

## **MINUTES OF THE REGULAR BOARD MEETING OF SEPTEMBER 19, 2012**

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

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

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

PRESENT: Charles Kell, Village Administrator  
Jim Moes, Community Development Director  
Scott Lund, FVMPD Captain  
Roy Van Gheem, Director of Public Works  
Tom Flick, Director of Parks, Recreation, and Forestry  
Teri Matheny, Finance Director  
Charles Koehler, Village Attorney  
Vicki Schneider, Village Clerk

OTHERS PRESENT: John and Jennifer Elrick, Peggy Kons, Interested Citizens, Media Reps

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

None

### **Approval of Minutes**

Regular Board Meeting Minutes – September 5, 2012

Committee of the Whole Meeting Minutes – September 12, 2012

*Moved by Trustee Frassetto, seconded by Trustee Van Lankvelt to approve the Regular Board Meeting Minutes of September 5, 2012 and the Committee of the Whole Minutes of September 12, 2012 as presented.*  
Ayes 7, Nays 0 - Motion Carried Unanimously

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

*FVMPD Incident Report – August 2012 and YTD*

*Minutes of the Fire Commission Meeting of September 10, 2012 (not yet approved)*

Board members noted receipt of the informational items.

### **Ordinances:**

#### **Amending Chapter 30 Offenses –Article II – Offenses Against Public Safety and Peace, Section 27**

#### **Loud and Unnecessary Noise Prohibited**

*Moved by Trustee Frassetto, seconded by Trustee Berken to Adopt Ordinance No. 9, Series of 2012 Amending Chapter 30 Offenses – Article II –Offenses Against Public Safety and Peace, Section 27 Loud and Unnecessary Noise Prohibited as presented.*

Ayes 7, Nays 0 – Motion Carried Unanimously

### **Action – Conditional Use Application – Premier Real Estate Management, LLC – Construction of Multi-Family Residences on Parcel Located on the North Side of Elm Drive – East of Holland Road.**

*Moved by Trustee Frassetto, seconded by Trustee Van Lankvelt to Approve the Conditional Use Application for Premier Real Estate Management, LLC – Construction of Multi-Family Residences on Parcel Located on the North Side of Elm Drive – East of Holland Road as presented.*

Ayes 7, Nays 0 – Motion Carried Unanimously

**Action – Amplified Music Request – Band to Play from 7:30 a.m. to 9:30 a.m. on Main Street near Sanitorium Road on Sunday, September 23, 2012 for the Fox Cities Marathon**

The request was submitted by Terri Reynebeau for a band to play to cheer on the marathon runners.

T. Flick stated this request was before the Village Board as per village ordinances it falls outside the time limits allowed for outdoor amplified music. Staff was not sure of the exact setup location for the band and Captain Lund stated he would not want the band setup on the sidewalk or street.

*Moved by Trustee Smith, seconded by Trustee Frassetto to Approve the Amplified Music Request for a Band to Play from 7:30 a.m. to 9:30 a.m. on September 23, 2012 for the Fox Cities Marathon Contingent upon the Police Department Approving the Location.*

Ayes 7, Nays 0 – Motion Carried Unanimously

**Action – Village Board Approval of Project Acceptance Certification for the Buchanan Storm Water Detention Pond Project**

*Moved by Trustee Berken, seconded by Trustee Smith to Approve the Project Acceptance Certification for the Buchanan Storm Water Detention Pond Project.*

Ayes 7, Nays 0 – Motion Carried Unanimously

**Operator's Licenses:**

Becky L. Geiger	513 Jeffrey St.	Combined Locks	Village Lanes
Melaine M. George	W1769 Meadow Lark Ln.	Freedom	Down the Hill
Logan J. Meyerhofer	N2298 Cty. Rd. N	Appleton	Valley Liquor
Florence M. Vandenhooy	228 Taylor St.	Little Chute	Dwyers Food Mart
Adam L. Zornow	926 Park Ave. .	Little Chute	Dwyers Food Mart

