

# 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, NOVEMBER 25, 2013 AT 7:00 P.M.

### CALL TO ORDER – NOTING OF ROLL BY CLERK/SIGN IN SHEET

The meeting was called to order at 7:00pm by President Frutiger. Roll call: Wilkinson, Tebon, Schreiber, Fritz, Hasz and Frutiger present, McMullen absent. Also present: Attorney Anderson and as listed on the November 25, 2013 sign-in-sheet on file in the Clerk's office.

### CONSENT AGENDA

Motion by Wilkinson, second by Tebon to approve the November 25, 2013 agenda with the addition of "Class B Reserve License Economic Development Grant Refund for MCK Consulting, LLC" and to discuss C1 in New Business after III 1, Purchase of Property.

#### A. APPROVAL OF MINUTES FROM NOVEMBER 11, 2013

Motion by Frutiger, second by Wilkinson to approve the minutes from November 11, 2013 as written. All ayes, motion carried.

#### B. APPROVAL OF VOUCHERS

Frutiger informed the Board that the Finance committee reviewed and approved payment of the vouchers presented except for the one to MCK Consulting which was approved contingent upon Board approval.

Motion by Tebon, second by Hasz to approve payment of check #48050 to #48093 totaling \$226,757.67 contingent upon the Board approving the Class B Reserve License Economic Development Grant refund to MCK Consulting, LLC. All ayes, motion carried.

#### C. COMMITTEE REPORTS

##### 1. BID 11/12/13

Wilkinson reported that the BID Committee set their 2014 Budget at \$13,000 which is an increase of \$1,000 from 2013. The Committee also approved using undesignated funds to pay for snow removal, for five (5) snow events, from the sidewalks of business located on S. Main Street between Liberty Street and the Bike trail on a trial basis only. Letters will be distributed to the business affected explaining the procedure and asking them to give any comments on it after a few events have occurred. Jerry Brown also informed the Committee that he will be resigning from the Committee. A replacement will need to be approved.

##### 2. LIBRARY BOARD 11/15/13

Frutiger reported that the Library Board approved their 2014 budget and that they will be hosting their annual Lego competition on November 11<sup>th</sup> and Tree lighting ceremony of December 5<sup>th</sup>.

##### 3. FINANCE 11/18/13

Frutiger reported that Finance reviewed and discussed the 2014 budgets for the Village's various funds.

##### 4. PLANNING COMMISSION 11/19/13

Tebon reported that the Planning Commission heard a request from David and Lisa Dinkel for a TID #3 grant request.

##### 5. EMS 11/21/13

EMS discussed an Intergovernmental Agreement with Dane County for the closest Paramedic responding and the use of FAB funds was tabled

##### 6. COMMUNITY CENTER 11/25/13

Schreiber reported that the Community Center's next fundraisers which will be Santa's breakfast and a basketball tournament both on December 8<sup>th</sup>. The Community Center also increased the amount of the Park expenditures line item to \$3,000.

##### 7. FINANCE 11/25/13

Frutiger reported that everything on the Finance agenda is also on the Board agenda for discussion

### PUBLIC APPEARANCES

#### A. PUBLIC COMMENTS

#### B. PUBLIC HEARING – 2014 DEERFIELD VILLAGE BUDGET

Frutiger opened the Public Hearing for the 2014 Deerfield Village Budget and asked if anyone wished to speak on the matter. No comments were made and Frutiger closed the Public Hearing.

#### C. PUBLIC HEARING – 2014 DEERFIELD SEWER UTILITY BUDGET AND RATES

Frutiger opened the Public Hearing for the 2014 Deerfield Sewer Utility Budget and Rates and asked if anyone wished to speak on the matter. No comments were made and Frutiger closed the Public Hearing.

### UNFINISHED BUSINESS, REVIEW & ACTION THERE ON

#### 1. DISCUSS/APPROVE PURCHASE OF PROPERTY LOCATED AT 665 LONDON ROAD, DEERFIELD, WI –WALTER OLSON

Attorney Anderson explained to the Board that she prepared the Accessway License, per the Board's request. This license, which is personal in nature, is between Olson and the Village. It does not run with the land and shall terminate when either the mining and reclamation activities are complete, neither Olson nor Olson's children own the adjacent property, Olson is no longer able to use the current driveway to the east of the Property or January 1, 2040 whichever comes first. Anderson informed the Board that the closing on the property is scheduled for November 27, 2013 at 8:00am.

