

MINUTES OF THE REGULAR BOARD MEETING OF OCTOBER 15, 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
Erik Misselt, FVMPD Captain
Roy Van Gheem, Director of Public Works
Teri Matheny, Finance Director
Tom Flick, Director of Parks, Forestry & Recreation
Beth Carpenter, Library Director
Charles Koehler, Village Attorney
Vicki Schneider, Village Clerk

OTHERS PRESENT: Matthew Fronsee from the Main Event Steakhouse, Lori Malone, 1209 Rosehill Rd., Interested Citizens, Media Reps

Public Appearance for Items Not on the Agenda

None

Approval of Minutes

Regular Board Meeting Minutes – October 3, 2012

Committee of the Whole Meeting Minutes – October 10, 2012

Moved by Trustee Frassetto, seconded by Trustee Van Lankvelt to approve the Regular Board Meeting Minutes of October 3, 2012 and the Committee of the Whole Minutes of October 10, 2012 as presented. Ayes 7, Nays 0 - Motion Carried Unanimously

Report of Other Minutes-Other Informational Items

FVMPD Incident Reports – September and YTD

Minutes of the Plan Commission Meeting of September 10, 2012

Board members noted receipt of the informational items.

Resolutions:

Adopting the Outagamie County All Hazards Mitigation Plan

Moved by Trustee Frassetto, seconded by Trustee Berken to Adopt Resolution No. 33, Series of 2012 a Resolution Adopting the Outagamie County All Hazards Mitigation Plan.

Ayes 7, Nays 0 – Motion Carried Unanimously

Action to Approve Reserve “Class B” Liquor License for Matthew Fronsee for the Main Event Steakhouse

Matt Fronsee stated he was purchasing the Main Event Steakhouse.

Moved by Trustee Frassetto, seconded by Van Lankvelt to Approve the Reserve “Class B” Liquor License for Matthew Fronsee for the Main Event Steakhouse.

Ayes 7, Nays 0 – Motion Carried Unanimously

Action – Reimbursement of the \$10,000 Reserve “Class B” Liquor License Fee to Matthew Fronsee

Trustee Frassetto questioned if others had been provided the grant reimbursement and Clerk Schneider stated that all reserve license that had been issued had been reimbursed the \$10,000 fee by the Village.

Moved by Trustee Smith, seconded by Trustee Van Lankvelt to Approve the Reimbursement of the \$10,000 Reserve “Class B” Liquor License Fee to Matthew Fronsee.

Ayes 7, Nays 0 – Motion Carried Unanimously

Rosehill Road/Holland Road Terrace Restoration Update

R. Van Gheem stated that due to the lack of rain, the reseeding of Rosehill Road terraces had not yet been performed. R. Van Gheem reviewed the recommendation from the subcontractor and their landscaper that due to the lack of rain and the time of year, they are recommending applying fertilizer and allow time to restore the terrace. Another landscaper suggested an alternative fix of slit seeder to sow the seed into the ground followed by lawn starter fertilizer but they also stated that if we don't get any rain this will also fail. R. Van Gheem stated that with the recent rain over the weekend, he had contacted the contractor to see if they have changed their proposed course of action but he has not yet heard back from the contractor.

R. Van Gheem stated that it is his understanding that the warranty would start upon the correction of the deficiency and he would request that they warrant the restoration until next spring. Trustee Smith stated he supported the fix of slit seeding. Discussion took place. Trustee Frassetto requested that the Public Works Department keep the residents aware of the process and how it is moving forward. Lori Malone, 1209 Rosehill Rd. questioned whether they would also be reseeding on her tenant's side where they dug up for the piping and also around the drain. R. Van Gheem stated they will talk to the utility contractor and ask them to restore the area. Lori Malone also commented on the new drain backing up and she is concerned that her lawn will continue to flood and she further stated that she has to clean out the drain and it is also a danger to her child. R. Van Gheem stated he hadn't heard any complaints and he wasn't aware of any backups but they will check it out and he also explained how the drain is intended to work and he noted that the drain is on a neighbor's property and it is needed because the land is low. Lori Malone also asked if she is going to be responsible if someone trips on the drain and gets hurt. Attorney Koehler stated in order for her to be sued she would have to be negligent and he doesn't know how she could be considered negligent because the drain isn't on her property. R. Van Gheem will keep the Board and the residents updated on the restoration process.

