

## Minutes of Regular Session

Proceedings of the Village of Spring Green Board of Trustees meeting on January 27, 2016 at 7:00 pm, 154 N. Lexington Street, Spring Green Wisconsin.

1. **Call to order:** Gene Hausner, Village President called the meeting to order at 7:00 pm.
2. **Roll call of Village Board members:** Members present were Gene Hausner, Robin Reid, Joel Marcus, Norm Miller, Greg Prem, and Vern Demers. Michael Broh was absent. Also present were Wendy Crary, Linda Schwanke, Kevin Wilkins, Andy Kurek, Michael Havlik, Jim Orr, Nancy Orr and Jenny Pappas.
3. **Approve Minutes:** Demers moved and Prem seconded to approve the minutes of the January 13, 2015 Public Caucus and Regular Board Meeting. Motion carried.
4. **Review and approve agenda:** N. Miller moved and Reid seconded to approve the agenda as presented. Motion carried.
5. **Consent agenda:** Reid moved and Demers seconded to approve the consent agenda consisting of the following:
  - a. Approval of Financial Report
  - b. Approval of DisbursementsMotion carried.
6. **Old Business:**
  - c. Marcus stated the request for an additional payment of \$14,680 due to extra thickness of paint, was not specified in the original contract; someone made a mistake. Orr stated Dixon Engineering performed an inspection report in 2012. Orr stated the paint winds up being thicker than estimated all the time and that is why Dixon Engineering does not provide the paint thickness numbers to the contractors. Orr stated if this were a legitimate claim, the contractor would have stopped their work and taken care of this properly via a change order. Orr stated contractually, the Village does not owe the contractor a nickel. Reid stated if this happens on a regular basis, the contractors should have some sort of contingency clause covering this type of situation. Orr stated if we would have put 50 mil thickness the contract, the bids would have come in at least \$50K more. Miller stated there should be a clause for unknowns. Prem stated it is unfortunate this happened, but the amount requested is minimal compared to the overall contract amount and the contractor did contact village personnel. Orr noted the warranty period of one year and that he is working on getting damage to the paint caused by US Cellular resolved. Reid stated let's get back to the \$14,680. Reid stated she was not in favor of paying this; it is a matter of business integrity. Hausner stated he feels the work is of very high quality. Orr stated he takes full blame, full responsibility and should have been more proactive. Orr stated ultimately it is the board's decision whether to pay the request or not. Hausner asked if Dixon would pay half. Orr stated he did not think so. The board discussed the responsibility of the engineer. Reid stated we are working with a system that does not work for anyone. Prem stated when it is done this way; it is more on a time and materials basis which is actually fairer for the village. Marcus stated the board could offer to pay half the request



which would be \$7,340 contingent upon remaining within the budgeted amount for the project. Prem moved and Marcus seconded to pay \$7,340 of LC United's pay request of \$14,680 pending Crary's review of the budgeted amount for the water tower painting project. Motion carried.

7. **New Business:**

- a. Kurek stated throughout the past year, the police department has had several contacts with transient merchants, some of which were trying to take advantage of village residents. Kurek went over the recommended changes to the Transient Merchant Ordinance and suggested the application fee be increased. A suggestion was made to change the hours allowed by the ordinance from 9am – 9pm to 9am – 7pm. No action taken.

8. **General Public Comment:** There was no general public comment.

9. **Adjourn:** N. Miller moved and Demers seconded to adjourn at 8:03 pm. Motion carried.