

## **MINUTES OF THE REGULAR BOARD MEETING OF JANUARY 4, 2012**

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

OTHERS PRESENT: Nick Vande Hey- McMahon & Associates, Rachel Van Wychen, John Elrick & Ben Schultz of BACE Design/Construction, Jean Kessler Owner of Camp K9 Too, and Media Reps

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

Rachel Van Wychen questioned if there is a timeline of when the lots for the Village North Subdivision will go for sale and she wants to be assured she is on the list to be notified when the lots do go up for sale.

C. Kell stated that Ms. Van Wychen is on the list and the Board will be dealing with the Restrictive Covenants first and then the Board will need to determine how the land will be sold. President Vanden Berg responded that in the next 2-3 weeks the Village will be discussing how to market and sell the Village North Subdivision. C. Kell stated that persons interested in the Village North Lots will be sent a notice when the lots are put out for sale by the Village Board.

### **Approval of Minutes**

Regular Board Meeting Minutes – December 21, 2011

*Moved by Trustee Frassetto, seconded by Trustee Smith to approve the Regular Board Minutes of December 21, 2011 as presented.*

Ayes 7, Nays 0-Motion Carried Unanimously

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

Joint Library- November 15, 2011

Water Commission- November 15, 2011

Board members noted receipt of informational items

### **Ordinance:**

### **Amending Village Code Chapter 4 Alcohol Beverages, Article IV License Conditions, Restrictions and Requirements, Section 89 Closing Hours**

*Moved by Trustee Frassetto, seconded by Trustee Berken to Amend Ordinance No. 1, Series of 2012 Amending Village Code Chapter 4 Alcohol Beverages, Article IV License Conditions, Restrictions and Requirements, Section 89 Closing Hours as presented.*

Further Discussion: Trustee Mahlik questioned the need to sell alcohol at 6 a.m. Chief Misselt responded that he had not planned on changing the ordinance unless he had business owners inquire about having it changed and there have been requests by business owners to change the time. Trustee Mahlik stated he would not support the change as he doesn't see a need to have alcohol available for purchase that early in the morning.

Ayes 6, Nay 1 (Mahlik) - Motion Carried

**Resolution:**

**Final Assessment Resolution-Roadway & Utility Projects for Kelbe Dr., Holland Rd., & Moasis Dr.**

Trustee Hietpas noted that the final costs were very close to the ones that were presented originally.

R. Van Gheem stated some of the costs had gone up but the rate for concrete went down. C. Kell noted that this is a case where the actual cost for the concrete was less than the flat rate so the rate charge was adjusted to actual cost.

*Moved by Trustee Peerenboom, seconded by Trustee Smith to Approve Resolution No. 1, Series of 2012, A Final Special Assessments/Hookup Fees for Kelbe Drive and Holland Road as presented.*

Ayes 7, Nay 0 – Motion Carried Unanimously

**Ballot Placement Drawing-Village Trustees/Municipal Judge**

Clerk Schneider stated that there are seven candidates for Village Trustees so there will be a Primary Election on February 21, 2012. Attorney Koehler drew the names for ballot placement order as follows:

1. James Hietpas	5. Jessica Schultz
2. Steve Ransbottom	6. Brian Joosten
3. John Elrick	7. Tammy Frassetto
4. Larry Van Lankvelt	

Clerk Schneider stated following that another ballot placement drawing will take place following the primary election when the six candidates with the most votes move on to the April election.

**Discussion/Possible Action Regarding Façade Renovation Funding for a New Construction Project for Camp K9 at 606 Wilson Street**

C. Kell reported that the owners of Camp K9 Pet Grooming and Daycare will not be able to move forward with this project unless they can qualify for a Façade Renovation Grant. C. Kell noted that the project will meet the other objectives of the program but is concerned about the precedence it will set for the future of the Façade Grant Program because as the program is designed it is for a Façade for an existing building and not a grant to construct a new building. Trustee Mahlik was in favor of allowing the grant because it would increase the tax base for Little Chute and this is a unique circumstance. Trustee Peerenboom questioned the stability of the funding for the Façade Program and C. Kell answered that there is still \$120,000 in the program account. Trustee Frassetto stated she was in support of allowing the grant for a new construction because it would be a great incentive to keep the business in the downtown area. Trustee Hietpas stated that he would not be in support of granting the money to Camp K9 unless the Business Improvement/Façade Renovation Program policy is changed to include new construction. Ms. Kessler, Ben Schultz and John Elrick commented on the poor condition and low value of the deteriorating value of the building and commenting that it would not be worth it financially to just put a new façade on the old building.

Attorney Koehler stated that an option would be to put in the policy that demolition and rebuilding of a business on the same lot is allowed. Trustee Mahlik questioned the financial stability of the business and Ms. Kessler stated that the business is doing fine and she has been in business in the area for 18 years and she would like to keep this business in Little Chute. J. Moes recommended that the Board revisit the Façade Renovation Program next week with changes in the wording of the requirements in the policy.

