

**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 27, 2011 AT 7:00 P.M.**

CALL TO ORDER – NOTING OF ROLL BY CLERK

The meeting was called to order at 7:25 pm by president Kiefer. Roll call: Wilkinson, Tebon, Smith, Frutiger, Smythe-Eagle and Kiefer present, Schreiber absent. Also present: Village Attorney Connie Anderson, Arnie Schulz, Shirley Teske and Dave Lemke.

CONSENT AGENDA

Motion by Wilkinson, second by Tebon to approve the June 27, 2011 agenda with the addition of Discuss/Approve Issuance of a Second Hand Sellers Permit License to Old Deerfield Antiques for the Period of July 1, 2011 to June 30, 2013”under number 6 “Licenses & Permits”. All ayes, motion carried.

A. APPROVAL OF MINUTES FROM JUNE 13, 2011

Motion by Tebon, second by Frutiger to approve the minutes from June 13, 2011 as amended. All ayes, Smith abstained, motion carried.

B. APPROVAL OF VOUCHERS

Kiefer informed the Board that the Finance Committee reviewed and approved the voucher presented.

Motion Kiefer, second by Smythe-Eagle to approve payment of check #45270 to #45312 totaling \$34,297.34. All ayes, motion carried.

C. COMMITTEE REPORTS

1. CAMBRIDGE/DEERFIELD POLICE COMMITTEE 06/14/11

Wilkinson reported that the Dane County Sherriff’s office promoted Richelle Anhalt to Captain in the field service division. The Committee reviewed the Police and Court reports for May 2011 and the Joint Court agreement. It was also noted that grants for School Resources Officers (SRO’s) are up again, and the Deerfield School District is applying. A special meeting, to update the Joint Court agreement, was scheduled for July 12, 2011 at 5:30 pm and the next regular meeting was scheduled for August 9th at 6:00 pm.

2. FIRE COMMISSION 06/14/11

Frutiger reported that the truck which was repaired by Truckstar Collision Center is back and in service, Sanoy Roofing will be repairing the roof at the Fire Station and the committee approved having B.R. Amon seal coat the parking lot but the apron will not be done this year. The final costs for the 2011 Festival are not in yet.

3. EMS 06/16/11

Frutiger reported that EMS will be looking at the RFP’s from private ambulance services to service the DGEMS district on June 29th and at a four (4) joint board meeting on July 28, 2011 both at 6:00 pm in Cottage Grove.

4. LIBRARY 06/17/11

No Library meeting was held due to the lack of a quorum.

5. FINANCE 06/27/11

Kiefer reported that all the agenda items discussed by Finance are on the Board agenda for further discussion.

PUBLIC APPEARANCES

A. PUBLIC COMMENTS

UNFINISHED BUSINESS, REVIEW & ACTION THERE ON

NEW BUSINESS

A. RESOLUTIONS - NONE

B. LICENSES & PERMITS

1. CONSIDER REQUEST FROM KURT’S NEVER INN, 26 N. MAIN STREET FOR A TEMPORARY CHANGE OF PREMISE FOR CONSUMING ALCOHOLIC BEVERAGES ON JULY 9, 2011.

Tom Zickert, owner of Kurt’s Never Inn, submitted a letter requesting a temporary change of premise for consuming alcoholic beverages at 26 N. Main Street for July 9, 2011. The change of premise will include the patio area next to the bar and is being requested in order to accommodate the number of patrons that will be attending their annual tailgating party which is scheduled to be held from 11:30 am to 2:00 pm. A temporary fence will be installed to designate the area where alcohol is allowed.

Motion by Tebon, second by Frutiger to approve the issuance of a Temporary Change of Premise for Consuming Alcoholic Beverages to Kurt’s Never Inn, 26 N Main Street on July 9, 2011. All ayes, motion carried.

