

## MINUTES OF THE COMMITTEE OF THE WHOLE MEETING OF JUNE 23, 2010

### Call to Order

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

### Roll Call

PRESENT: President Fischer, Trustee Elrick, Trustee Frassetto, Trustee Hietpas, Trustee Mahlik, Trustee Van Deurzen

EXCUSED: Trustee Verstegen

ALSO PRESENT: C. Kell, D. Haug, J. Elrick, V. Schneider

### Public Appearance for Items not on the Agenda

None

### Action on Preliminary Assessment Resolution – 2010 Projects – Washington Street Reconstruction and Rehab Sidewalk

C. Kell reminded the Board that they had agreed to set the assessment hearing for these projects for July 7 and the Resolution is a formality necessary to set the public hearing and declare the intent to assess property owners for the improvements.

*Moved by Trustee Elrick, seconded by Trustee Frassetto to Adopt Resolution No. 16, Series of 2010 Preliminary Assessment Resolution for the 2010 Washington Street Reconstruction and Rehab Sidewalk Projects - Declaring Intent To Exercise Special Assessment Powers Under Chapter(S) 61.36.*

Ayes 6, Nay 0 – Motion Carried

### Award Bids for the Washington Street/Dutch Boyz Street and Sidewalk Replacement Projects

C. Kell presented the Board with a memo from McMahon that outlined the bids for the project and their recommendation to award the bid to the low bidder, Vinton Construction, for a total of \$553,569.09 and that does not include the Dutch Boyz street. It was noted that the Vinton bid was \$63,553 lower than the other bid and there were only two bids received on the project. C. Kell also presented the Board, for comparison, a copy of the memo of May 19<sup>th</sup> that presented the estimated costs for the projects and a memo that was prepared today that listed the recommended application of funds and preliminary Washington Street Assessments for the WCL RR to CTH OO segment based on the bids and revised assessments. C. Kell stated that the Washington Street project came in higher than previously estimated because the original design of the center section of the road was not TEA eligible and it had to be redesigned and storm sewer had also been added to the project based on the recommendation of the Public Works Director. C. Kell noted that the increase is \$49,700 and he estimates that \$30,000 to \$35,000 of that is because of the storm sewer pipes. C. Kell also noted that the final engineering cost is not known at this point but it will likely be higher than the estimated amount of \$88,508 because the center section was redesigned several times. Discussion took place on the costs, the assessments, and Mr. Hartwig's contribution. In response to a question from Michael Stouffer, C. Kell stated that Mr. Hartwig's \$100,000 donation includes the cost of Mr. Hartwig's assessments. C. Kell stated the Dutch Boyz portion of the contract will not be awarded at this time as this was an addendum to the bid and award of the bid can be held for 60 days from the date of the bid opening. C. Kell stated the reason to not award the bid for the Dutch Boyz Street at this time is because Mr. Van Dyn Hoven is not in a position to move forward at this point and he has not yet sold the Village the property needed to put the street in and Mr. Van Dyn Hoven is also not 100 percent sure that he is moving forward with the project. Trustee Mahlik stated he wants to see a timeframe put on Mr. Van Dyn Hoven's decision as he doesn't want to see the decision about the road just setting out there. Trustee Frassetto asked how it affects the Developer's Agreement if the road is not completed by the end of July and if the road is not going through at this point, it is affecting all of the deeds for properties on the street. Attorney Frassetto spoke on behalf of Dutch Boyz and stated it is Mr.

