

MINUTES OF THE COMMITTEE OF THE WHOLE MEETING OF MARCH 9, 2011

Call to Order

President Fischer called the Committee of the Whole meeting to order at 6:00 p.m.

Roll Call

PRESENT: President Fischer, Trustee Elrick, Trustee Frassetto, Trustee Hietpas, Trustee Mahlik, Trustee Van Deurzen, Trustee Verstegen

ALSO PRESENT: C. Kell, D. Haug. E. Misselt, T. Flick, R. Van Gheem, J. Moes, B. Carpenter, V. Schneider

Public Appearance for Items not on the Agenda

None

Action – Introduce Resolution for Vacating a Portion of Grant Street and Setting a Public Hearing for the Street Vacation

Moved by Trustee Elrick, seconded by Trustee Verstegen to set the Public Hearing for Vacating a Portion of Grant Street for April 27, 2011 at 6:00 p.m.

Ayes 7, Nay 0 – Motion Carried Unanimously

Request from Baseball Club – Installation of lights and Second Diamond at Legion Park

Tom Meyer, LC Baseball Club, gave a verbal presentation to the Board on the benefits the Village would see if lights were installed on the second ball diamond at Legion Park because then the Club could host additional tournaments and he also reported on the substantial projects that the Club has invested in the Village. Mr. Meyer proposed three different scenarios for paying for the project. Option 1, which he stated was the best as far as he was concerned, would be for the Board to pay for the project from the General Fund. Option 2 would be a matching money proposition with the Village agreeing to finance the project in the whole with a written agreement that the LC Baseball Club would repay 50% of the total cost over an agreed timeframe with terms and percentage points to be paid by the Club on its outstanding debt and the terms would have to be agreed upon by both parties. Option 3, which Mr. Meyers stated is the worst case, would be that the Village finance the project and the Club would repay the Village over a predetermined time period as well as a small percentage of interest and these terms would have to be agreed upon by both parties. Mr. Meyer stated he estimated the cost of the project at \$60,000 to \$65,000. Discussion took place. T. Flick stated he does not have any objections to the project and noted that there isn't a need for the lights at this time for Recreation programs and the project has not been placed in the CIP but that could be adjusted. Trustee Verstegen stated that \$75,000 is allocated to the Ebben Park in the 2012 CIP and she asked if that money could be reallocated and used towards the lights. T. Flick stated the CIP is approved on an annual basis and the projects can be reprioritized. Trustee Frassetto stated she was interested in exploring the cost sharing options and she asked staff to prepare financing options for the Board to review. C. Kell noted that how it is funded also depends on when the Board would want to move forward with the project. T. Flick stated he will talk with Mr. Meyer on the timeframe and he will present some options for the Board to consider. President Fischer stated the issue will be place on next week's agenda for further discussion.

Review/Discussion/Possible Action – Joint Library Agreement Update

B. Carpenter stated that the updated agreement had been thoroughly reviewed by the OWLs Director, the Library Board, both Village Administrators, and Attorney Koehler and the agreement is being updated to bring it into compliance with State Statutes. J. Moes stated that the updated agreement will also give Little Chute greater representation on the Joint Library Board. Board members agreed to put the agreement on next week's agenda for action.

Review and Action to Accept MS4 Annual Report

Moved by Trustee Elrick, seconded by Trustee Verstegen to Accept the MS4 Report as presented and place the report on file.