2. DISCUSS/APPROVE ISSUANCE OF A CIGARETTE LICENSE TO DEERFIELD CITGO INC., d.b.a. MOBIL ON MAIN/SUSAN GULLICKSON, 126 S MAIN ST., HUMMER’S HIDEOUT, LLC/RONALD HOMMEN, 36 N. MAIN ST., LOEDER OIL CO., INC. d.b.a. LOEDER BP DEERFIELD/ WILLIAM LOEDER, 109 N MAIN ST. AND LTZ INVESTMENTS LLC, d.b.a. KURT’S NEVER INN, 26 N. MAIN ST. FOR THE PERIOD OF JULY 1, 2011 TO JUNE 30, 2012

Kiefer informed the Board that the Finance committee reviewed and recommended issuance of the requests listed for a Cigarette license. The establishments listed have either provided a payment plan or do not have any outstanding obligations owed to the Village.

Motion by Wilkinson, second by Tebon to approve the issuance of a Cigarette License to Deerfield Citgo Inc., d.b.a. Mobil on Main/Susan Gullickson, 216 S. Main Street, Hummer's Hideout, LLC/Ronald Hommen, 36 N Main Street, Loeder Oil Co., Inc. d.b.a. Loeder BP Deerfield/William Loeder, 109 N Main Street and LTZ Investments LLC, d.b.a. Kurt's Never Inn, 26 N Main Street for the period of July 1, 2011 to June 30, 2012. All ayes, motion carried.

3. DISCUSS/APPROVE ISSUANCE OF A CLASS "A" BEER AND "CLASS A" LIQUOR LICENSE TO THOMAS & SUSAN GULLICKSON, DEERFIELD CITGO INC., d.b.a. MOBIL ON MAIN, 216 S MAIN ST. AND WILLIAM LOEDER, LOEDER OIL CO., INC d.b.a. LOEDER BP DEERFIELD, 109 N MAIN ST. FOR THE PERIOD OF JULY 1, 2011 TO JUNE 30, 2012

Kiefer informed the Board that the Finance committee reviewed and recommended issuance of the requests listed for a Class "A" Beer and "Class A" Liquor license. The establishments listed do not have any outstanding obligations owed to the Village.

Motion by Tebon, second by Frutiger to approve the issuance of a Class "A" Beer and "Class A" Liquor license to Thomas & Susan Gullickson, Deerfield Citgo Inc., d.b.a. Mobil on Main, 216 S. Main Street and William Loeder/Loeder Oil Co., Inc. d.b.a. Loeder BP Deerfield, 109 N Main Street for the period of July 1, 2011 to June 30, 2012. All ayes, motion carried.

4. DISCUSS/APPROVE ISSUANCE OF A CLASS "B" BEER AND "CLASS B" LIQUOR LICENSE TO RONALD HOMMEN, HUMMER'S HIDEOUT, LLC, 36 N. MAIN ST., LTZ INVESTMENTS LLC, d.b.a. KURT'S NEVER INN, 26 N. MAIN ST., HOTTMAN & HOTTMAN d.b.a. THE PICKLE TREE, 625 S. MAIN ST., CHRISTINA STUDER, d.b.a. TINA'S DEERFIELD PUB & GRILL, 15 N. MAIN ST. AND ARNOLD SCHULZ, d.b.a. RAILHOUSE BAR, LLC, 12 S. INDUSTRIAL PARK RD. FOR THE PERIOD OF JULY 1, 2011 TO JUNE 30, 2012

The Board reviewed the requests for a Class "B" Beer and "Class B" Liquor license. Ronald Hommen/Hummer's Hideout, LTZ Investments, Hottman & Hottman and Christina Studer/Tina's Deerfield Pub & Grill have either provided a payment plan or do not have any outstanding obligations owed to the Village. The Finance committee reviewed and recommended issuance of these requests. The owners of 12 S. Industrial Park Rd provided a payment plan of \$200.00/month for their outstanding debts which total over \$25,000.00. Per the request of the Finance Committee the Village Attorney is preparing a stronger payment agreement for the owners of 12 S. Industrial Park Road so the discussion of the Railhouse Bar's license will be tabled to the end of the Board agenda.

