

## **MINUTES OF THE REGULAR BOARD MEETING OF JULY 18, 2012**

**Call to Order:** President Vanden Berg called the Regular Board Meeting to Order at 6:00 p.m.

### **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  
Bill Peerenboom, Trustee  
Skip Smith, Trustee  
Larry Van Lankvelt, Trustee

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

PRESENT: Charles Kell, Village Administrator  
Jim Moes, Community Development Director  
Scott Lund, Police Captain  
Roy Van Gheem, Director of Public Works  
Teri Matheny, Finance Director  
Dave Neumann, Maintenance Technician  
Charles Koehler, Village Attorney  
Vicki Schneider, Village Clerk

EXCUSED: Tom Flick, Director of Parks, Recreation, and Forestry

OTHERS PRESENT: Nick Vande Hey of McMahons, Interested Citizens, Lori Malone, Dick Schevers, Debra Jamron from The Carpenter, Peggy Edmonds from Kings Variety, Media Reps

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

Lori Malone, 1209 Rosehill Rd. asked the Board to schedule an agenda item regarding how the terrace grass areas have been left and the construction process. Ms. Malone expressed her dissatisfaction with the way her terrace was left as well as other terraces on the street and the amount they have to pay for the assessments for these terraces. Ms. Malone stated she has asked Board members to come over and look at her terrace and the dugouts and the tar that was left and she further stated she was told several times that it would be restored to the way it was and that was not done. Ms. Malone stated she has photos of the grass terraces and the way the construction was done and she would like an agenda item soon to discuss what to do about this, so the issues can be resolved.

Dick Schevers, 2107 E. Main St., stated he also owns the residence on the corner of Rosehill Rd. and Main St. and he has the same problem but his concern is next year when Main St. is done and them doing a job like this again. Mr. Schevers stated the terraces should have never been seeded last fall and it was covered with netting and the netting gets tangled in the snow blower and lawn mower. Mr. Schevers stated a lot of weeds are coming up and next year if he has to reseed after the Main St. project it will be pretty expensive for him. President Vanden Berg asked the Board if they wanted to place this issue on a future agenda. Trustee Frassetto stated she would like to see it on a future agenda but she would also like to have more information provided concerning the contractor and the process used. Board members indicated agreement with putting this issue on a future agenda. R. Van Gheem asked the Board what specific information they were looking for and President Vanden Berg stated he would like to see the history, what has occurred, what the staff has observed, and what can be done. Trustee Smith stated he would like to see the different practices used, like the netting, and seasonal issues with reseeding the grass. Trustee Van Lanvelt commented on it being an unusual year because it has been so dry and all that is growing is weeds. President Vanden Berg stated they will try to put it on next week's agenda but it will depend on if the Public Works Director can pull the information together by then.

## **Approval of Minutes**

Regular Board Meeting Minutes – July 11, 2012

*Moved by Trustee Peerenboom, seconded by Trustee Van Lankvelt to approve the Regular Board Meeting minutes of July 11, 2012 as presented.*

Ayes 7, Nays 0 - Motion Carried Unanimously

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

*Minutes of the Design Review Board Meeting of May 21, 2012*

*Minutes of the Plan Commission Meeting of June 11, 2012*

Board members noted receipt of the informational items.

## **Review/Action – Outdoor Alcohol Permit for Down the Hill Bar, 221 Mill St. for August 11, 2012**

*Moved by Trustee Frassetto, seconded by Trustee Smith to approve the Outdoor Alcohol Permit for Down the Hill Bar, 221 Mill Street, for August 11, 2012.*

Ayes 7, Nays 0 – Motion Carried Unanimously

## **Appearance by Brian Hietpas of Hietpas Realty Regarding Their Marketing Ideas/Proposal for Village North Subdivision**

