

## **MINUTES OF THE COMMITTEE OF THE WHOLE MEETING OF JANUARY 25, 2012**

### **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 Frassetto, Trustee Hietpas, Trustee Mahlik, Trustee Peerenboom, Trustee Smith

ALSO PRESENT: C. Kell, T. Matheny, J. Moes, R. Van Gheem, T. Flick V. Schneider

Nick Vande Hey – McMahon & Associates, Interested Citizens, and Media Reps

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

None

### **Discussion/Possible Direction on Main Street Community Sensitive Design Elements for the Main Street Reconstruction Project**

R. Van Gheem led a discussion on using approximately \$150,000 that has been allocated by the DOT for Community Sensitive Design elements for the Main Street project. R. Van Gheem summarized the direction that has been provided by the Board in the past which was to not install underground utilities, not install decorative lighting, not to use raised medians, not placing welcome signage at certain locations, not installing bumpouts, and the authorization by the Board of an additional \$25,000 to supplement the WDOT CSD Funds. The CSD options discussed were placing portable planters, installing landscaping and terrace trees, installing benches at high use Valley Transit bus stops, and possible pavement features that could be added. Examples of the possible design elements were provided. R. Van Gheem stated the Public Works Department is recommending against placing decorative elements in the pavement due to concerns with durability and maintenance costs and they are supportive of installing terrace trees, benches, landscaping, and possible tooled sidewalk features. R. Van Gheem noted that this topic had been discussed with property owners at information meetings but they did not provide much feedback. Board members discussed the design options. C. Kell stated that there will be one of the CVB HOV signs installed on the east end of Main St. and he has a gentlemen's agreement with Fox Valley Tool and Dye on getting an easement from them to install another sign on the corner of their property. Staff stated that the \$25,000 additional money set aside for this program would be included in the project costs and R. Van Gheem reminded the Board that they didn't need to spend any of these funds or they may just want to spend the \$150,000 allocated by the State. T. Flick stated that the placement, size and type of terrace trees will be decided by the Village's Forestry Department. R. Van Gheem stated that if the Administrator obtains the easement for the welcome signs, they could possibly be included as a CSD element. Board members were supportive of the recommendation to not install pavement features and they also indicated they did not want to see tooled sidewalk features with the exception of possibly installing decorative stamped concrete under the benches. Board members agreed that staff should proceed with the CSD to add terrace trees, portable planters (if the Garden Club is interested in maintain them), garbage containers, and benches in select locations and they asked that the Public Works Director contact Valley Transit to find out which bus stops are used consistently and then contact these property owners to see if they would grant an easement to the Village for placement of a bench. Trustee Frassetto suggest looking at other amenities if the entire \$150,000 isn't spent on the proposed amenities. R. Van Gheem noted that the DOT had sent out letters to affected property owners informing them of the contractors that will be contacting them in regards to the project and the letter informs property owners that a survey crew will begin staking the project. Staff reported that the DOT will also be scheduling another meeting, possibly in February, with property owners.

**Discussion/Possible Action on Depot Street/Vandenbroek Street Intersection Realignment and Marketing/Sale of Excess Village Owned Property on Main Street**

C. Kell stated his recommendation on this issue is that it would be appropriate to market the remnant piece of land which is approximately 6,700 sq. ft. but not the land purchased for the realignment of Depot/Vandenbroek Streets. C. Kell stated that the Board needs to be aware that the money used to purchase this property for the realignment was borrowed from the State Trust Fund as a TID #1 project and relocation of this intersection was in the TID #1 plan and in the Downtown Development plans. C. Kell noted that this has been a project that has been supported by the Village for a long time. Staff explained how the TID funding for this project works in relation to the purchase of the land for the intersection realignment and it was noted that the project plan for TID #1 ends this year and then the Village has an additional five years to collect on the TID and pay back on the project costs that were incurred. Staff stated that because the land for the right-of-way was purchased with TID funding, it cannot be resold for development with the exception of the excess land not needed for the right-of-way. And, if the Board decides that they want to sell all of the property they would have to reimburse the TID \$322,000 from the General Fund. Staff also stated that this project has been brought before the Village Board a number of times and the decisions made by the Board members serving at the time was to hold off on the project so when the project does eventually move forward, the construction costs will likely be paid out of the General Fund. J. Moes estimated the value of the land outside of the right-of-way was approximately \$75,000. Discussion took place. President Vanden Berg asked staff to provide the Board the financial status of TID #1. Trustee Smith and Trustee Frassetto voiced their support for marketing the 6,700 sq. ft. of available land and they indicated they were not in support of doing the road project as this time. Trustee Peerenboom stated that he would prefer not doing anything on this issue at this time. Trustee Frassetto stated the property didn't need to be marketed aggressively but it could be put on the Village's website.