Motion by Tebon, second to approve the issuance of a Class "B" Beer and "Class B" Liquor license to Ronald Hommen/Hummer's Hideout, LLC, 36 N Main Street, LTZ Investments d.b.a. Kurt's Never Inn, 26 N Main Street, Hottman & Hottman d.b.a. The Pickle Tree, 625 S Main Street and Christina Studer d.b.a. Tina's Deerfield Pub & Grill, 15 N Main Street and to table the discussion/approval of the Railhouse Bar's license to the end of the Board meeting. All ayes, motion carried.

5. CONSIDER REQUESTS FOR AN OPERATOR'S LICENSE FOR THE PERIOD OF JULY 1, 2011 TO JUNE 30, 2012 TO RACHEL A. BALLMOOS, AMBER M. BERGE, MITCHELL R. BERTON, JENNY S. BORDSON, MARY BETH A. BRANDENBURG, APRIL M. CHRISTENSON, TRICIA A. CONOVER, LUCY R. CUCCIA, VERONICA L. DELANEY, MELISSA J ERICKSON, GARY A. GAGNER, MICHAEL J. GASSEN, ELIZABETH K. GULLICKSON, RYAN C. GULLICKSON, KRISTY M. HANSEN, KERRY L. HAUGEN, DANIEL R. HOMMEN, GERALDINE L. HOMMEN, MICHAEL R. HOTTMAN, KIM D. HUTTER, NATALYA I. JACOBSON, ROSE M. KEISS, KIMBERLY M. KLEIN, TIFFANY J. KOPPLIN, DAWN M. KREUGER, PAIGE D. KREUGER, JACKIE L. KURKOWSKI, CHRISTIANNE M. LAING, JACI L. LOEFFLER, JESSICA J. LUND, MOLLY C. MAGNUSSEN, WESLEY T. MAIER, ERIKA M. MARTINSON, ELIZBETH J. MCCREDIE, ASHTON M. MERGEN, FAITH M. MITCHELL, JORDAN L. OLSON, SCOTT L. PROSA, FIONA K. RYAN, STEPHANIE A. SCHENKEL, MICHAEL L. SCHULZ, SABRINA N. SCOTT, ANGELA R. SENF, STEPHANIE L. SHANKS, KATHLEEN S. SIMDON, ADRIENNE N. STUNTEBECK, BETH R. VANDER VELDEN, ASHLEY M. WEISENSEL, CHARLES E. WICKLIFFE, LAURA L. WILCOX, SHALLON C. WILKE, PATRICIA S. WOOD, AMANDA R. ZEIMET, DAWN M. ZICKERT, JENNA R. ZICKERT AND LINDSEY E. ZICKERT

Kiefer informed the Board that the list of names of people applying for an Operator's license for the period of July 1, 2011 to June 30, 2012 was in everyone's packet. The names in red are new applicants and the names in black are renewals. Kiefer informed the Board that the Finance committee found no new issues/problems relating to any of the renewal applications and that the applications of the new applicants were in order, and all licenses were approved.

Motion by Wilkinson, second by Smythe-Eagle to approve an Operator's license for the period of July 1, 2011 to June 30, 2012 to all the new applicants, as listed in red, on the 2011-2012 licenses list kept in the Clerk's office. All ayes, motion carried.

Motion by Smythe-Eagle, second by Tebon to approve an Operator's license for the period of July 1, 2011 to June 30, 2012 to all the applicants renewing their license, as listed in black, on the 2011-2012 licenses list kept in the Clerk's

office. All ayes, motion carried.

6. DISCUSS/APPROVE ISSUANCE OF A SECOND HAND SELLERS PERMIT LICENSE TO OLD DEERFIELD ANTIQUES FOR THE PERIOD OF JULY 1, 2011 TO JUNE 30, 2013

The Finance committee reviewed and approved the Second Hand Sellers Permit application from Old Deerfield Antiques, no concerns were raised and they do not have any outstanding obligations owed to the Village.

Motion by Wilkinson, second by Tebon to approve the issuance of a Secondhand Sellers Permit for the period of July 1, 2011 to June 30, 2013 (2 years) to Dennis Borger, Old Deerfield, 37 N Main Street. All ayes, motion carried.

