

**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, 2016 AT 7:00 P.M.**

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

The meeting was called to order at 7:17 pm by Acting President Tebon. Roll call: Evensen, Wilkinson, Fry, Tebon, McMullen and Wieczorek present, Frutiger absent. Also present: see sign-in-sheet on file in the Clerk's office.

CONSENT AGENDA

Motion by Wilkinson and seconded by McMullen to approve the May 9, 2016 agenda as presented. All ayes, motion carried.

A. APPROVAL OF MINUTES FROM APRIL 11, 2016 AND APRIL 25, 2016

Motion by Evensen and seconded by Wilkinson to approve the minutes from April 11, 2016 as written. All ayes, motion carried.

Motion by Evensen and seconded by Fry to approve the minutes from April 15, 2016 as amended. All ayes, McMullen abstained, motion carried.

B. APPROVAL OF VOUCHERS

The Board members reviewed the vouchers submitted for payment and approved by the Finance Committee.

Motion by McMullen and seconded by Wilkinson to approve the payment of check #50847 to #50880 totaling \$54,410.92. All ayes, motion carried

C. COMMITTEE REPORTS

1. CABLE 05/04/2016

Fry reported that their High School liaison and Cable committee member, Gerry Wichlacz, has started a video production club, consisting of 9 high school members who will be putting on local productions. They are also working on archiving information to making it assessable in the future, replacing the power supply cable to the Weather Bug, obtaining a new email system, updated the intergovernmental agreement with the school so it is ready for 2017 and upgrading the gym's camera system and driving mechanism system with the help from a consulting firm. Fry also reported that Lemke and Meyer attended a Cable conference which resulted in many good ideas.

2. PUBLIC WORKS 05/09/2016

Tebon reported that Public Works received an update regarding the completion of the N. High Street project and everything else discussed is on the Board agenda.

3. FINANCE 05/09/2016

Tebon reported that the Finance Committee approved the vouchers, the purchase of a new computer back-up system and firewall at the Village Hall and to remove Bryon Schumacher from probation and give him a 3% pay rate increase. Attorney Anderson was present at the meeting and introduced Attorney Jerod Smith.

PUBLIC APPEARANCES

A. PUBLIC COMMENTS

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

A. RESOLUTIONS

1. RESOLUTION R2016-07 A RESOLUTION AWARDDING THE SALE OF \$1,500,000 GENERAL OBLIGATION CORPORATE PURPOSE BONDS, SERIES 2016A

Jim Mann, the Village's Financial Advisor, reported that the sale of the bonds went very well. Four (4) bids were received on the refinancing of the 2008 bonds and the Village's portion of a new ambulance purchase with the winning bid coming from Bankers Bank out of Madison and working with the Bank of Deerfield at a blended rate of 1.88% which results in a savings to the Village of approximately \$142,000 with most of this savings going to the TID. The closing on the bonds will be on May 26, 2016.

Motion by McMullen and seconded by Wilkinson to approve resolution R2016-07 awarding the sale of \$1,500,000 General Obligation Corporate Purpose Bonds, Series 2016A. Roll call vote: Evensen aye, Wilkinson aye, Fry aye, McMullen aye, Wieczorek aye and Tebon aye. Motion carried.

2. RESOLUTION R2016-08 A RESOLUTION AWARDDING A CONTRACT FOR THE WASHBURN ROAD OVERLAY PROJECT

Tebon stated that this project went out for bid with three qualifying ones being received. Public Works Committee reviewed the bids and recommend that Wolf Paving, that came in as low the bidder at \$27,927.00, be awarded the contract.

Motion by Evensen and seconded by McMullen to approve resolution R2016-08 awarding a contract to Wolf Paving in the amount of \$27,927.00 for the Washburn Road overlay project. All ayes, motion carried.