Brian Hietpas provided Board members and staff with informational material and he led a review of the material. Mr. Hietpas reviewed competitive lots sales in the Kaukauna Area School District because the subdivision is located in the Kaukauna Area School District and the open enrollment for the Little Chute School District is limited. Mr. Hietpas stated that the average sales price for a lot was \$36,278 and the average days on the market were 748 or over 2 years. Mr. Hietpas stated that developers are making some substantial cuts in their lot prices to get development moving. Mr. Hietpas also reviewed information on the 352 lots that are currently for sale in the Kaukauna School District and the County's 2010 Building Permit Summary. Mr. Hietpas stated that to get this subdivision up and going, the MLS exposure is needed and his marketing plan would be to approach builders that he is familiar with and ideally try to get a parade home built on one of the more desirable lots. Mr. Hietpas stated that with the economy the way it is, it is best to keep the lots as reasonably priced as possible and possibly offer some type of incentives to a builder. Mr. Hietpas stated that a typical land listing commission is 8% to 10% but they are looking at 6% with a 3% split. Mr. Hietpas explained why they are making a suggestion to reduce the minimum building size requirement of 1,500 sq. ft. for the lots facing Evergreen Drive. J. Moes stated that four of the lots in the subdivision have sold at prices higher than the asking prices and as far as the size requirements for the homes they were set to be similar to the home sizes to the west in the Streamview subdivision. Mr. Hietpas further commented on challenges because it is in the Kaukauna Area School District. J. Moes noted that there will be four homes going up starting next spring. A question and answer period ensued. C. Kell stated he has an offer from the Project Manager for Premier and the offer is to build a spec house in the subdivision and this offer could be looked at to see if it fits in with the concept presented by Mr. Hietpas. C. Kell stated that action on proceeding with marketing the subdivision will be a future agenda item and staff will be making a recommendation to the Board. Board members thanked Mr. Hietpas for making his presentation.

## **Discussion/Possible Action on Moving Forward with the Pine Street Partial Street Vacation, Reconstruction of the Northern Portion of Pine Street and Authorization for Staff to Sign and Deliver an Offer to Purchase Property Located at 500 Pine Street**

Trustee Frassetto stated that we have support from the Church, support of the abutting business owners, and a cost savings to the Village so she would support moving forward with the project. Staff reviewed the proposed concept to reconstruct Pine Street from Main St. to the south side of the east Village parking lot and vacating the street from south of the parking lot to Canal Street. J. Moes stated that the property owner of 500 Pine Street would consider an offer of \$80,000 for the two properties on Pine Street and that is close to what they are assessed at. J. Moes stated that the Board does have options to vacate the section of the

street from the parking lot to Church Street in other ways such as discontinue use or abandoned the street and from Church St. to the south it could be vacated and turned over to the abutting property owner. Trustee Peerenboom asked if it was in fact the case with both options, after assessments are charged, that the estimated savings to the Village would be \$150,000 to \$200,000. C. Kell responded that is correct and that is only the capital cost savings but also the Village would no longer have to plow or perform other road maintenance on the section that is vacated. Staff stated they would still plow and perform maintenance on the section that remains open and the parking lots. Trustee Van Lankvelt asked Peggy Edmonds, owner of Kings Variety, if this proposal was acceptable to her and she responded that it was acceptable. Staff also confirmed that there would be a barricade placed at the end of the section of Pine Street that is open. President Vanden Berg asked if the offer to purchase of the Kriplean property would contain certain contingencies such as not moving forward with purchasing the home should the project fall apart. J. Moes responded that the offer would be written contingent upon the project moving forward and Board approval and staff also confirmed that the costs savings include the cost of acquiring the Kriplean property.

Discussion took place

*Moved by Trustee Frassetto, seconded by Trustee Van Lankvelt to authorize the Village Attorney to draft and the Administrator to sign and deliver an offer to purchase the homes at 500 Pine St., with the initial price being \$80,000.*

Ayes 7, Nays 0 – Motion Carried Unanimously

Trustee Berken asked if staff was going to stay in contact with the Church and C. Kell responded that the first step should be for the Public Works Director to develop some concept plans and then staff will meet with the Church representatives on these concepts. Trustee Smith questioned how the utilities would be handled and R. Van Gheem responded that the utilities will be abandoned in the area of the street that is vacated but they will not be removed and the utilities will be replaced to the south end of the parking lot under the reconstructed street.