Ayes 7, Nay 0 – Motion Carried Unanimously

Discussion – Main Street Design Options

R. Van Gheem reviewed the items that had been decided on thus far which included a 41-foot wide concrete street with parking on the south side only, utility reconstruction, storm sewer mains, leads and inlets including increasing storm water capacity by upsizing the storm sewer on Polk St., construct a storm water pond at the end of Polk St and install a storm water pipe from Main St. Also reviewed were the plans for Rosehill Road reconstruction which is scheduled to take place this year. R. Van Gheem noted that the DOT regulations continue to change and now the bike lanes are not required but are strongly encouraged. Discussion took place on the street width, parking, sidewalks, acquiring right-of-way, and bike lanes. Kurt Coenen, owner of Rosehill Bar, stated that he thought it was important for the Board to know that the design for the Hwy. 96 in Kaukauna that is being constructed now does not include bike lanes. T. Flick suggested taking the bike lanes only to Rosehill Road as that is going to be the connection in the future to get to Hwy. OO and the Paper Trail which ultimately connects to the Apple Creek Trail. C. Kell noted that the reason Little Chute is being pressed to install the bike lanes and not Kaukauna is because Little Chute has a 66 foot right-of-way on Main Street and the homes are back farther and in Kaukauna they are closer to the street and they only have a 60 foot right-of-way. Board members indicated consensus with authorizing staff to move forward to get the necessary extra right-of-way from the property owners and understanding that the State will participate in the sidewalk replacement costs if bike lanes are installed. Discussion took place on the recommendation to construct painted medians instead of raised intersections at the Buchanan St. and Rosehill Road intersections and on installing parking on the north side for one business located east of the Buchanan Street intersection. R. Van Gheem noted that the traffic studies indicated that these intersections did not warrant traffic signals. Board members did not take any action to add parking on the north side. Discussion took place on constructing a two-way left turn lane from Sanitorium Road to the east Village limits and it was noted that the turn lanes would provide some advantages to the businesses and there would be no parking on either side of the street in this section and the street would be reduced in this area from 49 feet to 45 feet back to back. Board members indicated agreement with the recommendation for the turn lanes. Board members agreed with the recommendation to not place the overhead utilities underground and to not install decorative lighting due to the high costs. Discussion took place on installing a Welcome to Little Chute sign in either the south terrace east of Hayes St. or in a raised medium just west of Hayes St. C. Kell noted that there may be a possibility of locating the sign on the north side. Board members indicated that they would like to hold off on committing to install a sign at this time. Discussion took place on the options for use of the Community Sensitive Design funding. Board members expressed support for the colored concrete crosswalks but not for the colored stamped concrete. Trustee Elrick stated that the amount proposed to be spent on landscaping could be cut down to \$25,000. Trustee Verstegen stated she would rather see terrace trees than shrubs in the terrace. Trustee Van Deurzen stated he didn't want to spend money for colored concrete. Trustee Frassetto stated that she thinks the colored concrete should be included since the State is paying and she agrees with Trustee Elrick that the landscaping budget could be reduced and she also stated that she likes the idea of planting shrubs. Trustee Mahlik stated he agreed with not installing the colored concrete. R. Van Gheem stated the recommendation is also to work with the businesses to reduce the number of entrances between Sanitorium and Rosehill Rds. and the Village could assist with signage, landscaping or other site amenities to encourage consolidation of driveways. Staff stated that the businesses in this area want to have amenities that connect them with the downtown and the community. Trustee Frassetto suggested putting planters in this area that are similar to the downtown planters. T. Flick commented that if trees are being proposed to be planted in the business area of the project, that they are a part of the project because he doesn't have the

staff to plant that many trees and he would support putting trees in this area. R. Van Gheem asked for consensus on the colored concrete and the majority of Board members agreed to the colored concrete but not stamped concrete and R. Van Gheem stated they will plan to use \$175,000 of Community Design Funding. Board members indicated agreement with the recommendation to replace 100% of the sidewalk on the project and they also agreed to have the Village sell or dispose of the property the Village owns north of Main St. across from Fillmore St. Discussion took place on the construction of Rosehill Rd. and the issue of bike lanes and parking. C. Kell stated the business on the corner of this street would like to be able to maintain parking so an alternate proposal of a multi-use trail on the west side could be considered and staff is making contact right now with the apartment owners on the west side to see if the Village could acquire right-of-way from them and there is also an informal commitment with the concerned business that they would participate in the cost of the trail to the extent of what the sidewalk costs would have been for their side of the street. R. Van Gheem noted that Rosehill Rd. can be constructed at 41 feet back to back with possibly bike lanes on both sides and parking on the east side but the issues with the terraces and driveways will not be fixed and there will be an additional cost. Kurt Coenen stated that Rosehill Bar has already lost parking on the west side of Rosehill Rd. and now they will lose it on both sides of Hwy. 96 and some of their property that is currently used for parking is going to be taken for the turn lanes and they are going to be assessed for the street and he is going to pay a lot more than others. President Fischer suggested keeping the trail on the table as it should be known in a week or so if the Village can obtain easements. Trustee Elrick stated that the Rosehill Road design was already talked about at the Board level and a decision had been made for a 37 foot street with bike lanes and that decision should be stuck with. Trustee Mahlik stated he agreed with Trustee Elrick. Trustee Van Deurzen stated he doesn't agree with Trustee Elrick as things change all the time and he thinks the Board should do what it can to keep parking on Rosehill Rd. Trustee Frassetto stated she also doesn't agree with Trustee Elrick and she doesn't remember coming to a clear decision on Rosehill Rd. Trustee Hietpas stated he sees this as an undue hardship to the business by taking away all of his street parking and cutting into his existing parking and he thinks we owe the business owner at least a week to explore the option of the trail. Trustee Verstegen stated she agreed with Trustee Hietpas. President Fischer stated the decision is to explore this situation further. R. Van Gheem stated a decision has to be made if the Village is going to pursue the Vanden Broek Street realignment project because if the project is going to move forward it should be put on a future agenda for discussion so the Village can take advantage of the opportunities provided by the Main Street project. Discussion took place. Trustee Van Deurzen and Trustee Elrick were in favor of moving forward with the project. Skip Smith commented on moving forward with the Lincoln Street extension at some point as that is the reason why the Village purchased two properties already. President Fischer asked Trustees to indicate if they were for including the VandenBroek Road realignment project with the Main Street project. Trustees Frassetto, Mahlik, Hietpas and President Fischer stated nay and Trustees Elrick, Van Deurzen, and Verstegen stated yay. The majority were not in favor of moving forward with the project.