B. LICENSES & PERMITS

C. REVIEW & ACTION:

1. DISCUSSION AND POSSIBLE ACTION REGARDING VILLAGE ATTORNEY

Tebon stated that Attorney Smith came before the Finance Committee and gave them a brief explanation of his legal

background and qualifications. The discussion included Attorney Smith working with Attorney Anderson for the next two (2) months, before her contract terminates which will allow Smith time to assist in activities and to bring him up to date on current events with Smith's hourly rate being less than Attorney Anderson's current rate. Tebon felt that this was a good way to transition Smith into Attorney Anderson's role and recommended that he take the lead on the handling of the delinquent personal property tax bills. Attorney Anderson stated that Attorney Smith's employment would be at the will of the Village and if it wasn't working it could be terminated. The Village and Attorney Anderson currently have a retainer agreement, which was just recently renewed, and Anderson thought that Smith's firm would have something similar and recommended that Tebon and McCredie be authorized to review it. Wiczorek questioned if the retainer could be reviewed on an annually basis and the Board agreed that this was a good idea with it beginning at the end of June 2017 which will allow it to coincide with the next year's budget. McMullen thanked Attorney Anderson for her many years of service and stated that he has heard a lot of good things about Smith's father, who was the Village's previous attorney, and Connie's recommendation goes a long way

Motion by Wilkinson and seconded by McMullen to approve hiring Attorney Jerod Smith as the assistant Village Attorney, with Attorney Smith phasing in as Attorney Anderson phases out and, to review Smith's retainer agreement on an annually basis starting June 2017. All ayes, motion carried.

2. DISCUSSION AND POSSIBLE ACTION REGARDING A PLANT DISCHARGE LIMIT STUDY BY TOWN & COUNTRY ENGINEERING

Tebon stated that the Public Works committee discussed and recommended a plant discharge study being done by Town & Country Engineering and working with the DNR, to determine the TMDL (Total Mass Daily Loads) entering the Koshkonong Creek. Cambridge- Oakland has agreed to enter into this study with Deerfield and to split the \$3,000 cost of which the Sewer Utility would be the responsible party to pay the \$1,500.

Motion by Tebon and seconded by Evensen to authorized Town & Country to prepare a plant discharge limit study at a cost not to exceed \$1,500. All ayes, motion carried.

3. DISCUSSION AND POSSIBLE ACTION REGARDING YEAR 3 PHOSPHORUS COMPLIANCE PERMIT WORK BY TOWN & COUNTRY ENGINEERING

Eugene Laschinger, Town & Country Engineering, was present at the Public Works meeting and presented their engineering services proposal for Phosphorus Permit Compliance for year 3 which has been budgeted for in 2016. The study will look at capital improvements needed for future phosphorus treatment, watershed adaptive management, water quality trading and evaluate variance requests that might be applicable. The cost for this study will be in the range of \$14,000 to \$16,500. The other item recommend by Town & Country is to have pilot testing done at the Water treatment plant to help assist in reducing our phosphorus levels at a cost of \$2,000. The Public Works Committee recommended moving forward with both of these items.

Motion by Tebon and seconded by Evensen to approve Town & Country Engineering conducting the Phosphorus Permit Compliance for year 3 and Pilot Testing at a cost not to exceed \$18,500. All ayes, motion carried.

4. 2015 CONSUMER CONFIDENCE REPORT (CCR)

The 2015 CCR was prepare by the Derek Anderson, the Deerfield Water Superintendent, and did not cite any issues but noted that the Copper levels in a couple of water samples exceeded the DNR limits. The report will be published in the local paper, on the Village's website and a hard copy of the report is available at the Village Hall.

Motion by Evensen and seconded by McMullen to approve the 2015 Consumer Confidence report as presented. All ayes, motion carried.

5. CONSIDER PURCHASE OF COMPUTER BACK-UP AND FIREWALL EQUIPMENT AT VILLAGE HALL

The Finance Committee reviewed this request and recommended, to the Village Board, that a new computer backup system and Firewall equipment, at the Village Hall, be purchase through New Vision Networks, at a cost of \$1,941. The cost will be split equally between the General, Water and Sewer funds. McMullen requested that New Vision Networks confirm that the hard drives are expandable.