C. REVIEW & ACTION:

1. COMPOSITION OF THE DEERFIELD PLANNING COMMISSION

Chapter 24 of the Village's zoning ordinance describes the Planning Commission member composition which states that the Plan Commission shall consist of seven members: The Village President, who shall be its presiding officer; one at-large Village Trustee; the Chair of the Parks Committee or an additional citizen member; and four citizen members.

Currently we have the Village President, two trustees, of which, neither are the Chair of Parks, and four citizen members. The Board needs to decide if they would like to change the makeup of the Commission or adjust the ordinance to adhere to the current situation.

Motion by Tebon, second by Smythe-Eagle to modify Chapter 24 of the Village's zoning ordinance by removing the Chair of Parks Committee as a necessary member and change it to say two at-large Village Trustees. All ayes, motion carried.

2. 2011 ASSEMBLY BILL 182

The Village received a request from the Wisconsin Rural Water Association (WRWA) asking its members to contact their legislators and request that they oppose Assembly Bill 182 (AB 182). AB 182 would change the existing state law which allows a municipal utility to place a tenant's unpaid utility bill on the property tax bill of the property owner. The Village currently notifies property owners monthly of any outstanding bills for the tenants.

Motion by Frutiger, second by Tebon to approve the Village Administrator sending a letter to our legislators requesting them to oppose AB 182. All ayes, Smith nay, motion carried.

ORDINANCES

COMMUNICATIONS

The Board reviewed the July Calendar and added an EMS meeting for the four joint municipalities on July 28, 2011 at 6:00 pm in Cottage Grove.

STAFF REPORTS

ADMINISTRATOR'S REPORT

CONTINUED DISCUSSION/APPROVAL FOR ISSUANCE OF A CLASS "B" BEER AND "CLASS B" LIQUOR LICENSE TO ARNOLD SCHULZ, d.b.a. RAILHOUSE BAR, LLC, 12 S. INDUSTRIAL PARK RD. FOR THE PERIOD OF JULY 1, 2011 TO JUNE 30, 2012

Attorney Anderson informed the Board that, per the request of the Finance Committee, she has prepared a revised payment agreement for the owners of 12 S. Industrial Park Road which could also be used as a template for the future. Currently the owners of 12 S Industrial Park Road are in default of over \$25,000.00 and per Village ordinance the issuance of a license for any premise for which taxes, assessments or other claims of the village are delinquent and unpaid is prohibited. Attorney Anderson amended the agreement to have the monthly payment amount be \$500.00 instead of the current \$200.00 and added additional quarterly payments of five to six thousand dollars. The agreement would also need to be signed and return by June 30, 2011. The Board discussed the fact that the owners of 12 S. Industrial Park Road were previously informed that a payment agreement needed to be submitted and that this would be the only year that an extension would be allowed. Any outstanding debts must be paid in full prior to any license will be issued in 2012.

Motion by Tebon, second by Smythe-Eagle to approve the issuance of a Class "B" Beer and "Class B" Liquor license to Arnold Schulz, d.b.a. Railhouse Bar, LLC, 12 S Industrial Park Road for the period of July 1, 2011 to June 30, 2012 contingent upon the payment agreement, prepared by Attorney Anderson, being signed and returned by June 30, 2011 with the allocation of payment going to the outstanding Personal Property taxes first then the Real Estate taxes and then to the WDF loan.

The Board discussed the amount of the monthly payment and how the payments would be allocated. They agreed to accept a minimum monthly payment of \$350.00 and changed the order of how the payments would be allocated

Motion by Tebon, second by Smythe-Eagle to amend the previous motion to require that the minimum monthly payments be no less than \$350.00 and that the order for the allocations of payments be to the Personal Property taxes first then to the WDF loan and then to the Real Estate taxes. All ayes, motion carried.

ADJOURN

Motion by Tebon, second by Smythe-Eagle to adjourn at 8:15 pm. All ayes, motion carried.

/S/ Elizabeth McCredie
Village Clerk/Treasurer