

**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,
MAY 9, 2011 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, Schreiber, Smythe-Eagle, Tebon and Kiefer present, Frutiger and Smith absent. Also present: Village Administrator Patrick Vander Sanden, Village Engineer Warren Myers, Village Attorney Connie Anderson, David Lemke, Dane County Board Supervisor Bob Salov and Village residents Brenda Ingersoll, Megan and Adam Lazare, David Olson and Norman and Karen Nelson.

CONSENT AGENDA

Motion by Wilkinson, second by Tebon to approve the May 9, 2011 agenda as presented. All ayes, motion carried.

A. APPROVAL OF THE SPECIAL BOARD MINUTES FROM APRIL 19, 2011 AND THE REGULAR BOARD MINUTES FROM APRIL 25, 2011

Motion by Wilkinson, second by Smythe-Eagle to approve the April 19, 2011 Special Board minutes as presented. All ayes, motion carried.

Motion by Tebon, second by Schreiber to approve the minutes from the April 25, 2011 regular Board meeting as amended. All ayes, motion carried.

B. APPROVAL OF VOUCHERS

The Board reviewed the vouchers presented for payment.

Motion by Kiefer, second by Smythe-Eagle to approve payment of ck #45135 to #45167 totaling \$32,414.51. All ayes, motion carried.

C. COMMITTEE REPORTS

1. COMMUNITY CENTER 05/02/11

The Community Center discussed the upcoming fund raisers which will be the Josh Fischer spaghetti dinner on 5/18 and the Deerfield garage sales 5/12 through 5/14.

2. CABLE TV 05/04/11

Cable discussed a issue with some of the classrooms not being able to receive reception. Jerry Wichlacz is working on a format to allow for the archiving of meetings on the website. The committee is also concerned with the lack of a school representative at their monthly meetings.

3. PUBLIC WORKS 05/09/11

Public Works discussed Well #4, a DNR grant application and reimbursement from FEMA for expenses incurred, by the Village, for the snow storm earlier this year. Additional items discussed are on this agenda for further discussion.

4. FINANCE 05/09/11

All items on the Finance agenda will be discussed at the 5/09/11 Board meeting as agenda item.

PUBLIC APPEARANCES

PUBLIC COMMENTS

Some Village residents were present to speak regarding the Norm Nelson property issue. Kiefer requested that the comments be made when the issue is discussed under unfinished business.

Bob Salov came before the Board to inform them that the Village of Deerfield which is in District #37 will be under going redistricting. The redistricting is due to the statistics that came from the 2010 Census. Once the redistricting is finalized District #37 will consist of 10 municipalities and will incorporate an area ranging from Interstate 94 all the way down to Rock County. Salvo also informed the Board that the radio system is moving forward with the possibility of a 7th tower being added which will improve Deerfield's reception quality and that Joe Parisi is the new County Executive and that CARPC now has the authority to approve water and sewer extensions.

UNFINISHED BUSINESS, REVIEW & ACTION THERE ON

1. WELL #4 PROJECT – DISCUSSION & ACTION AS NECESSARY

Tebon informed the Board that Myers distributed a spreadsheet with the final cost for Well #4. The final cost came in \$14,507.84 under budget. Myers asked for approval of the final request for disbursement of financial assistance (#15) in the amount of \$2,019.80 which represents the final amount of engineering costs. The water utility employees have started adding polyphosphates to the system due to complaints received from Village residents regarding cloudiness of their water. Myers stated that he believes the cloudiness is due to higher iron concentrates and that the polyphosphates will solve the problem. Polyphosphates have no odor or taste and are only added in order to stabilize the iron. This process could take one to two weeks to regulate.

Motion by Tebon, second by Wilkinson to approve submitting the final pay request for disbursement of financial assistance (#15) for \$2,019.80. All ayes, motion carried.

2. PROPERTY MAINTENANCE ISSUES – NORM NELSON PROPERTY, 111 N. WASHINGTON STREET, DEERFIELD

Local residents Brenda Ingersoll, David Olson, Adam & Megan Lazar and Alan Mikkelson came before the Board to discuss Norm Nelson's property maintenance issues. All the residents agreed that the Nelsons are very good neighbors and that the

Village should grant them additional time to clean up their property. Adam Lazarre agreed that the Nelsons have been working to clean up their property but also stated that this has been an on going problem since November 9, 2009 which is when he filled his initial complaint. Lazarre asked the Board to look at the Nelson's property maintenance condition from an ordinance related stand point issue and to follow through on them. Kiefer stated that the Nelsons have made a lot of progress as the list of violation has decreased from 6 pages down to 3 but that we need take everything into consideration and keep moving forward to get this issue resolved. Attorney Anderson recommended that the Nelsons remove all the items outside of the fence, that are not vehicles, within the next 30 days and that within 2 weeks if they are not half way through to contact the Village. Nelson felt he could comply with these conditions.