*Moved by Trustee Peerenboom, seconded by Trustee Mahlik to table Façade Renovation Funding for a New Construction Project for Camp K9 at 606 Wilson Street until next week's meeting.*

Ayes 7, Nays 0 – Motion Carried Unanimously

## Action on Budget Adjustments

1. **Fox Valley Metro Consolidation-Budget amendment reflects the final operation budget for 2011 with the addition of the Village of Combined Locks.**
2. **US Venture Properties-Budget amendment authorizes the significant use of fund balance to acquire the properties located at Lincoln Avenue and Main Street.**
3. **Village North Subdivision- General Fund transfer to fund development costs for the Village North Subdivision.**
4. **GO Bond Proceeds in the amount of \$6,715,000 and GO Note Proceeds in the amount of \$1,330,000.**

*Moved by Trustee Mahlik, seconded by Trustee Smith to Approve the 2011 Budget Amendments as listed.*

Roll Call Vote: Trustee Berken – Yes, Trustee Frassetto – Yes, Trustee Hietpas – Yes, Trustee Mahlik Yes, Trustee Peerenboom – Yes, Trustee Smith – Yes, President Vanden Berg - Yes

Ayes 7, Nay 0 – Motion Carried Unanimously

See Attached for Budget Adjustments Details.

## Operator's Licenses:

Misty C. Klingensmith	1410 Vandenbroek Rd.	Little Chute	Weenies Still
Shyla M. O'Kane	404 ½ Depot St.	Kaukauna	Dwyers Food Mart
Patrick S. Vanden Oever	1410 Vandenbroek Rd.	Little Chute	Weenies Still
Kyle J. Verkuilen	1121/2 Tobacnoir St.	Kaukauna	Super 41 Shell

*Moved by Trustee Smith, seconded by Trustee Berken 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 reported that there are 50 Police Officer candidates moving to the next step in the hiring process for the two open positions and that there will not be a promotion for a Lieutenant's position until June of 2012. Teri Matheny reported that the Finance Department has collected 7.3 million in taxes through December 31, 2011 and has issued \$44,000 in refunds and the tax data has been uploaded to the Outagamie County Website where it is available for taxpayers to view. T. Matheny reported that year end processes are underway and that she has asked all Department Heads to submit any outstanding 2011 bills so at the January 18, 2012 meeting all budget carryovers can be taken care of. C. Kell reported that the Village received a \$2,500 grant from the HOV Chamber for the Way-Finding Signage Project. C. Kell stated that he handed out a draft of the Restrictive Covenants for the Village North Subdivision and he asked Board members to review it over before the next Board meeting. C. Kell reported that there will be a presentation from the HOV Chamber of Commerce on January 6, 2012 and Harlan Kiesow, from the Fox River Navigational System Authority will speak about the Fox Locks renovation project. C. Kell reported that he is working with developers for the Evergreen Land Project and construction of the utilities should be finished in March of 2012. C. Kell reported that he has another company looking to rent space on the water tower that Open Range previously rented. C. Kell reported that the management staff from the Fox Valley Metro Police Department had signed a legal agreement stating that they will pay their portion of the Wisconsin Retirement Fund share in return for a 2% increase in pay. C. Kell thanked Chief Misselt for his leadership on implementing the agreement with the management staff. J. Moes reported that there was a fire at a property on W. Lincoln next door to the property that the Village owns and the fire has caused about \$2,200 in damages to the garage of the home the Village owns and this will need to be fixed. T. Flick reported that Kaukauna Utilities had brought in electricity to the Bridge Site in Heesakker Park and there will be four security lights and a light at each approach to the bridge and that the utility company put in an additional transformer half way between Garfield Street and the bridge should the Board decide in the future to light this area. T. Flick reported that he is working with the Fox Locks Authority on the Levee from the Mill Street Bridge to the lock to have brush removed from the portion the Village owns and large cottonwood trees at Heesakker and Island Park are also being removed and these trees would have been

done even if the trail was not going in. T. Flick reported that he was informed by the DNR Urban Forestry Department that Department has received a grant for the Emerald Ash Borer removal plan and for an overhaul of the Village's forestry ordinances. T. Flick reported that Park and Rec is working on the new Program Book and taking applications for summer help. B. Carpenter reported that a long time employee, Pat Verbruggen will be retiring and she will be looking to fill that position. B. Carpenter reported that they are in the process of getting all computers in the Library to print to one central copier and that will save the Library money and the Library's Broadband is being upgraded at no cost to the library.

Clerk Schneider reported that on Friday following the Fox Locks presentation, a representative from Senator Kohl's office will be at the Village Hall to answer questions about what is going on in Washington. Clerk Schneider reported she had been working on the redistricting to make sure all voters are in their correct ward before the February election. Attorney Koehler no report.

### **Disbursement List**

*Moved by Trustee Peerenboom, 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**

Chief Misselt noted that at next week's meeting he will bring a Resolution to the Board for National Crossing Guard Week. C. Kell reported that the Restrictive Covenants for the Village North Subdivision will be on next week's agenda for discussion.

*Moved by Trustee Frassetto seconded by Trustee Smith to enter into Closed Session (7:21 p.m.)*

Ayes 7, Nays 0 – Motion Carried Unanimously

Staff (with the exception of T. Flick for the first closed session item) and the Village Clerk were excused from the meeting at this time.

**Closed Session:** 19.85(1)(e) Wis. Stats. Deliberations or negotiations on the purchase of public properties, investing of public funds or conducting other specific public business when competitive or bargaining reasons require a closed session.

- 1) *Purchase of Land for Heesakker Park Storm Water Management Pond*
- 2) *Purchase and/or Sale of Village Property in the Village Industrial Park*

*Moved by Trustee Frassetto, seconded by Trustee Peerenboom to exit Closed Session and return to Open Session. (8:50 p.m.)*

Ayes 7, Nays 0 – Motion Carried Unanimously

### **Return to Open Session**

No action taken.

### **Adjournment**

*Moved by Trustee Peerenboom, seconded by Trustee Smith to Adjourn the Regular Board meeting at 8:50 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