

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, JUNE 14, 2010 AT 7:00 P.M.

CALL TO ORDER – NOTING OF ROLL BY CLERK

The meeting was called to order by President Kiefer at 7:00 PM. Roll call: Wilkinson, Tebon, Smith, Frutiger, Smythe-Eagle and Kiefer present, Schreiber absent. Also present: Village Administrator Patrick Vander Sanden, Public Works Director John Doyle, Village Attorney Connie Anderson, Adam Lazare, Megan Sias, David Dinkel, Doug, Joel and Belinda Storms, Dave Lemke and Fred Fry.

CONSENT AGENDA

Motion by Tebon, second by Frutiger to approve the June 14, 2010 agenda as presented. All ayes, motion carried.

APPROVAL OF MINUTES FROM MAY 24, 2010

Motion by Kiefer, second by Wilkinson to approve the minutes from May 24, 2010 as amended. All ayes, motion carried.

APPROVAL OF VOUCHERS

Kiefer stated that the Finance Committee reviewed and approved the vouchers as presented.

Motion by Tebon, second by Smith to approve the payment of check #44075 to #44134 totaling \$93,943.85. All ayes, motion carried.

COMMITTEE REPORTS

1. BOARD OF REVIEW 05/26/10 AND 06/08/10

Kiefer reported that the Board of Review met on May 26th and June 8th. Only one citizen filed an objection form and after review no action was taken on the objection.

2. CABLE TV 06/02/10

Smythe-Eagle reported that the Cable committee discussed the ongoing problems with the cameras in the gymnasium and that channel 985 is now setup to provide information to the community. Cable would like a 2 week prior notice to allow for implementation of any notices.

3. JOINT INTERACTIVE COMMITTEE 06/07/10

Wilkinson reported that the Joint Interactive Committee discussed the Parade of Homes; signage for the intersection by the Elementary School and busing problems on Quarry Street which Vander Sanden suggested that the committee look into applying for a grant for "Safe routes to school". The plans of the remodeling project for the front of the High School were presented.

4. BID 06/07/10

Kiefer reported that the committee discussed the purchase of the new directional signs and the cost of replacing the garbage cans located in the downtown area.

5. COMMUNITY CENTER 06/07/10

No report.

6. POLICE COMMISSION 06/08/10

Wilkinson reported that the commission discussed whose responsibility it should be to pay for the police officer's extra coverage wages during special events, such as the Firemen's Festival, and that the Firemen should include this amount in their 2011 budgets; Bike Rodeos were held in each community, both with favorable outcomes; the April/May police reports show a 50/50 coverage between the two (2) communities and Lt. Dan Bolch is working on obtaining a School Resource Officer for Deerfield.

7. FIRE COMMISSION 06/08/10

Kiefer reported that the commission discussed the Firemen's Festival, NIMS training requirements and the purchase of a new truck.

8. EMS 06/10/10

Frutiger reported that the commission discussed amending the line item amounts for the auditing and attorney costs; authorizing the paybacks to each Municipality due to the finalization of their 2010 budget and acceptance of hiring Attorney Anderson as the EMS's attorney under the new law firm. Frutiger stated that they are down to 3 candidates for the new Chief and will be meeting June 26th for the final assessment.

9. PUBLIC WORKS 06/14/10

Tebon reported that the committee discussed the road repair for N. Industrial Park Road and Doyle's request to sell unused surplus Public Works equipment, both of which will go out for bid. Tebon also informed the Board that the new Village truck is finished and at the Public Works garage.

10. FINANCE 06/14/10

Kiefer reported that Finance reviewed and approve the vouchers.

