

## MINUTES OF THE REGULAR BOARD MEETING OF NOVEMBER 16, 2011

The Regular Board meeting was called to order at 6:00 p.m. by Michael Vanden Berg, Village President

### **Invocation**

### **Pledge Allegiance to the Flag**

President Vanden Berg led members in the reciting of the Pledge of Allegiance.

### **Roll call of Trustees**

PRESENT: Michael Vanden Berg, President  
Bob Berken, Trustee  
Tammy Frassetto, Trustee  
James Hietpas, Trustee  
Dan Mahlik, Trustee  
Bill Peerenboom, Trustee  
Skip Smith, Trustee

### **Roll Call of Officers and Department Heads**

PRESENT: Charles Kell, Village Administrator  
Chief Misselt, FVMPD  
Jim Moes, Community Development Director  
Tom Flick, Director of Parks, Recreation, and Forestry  
Teri Matheny, Finance Director  
Roy Van Gheem, Public Works Director  
Beth Carpenter, Library Director  
Glenn Brouillard, Building Superintendent  
Charles Koehler, Village Attorney  
Vicki Schneider, Village Clerk

OTHERS PRESENT: Nick Vande Hey- McMahon & Associates, Interested Citizens, and Media Reps

### **Public Appearance for Items Not on the Agenda**

None

*Moved by Trustee Frassetto, seconded by Trustee Berken to enter into Public Hearing.*

Ayes 7, Nays 0 – Motion Carried Unanimously

### **Public Hearing-Amending Village Code of Ordinances Chapter 44 Zoning Code, Section 50- CB-Central Business District (a) Purpose (2) Automobile Related Uses are Prohibited in this District; (b) Permitted Principal Uses and Structures; (d) Special Exception Uses and Structures; (f) Permitted Accessory Signs**

J. Moes noted that the Plan Commission had reviewed the proposed amendments and they are recommending approval.

*Moved by Trustee Peerenboom, seconded by Trustee Smith to exit the Public Hearing.*

Ayes 7, Nays 0 – Motion Carried Unanimously

### **Approval of Minutes**

Regular Board Meeting Minutes – November 2, 2011

Committee of the Whole Meeting Minutes – November 9, 2011

*Moved by Trustee Frassetto, seconded by Trustee Smith to approve the Regular Board Minutes of November 2, 2011 and the Committee of the Whole Minutes of November 9, 2011 as presented.*

Ayes 7, Nays 0-Motion Carried Unanimously

### **Report of Other Minutes-Other Informational Items**

Minutes of the Fox Valley Metro Police Commission – September 13, 2011

Minutes of the LC Fire Commission (unapproved) - November 7, 2011

Board members noted receipt of informational items

**Ordinances:**

**Amending Village Code of Ordinances Chapter 12 Municipal Court – Article III Municipal Judge Section 59 – Election, term**

*Moved by Trustee Smith, seconded by Trustee Mahlik to Adopt Ordinance No. 23, Series of 2011, Amending Chapter 12 Municipal Court, Article III Municipal Judge Section 59 Election, Term.*

Ayes 7, Nays 0 – Motion Carried Unanimously

**Amending Village Code of Ordinances Chapter 44 Zoning Code, Section 50-CB-Central Business District (a) Purpose (2) Automobile Related Uses are Prohibited in this District; (b) Permitted Principal Uses and Structures; (d) Special Exception Uses and Structures; (f) Permitted Accessory Signs**

*Moved by Trustee Mahlik, seconded by Trustee Smith to Adopt Ordinance No. 24, Series of 2011 Chapter 44 Zoning Code, Section 50-CB-Central Business District (a) Purpose (2) Automobile Related Uses are Prohibited in this District; (b) Permitted Principal Uses and Structures; (d) Special Exception Uses and Structures; (f) Permitted Accessory Signs.*

Ayes 7, Nays 0 - Motion Carried Unanimously

**Award Bid – Pedestrian Bridge and Trail Project**

T. Flick handed out the bid results for the Pedestrian Bridge and Trail Project and noted that eight companies submitted bids. T. Flick stated that the lowest bidder was Great Lakes Marine at \$863,370. T. Flick also noted that the bid sheet from Great Lakes Marine had slashes for Alternate Bid 1 and 2 and after talking with the company he was informed that the alternates were both included in the base price of \$863,370. President Vanden Berg questioned T. Flick if the bids came in where he had anticipated and T. Flick commented that he had expected bids to come in around \$850,000. T. Flick stated that between the money bonded for the project, a DNR grant, and the donation from Cheesefest, the cost of the lowest bid for the project will be covered.