Motion by Wilkinson, second by Tebon to approve the purchase of the property located at 665 London Road, Deerfield, WI and the Accessway License Agreement between Walter and Irene Olson and the Village of Deerfield. All ayes, motion carried.

### NEW BUSINESS

#### A. RESOLUTIONS

##### 1. RESOLUTION R2013-13: A RESOLUTION TO ADOPT THE 2014 BUDGET FOR THE VILLAGE OF DEERFIELD – FUND 100

Motion by Schreiber, second by Tebon to approve resolution R2013-13, adopting the 2014 Budget for the Village of Deerfield, with both the revenues and expenditures being increased by \$768.75. All ayes, motion carried.

##### 2. RESOLUTION R2013-14: A RESOLUTION TO ADOPT THE 2014 BUDGET AND RATES FOR THE DEERFIELD SEWER UTILITY – FUND 602

Motion by Tebon, second by Wilkinson to approve resolution R2013-14 adopting the 2014 Budget and Rates for the Deerfield Sewer

Utility. All ayes, motion carried.

**B. LICENSES & PERMITS**

**1. DISCUSS/APPROVE ISSUANCE OF AN OPERATOR'S LICENSE TO JUSTIN J. ZIMMERMAN FOR THE PERIOD OF NOVEMBER 26, 2013 TO JUNE 30, 2014**

The Finance Committee reviewed the Operator's license application from Justin Zimmerman and found no issues or concerns with it. The license was approved by the Finance Committee.

Motion by Tebon, second by Hasz to approve issuance of an Operator's license to Justin J. Zimmerman for the period of November 26, 2013 to June 30, 2014. All ayes, motion carried.

**C. REVIEW & ACTION:**

**1. DISCUSS/APPROVE SHIFT OF AUTOMOBILE LIABILITY INSURANCE FOR EMS FROM DANE COUNTY**

McCredie explained to the Board that in 2014 Dane County will not be paying the automobile liability insurance for EMS and is transferring the expense to the municipalities and in order to incorporate this shift into the Village's budget it must be approved by the Board. The amount the Village is entitled to is \$768.75.

Motion by Schreiber, second by Tebon to approve increasing the Village levy limit by \$768.75 and to increase the Public Safety expense category correspondently. All ayes, motion carried.

**2. CLASS B RESERVE LICENSE ECONOMIC DEVELOPMENT GRANT REFUND - MCK CONSULTING, LLC**

Matthew Kripschack purchased Hummers Hideout and with the purchase he was also required to acquire a Class B Reserve license at a cost of \$10,000. In accordance with Village Ordinance 11.03(4)(am)(2) he is now requesting an economic development grant in the amount of \$9,500.

Motion by Tebon, second by Hasz to approve granting MCK Consulting, LLC and Economic Development Grant refund in the amount of \$9,500.00. All ayes, motion carried.

**3. 2014 WATER UTILITY BUDGET AND RATES – FUND 601**

Motion by Tebon, second by Fritz to approve the 2014 Water Utility Budget and Rates as presented. All ayes, motion carried.

**4. 2014 BUDGETS FOR FUND 201, 202, 203, 402, 511, 412, 513, 801**

Motion by Tebon, second by Schreiber to approve the 2014 Budget for Fund 201, 202, 203, 402, 511, 412, 513 and 801 as presented. All ayes, motion carried.

**5. PURCHASE OF NEW PLOW FROM 2012 BORROWING**

McCredie informed the Board that the Village's financial advisor had been contacted to determine if funds from the 2012 borrowing package could be used to purchase a new snow plow which had previously been in the 2014 Budget. McCredie was informed that this purchase falls under the allowed requirements.

Motion by Tebon, second by Frutiger to approve the purchase of a new snow plow from the 2012 borrowing for \$4,835.00. All ayes, motion carried.