Update on 319 W. Lincoln Avenue Property/Park Development

C. Kell stated an asbestos review was conducted on the property and we are waiting on that report and all the utilities have been ordered to be turned off. C. Kell noted that there is a \$1,500 fee to have the gas turned off and the lines removed. C. Kell stated that the Parks Director and the Parks Planning Committee are working on a plan for the park and that will be brought to the Board. C. Kell stated that U.S. Venture is scheduled to tear the house down the first week of November and they will also do some rough grading on the site that the house is located on. C. Kell stated that they are also hoping that WE Energies moves the gas vault yet this year. T. Flick commented on the status of the plan for the park noting the plan would go before Park Planning at their December meeting and then it will be brought to the Board for review and approval and bid documents would be created after that. C. Kell stated that once the design is completed the Village is committed to send it to the donors to get their approval on it before the Village proceeds.

Review/Discussion on Preliminary Draft of 2929 LLC Development Agreement

C. Kell reviewed the draft agreement that provides a TIF incentive not to exceed \$300,000 or 15% of the assessed value of the project and it would be a pay as you go incentive over six or seven years. The project is a proposed 40,000 sq. ft. manufacturing/office building at 2929 W. Evergreen Dr. and the space will be leased to Eagle Supply & Plastics, Inc. C. Kell noted that the changes that have already been made to the draft agreement include completion being June 1 instead of March 1, 2013, they have asked to take the personal guarantee of Mr. Winter out of it and they also want a transfer of building clause included in case the building is sold. C. Kell stated they are also asking that the hold harmless agreement be amended.

C. Kell stated the agreement will be back on the Board's agenda in the next week or two. C. Kell asked the Board if they were comfortable enough with the arrangement and incentive. Discussion took place. Trustee Peerenboom requested that a minimum payment be added into the agreement as we would like to see the tax equivalent of a \$2 million dollar project. C. Kell suggested putting in the requirement of a minimum investment of \$1.25 million. C. Kell stated he will work with Attorney Koehler on the final draft of the agreement and it will be brought back to the Board for review and action.

Action – Special Event Permit – American Legion Post 258 – Veterans Day Observation on Sunday, November 11, 2012

Moved by Trustee Berken, seconded by Trustee Frassetto to Approve the Special Event Permit for the American Legion Post 258 Veterans Day Observation on Sunday, November 11, 2012.

Ayes 7, Nays 0 – Motion Carried Unanimously

Appointments to the Community Development Authority

President Vanden Berg stated he is recommending the reappointment of Steve Bloedow to the CDA and the appointment of Trustee Frassetto.

Moved by Trustee Smith, seconded by Trustee Berken to approve the appointment of Trustee Frassetto and the reappointment of Steve Bloedow to the Community Development Authority.

Ayes – 6, Nays 0, Abstained 1(Frassetto) – Motion Carried

Presentation/Discussion of Preliminary Budget Information and Review of Joint Department Budgets for FVMPD, Library, and Facilities/Maintenance

C. Kell and T. Matheny led a presentation on the Financial Trend Monitoring System that is being prepared for the Village and the information that is evaluated in this system. The FTMS system evaluates factors which represent the primary forces that influence the financial conditions of the Village. C. Kell noted that the analysis of each of the factors has to be completed and staff hopes to have that completed in a couple of weeks and this system will then be updated every year and will be used for future budgets. C. Kell reviewed the status of the 2012 budget that had a tax rate of \$6.87 and he stated that going into the 2013 budget, the Village has had a 4% decrease in property value which amounts to a \$24 million reduction but the TID is still trending in a positive direction. C. Kell noted that if the goal is to keep the tax rate the same as last year, \$157,014 needs to be cut from the tax levy. C. Kell stated other factors are the loss in General Transportation Aids, a 14% increase in health insurance premiums and an increase in employer and employee contributions to WRS. T. Matheny stated that the three communities have worked together on employee benefit costs and the split for health insurance. T. Matheny reported that related to the Metro's budget, Combined Locks has worked a potential 2% COLA into their budget. Kimberly has built in a 1% COLA along with their pay for performance plan for Kimberly employees and Kimberly has also agreed in relation to the Metro budget that if Little Chute agrees to wage adjustments for our non-rep employees they are willing to accept up to a 2% COLA for the non-rep metro employees. T. Matheny led a review of the Fox Valley Metro budget. Discussion took place. T. Matheny led a review of the library's budget noting that the Director had made a request for an additional \$15,000 in revenue that both Kimberly and Little Chute were not able to fund. The Kimberly Administrator adjusted the Library budget number to what the communities are willing to fund and the Library Board will need to adjust the individual line items to get to the number.