*Moved by Trustee Peerenboom, seconded by Trustee Smith to Award the Contract for construction, including alternate bids 1 and 2, of the Pedestrian Bridge and Trail to Great Lakes Marine Contracting Inc. in the amount of \$863,000.*

Ayes 7, Nays 0 – Motion Carried Unanimously

**Discussion – 2012 Budget Discussion**

Staff led a review of the 2012 proposed budget. Trustee Smith questioned the timeframe for using the bonded money for the Village Hall renovation. C. Kell stated that the funds could be used for different projects if the Board decided not to renovate the Village Hall. C. Kell went on to say that the many repairs needed for the Village Hall have gone unaddressed and that the money allocated for the Village Hall should stay as such. C. Kell stated that if the \$1.3 million is used for the renovation it needs to be used in two years but if the money is used for other projects it has to be used in three years. T. Matheny noted that in the Inspection Department there was a decrease because of the proposed cut of five hours a week from the Building Inspector's hours. T. Matheny reported that Fire Operations came back with basically the same budget that was presented last year, but there was an increase in Capital Outlay because of the radios that the Fire Department is required to replace. C. Kell stated that he met with Mayor Rosin from the City of Kaukauna and in mid-December Kaukauna will be without a Building Inspector and they discussed the Village doing inspection services for the City on a temporary basis. C. Kell stated that if the Board decides to have the Village's inspector do the inspections for Kaukauna, the Building Inspector hours will have to be brought back to 40 hours per week. T. Matheny stated that there is a decrease in the administration budget in Public Works because of re-allocation of labor from Administration to Street Repair and Maintenance so the Village can take advantage of Transportation Aid Funding. T. Matheny stated that because of this year's storm damage, the Forestry Department is over budget and an adjustment will have to be made at the end of the year. T. Flick stated that he is in his tenth year in the Forestry Department and this is the first time he has gone over budget, so the storm had a significant impact on his budget this year.

Trustee Peerenboom questioned if income from the houses the Village purchased would show up in the Other Financing Uses portion of the budget. T. Matheny replied that the sale of any of the purchased properties will go back into fund balances and not be used for current operating costs. Trustee Hietpas questioned if the lots on Polk Street were for sale. R. Van Gheem stated that utilities have to go in yet for the lots on Polk Street and J. Moes stated that the Certified Survey Map should be created in a month or so. T. Matheny reported that the revenue for swim lessons will go up by \$3,000 for 2012 because the Park & Recreation Director is recommending an increase in the fees for swimming lessons. T. Matheny stated that the \$66,000 expenditure in the Library/Civic Center budget is for the roof needed for the Library. Trustee Peerenboom questioned the status of the contract negotiations with the Police Union. Chief Misselt stated that Mediation Arbitration has been filed by Attorney Macy. Trustee Frassetto stated that she did not want to increase the tax rate plus have a monthly sanitation rate increase attached to the utility bill. T. Matheny stated that to pay for a sanitation truck that is needed for Public Works a tax increase is required. C. Kell stated that there is \$150,000 in grant money and a donation of \$100,000 from Cheesefest that T. Flick received for the Pedestrian Trail and Bridge project so \$66,000 of the bonded money can be used to replace the Library roof in 2012. C. Kell stated that because of the \$100,000 Cheesefest donation and other grant money that Mr. Flick was able to obtain for the bridge and trail project it is only fair that the Village Board agree to help with funding the Doyle Park Shelter when it is due to be built in 2014 as that is what the Cheesefest had been gearing their funds towards. Trustee Frassetto questioned whether staff has looked into hiring an engineer for Village projects and feels it could save the Village a substantial amount of money. C. Kell responded that he has given R. Van Gheem the authorization to look into the prospect of having an Engineer on staff. T. Matheny reviewed the utility budgets and noted that the Water Commission had reviewed and approved the water utility budget at their meeting. T. Matheny stated that MCO presented to the Water Commission an increase of 2.8 – 3% in contract costs for their services. Trustee Smith stated that he would like to see the Fleet Replacement Fund brought back up to a level where if a vehicle is needed it can be paid for out of the General Fund. Michael Stouffer, 714 Bluff Ave., stated that he felt that an increase in the tax levy was appropriate considering the number of years that the tax levy has been kept at a steady level. Trustee Frassetto questioned how much the tax levy would need to go up to have the Fleet Replacement Fund at \$200,000 and T. Matheny stated that it would be a \$0.36 increase. Staff stated that the Public Hearing on the Budget will be on November 30 and if the Board is comfortable with the budget, a resolution will be presented to approve the budget and set the tax levy or if the Board wants to make changes following the Public Hearing, the resolution could be acted on at the first meeting in December. T. Matheny stated that the equalized value ratio was received from the DOR today and the proposed levy was adjusted to \$6.708 or a \$.02 tax increase and the final assessed value should be received soon. C. Kell asked Board members to take time over the next few weeks to consider what they want to do with the fleet and equipment fund since the proposed tax increase is currently only \$.02 and there is an opportunity at this time to levy additional money for the equipment/fleet fund. Discussion continued. Board members indicated agreement with going ahead with removing \$66,000 from the tax levy for the Phase 1 library roof replacement and using \$66,000 from the Parks and Public Grounds bond proceeds for this project. T. Flick stated he is comfortable with using the park improvement bond proceeds for the library roof replacement if the Board designates the \$24,000 balance for the Doyle Park shelter and he requested Board support for this. Trustee Smith suggested putting a line item in the budget for this money to go towards the shelter and T. Matheny stated that she would make the notation in the budget. Trustee Peerenboom stated he is not in favor of a fee increase and a tax increase for fleet replacement. Trustee Peerenboom stated he would like to see the wage increase removed from the budget until such time as the Metro contract is settled and it is known whether there will be savings from the contract. T. Matheny stated that there is no guarantee that there will be any savings coming out of the Metro budget. T. Matheny stated the overall cost for the proposed wage increase for non-union reps is a little over \$19,000. Discussion continued on the proposed wage increase but no changes were made to the proposed budget. It was noted that the money for the snow storage site and the Fire Department storage shed had been removed from the budget because of the limitations on the use of the bond proceeds. T. Matheny will provide Board members with tax scenarios on fleet/equipment funding for the meeting on November 30.

