

MINUTES OF THE COMMITTEE OF THE WHOLE MEETING OF OCTOBER 12, 2011

Call to Order

President Vanden Berg called the Committee of the Whole meeting to order at 6:00 p.m.

Roll Call

PRESENT: President Vanden Berg, Trustee Berken, Trustee Hietpas, Trustee Mahlik, Trustee Peerenboom, Trustee Smith

EXCUSED: Trustee Frassetto

ALSO PRESENT: C. Kell, R. Van Gheem, E. Misselt, T. Matheny, T. Flick, V. Schneider
Mark Surwillo –HOVMSD, Interested Citizens and Media Reps

Public Appearance for Items not on the Agenda

None

Presentation by Mark Surwillo, District Manager – Heart of the Valley Metro Sewerage District

Mark Surwillo reviewed the HOVMSD 2012 proposed budget noting that the proposed budget decreased 4.57% from last year's budget. Mr. Surwillo also reviewed the usages, rate parameters, and allocations for demand and reserve capacity charges for each of the five communities that make up the HOVMSD. Mr. Surwillo and R. Van Gheem commented on the increased charges to the communities because of the \$50 million upgrade of the plant, the repair to the main interceptor pipe, and the subtraction method elimination project. R. Van Gheem noted that the infrastructure was put in to try to provide for servicing the communities for the next 20 years and that was good planning on the HOVMSD but the impacts of the new rules are not known and it may result in spending another \$20 – \$40 million. Mr. Surwillo commented on the advantage of their system possibly being able to meet the new limits without further modifications to the system. Discussion took place on the issues with the water quality standards decisions that are made by the EPA and DNR and the financial burden this is putting on the communities.

Action on Site Plan – Absolute Supply – 1560 Bohm Drive

President Vanden Berg stated staff is requesting the company's engineer to resubmit a revised site plan to address inadequacies so this item is not ready to be acted on tonight.

Moved by Trustee Smith, seconded by Trustee Mahlik to postpone action on the Site Plan for Absolute Supply until the revised plan is submitted.

Ayes 6, Nays 0 – Motion Carried

Review/Discussion – Repealing Section 30-21 Regulation of Firearms and Explosives and Recreating Section 30-21 Regulation on the Discharging of Firearms, Electric Weapons, and other Devices of the Municipal Code

Review/Discussion – Repealing Section 30-22 Carrying concealed Weapons Prohibited and Recreating Section 30-22 Open and Concealed Firearms and Dangerous Weapons of the Municipal Code

Review/Discussion – Amending Section 30-23(b)(1)-(4) Safe Use and Transportation of Firearms and Bows of the Municipal Code

Review/Discussion – Amending Section 32-1(c)(21) Park Regulations – Firearms; Hunting of the Municipal Code)

Chief Misselt stated that the staff attended concealed carry training put on by the Department of Justice and the ordinance changes being presented are in compliance with State Statute although the ordinances may need to be tweaked in the future. Chief Misselt stated that while the statute goes into effect on November 1, the State will not be in a position to issue any permits until 45 days after November 1 but this doesn't apply to someone that has a concealed carry license from another State and they would be legal starting on November 1. Chief Misselt stated that policies, procedures, and protocols will be developed to address the various issues that will arise with the new law. Discussion took place. No changes were made to the ordinances presented and they will be placed on next week's agenda for action.

Discussion of Vacant Industrial Land Inventory in the Village

C. Kell reviewed the Industrial Park inventory of 12.09 acres of vacant land that is owned by the Village and the 14.11 acres of land that is vacant that is privately owned. TID #4 has a total of 102.93 acres of privately owned vacant land that is available for industrial development but because this land is zoned commercial highway, a special exception permit is required to establish light manufacturing uses in this area. Vacant commercial zoned land is also available in the Schumacher Business Park and the HJT North and South Business Parks. Discussion took place. Trustee Peerenboom requested that the Administrator contact the owners of the 102.93 acres of vacant land north of Hwy. 41 and south of Evergreen Dr. to discuss the idea of requiring any industrial development on those properties to be more upscale type buildings. C. Kell noted that he would like to have the Developers Agreement and Resolution for the plastics company on next week's agenda as a closed session followed by an open session to approve the agreement and resolution but he is waiting for the plastics company to formally announce their plans so those items may not be presented next week. President Vanden Berg asked if the Board was interested at a future meeting to look at possible acquisition of properties as there is a group of individuals that want to address the Board with potential sites for the Village to acquire. Board members indicated agreement that they are willing to listen to these individuals.