*Moved by Trustee Frassetto, seconded by Trustee Smith to authorize and approve the Public Works Department moving forward with the engineering concepts for the reconstruction of the northern portion of Pine Street.*

Further Discussion: Staff confirmed that no money would be spent on the design of proposed vacated street at this time. President Vanden Berg stated he did have conversations with Dale Vande Hey from the Church and they have been waiting for the Village to make the first move on Pine Street. President Vanden Berg stated the Church is positive about the proposed changes and they will be kicking around the ideas and we will be getting more feedback from them in the future.

Vote on the Motion:

Ayes 7, Nays 0 – Motion Carried Unanimously

### **Discussion/Possible Action to Authorize the Final Engineering Design Work for the Vandenbroek St. /Main St. Intersection and Schedule Reconstruction of the Intersection as a 2013 Project**

C. Kell stated he had provided Board members with a copy of the Downtown Traffic Study that included the recommendations, justifications, and maps of the intersection and an updated cost estimate for the project. C. Kell stated that because of the lag in time since the Traffic Study was done, plus the cost of the segment of roadway on Vandenbroek St. that has to have the temporary blacktop taken out and replaced with concrete, \$50,000 was added to the cost estimate for a total projected cost of \$250,000.

R. Van Gheem stated that the design is not yet completed and they don't have a good handle on what the Board wants in the intersection and once that decision is made, cost estimates can be firmed up.

R. Van Gheem also noted that the design does not include traffic signals as the DOT will not allow the traffic signals at this time as they have determined that the signals are not warranted. Discussion took place. C. Kell informed the Board that staff is looking at creating a new TIF District(s) and this intersection could possibly be included in a new TIF district and in the future, traffic lights could be included and depending on the timing of creating a new TIF, the Pine Street project could also be included in the TIF. C. Kell stated that creating a new district would not take place before August 2013.

C. Kell, T. Matheny, and J. Moes explained the required procedures for creating new TIF(s) districts and

the possible areas for using TIDs for new development. R. Van Gheem stated staff will need to know how the Board wants the intersection designed before they can move forward. Trustee Frassetto stated that she has spent time talking to as many taxpayers as possible and after talking with them, she does not support straightening the intersection at this time. Trustee Peerenboom stated he has concerns with the traffic traveling south on Depot St. because traffic has to enter into the crosswalk to get visual clearance and what he sees being proposed would not correct that issue without signals being installed and that is a constant problem with people walking on Main St. Trustee Peerenboom stated the other concern he hears the most about is people trying to make a left turn from Depot St. on to Main St. and they can't do it because people turning left on to Depot St. from Main St. are blocking them and without signals he doesn't see the design correcting either of these problems. R. Van Gheem responded stating the location of the buildings are an issue but nothing can be done about that and this intersection is not unusual in developed areas and there isn't an easy fix. R. Van Gheem stated that as far as the traffic turning issues, aligning Depot and Vandenbroek Streets would eliminate the double turn. Trustee Peerenboom stated he could support straightening this intersection when it is signalized as then the safety issues will be corrected. President Vanden Berg stated that his thought is if the intersection is straightened then the traffic will be increased sufficiently to cross the parameters to warrant the signals. R. Van Gheem explained that in the past the intersection did warrant signals but because of the demolition downtown and other reasons, traffic counts have dropped but with new development downtown the traffic may be increased substantially and aligning the streets would probably increase safety of the intersection by 50% and that is all that could be done in the interim. C. Kell noted that the closing of Pine St. will result in more traffic using the Vandenbroek St. intersection. Discussion continued. Trustee Smith stated that if projects in the CIP can be moved around he would be in favor of the realignment and putting in the infrastructure for future traffic signals. President Vanden Berg stated that we have gone through time and effort to acquire the properties on reasonable favorable terms, there is an ambiguity out there on getting this done, we have an opportunity to do the project next year and he thinks we should move forward with the project. Debra Jamron, owner of The Carpenter, asked about keeping access to the parking lot during construction and R. Van Gheem explained how the projects for Pine St. and Vandenbroek St. would be staggered and he explained how the detours would likely be setup.