PUBLIC APPEARANCES

PUBLIC COMMENTS - NONE

ADAM LAZARE, WASHINGTON STREET PROPERTY MAINTENANCE

Adam Lazare, who resides at 105 N Washington Street, introduced himself and his fiancée, Megan Sias. Lazare informed the Board that they were here tonight to register a complaint against their neighbor at 111 N Washington Street. Lazare stated that he purchased the house 4 years ago, as a fixer upper, and since that time he has had various concerns with the property. In November 2009 Lazare submitted a formal complaint that included pictures of the property and a copy of the ordinance pertaining to the violations. In April, Patrick Vander Sanden, the Village Administrator, contacted him and informed him of the steps that are needed. On May 19, 2010, Chris Butschke, the Village's Building Inspector, met with the property owner, Norman Nelson, to inspect the property. The inspection revealed that the property is in non-compliance of the Village's Municipal Code, Property Maintenance Section 32.06. Butschke gave Nelson 5 months to comply. Lazare is concerned with the 5 month window due to the fact that the weather at that time could hinder any corrections and asked if there was anything the Village could do to at least have the front yard of Nelson's property be cleaned up in order to give it a presentable curb appearance. Kiefer stated that legally the Village has to allow the 5 month time frame and at the end of that time, if the property is still in non-compliance, the next step would be taken. Kiefer thanked Lazare and Sias for coming to the meeting and discussing this issue with them.

UNFINISHED BUSINESS, REVIEW & ACTION THERE ON

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

Tebon stated that Public Works approved submittal of request number 7 (seven) for disbursement of financial assistance through the Safe Drinking Water Loan program in the amount of \$115,034.69 and payment of request number 2 from Gilbank Construction for \$93,100.00.

Motion by Tebon, second by Frutiger to approve submittal of request number 7 (seven) for disbursement of financial assistance through the Safe Drinking Water Loan program in the amount of \$115,034.69 and payment of request number 2 from Gilbank Construction for \$93,100.00. All ayes, motion carried.

2. TOWN OF DEERFIELD DEVELOPMENT – STORMS RE-ZONE & CSM

Vander Sanden informed the Board that this issue was discussed and approved at the last Board meeting however it has been discovered that this proposed CSM conflicts with the Village's Comprehensive Plan for future land use in that area and needs to be revisited. David Dinkel, agent for the Storms family, distributed a map showing an alternate placement for a road to connect Liberty Street with Hwy. 12 & 18. The road would start at Liberty Street and commence where Jenson Lane is currently located and go south until Storms property is reached at which point the road would veer west and then south allowing the road to be entirely on Storms' land. Relocating the placement of the road would eliminate it from going between the house and barn currently located on the property which makes this new route a better alternative. Dinkel also informed the Board that currently Jenson Lane is very narrow road with steep banks on its east side and drop offs on its west side which would make it very hard to widen and become a connecting street. Dinkel asked the Board to reevaluate the Village's current Comprehensive Plan and to approve the Storms request. Dinkel also stated that if any costs were incurred by the Village, in doing so, would be reimbursed by the Storms family.

Motion by Tebon, second by Smith to commence with the process of amending the Village's Comprehensive Plan to allow for the Storms re-zoning and CSM. All ayes, motion carried.

NEW BUSINESS

RESOLUTIONS

1. RESOLUTION R2010-11: COMPLIANCE MAINTENANCE ANNUAL REPORT

Vander Sanden stated that Public Works reviewed the Compliance Maintenance annual report and approved the resolution. The report looks great and the only items that need to be addressed are reviewing and/or revising the User Charge System and the Equipment Replacement Fund.

Motion by Tebon, second by Wilkinson to approve resolution R2010-11 authorizing the submittal of the Wisconsin Department of Natural Resources NR 208 Compliance Maintenance Annual Report. All ayes, motion carried.

LICENSES & PERMITS – None

REVIEW & ACTION:

1. 2009 CONSUMER CONFIDENCE REPORT (CCR)

Vander Sanden informed the Board that a copy of the 2009 CCR is included in their packet. Public Works reviewed the report and found everything to be in order. The CCR shows that the Village's water quality levels are in the allowed parameters and that we have not received any violations. The CCR has been published in the Independent and a notice informing customers that the report is available at the Village will be on the June water bills.

Motion by Tebon, second by Smythe-Eagle to approve the 2009 Consumer Confidence Report. All ayes, motion carried.

Kiefer thanked Doyle and his staff for their hard work on both of these reports.

