

A regular meeting of the Benton Village Board was called to order by Village President, Gary McCrea, at 7:00 p.m. in the conference room in the Benton Business Incubator Building at 244 Ridge Avenue on Wednesday, April 19, 2006, with the following members present: Gary McCrea, Terry Sheffer, Rose Walton, Ron Fladseth (7:07 p.m.), Cal Robbins, Ann Neis, and Lori Droessler (7:04 p.m.). Absent: none. Village employees present: Darnell Hendricks (7:00) and John Perkins (7:04 p.m.). Visitors/Citizens present: Philip Vaughn and Tony Dougherty. Consultants: none. In compliance with the open meeting law, proper notice of the meeting had been posted in four public places; the Zephyr Depot, Benton State Bank, Benton Post Office, and the Benton Business Incubator Building.

Motion (Sheffer, Neis) to accept minutes from the March 15, 2006, regular board meeting as printed. Roll-all ayes. Carried.

McCrea indicated he would be providing the updated 2006-2007 committee list at the next regular board meeting.

Philip Vaughn was present with a concern regarding the beverage and food distributors parking on the wrong side of the road facing the wrong direction on Bean Street when delivering to the Zephyr Depot. Owner, Tony Dougherty, was also present for this discussion. The concern voiced by Vaughn was that when he is driving the school bus he pulls out of the bus barn located at 38 Bean Street and turns north toward highway 11, the delivery truck is in his lane of traffic and forces him to pull the bus into the oncoming lane of traffic to get around the delivery truck. Vaughn is concerned about his liability in the case of an accident since he would be in the wrong lane. Dougherty indicated he does not have any place else for the trucks to park, and suggested the board consider making Bean Street a one way street. By general consent it was agreed to have the street committee look at the options available, including making Bean Street a one way street. Another suggestion made was to contact the adjacent property owner and their renter and inquire as to whether there would be any concerns with having the drivers park on Main Street in front of 149 East Main Street. Sheffer suggested holding a street committee to review this matter and make a recommendation to the board.

Dougherty was present with a concern regarding the storm sewer drainage issues on Creek Drive. The street committee indicated it would look at this again and determine if completing the rest of the storm sewer drainage areas in the same manner would help. Dougherty indicated the one that was redone last year seems to be helping. Dougherty indicated he would like something done or he will be inclined to contact the Department of Natural Resources.

Perkins provided an estimate on the replacement of the water main on Calvert Street. The main has had two breaks in the last year. By general consent it was agreed that the sewer main from the middle of Galena Street to County J should be televised. Wastewater Treatment Operator, Ryan Carver, will be consulted regarding getting a bid for this work and a final decision will be made upon receipt of this information.

A discussion was held regarding removing the large oak tree from lot 9 in the Roling Oaks subdivision prior to the final sale of the lot. Hendricks will contact Felderman Lawn and Garden to have this tree taken down and Neis or Robbins will take care of removing the tree and its debris from the lot.

The Park Committee provided the board a list of jobs it would like completed in the two village parks. This list of jobs had been provided to Public Works Director, Perkins, as well. Perkins estimated it would cost approximately \$500.00 to install lights in the tennis court area of the park on Main Street. Perkins will contact Bob Knight to have a soil sample completed in the areas of the park that will not grow grass to find out why. The committee recommended having the slide located near Arbor removed due to safety concerns.

Motion (Robbins, Sheffer) to authorize a demolition permit for 158 Railroad Avenue for Sunday, April 23, 2006. Voice vote-all ayes. Carried.

Motion (Robbins, Fladseth) to take no action related to trading its John Deere 6120 tractor. Voice vote-all ayes. Carried.

Motion (Neis, Droessler) to hire Alicia Farrey as a summer workstudy employee. Voice vote-all ayes. Carried.

No action was taken on hiring students through the Job Training Partnership Act program (JTPA) as the board is waiting for final information from the school regarding this program.

Motion (Sheffer, Robbins) to authorize the library to put up a parking limitation sign in front of the library with a maximum limit of 30 minutes. Voice vote-all ayes. Carried.

Motion (Walton, Droessler) to donate up to \$200.00 to the BCDC for flowers on Main Street. Voice vote-all ayes. Carried.

Steve Malone, representing Cole Acres Pool, thanked the board for its past donations and asked it to consider a similar donation this year. *Motion (Robbins, Walton) to donate \$2000.00 to Cole Acres Pool.* Roll-all ayes. Carried.

Malone, representing the Benton Community Development Corporation (BCDC), updated the board on its grant application to Alliant Energy for the development of a new web site and the sign for the Business Incubator Building in memory of Keith Farrey.

Malone, representing the Benton State Bank, thanked the board for its past business and offered its assistance for the future.

Malone indicated he would like to meet with the parks/building committee to come up with terms of a lease agreement for the downstairs of the municipal building. The library board will be asked to review the lease once it is in draft form.

The recent list of public nuisance violators will be given to the police officer on duty for issuance of warning notices.

Motion (Sheffer, Robbins) to approve an operator's license to Amy Babino, contingent on obtaining proper training certification. Roll-all ayes. Carried.

A discussion was held regarding various facilities holding liquor licenses that do not have proper operator certification for employees. By general consent the board approved having the clerk provide the police officers a list of the current operator's licenses within the village and the police department will then be directed to randomly verify operator's certification. The police officers will then be directed to issue citations to violators.

Motion (Robbins, Walton) to approve a Municipal Wholesale Power Group Participation Agreement with Municipal Wholesale Power Group at a cost of \$300.00 for the intervention with the Alliant 2006 Wholesale Rate Case. Roll-all ayes. Carried.

Motion (Sheffer, Neis) to adjourn to closed session for deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever, competitive or bargaining reasons require a closed session, specifically related to the discussion of a right of first refusal for land owned by the Village of Benton. Roll-all ayes. Carried. Lori Droessler, Rose Walton, and Ron Fladseth left the meeting at this time.

Motion (Sheffer, Robbins) to reconvene to open session. Roll-all ayes. Carried.

Lori Droessler, Rose Walton, and Ron Fladseth returned to the meeting.

Motion (Robbins, Sheffer) to deny a request for a right of first refusal to the Benton State bank for 39 E. Main Street. Roll-Walton-abstain, Droessler-abstain, Neis-yes, Fladseth-abstain, Sheffer-yes, Robbins-yes, McCrea-yes. Approved with four yes votes and three abstentions.

Motion (Sheffer, Fladseth) to adjourn to closed session pursuant with Chapter 19.85 Sub (1) par (e) of WIS. STATS, for deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever, competitive or bargaining

reasons require a closed session, specifically to discuss the listing of the commercial lots in the industrial park. Roll-all ayes. Carried.

Motion (Robbins, Fladseth) to reconvene to open session. Roll-all ayes. Carried.

Motion (Walton, Sheffer) to approve listing the commercial lots in the industrial park with Vosberg Realty. Roll call; Walton-yes, Droessler-abstain, Neis-yes, Fladseth-yes, Sheffer-yes, Robbins-yes. Motion carried with six yes and one abstention.

The claims against the Village were presented for payment. *Motion (Robbins, Fladseth) to pay the claims against the Village.* Roll-all ayes. Carried.

Motion (Neis, Walton) to adjourn. All ayes. Carried. The meeting adjourned at 8:20 p.m.

APPROVED 5/17/2006

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