*Moved by Trustee Frassetto, seconded by Trustee Peerenboom to deny authorizing the final engineering design work for the Vandenbroek St. /Main St. intersection.*

Ayes 4, Nays 3 (Vanden Berg, Smith, Van Lankvelt) – Motion Carried

#### **Discussion/Possible Action – Library/Civic Center Roof Replacement Project**

*Moved by Trustee Frassetto, seconded by Trustee Smith to reject the previous bids and authorize staff to proceed with rebidding the Library roof replacement project.*

Ayes 7, Nays 0 – Motion Carried Unanimously

#### **Operator's License:**

Charlene D. Wilson                      1225 E. Gunn St.                      Appleton                      Express

*Moved by Trustee Frassetto, seconded by Trustee Berken to Approve the Operator's License as presented.*

Ayes 7, Nays 0 – Motion Carried Unanimously

#### **Department and Officers Progress Reports**

Captain Lund reported that the Chief would be bringing a proposed reverberating base ordinance to the Board for discussion in August and he also reported that the Department has been monitoring and addressing the traffic situations on Buchanan St. and Sanitorium Rd. and 90% of the contact they have had is with residents on those roads and the main issue the residents are having is with the dust that is created by traffic. T. Matheny stated as previously discussed she has been working on the TIF proposals. C. Kell reported that he had provided the Board with a copy of documents from the Mill Street Bridge Operational Planning meeting that was held on July 11 and this includes the proposed schedule and he will provide the Board with a copy of the meeting minutes once he receives them. C. Kell reported that staff is working on the Premier site and building plans and the plans will be on the next week's agenda for Board approval.

C. Kell stated that they have run in to one issue concerning the HOVSMD sewer connection charges for the project and the way the Developers would like to supply the water service to the project would result in a bill to the Developer of \$333,000. C. Kell stated they are working with them on options for the project to reduce that cost. J. Moes commented on projects he is working on with developers. J. Moes stated that once he gets the keys back for the house on W. Lincoln, it will then need to be determined if some painting or other works needs to be done before relisting the home. R. Van Gheem reported on the status of the current projects taking place and he noted that the concrete subcontractor would tentatively be starting work on Buchanan St. on July 30<sup>th</sup>. Clerk Schneider reported that Deputy Clerk Sandy Berkers graduated last week from the 3-year UWGB Clerk's Academy. Attorney Koehler stated he had heard from the Poly Flex landlord group and they are updating costs and they will have another report before the next Board meeting and at this point it sounds like the project is still moving in a positive direction.

### **Disbursement List**

*Moved by Trustee Berken, seconded by Trustee Frassetto to Approve the Vouchers 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**

Trustee Frassetto stated she would like to see a report on the properties the Village is holding and what the strategic plans are for the properties. President Vanden Berg asked that staff prepare a report on Village properties for discussion at a future meeting. Trustee Van Lankvelt stated he had received a call from Joe Uitenbroek regarding his mini storm sewer on Sanitorium Rd. and Mr. Uitenbroek was requesting that the issue be put on a future agenda. President Vanden Berg asked the Board if they wanted to revisit the issue of the storm sewer. C. Kell pointed out that another resident in the same situation had previously been informed that they had to hook up. R. Van Gheem stated that the Board had directed staff to require the property owners on Sanitorium Rd. to hook up according to the Village's policy. Trustee Van Lankvelt stated that if the Board had previously voted to require these property owners to hookup, then he doesn't see an issue. Attorney Koehler stated the resident could appear before the Board under Public Appearances. President Vanden Berg stated he would contact Mr. Uitenbroek to inform him that he is welcome to address the Board during the Public Comment portion of a meeting. C. Kell reminded the Board that at next week's meeting they would be starting a review of the employee handbook. The issue of employees' use of Public Works Facilities/Equipment will be on next week's agenda. Trustee Smith asked the Board if they wanted to have a future agenda item as requested tonight by the residents on Rosehill Rd. regarding their terraces. President Vanden Berg stated it was agreed to put them on a future agenda but it wasn't determined when that would be and it depends on staff having time to prepare information for the Board. R. Van Gheem stated that if staff can pull together the information this week it will be on next week's agenda but if not, it will have to be put on the agenda for the August 1<sup>st</sup> meeting.

### **Adjournment**

*Moved by Trustee Berken, seconded by Trustee Smith to adjourn the Regular Board meeting at 8:06 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