B. Carpenter stated that to get to the number, she will have to eliminate the 10 extra hours she was hoping to add to staffing to replace the 10 hours of the Youth Services assistance that was lost and the only other areas it can be taken from are audio visual and books and this proposal will be discussed with the Library Board at tomorrow's meeting. T. Matheny reviewed the Buildings and Maintenance budget noting there really isn't any change except for a wage increase for a staff person that is in the bottom quadrant of the wage scale. Discussion took place on health insurance costs for current employees and retirees. No action taken and the three joint department budgets will be discussed on Monday, October 22 with the Combined Locks and Kimberly Boards. T. Matheny stated that the budget binders will be presented to the Board at next week's meeting. Staff stated if the Village holds the line and doesn't budget anything extra this year, the tax bills will still go up because of the drop in assessed value and also because of the other taxing entities.

Operator's Licenses:

<i>Amber P. Arnoldussen</i>	<i>104 Maes Ave.</i>	<i>Kimberly</i>	<i>Moasis</i>
<i>Daniel P. Grant</i>	<i>242 Grant St.</i>	<i>Neenah</i>	<i>Walgreens</i>
<i>Tricia A. Harlow</i>	<i>1420 Glenview La.</i>	<i>Little Chute</i>	<i>Pop In Again</i>
<i>Amber A. Harper</i>	<i>1700 Vandenbroek Rd.</i>	<i>Little Chute</i>	<i>5th Quarter</i>
<i>Jesse J. Heimlich</i>	<i>W6058 Paige Way</i>	<i>Appleton</i>	<i>Walgreens</i>
<i>Samantha L. Spees</i>	<i>1250 Broadway St. #1</i>	<i>Wrightstown</i>	<i>5th Quarter</i>

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

Ayes 7, Nays 0 – Motion Carried Unanimously

Department and Officers Progress Reports

Chief Misselt – no report. B. Carpenter reported that next week she would be attending the Wisconsin Library Association Annual Conference. T. Matheny reported that she and the Administrator would be participating in a ratings call with Moody's tomorrow concerning the bond sale on Oct. 24th. C. Kell reported that he had a discussion with WOW about the proposal for Stephen St. that had been brought before the Board but it doesn't look positive that the development will come to Little Chute because there were other strong offers made but he will keep the Board updated. C. Kell stated that last week he was requested to meet with DOT regarding the Mill St. Bridge project and he thinks that now that they met they have a good understanding on the entities that need to access Island Park for maintenance purposes.

C. Kell stated that DOT is also in discussions with the Corp of Engineers to see if they would be willing to allocate some money to the bridge project and if that would possibly happen the bridge may be able to be both a vehicular and a pedestrian facility. Discussion took place on bridge design and operation of the lift bridge by bridge tenders and possible costs. Trustee Frassetto asked the Administrator to negotiate a contract with the Navigational Authority before the bridge is completed. C. Kell stated he will contact the Fox Locks Authority Executive Director to see if they will develop a proposed agreement with the Village. C. Kell reported that a tentative information meeting on the Village Hall remodeling/expansion project and the Windmill project is scheduled for next week Thursday, October 25 at 6:00 p.m. C. Kell stated that if the meeting is confirmed, a notice will be put in the newspaper. J. Moes – no report. T. Flick provided Board members with a copy of a notice of a meeting at the Village Hall on December 11 regarding bicycle and pedestrian connections. T. Flick reported that a presentation on the Emerald Ash Borer management plan and ordinance updates will be held at the Board meeting on November 14 and also at that same meeting the concept plan for the Village North Subdivision park and the proposal for the park name will be presented. R. Van Gheem reported that weather permitting the first half of Sanitorium Rd. and Polk Street is scheduled to be poured in concrete this week. V. Schneider – no report. 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

Trustee Van Lankvelt asked about the status of the meetings with St. Johns and the property owners on Pine Street. C. Kell stated he is still waiting for a letter from the Church and once he receives that letter he will bring it to the Board. Trustee Smith stated that he didn't think that the Church Board had met yet. R. Van Gheem stated he was waiting for more information from the Church before setting up a meeting with the other property owner to discuss the concepts but he will move forward with scheduling a meeting.

Items for Future Agendas

None

Adjournment

Moved by Trustee Frassetto, seconded by Trustee Peerenboom to adjourn the Regular Board meeting at 8:00 p.m.
Ayes 7, Nays 0 - Motion Carried Unanimously

VILLAGE OF LITTLE CHUTE

By: _____
Attest: _____
Michael R. Vanden Berg, Village President

Vicki Schneider, Village Clerk