

## MINUTES OF THE REGULAR BOARD MEETING OF JUNE 2, 2010

The Regular Board meeting was called to order at 6:00 p.m. by Charles Fischer, Village President.

### **Invocation**

President Fischer called for a moment of silence.

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

President Fischer led members in the reciting of the Pledge of Allegiance.

### **Roll call of Trustees**

PRESENT: Charles Fischer, Village President  
Tammy Frassetto Trustee  
Don Van Deurzen, Trustee  
Janet Verstegen, Trustee

EXCUSED: John Elrick, Trustee  
James Hietpas, Trustee  
Dan Mahlik, Trustee

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

PRESENT: Charles Kell, Village Administrator  
Dale Haug, Finance Director  
Erik Misselt, Police Chief  
Tom Flick, Director of Parks, Recreation, and Forestry  
Jim Moes, Community Development Director  
Roy Van Gheem, Director of Public Works  
Beth Carpenter, Library Director  
Charles Koehler, Village Attorney  
Vicki Schneider, Village Clerk

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

Seth Lenz, 408 W. Main St., addressed the Board regarding the use of umbrellas for outdoor tables at his sidewalk cafe and about the Village making a request to the DOT to allow for tables to be placed on the sidewalk in front of his business on Main Street. Mr. Lenz asked for the two issues to be added to a future agenda.

### **Approval of Minutes**

Regular Board Meeting Minutes – May 19, 2010

Committee of the Whole Meeting Minutes – May 26, 2010

*Moved by Trustee Verstegen, seconded by Trustee Frassetto to approve the Regular Board Minutes of May 19 and the Committee of the Whole Minutes of May 26, 2010 as presented.*

Ayes 4, Nay 0-Motion Carried

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

Police School Liaison Monthly Reports-January-April 2010

Fox Valley Metro Police Dept. Activity Report-March 2010

Library Board Meeting Minutes-April 20, 2010

Water Commission Meeting Minutes-April 20, 2010

Police Commission Meeting Minutes-May 11, 2010

Board members noted receipt of the above items.

**Ordinance**

**Amending Section 34-371 Village Code of Ordinance and Enforcement Policy**

V. Schneider noted the Board had a revised copy of the Ordinance Amending Section 34-371 because sections 2 and 3 were missing from the original copy. Trustee Verstegen inquired about the back flow valve. R. Van Gheem stated that a back flow valve will be required on every new or reconstructed building sewer. R. Van Gheem stated there would be an additional cost if building owners chose to put the back flow valve on the outside of the property. R. Van Gheem stated the back flow valve would be part of the contract but not part of the flat rate. Trustee Van Deurzen inquired about section 2b of the Policy Statement 34-128-34-415 that residents cannot fix sags in laterals by pipe bursting. R. Van Gheem stated there are several options to fixing sags but if the sag is severe enough it could possibly trap grease and cause blockages. Trustee Frassetto stated a resident inquired about the wording on page five of the Policy Statement about the use of improper materials such as clay, soil, or orangeburg pipe. Trustee Frassetto inquired if it would be possible to change the wording on the statement to exclude the clay pipes or define that it is the new clay pipes versus the old clay pipes.

R. Van Gheem stated that yes it could be if the Board wanted it changed but the Village does not prohibit the use of clay pipes and the policy states ‘any defect under this policy may include’. Trustee Verstegen thanked the Public Works Department for their work on this policy.

*Moved by Trustee Verstegen, seconded by Trustee Van Deurzen to Adopt Ordinance No. 7, Series of 2010 Amending Section 34-371 Inspection of Connections Village Code of Ordinance and Enforcement Policy.*

Ayes 4, Nay 0-Motion Carried

**Resolution**

**Wisconsin Department of Natural Resources Nr 208-Compliance Maintenance Resolution**

Trustee Verstegen commented that the Village has a good score of a 4.0 on the Compliance Maintenance Annual Report (CMAR). C. Kell stated that the Board does not have to approve the ratings but they are to approve by resolution that they were presented the ratings.

