

MINUTES OF THE COMMITTEE OF THE WHOLE MEETING OF APRIL 11, 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, T. Flick, R. Van Gheem, V. Schneider

Interested Citizens, Media Reps, Larry Van Lankvelt, Kate Berken, John Janssen, Rick Sanderfoot

Public Appearance for Items not on the Agenda

John Janssen, 1208 E. Lincoln Avenue, asked if a stop sign could be placed on Lincoln Avenue at the Buchanan St. intersection and he commented about his safety concerns because of the speed of the traffic on E. Lincoln Avenue and the expected extra traffic because of road construction. Mr. Janssen asked if it would be helpful if he gathered signatures from his neighbors and submitted a petition. Board members briefly discussed the option of conducting a traffic count and R. Van Gheem noted that stop signs do not prevent speeding. Trustee Hietpas suggested that Metro put out an electronic speed sign. R. Van Gheem noted that normally the Police Department is involved in these decisions. President Vanden Berg stated that this item could be brought up by a Board member under items for future agendas if they would like to look further into this issue.

Moved by Trustee Frassetto, seconded by Trustee Smith to Enter into the Public Hearing.

Ayes 7, Nays 0 – Motion Carried Unanimously

Public Hearing – Amending Village Code of Ordinances – Zoning Code Chapter 44, Section 46 RC-Residential Conventional Single Family District (e) Dimensional Requirements

Kate Berken, 182 Grant St., provided Board members and Mr. Moes with a handout listing the questions and concerns she has with the language in the proposed ordinance amendment. Mrs. Berken commented on her concerns that the language could be interpreted that any lot plotted prior to 1950 could be reduced to 6,000 sq. ft. Mrs. Berken also questioned the use of the word initially in the language and how that could allow for someone to create a new CSM, making non-conforming lots smaller and she commented that the front setback should be 25' and not an average of existing homes in the neighborhood. Mrs. Berken suggested that the Village place on their website details on the proposed ordinance amendments so people could research and determine how the ordinance would affect them. (A copy of Mrs. Berken's handout is on file.) Trustee Peerenboom stated he understands Mrs. Berken's concerns and he also doesn't understand why the word initially is used and that the wording is fine without the word initially in the ordinance. Trustee Hietpas asked what the theory was for creating this ordinance. J. Moes responded that it was originally adopted in the late 1990's in response to the number of variance requests for lots that were between 50 ft. and 60 ft. as a variance was required when anything was done to the properties and the ordinance was changed to address the issues with variance for those lots that were platted before 1950. J. Moes stated the current amendment is to address the number of lots that have the narrower lot width and they are over 7,500 sq. ft. Mrs. Berken questioned if this only applied to lots that already have a home on them and J. Moes responded that it also applies to new homes on these size lots. J. Moes agreed that the word initially could be removed from the language of the proposed amendment. Mrs. Berken asked if she could get answers to the questions she posed prior to the Board voting on the proposed amendment. J. Moes stated he would have to do some research on the concerns brought up by Mrs. Berken. Trustee Peerenboom commented that by removing the word initially, that would eliminate the chance of dividing a lot.

Moved by Trustee Peerenboom, seconded by Trustee Mahlik to Exit the Public Hearing.

Ayes 7, Nays 0 – Motion Carried Unanimously

Action on Resolutions

a) Authorizing the Sale of 638 Harvest Trail to Jake & Rachel Van Wychen

Moved by Trustee Berken, seconded by Trustee Smith to Adopt Resolution No. 14, Series of 2012

Authorizing the Sale of 638 Harvest Trail to Jake & Rachel Van Wychen.

Further Discussion: Trustee Hietpas questioned if there were any conditions put on any of the bids.

C. Kell responded that one was subject to financing.

Vote on the Motion: Ayes 7, Nays 0 – Motion Carried Unanimously

b) Authorizing the Sale of 1001 Harvest Trail to Brian & Molly Bons

Moved by Trustee Mahlik, seconded by Trustee Berken to Adopt Resolution No. 15, Series of 2012

Authorizing the Sale of 1001 Harvest Trail to Brian & Molly Bons.