*Moved by Trustee Frassetto to authorize staff to list the approximate 6,700 sq. ft. of available excess land on the Village's website as available property.*

Motion Died for Lack of a Second.

No further discussion and no further action was taken.

**Discussion/Action to Approve Petition by Village Board to Alter School District Boundaries for Village North Subdivision**

*Moved by Trustee Frassetto to Approve Submitting a Petition to Alter School District Boundaries for the Village North Subdivision.*

Trustee Hietpas requested more information on the agenda item. C. Kell stated he had met with Little Chute School District Representatives and their Attorney this afternoon to discuss if this is what the school district wanted and if they would support their Attorney's time to see this issue through if it is not approved by Kaukauna School District. The School District Representatives indicated they are in support of the petition and they would take care of their Attorney's time in the matter, if it was necessary. C. Kell stated the petition needs to be in the hands of both school districts by February 1 and Kaukauna School District has until March 1 to act on the petition and if they deny the petition, an appeal can be filed with DPI. The DPI is required to make a decision on the appeal by July 1. C. Kell stated the petition meets the criteria for altering boundaries and it doesn't cost the Village anything to submit the petition. C. Kell stated that the property can still be marketed even if an appeal is pending. Discussion took place.

*Trustee Peerenboom seconded the motion.*

Vote on the Motion:

Ayes 7, Nays 0 – Motion Carried Unanimously

### **Unfinished Business**

J. Moes stated that in regards to the offer to purchase of 320 W. Lincoln Ave., he was informed by the Realtor this afternoon that the buyer obtained an estimate of \$6,600 for fixing the foundation at 320 W. Lincoln Ave. and they will be making a counter offer to the Village to pay one-half of this cost. The Realtor informed J. Moes that the buyer's lender is requiring that the foundation be repaired as a condition for them to receive the loan. J. Moes stated that the offer on the house was \$89,900 and with the repairs the Village has agreed to pay for and other items, the Village will net around \$80,000 on this house. J. Moes stated he had also received the go ahead from the Village's insurance company to make the repairs to the garage siding that was damaged from the fire at the neighboring property and he assumes that the Village's insurance company will pay for the entire cost of this repair and then subrogate with the next door property owner's insurance company. Discussion took place. John Elrick, 501 Appletree Lane, questioned how much money the Village had into this house if they are only netting \$80,000 on this house. J. Moes stated that the Village paid \$100,000 for this house and a total of \$500,000 for all five properties. J. Moes stated that the two homes on Lincoln are listed for sale at \$89,900 and one on Main St. is listed at \$95,900 and the other on Main St is listed at \$92,900 and one of the properties on Lincoln is not listed for sale at this time. Trustee's indicated agreement with accepting the counter offer of the Village paying \$3,300 for the foundation repairs at 320 W. Lincoln Avenue. J. Moes reminded the Board that when he originally inspected the home he had informed them that all of the homes have items that would need to be fixed.

### **Items for Future Agenda**

None

### **Adjournment**

*Moved by Trustee Peerenboom, seconded by Trustee Smith to Adjourn the Committee of the Whole meeting at 7:29 p.m.*

Ayes 7, Nays 0 – Motion Carried Unanimously

## **VILLAGE OF LITTLE CHUTE**

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By: Michael R. Vanden Berg, Village President

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Attest: Vicki Schneider, Village Clerk