

MINUTES OF THE REGULAR BOARD MEETING OF MAY 18, 2011

The Regular Board meeting was called to order at 6:00 p.m. by Michael Vanden Berg, Village President
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
Dan Mahlik, Trustee
Bill Peerenboom, Trustee
Skip Smith, Trustee

Roll Call of Officers and Department Heads

PRESENT: Charles Kell, Village Administrator
Dale Haug, Finance Director
Ray Lee, Captain FVMPD
Jim Moes, Community Development Director
Tom Flick, Director of Parks, Recreation, and Forestry
Roy Van Gheem, Public Works Director
Vicki Schneider, Village Clerk

EXCUSED: Village Attorney, Charles Koehler

ALSO PRESENT: Media reps and interested citizens

Public Appearance for Items Not on the Agenda

Lavern Vandenberg, 1014 W North Ave., stated that she resides at the corner of Washington and Hwy. "OO" and that she has lived at this address for 24 years and has always been able to park on Washington St. until now because of the new road and this is a hardship for her at times. Ms. Vandenberg went on to say that she didn't feel that it was fair for her to pay such a large street assessment and then not be allowed to park on the road.

Approval of Minutes

Regular Board Meeting Minutes –May 4, 2011

Committee of the Whole Meeting Minutes – May 11, 2011

Moved by Trustee Frassetto, seconded by Trustee Hietpas to approve the Regular Board Minutes of May 4, 2011 and the Committee of the Whole Minutes of May 11, 2011 as presented.

Ayes 7, Nays 0-Motion Carried Unanimously

Report of Other Minutes-Other Informational Items

Minutes of the Fire Commission Meeting of May 9, 2011 (unapproved)

Minutes of the Planning Commission Meeting of March 14, 2011

Board members noted receipt of the informational items.

Ordinance:

Annexation of Territory from the Town of Vandenbroek-Glaser W2910 Progant Road

J. Moes stated that the property at W2910 Progant Road needed to be annexed into Little Chute so water and sewer could be provided by the Village. Mr. Moes also stated that Plan Commission reviewed this annexation request a year ago and recommended approval of the annexation.

Moved by Trustee Frassetto, seconded by Trustee to Adopt Ordinance No. 9, Series of 2011 Annexation of Territory from the Town of Vandenbroek-Glaser W2910 Progant Road.

Ayes 7, Nays 0 – Motion Carried Unanimously

Amending Village of Little Chute Municipal Code Chapter 26 Motor Vehicles and Traffic – Article III Parking Regulations – Section 70 Parking Prohibited During Certain Periods

R. Van Gheem stated that this ordinance is being proposed to help the Village meet the storm water requirements and it was included in the Village's storm water management plan. R. Van Gheem noted that the ordinance proves to regulators that the Village has the authority to control parking. Trustee Peerenboom stated that his concern is that the public won't understand why they are not able to park on the street if the street sweeper isn't going to run at night. Trustee Smith stated that residents have come to him stating their concern over enforcing an ordinance that is not fully used. R. Van Gheem stated that staff felt the parking regulation would have the least impact on residents and be the most cost effective way to comply with the storm water requirements by helping the Village receive credit towards their 2013 reduction requirement. President Vanden Berg questioned if the ordinance would be in compliance with the State requirement if the Village provided notice to residents in certain areas as needed. Trustee Frassetto stated that she felt it was completely realistic to ask residents not to park on the street two days a month in exchange for not raising taxes. Trustee Mahlik agreed that it was a small bit to ask of residents to help meet the DNR and EPA requirements. Gabe Konopka, 102 E. McKinley Ave., commented that he has neighbors that don't have large driveways and may not be able to park their vehicles in the driveway because of different circumstances.

Moved by Trustee Frassetto, seconded by Trustee Mahlik to Adopt Ordinance No. 10, Series of 2011 Amending Village of Little Chute Municipal Code Chapter 26 Motor Vehicles and Traffic – Article III Parking Regulations – Section 70 Parking Prohibited During Certain Periods.

Ayes 2, (Frassetto, Mahlik) Nay 5 – Motion Failed

Further Discussion: Trustee Smith stated that he would like to look into other solutions like odd/even parking because it is tough to tell a resident they have to comply with an ordinance that will only be used two days a month. Trustee Hietpas stated that the Village had until 2013 to figure out a solution.

C. Kell stated that if the Board waits until 2013 and the ordinance doesn't pass it will be too late to figure out other options such as additional storm water ponds. Trustee Mahlik stated that he felt that the parking ban two days a month was a small price to pay and people don't park on the street all winter and that is standard protocol. President Vanden Berg stated that he believes this is the cheapest credit the Village can get and he believes some sort of parking ordinance is needed but he doesn't necessarily like the option being presented. Discussion continued and it was determined that the Public Works Director will look at other options to present to the Board at a future meeting.