Ayes 7, Nays 0 – Motion Carried Unanimously

c) Authorizing the Sale of 1018 Harvest Trail to Scott & Amanda Fletcher

Moved by Trustee Mahlik, seconded by Trustee Berken to Adopt Resolution No. 16, Series of 2012

Authorizing the Sale of 1018 Harvest Trail to Scott & Amanda Fletcher.

Ayes 7, Nays 0 – Motion Carried Unanimously

d) Authorizing the Sale of 1024 Harvest Trail to Scott & Emily Bons

Moved by Trustee Berken, seconded by Trustee Mahlik to Adopt Resolution No. 17, Series of 2012

Authorizing the Sale of 1024 Harvest Trail to Scott & Emily Bons.

Ayes 7, Nays 0 – Motion Carried Unanimously

Request by Property Owner for Village Board to Review Special Assessment Policy on Corner Lot Credit

Rick Sanderfoot, owner of Van Zeeland Nursery and a homeowner in the Village, commented on his concerns as a small business owner and the amount of assessments he is going to incur because of the Sanitorium Rd. project this year and the Main St. project next year. Mr. Sanderfoot stated he is looking for any relief he can get from the assessments and he understands the corner lot credit would give him a credit for Sanitorium Rd. because the property is on the corner of Sanitorium Rd. and Wisconsin Ave.

Mr. Sanderfoot commented that he doesn't see the difference with Village Limits getting a credit for both Sanitorium Rd. and Main St. and he won't because his lot is not on the corner of Main St. but he has frontage on three sides and he would like to see if he could get the same consideration for a credit for Sanitorium Rd. and Main St. Mr. Sanderfoot stated he looks at this as a fairness issue and he appreciates that the Board has this issue on the agenda for discussion. Discussion took place on the number of lots in the same or a similar situation and possible options or criteria that could be looked at for credits for Mr. Sanderfoot's property and similar properties. Discussion also took place on the split of project costs between all taxpayers and assessments for property owners. Mr. Sanderfoot stated his bottom line is that it does seem unfair that Village Limits gets 50 feet of credit and he is not privy to doing that and they are both running small businesses. Board members asked staff to research the issue and bring back some alternatives for review at a future meeting.

Review and Approval of Three-Part Design Engineering Services Contract for the Mill Street Bridge Replacement Project

C. Kell stated this is a standard contract for DOT projects and they have been working on it since December and between the management consultants and him, they reduced the contract amount by approximately \$50,000. C. Kell stated that the contract price is within the cost estimate and he recommends approval of the contract so the project can move forward. C. Kell pointed out that the DOT's schedule results in construction not starting until September of 2013 and in the past they have said this would be a year-long project which means it wouldn't be completed until the Fall of 2013. C. Kell stated that the Locks Authority originally wanted to open the system in the Spring of 2013 but he noted

that they are not exactly on schedule and he is confident they will work with the Village. C. Kell stated the project is estimated to cost between \$1.8 - \$1.9 million dollars and the Village's cost will be around \$188,000. Larry Van Lankvelt questioned if the deterioration of the north abutment wall is included in these costs and C. Kell stated that will be a decision of the Design Engineer to determine if it can be repaired or replaced and the navigational authority has also held off on repairing parts of the canal wall until the bridge is constructed.

Moved by Trustee Frassetto, seconded by Trustee Mahlik to Approve the Three-Part Design Engineering Services Contract for the Mill Street Bridge Replacement Project.

