

**Minutes
Village Board Meeting
Tuesday, December 8, 2015
7:00 p.m.
Maple Bluff Village Center – 18 Oxford Place**

Members Present: President Jim Schuler, Trustees Tim O'Brien, Carl Vieth, Peter Duff, Jennifer Kuehn, Eric McLeod and Cynthia Johnson.

Also Present: Village Attorney Tim Fenner, Administrator/Chief of Police Tim Krueger, Public Works Director Tom Schroeder, Fire Chief Kris Loy, Assistant Fire Chief Matt Sutter, Recreation Director Curt Erickson, Deputy Clerk Rene Dopkins and Clerk/Treasurer Sarah Danz.

The Village Board Meeting was called to order and the roll was taken.

Approval of Agenda: A motion was made by Carl Vieth and seconded by Cynthia Johnson to approve the agenda as presented. Motion carried.

Citizen comment on any subject other than items listed on agenda: None

Discuss and take action on setting a date and time for the Village Caucus: A motion was made by Eric McLeod and seconded by Tim O'Brien to hold the Village Caucus on January 12, 2016 beginning at 7:00pm. Motion carried.

Discuss and take action on proposal from MD Roffers to provide a second review of proposed development at the corner of N Sherman Ave and Roxbury Rd. At the suggestion of village board members, a proposal for a second review of the Joe McCormick development at the corner of N Sherman Ave and Roxbury Rd was obtained. Staff contacted MD Roffers, whom the village has used on other occasions, to solicit a proposal. The MD Roffers proposal was reviewed. A motion was made by Tim O'Brien and seconded by Cynthia Johnson to approve the MD Roffers proposal as presented and include authorization for additional funds for Mark to attend meetings. Motion carried.

Discuss and take action on appointing election inspectors for the 2016-2017 election cycle: Clerk Sarah Danz distributed a list of 14 residents who currently serve as election inspectors and asked that the names on the list be re-appointed for the next election cycle. A motion was made by Eric McLeod and seconded by Jennifer Kuehn to approve the appointment of the election inspectors as presented. Peter Duff abstained. Motion carried.

Committee Reports:

- a. Building Board Committee: Met 12/8/15
- b. Country Club Committee: Did not meet
- c. Finance and Accounts Committee: Did not meet

- d. Fire & EMS Committee: Did not meet
- e. Ordinance Committee: Did not meet
 - 1. **Discuss and take action on recommendation from Ordinance committee regarding Ordinance 2015-02 "Water and Sewers":**
 Recommendation from Ordinance Committee to approve. The ordinance removes language that can be found in Maple Bluff's Water Rate File as approved by the Public Service Commission. A motion was made by Carl Vieth and seconded by Eric McLeod to approve Ordinance 2015-02 "Water and Sewers". Motion carried.
 - 2. **Discuss and take action on Ordinance 2015-03 Amendments to Village Code Chapter 64 "Village Board" – Prior to discussion and action on this item, the Village Board may convene into Closed Session as permitted by Wis. Stats. Section 19.85(1)(g) for the purpose of conferring with the village attorney who is rendering oral or written advice concerning strategy to be adopted by the Village with respect to litigation in which it is likely to become involved if the advisory referendum ordinance is amended:**
 Recommendation from Ordinance Committee is to deny Ordinance 2015-03 and not amend Chapter 64 "Village Board". Eric McLeod gave a recap of the discussions at the Ordinance Committee meeting and that the committee agreed that a change is not needed at this time. The recommendation was based on the committee's interpretation that 64-16 does not apply to the current development process and making a change to the ordinance in reaction to threatened litigation is not good practice. A motion was made by Peter Duff and seconded by Cynthia Johnson to accept the recommendation from the Ordinance Committee and deny Ordinance 2015-03. Motion carried.
- f. Parks, Recreation and Board of Harbor Commissioners: No action items
- g. Personnel Committee: Did not meet
- h. Plan Commission:
 - 1. **Discuss and take action on letter received from the law offices of Herrick & Kasdorf, LLP regarding the Proposed PUD at the corner of Sherman & Roxbury. Prior to discussion and action on this item, the Village Board may convene into Closed Session as permitted by Wisconsin State Statutes Section 19.85(1)(g) for the purpose of conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved:** On November 18, 2015 the Village of Maple Bluff received a letter from an attorney on behalf of "several residents who are immediately adjacent to the proposed development and also several other residents" stating "fully intend to.. file for a Writ of Mandamus if the Village tries to push this new multi-family residential housing PUD District forward without first complying with (Village Ordinance) 64-16.". Similar to the discussion regarding Ordinance 2015-03, board members and legal counsel do not interpret Village Ordinance 64-16 as applying to the process in

question as a multi-family district is not being "created". Discussion also included that public input has been encouraged and received several times throughout the process and whether a referendum is the best way to get additional input. In conclusion, the board is not in agreement with the opinion of the attorney letter and will therefore not be responding to it.

- i. Police Committee: Did not meet
- j. Public Works Committee: Did not meet
- k. Urban Forestry Committee: Did not meet
- l. Zoning Board of Appeals: Did not meet

Reports:

- a. Village President: None
- b. Village Attorney: None
- c. Clerk-Treasurer: September 2015 Financial Reports were reviewed.
- d. Public Works: Tom Schroeder reviewed his written report.
- e. Recreation: Curt Erickson reviewed his written report.
- f. Fire Department: Chief Loy reviewed his written report.
- g. Police Department: Chief Tim Krueger reviewed his written report.

Claims List Approval: A motion was made by Carl Vieth and seconded by Cynthia Johnson to approve the claims list as presented. Motion carried.

Discuss and take action on the Village Board Minutes dated November 10, 2015: A motion was made by Cynthia Johnson and seconded by Jennifer Kuehn to approve the November 10, 2015 Village Board minutes. Motion carried.

A motion to adjourn was made by Eric McLeod and seconded by Cynthia Johnson at 8:00 p.m. Motion carried.

Respectfully Submitted,
Sarah Danz, Clerk/Treasurer