Motion by Wilkinson and seconded by McMullen to authorize the purchase of a new computer backup system and firewall equipment from New Vision Networks at a cost not to exceed \$1,941. All ayes, motion carried.

6. CONSIDER PROMOTION, COMPENSATION OR PERFORMANCE EVALUATION DATA FOR VILLAGE EMPLOYEE (6 MONTH PROBATION – PUBLIC WORKS EMPLOYEE)

The Finance Committee discussed, and per John Doyle's recommendation, recommended that Bryon Schumacher be removed from his probation status and be given a 3% pay increase.

Motion by Wilkinson and seconded by Evensen to remove Bryon Schumacher from probation and give him a 3% pay increase. All ayes, motion carried.

7. CONSIDER A REQUEST FROM AIDS RESOURCE CENTER OF WISCONSIN (ARCW) TO HOLD THEIR ANNUAL AIDS BIKE RIDE THROUGH PORTIONS OF THE VILLAGE OF DEERFIELD ON JULY 28, 2016

The Village received a request from ARCW to hold their annual AIDS ride through portions of the Village on July 28, 2016. Wiczorek questioned if the Village obtained a hold harmless agreement or proof of insurance for the day on these types of requests. McCredie will check to see if needed.

Motion by McMullen and seconded by Fry to approve the request from the AIDS Resource Center of Wisconsin to hold their annual AIDS bike ride through portions of the Village on July 28, 2016. All ayes, motion carried.

ORDINANCES

- 1. ORDINANCE O-2016-02 ALLOWING ABOVE GROUND FUELING STATION IN THE M-1 ZONING DISTRICT**
The Planning Commission received a request from BCP Trucking to be allowed to have an above ground fueling station. The Commission approved the request and to add the stations as a Conditional Use in the M-1 zoning district. Ordinance O-2016-02 allows for this addition.
Motion by McMullen and seconded by Evensen to approve ordinance O-2016-02 allowing above ground fueling stations in the M-1 zoning district as a conditional use. All ayes, motion carried.
- 2. ORDINANCE O-2016-03 RELATING TO ELECTRONIC PRESERVATION OF RECORDS**
Ordinance O-2016-03 creates a section of the code of ordinances relating to the electronic preservation of records. Stafford Rosenbaum is transitioning to a paperless office and is requesting that the Village adopt this ordinance so they may preserve any public records in their possession in electronic format. Attorney Anderson is also recommending adoption of this ordinance.
Motion by Wilkinson and seconded by Evensen to approve ordinance O-2016-03 relating to the electronic preservation of records. All ayes, motion carried.

COMMUNICATIONS

The area wide garage sales will be happening May 12, 13 & 14. The next Community meal is scheduled for May 15th, 5:30 pm at the High School commons and it is being hosted by the Jensen Foundations. There will be a hiatus on the meals for the summer but will resume in the fall and volunteers to host are needed. The Village's Board of Review will be held tomorrow, May 19th starting at 10:00 am.

STAFF REPORTS

A. ADMINISTRATOR'S REPORT

- 1. UPDATE ON 40 W. NELSON**
The Phase I study has been completed and drilling will be taking place inside the building on May 13th. Truckstar Collision has a key to the building and will be letting them in. Orv Hilleque's attorney has been notified of these happenings and he will let Orv know too.
- 2. COMPOST ATTENDANT POSITION**
The Village is looking for someone to work at the Village's compost site, on Wednesday evenings from 5 to 8pm, in June, July, August and September and possible a few Saturdays.

ADJOURN

Motion by Wilkinson and seconded by McMullen to adjourn at 7:58 pm. All ayes, motion carried.

/S/ Elizabeth McCredie
Village Administrator/Clerk/Treasurer