Ayes 7, Nays 0 – Motion Carried Unanimously

Discussion – Building Inspector Position

J. Moes provided a handout that showed the past and current number of permits that had been taken out and a salary compensation comparison for an inspector's position. J. Moes stated that he would propose that the Inspector's position be changed from Grade 5 to a Grade 4 classification. J. Moes also noted that the number of logged inspections includes re-inspections but it does not include code enforcement inspections. Staff noted that a private company will keep up to 90% of the permit fees and then there would be an hourly cost for re-inspections and the independent proposal that the Village received showed the hourly cost at \$45. T. Matheny commented on what staff does over and above the initial permit in providing customer service for Little Chute residents. T. Matheny stated they have been told by two communities and a builder that they are not happy with the private contractor inspection service and they are committed for a year and they are not allowed to do any of their own inspections under the contract and the same level of customer service isn't the same as what staff currently provides. T. Matheny said they would have to determine if the loss of an inspector's salary would equate to the loss of permit revenue. Board members discussed sending out RFPs for this service as well as looking at options of working with the neighboring municipalities or hiring a part-time inspector. John Janssen, 1208 E. Lincoln Ave., questioned what qualifications are required for a Building Inspector and J. Moes responded that four State Licensing Certifications are required. Discussion continued. J. Moes suggested that Board members contact local builders to see what services are important to them. J. Moes stated that in the interim he will be handling the inspections. Board members agreed that staff should send out RFP's and compile a report on what the costs would be for a part-time person and/or if there is an opportunity to work with other communities and provide this information to the Board at a future meeting.

Discussion of Possible Creation of a Public Park on the Southwest Corner of W. Lincoln Avenue & Madison Street

C. Kell stated that in his discussion with members of the Foundation and their Attorney is that the \$90,000 donation is for the park project and they are not interested in participating with the Village's acquisition cost for the property. C. Kell stated the Board needs to decide if they want to move forward with the park and their offer or put the house up for sale with the extra land. C. Kell noted that the agreement with U.S. Venture was that they would pay to take the property down but the Village would have to pay the landfill tipping fees. J. Moes also cautioned that there will be costs of disposing of asbestos if the house is taken down. Kate Berken questioned if the County would want the property back for a possible roundabout and J. Moes stated the County sold the property to Mr. Van Dyn Hoven when they determined they did not have a need for the property. Discussion also took place on the amount of time it would take the Parks Department to maintain the park and it was noted that will vary depending on what is done with the proposed park. C. Kell stated that the Welcome Sign cost is covered in another budgeted line item and he noted that WE Energies has approached the Park's Director about moving a gas facility that they currently have on the west end of W. Lincoln Ave. to this area if a park is created but they would need an easement to do that so they have indicated that if they can do that will offer dollars for some amenities for the park.

Discussion continued. Kate Berken commented on assuring safety in this park because of its proximity to Hwy N. and the intersection. J. Moes stated that State law requires that the Planning Commission reviews and makes a recommendation to the Board on the creation of any park. T. Flick stated he can come up with renderings and designs to present to the Plan Commission. Board members agreed to send the proposed creation of this park to the May meeting of the Plan Commission for their review and recommendation and the Board also agreed that the plan for the park should be for both parcels.

Unfinished Business

Clerk Schneider provided Board members with a copy of the Municipal Board of Canvass certification of the April 3, 2012 election results and she informed the Board that no late absentee ballots were received so the certified election results did not change from the results previously reported.

Items for Future Agenda

Trustee Frassetto stated that it would be her recommendation that the Police Chief be contacted about Mr. Janssen's concern with the speed of traffic on E. Lincoln Avenue and C. Kell stated he will contact the Police Chief about the issue. Trustee Peerenboom requested that Mr. Van Gheem also work with the Chief on this issue because of all the construction activity on this street and if temporary stop signs would be warranted. Mr. Janssen commented on a police officer stationed on Sue Street last fall and he knows that the officer picked up three speeders in an hour and a half. Mr. Sanderfoot stated that he agreed with Mr. Janssen as he also lives on Lincoln Avenue and it a throughway that is very fast and he is also concerned as he has young kids and he noted that there was a significant increase in traffic when the downtown construction was being done and he expects it will be the same situation next year when Main Street is done and he thinks increased police presence makes a difference. Mr. Sanderfoot asked if radar speed signs help with slowing traffic down. Mr. Janssen commented that a radar speed sign was in place last year and he observed cars speeding by the sign especially between 3 and 5 p.m. and he invited Board members to come to his home to observe the traffic. President Vanden Berg stated that the Police Chief will be made aware of this issue and the Chief will report back to the Board on the issue at a future meeting.

Adjournment

VILLAGE OF LITTLE CHUTE

By: Michael R. Vanden Berg, Village President

Attest: Vicki Schneider, Village Clerk