

**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, JULY 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 7:02 by President Frutiger. Roll call: Wilkinson, Tebon, Schreiber, Reichert, McMullen, Evensen and Frutiger present. Also present: see sign-in sheet on file in the clerk's office.

**CONSENT AGENDA**

Motion by Evensen, second by Wilkinson to approve the July 13, 2015 with an "n" being added to the work know under II.B., June 30, 2015 being changed to June 30, 2016 under IV.B.2 and with item C.3 being tabled. All ayes, motion carried.

**A. APPROVAL OF MINUTES FROM JUNE 22, 2015**

Motion by Wilkinson, second by Evensen to approve the minutes from June 22, 2015 as written. All ayes, Reichert and McMullen abstained, motion carried.

**B. APPROVAL OF VOUCHERS**

The Board reviewed the list of vouchers submitted and approved by the Finance committee.

Motion by Wilkinson, second by McMullen to approve payment of check #49922 to #49972 totaling \$106,311.54. All ayes, motion carried.

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

McCredie presented the June 2015 Treasurer report with the beginning balance in the checking account of \$27,599.71 deposits totaling \$180,364.72, checks totaling \$151,106.88 and the other expenses for the month totaling \$45,954.23 leaving an ending balance of \$10,903.32. The ending balance in the Money Market account was \$1,390,174.61 and the SIP's was \$1,558,407.83, resulting in a total fund balance at the end of May 2015 of \$2,959,485.76.

Motion by Tebon, second by Evensen to approve the June 2015 Treasurer's report as presented. All ayes, motion carried.

**D. COMMITTEE REPORTS**

**1. DEERFIELD CARES 06/25/2015**

Lemke reported that the meeting was cancelled due to a lack of a quorum and that their next meeting is scheduled for the 4<sup>th</sup> Thursday in July.

**2. FINANCE 07/13/2015**

Frutiger reported that everything on the Finance committee's agenda is also on the Board agenda.

**PUBLIC APPEARANCES**

**PUBLIC COMMENTS**

**PUBLIC HEARING TO CONSIDER A RESOLUTION PROVIDING FOR THE DISCONTINUANCE AND VACATION OF A PORTION OF A VILLAGE ROAD KNOWN AS RIVER BIRCH COURT**

Frutiger opened the Public Hearing at 7:08 and asked if anyone present wished to speak on the matter. Frutiger also informed the audience that there would be a set limit of 5 minutes, per person, to speak.

Kathleen Miller – enjoys walking, picking berries and seeing the wildlife along the bike trail and doesn't want to see the pond or the trees disappear.

David Dinkel – gave an explanation of how the Village Business Park was established.

Brenda Ingersoll – questioned the 75' wetland set-back and if the DNR has made a determination on BCP's stormwater permit submission and why BCP needs the land under the road.

Attorney Anderson informed the audience that we need to follow the open meetings law and that the public hearing is on the vacation of River Birch Court and that any comments need to pertain to this action.

Sherri Lemke – questioned if the land was public, if taxes were paid on it and if it was being sold to a private company. Lemke also asked the Village to consider creating an access east of BCP's property that could connect to the DNR bike trail.

Attorney Anderson – stated that the Village never intended to extend any streets in the park until there was a buyer but River Birch Ct. was the only exception to that. The reason the road was put in was because these were the last 10 or 11 remaining acres and the Board felt that this is how the development would go. The utility easements will still remain the Villages but the road itself is of no particular interest to the Village unless it can be sold and used beneficially by an expanding business. By vacating the road it allows BCP to develop without infringing on the wetlands.

Joan Weckmueller – glad that the pond is remaining and hopes that as many trees as possible be saved but is saddened by the loss of the path and hopes the Village will be look into establishing one in the future.

Nancy Spelsberg – She and fellow employees use the path and would welcome the addition of another one and would be willing to partner on the project.

Jerry McMullen thanked David Dinkel and Nancy Spelsberg for going forward with BCP's expansion and remaining in the Village.

Frutiger closed the public hearing at 7:35pm.

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

**A. RESOLUTIONS**

**1. RESOLUTION R2015-13 FINAL RESOLUTION APPROVING VACATION OF PORTION OF VILLAGE ROAD KNOWN AS RIVER BIRCH COURT**

Attorney Anderson stated that in June the Village adopted an introductory resolution vacating a portion of River Birch Ct. and that resolution was the notice that this vacation would be happening. The required publishing and waiting period has been met, the public hearing was held and notification was received that the resolution was recorded properly. Resolution R2015-13 contains exhibit A which shows the portion being vacated and exhibit B showing the easements that need to be retained which include the emergency access path to the Glacial Drumlin Trail, lift station, fire hydrant and other underground public utilities. Exhibit B which was prepared by Dave Riesop/Wisconsin Mapping LLC and reviewed by the Village's engineer Warren Myers.