2. LAW FIRM TRANSITION

Attorney Anderson informed the Board that she and Paul Kent have agreed to merge with the law firm Stafford & Rosenbaum. This merge will allow Anderson to be relieved of her administrative responsibility which will give her more time to practice law. Anderson stated that she has worked for the Village for many years, providing an invaluable history, and hopes to continue doing so. Joining with Stafford & Rosenbaum will also provide many more resources for the Village also.

Motion by Smythe-Eagle, second by Smith to approve transferring the Village's legal documents to Stafford Rosenbaum subject to their retention policy. All ayes, motion carried.

3. PERRY SANOY – QUESTION REGARDING SEWER CHARGES FOR 245 STONE BRIDGE

Tebon informed the board that Public Works discussed Sanoy's request for forgiving the sewer charges for 245 Stone Bridge. The request was denied due to the fact that the request did not meet all the requirements of the forgiveness policy.

Motion by Tebon, second by Smythe-Eagle to deny the request from Perry Sanoy for forgiveness of the sewer charges for 245 Stone Bridge because the request did not meet all the requirements of the forgiveness policy. All ayes, motion carried.

4. AGRICULTURAL ASSESSMENT IN THE VILLAGE OF DEERFIELD

Attorney Anderson informed the Board that the agricultural assessment of property issue is coming up in many communities due to the current economy. Anderson stated that property should be assessed at the highest best use which can be reviewed by the Board of Review.

The Village needs to maintain a standard in keeping with mowing requirements either through local control or development agreements and that by just growing winter wheat on the land does not qualify the property for agricultural classification even if the crop is harvested and sold.

5. ELECTRIC VEHICLES IN THE VILLAGE

Tebon stated that Public Works reviewed the use of Neighborhood Electric Vehicles (NEV'S) in the Village and agreed that the Village should move forward with creating an ordinance to allow NEV's. Smith stated she has dealt with this issue in her regular job and informed the Board that these vehicles are not allowed on or are able to cross State highways which Main Street is (Hwy 73). The Department of Transportation opposes their use and Anderson stated that she has worked with Sauk City regarding the exact same issue. The committee discussed the use of NEV's in the Village and agreed to move forward with an ordinance that will allow NEV's on Village Streets but not allowing them to be on or cross Hwy. 73.

Motion by Tebon, second by Smythe-Eagle to approve moving forward with the creation an ordinance to all allow NEV's on Village Streets but not on or able to cross Hwy. 73. All ayes, motion carried.

6. REVIEW/APPROVE CITIZEN APPOINTMENTS TO COMMITTEES

The Board reviewed the citizen appointments to the various committees and corrections were made.

Motion by Smith, second by Frutiger to approve the citizen appointment to committees with corrections. All ayes, motion carried.

7. 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

Motion by Smith, second by Tebon 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 at 8:30 PM. Roll call vote: Wilkinson aye, Tebon aye, Smith aye, Frutiger aye, Smythe-Eagle aye and Kiefer aye. Motion carried.

8. MOVE TO OPEN SESSION TO TAKE ACTION, IF ANY PURSUANT TO § 19.85(1)(E) ON THE DELIBERATION OR NEGOTIATION ON 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

Motion by Wilkinson, second by Smythe-Eagle to move to open session to take action, if any 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 at 8:50 PM. Roll call vote: Wilkinson aye, Tebon aye, Smith aye, Frutiger aye, Smythe-Eagle aye and Kiefer aye. Motion carried.

No action taken in open session.

ORDINANCES – NONE

COMMUNICATIONS – NONE

STAFF REPORTS

Clerk McCredie informed the Board that they would be reviewing/approving all of the 2010/2011 liquor and operator's licenses at the next Board meeting and asked if it was okay to provide them with just a list versus a copy of every application. The Committee requested that just a list be provided unless there was an issue regarding the request.

ADMINISTRATOR'S REPORT

Vander Sanden informed that Board that both the Firemen's Festival and the Parade of Homes went well.

ADJOURN

Motion by Frutiger, second by Smythe-Eagle to adjourn at 8:57 PM. All ayes, motion carried.

/S/ Elizabeth McCredie
Village Clerk/Treasurer