**6. TID #3 GRANT – LIBERTY COMMONS**

Tebon informed the Board that David Dinkel would like to develop two (2) spaces at Liberty Commons and is in need of financial support in the form of a TID #3 grant. Attorney Anderson and Jim Mann will be contacted to receive clarification on a couple of concerns.

**7. DISCUSS/APPROVE LEASING OF ROOMS LOCATED AT THE DEERFIELD FIRE STATION FOR DEER/GROVE EMS PERSONNEL**

The Village has been working with the Town of Deerfield on an agreement that will allow the Village to lease the Township's portion of the EMS addition at the Deerfield Fire Station. The Village submitted a ten (10) year proposal to the Township with the Village agreeing to pay \$500.00 per month. This proposal was rejected and countered with one for a one (1) year term and additional money. The Village has only had the use of two (2) rooms since April and the Township has been unwilling to meet to discuss the agreement. The Board agreed that that the Village should look into other options.

**8. NO BOARD MEETING ON DECEMBER 23, 2013**

In previous years the Board has given permission solely to the Finance Committee members to review and approve the payment of the vouchers due to the fact that traditionally the 2<sup>nd</sup> Board meeting has been cancelled.

Motion by Tebon, second by Wilkinson to approve cancelling the December 23<sup>rd</sup> Village Board meeting and to grant permission to the Finance Committee members to review and approve all payments for the end of year vouchers. All ayes, motion carried

**9. CONSIDER/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 (PURCHASE OF ELMORE PROPERTY ADJACENT TO LIBRARY) AND PURSUANT TO § 19.85(1)(G) FOR THE PURPOSE OF CONFERRING WITH LEGAL COUNSEL WHO IS RENDERING LEGAL ADVICE REGARDING LITIGATION OR POTENTIAL LITIGATION IN WHICH THE VILLAGE MAY BECOME INVOLVED (DEER-GROVE EMS)**

Motion by Tebon, second by Schreiber 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 (purchase of Elmore property adjacent to library) and pursuant to § 19.85(1)(g) for the purpose of conferring with legal counsel who is rendering legal advice regarding litigation or potential litigation in which the Village may become involved (Deer-Grove EMS). Roll call: Wilkinson aye, Tebon aye, Schreiber aye, Fritz aye, Hasz aye and Frutiger aye. Motion carried.

**10. CONSIDER/MOVE TO OPEN SESSION TO TAKE ACTION ON ISSUES DISCUSSED IN CLOSED SESSION (PURCHASE OF ELMORE PROPERTY ADJACENT TO LIBRARY AND DEER-GROVE EMS)**

Motion by Schreiber, second by Tebon to move to open session to take action on issues discussed in closed session. All ayes, motion carried.

**11. ACTION, IF ANY, AS A RESULT OF CLOSED SESSION**

Motion by Tebon, second by Wilkinson to approve purchasing the property owned by Billy Elmore, 119 Park Drive, contingent upon the Village receiving the Closure Letter from the Wisconsin Department of Natural Resources. All ayes, motion carried.

Motion by Schreiber, second by Fritz to approve Deer-Grove EMS continuing the use of room #105 and #112 and to share room #104 and #115 with the Town of Deerfield as a common use space, in the EMS addition at the Deerfield Fire Station, and to proactively pursue

looking for a new EMS location. All ayes, motion carried.

**ORDINANCES**

**A. ORDINANCE O-2013-05 AMENDING VILLAGE ORDINANCE 24.23 (3) CONDITIONAL USES PERMITTED IN THE R-1 SINGLE-FAMILY RESIDENTIAL DISTRICT**

The Planning Commission and the Village Board previously approved amending Village Ordinance 24.23(3) for the conditional uses permitted in the R-1 Single-Family Residential district and Ordinance O-2013-05 is that formal adoption.

Motion by Tebon, second by Fritz to approve Ordinance O-2013-05 amending Village Ordinance 24.23(3) for the conditional uses permitted in the R-1 Single-Family Residential district. All ayes, motion carried.

**COMMUNICATIONS**

**STAFF REPORTS**

**A. ADMINISTRATOR'S REPORT**

**ADJOURN**

Motion by Fritz, second by Tebon to adjourn at 8:55 pm. All ayes, motion carried.

/S/ Elizabeth McCredie  
Village Administrator/Clerk/Treasurer