*Moved by Trustee Verstegen, seconded by Trustee Frassetto to Adopt Resolution No. 15, Series of 2010 Wisconsin Department of Natural Resources Nr 208-Compliance Maintenance Resolution.*

Ayes 4, Nay 0-Motion Carried

**Policy Statement**

**Enforcement of Village Ordinance Section 34-128-34-415**

*Moved by Trustee Verstegen, seconded by Trustee Van Deurzen to approve the Policy Statement for Enforcement of Village Ordinance Section 34-128-34-415.*

Ayes 4, Nay 0-Motion Carried

**Operator’s Licenses:**

Mary Ann Anderson	1701 Hoover Ct.	Little Chute	Kiwanis
Derek Ryan Cummings	29 Lynwood Drive	Hilbert	Valley Liquor
Ann Marie Diedrick	1000 Manor Pl.	Little Chute	LC Softball Club
Todd J. Hietpas	116 Homewood Ct.	Little Chute	LC Softball Club
Kurtis J. Vander Loop	N2299 Cty Rd. N	Appleton	Valley Liquor

*Moved by Trustee Frassetto, seconded by Trustee Van Deurzen to Approve the Operator’s Licenses as Listed and recommended by the Police Dept.*

Ayes 4, Nay 0 – Motion Carried

**Department and Officers Progress Reports:**

Chief Misselt – no report. D. Haug explained why Moody’s, which is a municipal bond rating company, upgraded the Village’s rating and all municipality bond ratings. C. Kell reported on potential contracts with

manufacturers and developers and it is likely these projects will be brought to the Board at a future meeting for consideration. C. Kell reported that the Village will be closing next week on the properties for the Van Dyn

Hoven project and the bid opening for the road construction will be in a few weeks. C. Kell stated that the placement of the outdoor tables at Seth's Coffee have been an issue as the placement has not necessarily been in the exact location that was approved by the Board and for now he has asked the Public Works Director to let the issue go. C. Kell made the Board aware that some of the downtown businesses are having an issue with the requirement of providing proof of insurance as required for use of the Village's right-of-way for the sidewalk sale. C. Kell also notified the Board that the Village had been notified that the County Inn & Suites has filed a voluntary request for Chapter 11 bankruptcy. J. Moes commented on the number of complaints his office is receiving concerning noise, storage of items on lawns, and other issues. T. Flick stated that with school ending this week all of the Recreation Dept. programs will be in full operation next week. T. Flick stated that during the startup of the pool there was an influx of iron in the water possibly due to old piping and this will continue to be an issue in the future and cleaning the water will become another step in maintenance when opening the pool. B. Carpenter reported that two new employees had been hired to fill the Youth Service Librarian and Library Assistant positions. B. Carpenter reported that summer hours are now in effect until Labor Day and the summer library program begins on June 14<sup>th</sup>. R. Van Gheem reported that due to a shorter work week and an equipment failure, staff has been backed up this week with refuse pickup but they are working hard to get caught up and everything cleaned up before the Cheese Fest. V. Schneider provided a reminder about the deadline for submitting newsletter articles for the summer newsletter and informed the Board that liquor license renewals will be on the next regular board agenda for approval and the Board has the authority to not have a license issued until all outstanding debts that are owed to the Village are paid. Attorney Koehler commented on the bankruptcy procedure of the Country Inn & Suites and informed the Board that at this point in the process the Village does not have to file a claim to protect their interests.

**Disbursement List**

*Moved by Trustee Van Deurzen, seconded by Trustee Verstegen to Approve the Disbursement List as Presented.*

Ayes 4, Nay 0 – Motion Carried

**Items for Future Agenda**

Board members agreed to put the requests by Seth Lenz on the agenda of June 16.

Chief Misselt requested that the following items be added to a future agenda for Board review: Ordinance Amending the Code dealing with Smoking, Amending the Terrace Ordinance, and Amending the Ordinance regarding Street Use Permits.

**Call for Unfinished Business**

None

*Moved by Trustee Verstegen, seconded by Trustee Van Deurzen to Enter into Closed Session. (6:33 p.m.)*

Ayes 4, Nay 0 – Motion Carried

**Closed Session: Appeal to Operator's License Denial – Michelle Drawenek**

*Moved by Trustee Verstegen, seconded by Trustee Frassetto to Exit Closed Session and Return to Open Session. (6:37 p.m.)*

Ayes 4, Nay 0 – Motion Carried

**Return to Open Session – Possible Action on Closed Session Item**

*Moved by Trustee Verstegen, seconded by Trustee Van Deurzen to Approve the Operator’s License for Michelle Drawenek.*

Ayes 4, Nay 0 – Motion Carried

**Adjournment**

*Moved by Trustee Van Deurzen, seconded by Trustee Verstegen to Adjourn the Regular Board meeting at 6:37 p.m.*

Ayes 4, Nay 0 – Motion Carried

**VILLAGE OF LITTLE CHUTE**

By: \_\_\_\_\_  
Charles Fischer, Village President

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