**Operator’s License:**

Becky A. Brazil	136 Gregor Ct.	Appleton	Walgreens
Kimberly A Brochtrup	4041 Co. J	Kaukauna	Piggly Wiggly
Leah M. Degoey	209 Klein St.	Kaukauna	Pump House
Carol J. Ebben	904 Jefferson St.	Little Chute	5 <sup>th</sup> Quarter
Susan R. Gilbert	117 N. John St.	Kimberly	Village Lanes
Tami A. Jones	1616 Taylor St.	Little Chute	Village Lanes
James D. McGuire	203 Williams St.	C. Locks	Weenies
Charity H. Otto	928 Eighth St.	Menasha	5th Quarter
Diane K. Plotz	400 Lemongrass Way	Kaukauna	Piggly Wiggly
Amanda R. Sprangers	W494 Bain Rd.	DePere	5th Quarter

*Moved by Trustee Frassetto, seconded by Trustee Mahlik to approve the operator’s license as listed on the agenda.*

Ayes 7, Nays 0 – Motion Carried Unanimously

**Department and Officers Progress Reports**

Chief Misselt stated that the concealed carry signs are finished and will be distributed between the three villages. Chief Misselt reported that the Police Department did not have an increase in traffic with the new hours so beginning December 1 the hours will revert back to 7:30 a.m. to 4:30 p.m. to be consistent with other departments. Chief Misselt reported that the remodeling at the Police Department is nearing completion and is coming in on budget. Chief Misselt reported that the Department will host an Open House at the Police Department upon completion of the remodeling. Chief Misselt reported that the Kimberly Village Board approved the annexation for the Kimberly High School into the Village of Kimberly but he does not yet have a date for starting police services at the High School. Chief Misselt reported that negotiations with the WPPA have not been settled yet and it does not look like they will settle soon. T. Matheny reported that the auditors will be in November 28 and 29 to do fieldwork and to meet with her to make sure the year end audit goes as smooth as possible. C. Kell reported that he has been working with developers on projects. J. Moes reported that the cleaning of the Village’s homes on West Main and West Lincoln had been completed and he also had to have a technician fix the furnace at one of the homes and another of the homes has an issue with mold that has to be taken care of. J. Moes reported that Hietpas & Sons is scheduled to replace sewer laterals on two of the homes on West Lincoln. T. Flick reported that Kaukauna Utilities has approved an easement agreement with the Village for the Pedestrian Bridge & Trail. T. Flick reported that will be a row of utility poles installed along the levee from Island Park eastward and this is part of the Fox Locks Authority project for installing bird nesting platforms. R. Van Gheem reported that crews have been working diligently to finish picking up leaves in the Village and he also reported that utilities for Village North Subdivision are almost complete. B. Carpenter reported that the Library has launched an early literacy program, 1000 Books Before Kindergarten and had a great turnout for the kickoff on Saturday, November 12. Clerk Schneider reported that she has submitted a Type A Notice of Election that will be published on Saturday, November 19. Attorney Koehler - no report. R. Van Gheem reported that the repairs to the yard waste site will be completed in December.

**Disbursement List**

*Moved by Trustee Mahlik, seconded by Trustee Berken to Approve the Vouchers as presented and Authorize the Finance Director to pay all vendors.*

Ayes 7, Nays 0 – Motion Carried Unanimously

**Call for Unfinished Business**

None

**Items for Future Agendas**

None

*Moved by Trustee Peerenboom to enter Closed Session seconded by Trustee Mahlik. (8:58 p.m.),  
Ayes 7, Nays 0 – Motion Carried Unanimously*

Staff and the Village Clerk were excused from the meeting at this time.

**Closed Session:**

*Moved by Trustee Frassetto, seconded by Trustee Mahlik to exit Closed Session and return to Open Session. (9:47 p.m.)*

Ayes 7, Nays 0 – Motion Carried Unanimously

**Return to Open Session**

No action taken.

**Adjournment**

*Moved by Trustee Frassetto, seconded by Trustee Mahlik to Adjourn the Regular Board meeting at 9:47 p.m.*

Ayes 7, Nays 0 - Motion Carried Unanimously

**VILLAGE OF LITTLE CHUTE**

By: \_\_\_\_\_  
Michael R. Vanden Berg, Village President

Attest: \_\_\_\_\_  
Vicki Schneider, Village Clerk