NEW BUSINESS

A. RESOLUTIONS

B. LICENSES & PERMITS

1. CONSIDER REQUEST FOR AN OPERATOR'S LICENSE FOR THE PERIOD OF MAY 9, 2011 TO JUNE 30, 2011 TO STEPHANIE A. SCHENKEL

The Finance Committee reviewed and recommended approving an operator's license to Stephanie A. Schenkel.

Motion by Schreiber, second by Smythe-Eagle to approve issuing an operator's license for the period of May 9, 2011 to June 30, 2011 to Stephanie A. Schenkel. All ayes, motion carried.

C. REVIEW & ACTION:

1. APPOINTMENTS TO VILLAGE BOARDS, COMMISSIONS AND COMMITTEES

Kiefer informed the Board that letters were sent to commission and committee members asking them if they wished to continue serving on their committees. A list of these appointments is included in the Board packets. McCredie informed the trustees that there is a question as to who can serve on the Planning Commission which will need to be looked into. Smythe-Eagle questioned why there were vacancies on the Joint Board Interactive committee. McCredie informed him that these appointments need to be submitted through the school and the township and that when we receive the information new sheets will be distributed.

Motion by Kiefer, second by Tebon to approve the 2011-2012 Committee appointments for the Village of Deerfield except for the Planning Commission and the Joint Board Interactive Committee. All ayes, Smythe-Eagle abstained, motion carried.

2. SANITARY SEWER ORDINANCE AND RATE STUDY

Myers stated that Nathan Paoli, the sewer plant operator, discovered high levels of phosphorus during routine testing at the sewer plant. Through investigation it was discovered that it was coming from a product used by one of the businesses in the Industrial Park. The business is no longer depositing the product into the sewer system. New laws govern the amount of phosphorus allowed to be discharge into sewer systems however; the Village's current sewer ordinance only addresses high levels of BOD's and Suspended Solids. Myers is recommending that the Village update their ordinance in order to comply with this new regulation. There is also the potential need for a sewer rate increase which could be incorporated at the same time as the ordinance update. Myers quoted a cost of approximately \$3,000.00 to \$5,000.00 to perform these revisions and stated that this amount would be lower if the Village has its auditing firm conduct the sewer rate study.

3. CELL TOWER LAND – OFFER TO PURCHASE VERIZON LEASE

Vander Sanden stated that he has been contacted by two (2) out of state companies interested in purchasing our lease with Verizon. Both companies are offering a larger upfront amount but over the long term the Village will receive more revenue by staying with Verizon. The Board agreed we should continue with Verizon.

4. CONSIDER A MOVE TO GO INTO CLOSED SESSION PURSUANT TO 19.85(1)(G) TO CONFER WITH LEGAL COUNSEL FOR THE GOVERNMENTAL BODY WHO IS RENDERING ORAL OR WRITTEN ADVICE CONCERNING STRATEGY TO BE ADOPTED BY THE BODY WITH RESPECT TO LITIGATION IN WHICH IT IS OR IS LIKELY TO BECOME INVOLVED. (NORM NELSON PROPERTY)

Motion by Smythe-Eagle, second by Tebon to move to closed session pursuant to §19.85(1)(G) to confer with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved. Roll call vote: Wilkinson aye, Schreiber aye, Smyth-Eagle aye, Tebon aye and Kiefer aye, motion carried.

5. MOVE TO OPEN SESSION PURSUANT TO 19.85(1)(G), TO TAKE ACTION, IF ANY, FROM CONFERRING WITH LEGAL COUNSEL FOR THE GOVERNMENTAL BODY WHO IS RENDERING ORAL OR WRITTEN ADVICE CONCERNING STRATEGY TO BE ADOPTED BY THE BODY WITH RESPECT TO LITIGATION IN WHICH IT IS OR IS LIKELY TO BECOME INVOLVED. (NORM NELSON PROPERTY)

Motion by Wilkinson, second by Smythe-Eagle to move to open session pursuant to §19.85(1)(G) to take action, if any, from conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved. Roll call vote: Wilkinson aye, Schreiber aye, Smyth-Eagle aye, Tebon aye and Kiefer aye, motion carried.

No formal action was taken in closed session but Attorney Anderson informed Norman Nelson that she will be drawing up an agreement which he will need to sign, confirming the plan created by the Board.

ORDINANCES
COMMUNICATIONS
STAFF REPORTS

A. ADMINISTRATOR'S REPORT

Vander Sanden reported that the Village's Open Book will be May 19, 2011 from 4:00 to 6:00 pm. and, that the Village will be reimbursed \$4,390.48, by FEMA, for expenses incurred during a snow storm that took place between January 31, 2011 and February 3, 2011. This amount accounts for 75% of the Village's total cost of the storm.

ADJOURN

Motion by Smythe-Eagle, second by Schreiber to adjourn at 9:06 pm. All ayes, motion carried.

/S/ Elizabeth McCredie
Village Clerk/Treasurer