Motion by McMullen, second by Evensen to approve Resolution R2015-13 vacating a portion of River Birch Court subject to Village retaining its easement rights. All ayes, motion carried.

**B. LICENSES & PERMITS**

**1. CONSIDER A REQUEST FOR REQUEST FOR A TEMPORARY CLASS "B" RETAILER'S LICENSE TO THE DEERFIELD VOLUNTEER FIRE DEPARTMENT FOR THE ANDREA ROSE GARCIA MEMORIAL PISTOL SHOOT FOR SPECIAL OLYMPICS, JULY 19, 2015 TO JULY 20, 2015**

The Finance Committee reviewed and approved issuance of a temporary Class "B" Retailer's license to the Deerfield Volunteer Fire Department for the Andrea Rose Garcia Memorial pistol shoot for Special Olympics. It was also noted that this request has been an annual request for the past 3 or 4 years.

Motion by Wilkinson, second by Tebon to approve the issuance of a temporary Class "B" Retailer's license to the Deerfield Volunteer Fire Department for the Andrea Rose Garcia Memorial pistol shoot for Special Olympics, July 19, 2015 to July 20, 2015. All ayes, motion carried.

**2. CONSIDER A REQUEST FOR AN OPERATOR'S LICENSE FOR THE PERIOD OF JULY 13, 2015 TO JUNE 30, 2015 2016 FOR BRETT A. FANKHAUSER, SARAH L. GROSSMAN, HEATHER M. MULCAHY AND BRUCE E. VIRGIN.**

The Finance Committee reviewed and forwarded their approval for the issuance of an Operator's for the period of July 13, 2015 to June 30, 2016 for Brett A. Fankhauser, Sarah L. Grossman, Heather M. Mulcahy and Bruce E. Virgin. All ayes, motion carried.

**C. REVIEW & ACTION:**

**1. CONSIDER/APPROVE EASEMENTS ON RIVER BIRCH COURT**

Attorney Anderson informed the Board that this tracks resolution R2015-13 which states the Village is going to vacate the road subject to a reservation of the Village's rights for easements. The three (3) items we need to reserve are the access easement, ingress-egress for the utilities and the emergency vehicle access. The more general items included in the declaration are no parking or obstruction of the easement areas, duty to construct, repair or maintain and the benefits and burdens running with the land. David Dinkel was concerned with the verbiage in the Access Easement section and asked that it be more specific to Village business.

Motion by Evensen, second by Reichert to approve the declaration of Easements and Rights Retained by Village at time of Vacation of Portion of River Birch Court incorporating the amendment made by Attorney Anderson. All ayes, motion carried.

**2. CONSIDER APPOINTMENT OF VACANT FIRE COMMISSION POSITION**

Frutiger informed the board that Jeremy Wallenkamp contacted him and requested to be put back on the Fire Commission as he is now available to attend.

Motion by McMullen, second by Evensen to appoint Jeremy Wallenkamp to fill the vacant Fire Commission position. All ayes, motion carried.

**3. CONSIDER TID #2 GRANT REQUEST – CUSTOM PLASTIC INDUSTRIES**

Withdrawn.

**ORDINANCES**

**COMMUNICATIONS**

Attorney Anderson informed the Board that the closing for BCP is scheduled for tomorrow and a check from the Village will be needed to pay for the title insurance and real estate commission. The check needs to be made out to Dane Co. Title in the amount of \$2,849.00 which will be included to the voucher list.

Motion by Tebon, second by Evensen to add a check made out to Dane Co. Title in the amount of \$2,849.00 to the list of approved vouchers to be paid. All ayes, motion carried.

**STAFF REPORTS**

**A. ADMINISTRATOR'S REPORT**

McCredie informed the Board:

- The Village's Engineer, Warren Myers, would like to discuss the Village's current phosphorus-related requirements and the direction the Village will be going. The meeting will be held August 10<sup>th</sup> at 5:30 pm.

- At the July 27<sup>th</sup> Board meeting Ayes Associates will be giving a presentation regarding the Hilleque property at 40 W. Nelson Street and,
- The Village received notice from Rock Disposal that they have joined together with Advanced Disposal.

**ADJOURN**

Motion by Evensen, second by Wilkinson to adjourn at 7:32 pm. All ayes, motion carried.

/S/ Elizabeth McCredie  
Village Administrator/Clerk/Treasurer