Approval of Selection of Engineering Consultant for the Mill Street Bridge Project

C. Kell stated he is basically looking for concurrence from the Board to move forward with staff's recommendation to select TENG & Associates as the Engineering Consultant for the Mill St. Bridge. If approved, the next step is to complete a selection form that has to be sent in to the DOT for their review and approval of the Village's selection. After that it will allow for the Village to negotiate a contract with TENG for the project and the contract proposal will be brought back to the Board for approval and DOT approval of the contract is also required before the design work can proceed. C. Kell reviewed the qualifications and experience of the company's principals and noted that some of the key factors in selecting TENG was their experience in movable bridges and their electronic and mechanical experience with these types of bridges. C. Kell noted that this is the only firm that uses Cornerstone Preservation for their coordination and he feels that is important as that is also the historical coordinator for the Locks system project. C. Kell noted that he has been given strong assurance by the company that they can do the project within the approved budgeted amount. C. Kell noted that the selection process does not allow the Village to request or consider cost as part of the selection process.

Trustee Peerenboom moved stating "while he finds this ridiculous that we can't consider costs in selecting an engineer" that the Village Staff continue on with the selection of TENG & Associates as the Engineering Consultant for the Mill Street Bridge Project. The motion was seconded by Trustee Berken.

Ayes 6, Nays 0 – Motion Carried

Unfinished Business

C. Kell stated that the Village closed on the real estate transaction with US Ventures on Monday and now the Board needs to decide what they want to do with the houses. C. Kell informed trustees that they could individually or collectively view the homes. C. Kell stated the homes need quite a bit of work. C. Kell reminded the Board that if the decision is to tear down the homes in order for US Ventures to pay for this cost, the contract with US Ventures requires that the Village notify them of the decision to have the homes tore down within 90 days. Trustee Smith suggested sending the building inspector over to check on the type of heat and if there are any issues with asbestos in the homes and he further stated that he would like to see the homes minimally cleaned up and sold. Trustee Peerenboom agreed with Trustee Smith stating he would like to see these homes sold as soon as possible.

President Vanden Berg stated he feels that the Building Inspector should inspect the properties and report back to the Board. Trustee Peerenboom stated he would like to see that on an agenda as soon as possible. C. Kell stated he will have to send the Public Works Department over to haul away items from the garages. Trustee Smith and Trustee Mahlik suggested having an appraiser or realtor go through the properties. President Vanden Berg suggested that the Administrator also bring back suggestions for potential other uses for these properties.

C. Kell stated that the Way Finding signage will likely be going up in a few weeks and on there are some old welcome signs that include local service clubs and church signs and he would like to take those down and he asked the Board if they would have a problem if he takes them down. C. Kell noted that he could not find anyone that knows the history of the signs and if the clubs had a financial interest in putting them up. Trustee Hietpas suggested that the Administrator notify the clubs that the signs are going to be pulled down. Trustee Peerenboom suggested that Don DeGroot may have some knowledge of when the signs were put up.

C. Kell asked Board members if they were agreeable to including a posting on the Village's website referencing the 1st place Golden Fork Award for Best Cup of Coffee being awarded to Seth's Coffee and Bake Shop and Board members were in favor of including the posting on the website. C. Kell also noted that Seth's received the 2nd place award for Best Café.

Trustee Smith questioned what the determination is on the bike lane/route plan for the Village and T. Flick stated that the next step was to have the Greenways Representative meet with staff and then make a presentation to the Board at a future meeting. Trustee Smith also asked if there was any word back from the retirees and C. Kell stated there was an open records request made for the names of the retirees but that is all that staff has heard. C. Kell stated in regards to the Union, there are a number of employees that would like to go into the deductible plan and staff checked with ETF and it is not possible to allow individual union members to go into the deductible plan as it has to be all the union employees or none. C. Kell noted that if the union employees all agreed to the deductible plan their group could be moved to the plan during their contract period.

Items for Future Agenda

Concealed Weapon Ordinance Amendments, report on the condition of the homes recently purchased by the Village and recommendations for potential uses of the land, Greenway Representative Presentation, Acquisition of property, Plastics Company Development Agreement/Resolution

Adjournment

Moved by Trustee Peerenboom, seconded by Trustee Mahlik to Adjourn the Committee of the Whole meeting at 7:12 p.m.

Ayes 6, Nays 0 – Motion Carried

VILLAGE OF LITTLE CHUTE

By: Michael R. Vanden Berg, Village President

Attest: Vicki Schneider, Village Clerk