHER SPECIFIED PUBLIC BUSINESS, WHENEVER COMPETITIVE OR BARGAINING REASONS REQUIRE A CLOSED SESSION (DEERFIELD TID #3)

Motion by Frutiger, second by Fritz to move to closed session pursuant to § 19.85(1)(e) for the purposes of deliberating or negotiating the purchase of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session (Deerfield TID #3). Roll call vote: Wilkinson aye, Tebon aye, McMullen aye, Fritz aye, Frutiger aye, Schreiber aye and Kiefer aye. Motion carried.

7. CONSIDER A MOVE TO OPEN SESSION PURSUANT TO § 19.85(1)(E) FOR THE PURPOSES OF DELIBERATING OR NEGOTIATING THE PURCHASE OF PUBLIC PROPERTIES, THE INVESTING OF PUBLIC FUNDS, OR CONDUCTING OTHER SPECIFIED PUBLIC BUSINESS, WHENEVER COMPETITIVE OR BARGAINING REASONS REQUIRE A CLOSED SESSION (DEERFIELD TID #3)

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

No action taken in closed session.

ORDINANCES

COMMUNICATIONS

Jane Holland was nominated, by the Lions Club, as Citizen of the Year. The presentation will be May 19th at Nora's Kiefer read a proclamation proclaiming the week of April 29 through May 5, 2012 as Municipal Clerk's week.

STAFF REPORTS

A. ADMINISTRATOR'S REPORT

Vander Sanden reported that he had attended the WEDA conference in Appleton which he was very informative.

ADJOURN

Motion by Fritz, second by Tebon to adjourn at 9:23 pm. All ayes, motion carried.

/S/ Elizabeth McCredie
Village Clerk/Treasurer