Van Dyn Hoven's intent to proceed with the project and preliminary site work has begun. Attorney Frassetto stated the issues that they have run into are that the road exhibit from McMahan did not match the description in the Developer's Agreement and this has been worked through with the Village's Attorney and staff and that issue should be resolved. Attorney Frassetto stated the other issue concerns the relocation of the utilities and the cost impact of those decisions is not yet known. Trustee Mahlik stated those issues should have been in place before now. Discussion took place. Molly Houlihan asked if it was still true that the utilities would not be going down the new street. C. Kell stated that is true and the utilities are not being relocated to the new street. Attorney Frassetto commented that in his discussions with Attorney Koehler there would have to be amendments to the Developer's agreement that would voluntarily extend timelines for the Village's obligations and they would still honor their obligation to have 50% of the value in by January 1 and if not they will still pay their tax payment obligation of \$41,000. Attorney Frassetto stated in conversation with Attorney Koehler it was discussed that if the Board would elect not to amend the agreement, that would basically be the end of the Dutch Boyz Development and damages would be due from Dutch Boyz to the Village for any costs incurred by the Village and there would be a procedure to rescind the agreement.

Trustee Elrick asked about the status of the settlement with Vinton concerning the 2008 concrete project and C. Kell stated that an agreement had been reached and the Attorney's are in the process of drawing up the paperwork.

*Moved by Trustee Elrick, seconded by Trustee Van Deurzen to Award the Bid for the Washington Street Reconstruction Project from WI Central Ltd Railroad Station 31 plus Hwy. OO and from Station 31 plus Hwy. OO to Dutch Harbor Estates and the Concrete Sidewalk Replacement Program to Vinton Construction in the Amount of \$553,569.09.*

Further Discussion: Trustee Frassetto asked about the final costs for the storm sewer and staff pointed out that the costs were listed in the spreadsheet presented to the Board. Trustee Mahlik asked when the project would start and staff stated a pre-construction meeting on the project is being held on July 2 and they will have more information on the timeline at that time.

Ayes 5, Nay 1(Frassetto) – Motion Carried

#### **Possible Action on Class "A" Beer License – Dwyer's Food Mart, 2051 E. Main Street**

Clerk Schneider recommended that the Board approve the license as it has been verified that all outstanding property taxes for the establishment have been paid.

*Moved by Trustee Elrick, seconded by Trustee Mahlik to Approve the Class "A" Beer License for Dwyer's Food Mart, 2051 E. Main Street.*

Ayes 6, Nay 0 – Motion Carried

#### **Review/Possible Action – Staffing Reorganization for the Village Clerk and Finance Dept.**

President Fischer stated the reorganization would probably be beneficial to the Village. Trustee Frassetto asked about keeping the position at 20 hours and bringing in another intern for 10 hours a week. C. Kell explained the reorganization is shifting more hours to the Clerk's office and the current intern position is 12 hours and the Clerk's office needs more hours of assistance and the Finance Dept. is able to function with less hours but the overall need is for 30 hours and currently the total hours between the two positions is 32 hours so there will be a reduction in total hours. Staff explained how the eligibility for benefits works for part-time persons. C. Kell commented on the concern of having only one person certified for Elections and clerk related duties. Trustee Mahlik commented on health insurance benefits and looking outside of the State's plans. Discussion continued and it was suggested that a discussion on health insurance be placed on a future agenda for further discussion.

*Moved by Trustee Frassetto, seconded by Trustee Mahlik to Approve the Staffing Reorganization for the Villager Clerk and Finance Dept. as recommended by the Village Administrator.*

Ayes 6, Nay 0 – Motion Carried

#### **Unfinished Business**

C. Kell reported that he had provided Trustees with a copy of the salary plan for employees as requested by Trustee Mahlik.

**Items for Future Agenda**

Trustee Hietpas asked that the issues brought up at the Listening Session be discussed at future Committee of the Whole meetings and Board members agreed to discuss each of the speakers issues, a few at a time, at Committee of the Whole meetings beginning with the meeting on July 14. Trustee Frassetto requested that the speakers at the Listening Session be notified when their issue is placed on the Board’s agenda.

Future discussion on Employees and Retirees Health Insurance.

**Adjournment**

*Moved by Trustee Van Deurzen, seconded by Trustee Elrick to Adjourn the Committee of the Whole meeting at 6:57 p.m.*

Ayes 6, Nay 0 – Motion Carried

**VILLAGE OF LITTLE CHUTE**

---

By: Charles Fischer, Village President

---

Attest: Vicki Schneider, Village Clerk