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

Ayes 7, Nays 0 – Motion Carried Unanimously

**Department and Officers Progress Reports**

Captain Lund reported that the squads that were taken out of service will be sold at auction and Duane Dissen was selected to replace Jim Brandt as an investigator and that appointment will take place on January 1. T. Matheny reported that there will be a conference call with Ehlers tomorrow and the timing should be set for debt refinancing. T. Matheny reported that she has been working with Chief Misselt on the Metro's budget and she also reported that today she had attended the Wisconsin Water Conference and she learnt about changes coming from the PSC that will result in more bookkeeping. C. Kell provided Board members with a copy of a study on Local Utilities/Tax Comparison that was conducted this year on Fox Cities Communities. C. Kell stated the comparison will be included in the Fall Newsletter along with an article he wrote on the comparison and he noted that this year we still fair very well compared to the other communities in the Fox Cities. C. Kell reported that he and the Community Development Director are working on a manufacturing project for Steve Winter's property on W. Evergreen Dr. and it is a 40,000 sq. ft. facility that will employ approximately 39 full-time employees and they are requesting TIF assistance and that will be brought before the Board in the form of a Developer's Agreement in the next few weeks. C. Kell reported that he has a preliminary agreement in place for the land sale/swap in the Industrial Park involving the Village, Bel Brands, L & B Cabinets, and J & K Enterprises and this should be finalized soon. C. Kell reported that the Library Roof bids were accepted today and the low bid was \$79,200 and high bid was \$125,466 and the bid award will likely be on next week's agenda for the Board's consideration. C. Kell reported that he had received a letter from the Donor's attorney reaffirming their commitment for up to \$90,000 for the development of the park on W. Lincoln Ave. and they have also authorized the potential for the Village to set aside \$10,000 of that money aside for an endowment for maintenance purposes. C. Kell stated the Parks Director is working at getting a final plan drawn up for the park and they are shooting for a maximum of \$80,000 in development costs. J. Moes reported that he signed the listing with Hietpas Realty for marketing the Village North lots and he reported that the first home is under construction. J. Moes reported that the new building inspector has started work and is taking over lateral inspections. J. Moes reported that engineers are finalizing plans for a two-story office

building next to the Channel 5 building and the building permit should be issued soon. T. Flick reported that he had attended the Fox Cities Cycling Association's annual event and they presented the Village with an Outstanding Bike Improvements Award for the development of the Heritage Parkway Trail and Bridge. T. Flick also stated that there was an article in the *Post Crescent* on bike trails and lanes in the Fox Cities and the article states that the Little Chute Heritage Parkway Trail along the Fox River joins the Trestle Trail as the most attractive local water front trail. T. Flick reported that he is now serving on the Fox Cities Bike and Pedestrian Plan Steering Committee and they will be coming up with plans to bring all the communities together with a mapping system. T. Flick reported that the canal was drained yesterday and the Department will begin winterization of the pool and when that is completed the Locks Authority does plan to refill the canal and to keep it full through the winter. T. Flick informed the Board that the State will be placing stakes and markers on property abutting the canal system and this is a way for them to find encroachments and they will be developing a policy for docks and piers. T. Flick reported that the information for the annual archery hunt program is now on the website and this includes the packet for hunters and the packet is also available in the Parks/Rec. office and the proficiency test will take place on Oct. 6. T. Flick thanked Trustee Smith for once again heading up the proficiency test. R. Van Gheem reported that the paving is being completed on Buchanan Street and excavating is taking place on Sanitorium Rd. in preparation for the paving. V. Schneider reported that the electronic copy of the Fall Newsletter would be distributed tomorrow and hard copies would be mailed and made available next week. V. Schneider reported that it is required that absentee ballots be mailed by tomorrow to all residents that have a request on file in the Clerk's office and she also reported that she will be attending the Fox Cities Convention and Visitor's Bureau annual board retreat all day next Tuesday. Attorney Koehler – no report.

### **Disbursement List**

*Moved by Trustee Peerenboom, 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**

V. Schneider reminded Board members to let her know if they would like her to sign them up to attend the League's annual conference.

### **Items for Future Agendas**

Trustee Peerenboom stated the Board members had received a letter regarding allowing chickens in the Village and the current ordinance prohibits chickens and he asked if the Board would consider discussing this issue. Board members agreed to review the ordinance at a future meeting.

Pine Street Proposed Street construction will also be on next week's agenda. President Vanden Berg asked about the status of bringing back the employee handbook and asked that it be brought back to the Board in October.

Peggy Kons asked what the policy is on the number and types of animals that can be kept in the Village. J. Moes informed Mrs. Kons that the ordinance falls under Chapter 6 of the Village Code and that can be found on the Village's website or she can email him and he will email her back the section.

Trustee Peerenboom thanked Trustee Smith for all the work he does with the bow hunting program.

Trustee Frassetto thanked the Board for all their contributions to the Kermis Festival and especially Trustee Smith for spending three hours getting the electrical system fixed.

*Moved by Trustee Smith seconded by Trustee Berken to enter into closed session. (6:25 pm)*

Ayes 7, Nays 0 – Motion Carried Unanimously

**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. *Property Negotiations Regarding Acquisition of Land for the Heesakker Park/Sanitorium Rd. Pond Project***

President Vanden Berg stated that John and Jennifer Elrick would be present for some or all of the Closed Session.

*Moved by Trustee Peerenboom, seconded by Trustee Smith to exit closed session and return to open session. (7:28 pm)* Ayes 7, Nays 0 – Motion Carried Unanimously

The Village Administrator, Clerk, R. Van Gheem and T. Flick were present for the Closed Session.

## Return to Open Session

## **Possible Action on Issue of Property Negotiations Regarding Acquisition of Land for the Heesakker Park/Sanitorium Rd. Pond Project**

### No action taken

## Adjournment

*Moved by Trustee Berken, seconded by Trustee Van Lankvelt to adjourn the Regular Board meeting at 7:29 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