Discussion/Possible Action – Design of Proposed Ebbens Subdivision

R. Van Gheem reviewed the final recommendation for the layout of the 36 lots and 5.3 acres for a future park. Discussion took place. Trustee Elrick suggested having perpendicular parking all the way across the front of the park instead of creating a parking lot. Trustee Elrick also suggested flipping the corner lot on the east of the park to the west side of the park. J. Moes stated that if a parking lot has four or more stalls it has to meet the current codes. R. Van Gheem stated that he disagreed with flipping the lot to the west because of the 30 foot easement that will go through the lot on the west. There appeared to be consensus to split up lot 5 and add the additional land to lots 6, 7, and 8 which will make those lots bigger. It was agreed to keep lots 12 and 13 out of the initial plat until they are annexed into the Village. The proposal presented included a 27 foot street and Trustee Elrick suggested making the street as narrow as possible with allowing for parking on one side as the narrower it is the less it will cost.

Trustees Van Deurzen and Frassetto indicated that they liked the 27 foot street. The proposed design includes sidewalk on both sides and no bike lanes and water and sewer mains will be constructed. A name will also need to be selected for the subdivision and J. Moes stated that the street name can only be suggested at this time as this area is served by the Kaukauna and Appleton Post Offices and they will need to review the proposed street names to assure they are not duplicates. It was agreed that decorative lighting will be installed and it was also agreed to not provide green infrastructure.

Discussion – Changes to Village Ordinance Section 40.65 Snow and Ice Removal

Board members reviewed the proposed changes to the ordinance and agreed to put the ordinance amendment on next week's agenda for action.

Discussion/Possible Action on Resolution Adjusting the Non-Represented Salary Plan/Employee Salaries

Discussion took place on a proposal of three different options to adjust non-represented employee salaries related to the proposed budget repair bill. C. Kell noted that it looks now like that the reduction of State cuts to the Village could be near \$400,000 so the resolution being presented includes a provision to withdraw or modify any approved increases in employees' salaries. C. Kell stated the proposal was presented to Kimberly on Monday night but action was not taken but there was some understandable support for the proposal. Trustees Frassetto and Elrick commented on not being able to support the proposal with the possible loss of reductions in State aid and the unknowns at this time. Trustee Hietpas stated he agrees with Trustees Elrick and Frassetto and he would only support performance based allocations. Trustee Van Deurzen was concerned because in 2012 the Union workers would not be compensated in the same way. C. Kell noted that the PW/Parks union will not have to pay towards their retirement until 2012 and the Police Union is exempted from paying their portion. C. Kell stated the Governor's bill created this class of people that have 11% more paid retirement than other workers in the community and if the adjustment isn't made then there are two classes of employees that are being paid more than the non-union and he doesn't see that as being fair. C. Kell stated that the Village Board is the only one that can make this situation fair and he asked the Board if they felt it was right these cuts were only on the backs of the non-union employees. Trustee Mahlik stated that he supports giving the non-union employees a bonus based on the fact that it was going to be paid anyway and it was factored into the budget and it is only fair. C. Kell stated that his concern is if the Board doesn't act on this resolution now, once the bill is passed, the Board will not be able to make any changes as the way the bill is proposed it will be law that the municipality cannot pay the employees share of their retirement. Trustee Verstegen stated that she agreed with Trustee Mahlik on providing a bonus payment.

Moved by Trustee Mahlik, seconded by Trustee Verstegen to approve Resolution No. 5, Series of 2011 with selecting Option A as a 5% payment to be implemented as a bonus and not to be added to the base salary.

Further Discussion: Trustee Verstegen stated she would like to make a plea for the employees as the money is already in the budget and we already said we would pay them this amount of money and she sure hopes our employees can get this one-time bonus. Trustee Elrick stated that he looks at it differently as last year they were frozen and the Board ended up giving them a bonus and now they are doing the same thing and the whole point of the budget repair bill is to fix the overspending and he is not saying that the Village has overspent, as he doesn't believe we have, but he doesn't know what the Governor is going to do and he wants the flexibility. Trustee Mahlik commented on Trustee Elrick's comment stating that they did a good job with the budget and we don't have budgetary problems so that is why he would approve it.

Vote on the Motion: Ayes 3, Nay 4(Elrick, Frassetto, Hietpas, Van Deurzen) – Motion Failed

Unfinished Business

J. Moes provided a map that showed the three school district's boundaries and value percentages within the Village. Trustee Frassetto thanked the Public Works Director for the work he did on the variety of topics that were presented tonight.

Items for Future Agenda

D. Haug informed the Board that a number of property owners that recently received assessments for the Washington Street project are requesting longer payment terms than the normal 10 years offered for hardship cases in the current policy and Board members agreed to place the policy on the next Committee of the Whole agenda for review.

Adjournment

Moved by Trustee Van Deurzen, seconded by Trustee Frassetto to Adjourn the Committee of the Whole meeting at 9:35 p.m.

Ayes 7, Nay 0 – Motion Carried Unanimously

VILLAGE OF LITTLE CHUTE

By: Charles Fischer, Village President

Attest: Vicki Schneider, Village Clerk