Resolution:

CSM – Darboy Development (Heartland Business Systems) – Stephen Street

J. Moes stated that Heartland Business Systems has asked for the CSM to be approved so they can combine the five, two acre lots and build without having to put up a fire wall. J. Moes also stated that the Plan Commission has recommended approval of the CSM. J. Moes stated that Heartland is working with the utility company to abandon a utility easement that is on the property.

Moved by Trustee Peerenboom, seconded by Trustee Smith to Approve Resolution No. 14, Series of 2011, CSM – Darboy Development (Heartland Business Systems) – Stephen Street.

Ayes 7, Nays 0 – Motion Carried Unanimously

Action on Changes to the FVMPD Collective Bargaining Agreement to Incorporate the Combined Locks Officers CBA as Part of the Merger Process

Trustee commented that the changes to the Collective Bargaining Agreement were a fair compromise.

Moved by Trustee Frassetto, seconded by Trustee Berken to Approve the Changes to the FVMPD Collective Bargaining Agreement to Incorporate the Combined Locks Officers CBA as Part of the Merger Process

Ayes 7, Nays 0 – Motion Carried Unanimously

Action on FVMPD Organizational Chart

Moved by Trustee Frassetto, seconded by Trustee Peerenboom to Approve the Merged FVMPD Organizational Chart as presented.

Ayes 7, Nays 0 – Motion Carried Unanimously

Action on Six Month Class B Beer License for Little Chute Softball Club

T. Flick stated that this is a renewal and that he would recommend putting language in the motion that was the same as last year that stated the license is for adult league games and adult tournaments only.

Moved by Trustee Frassetto, seconded by Trustee Mahlik to Approve a Six Month Class B Beer License for Little Chute Softball Club for Adult League games and Adult Tournaments.

Ayes 7, Nays 0 – Motion Carried Unanimously

Action on Special Event Permit – Great WI Cheese Festival – June 3, 4 & 5, 2011

Moved by Trustee Frassetto, seconded by Trustee Smith to Approve Special Event Permit-Great WI Cheese Festival-June 3, 4 & 5, 2011.

Ayes 7, Nays 0 – Motion Carried Unanimously

Action on Temporary Class B Beer/Wine License – Little Chute Jaycees - Great WI Cheese Festival June 3, 4 & 5, 2011

Moved by Trustee Frassetto, seconded by Trustee Mahlik to Approve the Temporary Class B Beer/Wine License – Little Chute Jaycees - Great WI Cheese Festival June 3, 4 & 5, 2011 with all alcohol sales to end at 11:45 p.m.

Ayes 7, Nays 0 – Motion Carried Unanimously

Discussion/Possible Action Regarding the Possible Purchase of Additional Right-of-Way on E. Main Street, East of Sanitorium Rd.

R. Van Gheem stated that he has been working with the DOT on the Main Street project scheduled for 2012-2013 and that the area of Main Street that is East of Sanitorium Rd. has a narrow terrace and the proposal is to acquire additional right-of-way for the terraces which would help improve the road design and improve the driveway, aprons, and sidewalk grades in this area. Trustee Peerenboom asked if it were possible to get drawings of the plans to look at as he is a new trustee and he hasn't seen the plans. Trustee Frassetto agreed with Trustee Peerenboom regarding looking at the plans at a future meeting. R. Van Gheem will provide the plans to the Board for review and discussion at next week's meeting.

Operators License:

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|--------------------|-------------------------|----------|----------------|
| Carrie Draphal | 1324 Bluebird Ct. | Kaukauna | Hawks Nest |
| Ashley N. Larocque | W1733 Center Valley Rd. | Freedom | Super 41 Shell |
| Lindsay R. Wallace | 633 Fern St. | Kaukauna | Landreman's |

Moved by Trustee Frassetto, seconded by Trustee Smith to approve the operator's license as listed on the agenda.

Ayes 7, Nays 0 – Motion Carried Unanimously

Department and Officers Progress Reports

Captain Lee stated that the FVMPD has been busy with the Combined Locks Merger and also with the case where the baby was found in Kimberly. Captain Lee stated that the Open House at the PD was a success. Dale Haug stated that the required filing of Form C was completed and filed with the Department of Revenue and that allows continued eligibility to receive shared revenue. C. Kell stated that the Village has resolved the lease issue with Open Range Communication. C. Kell noted that Nick Vande Hey will be replacing Dennis Bushke at Mc Mahon Associates as the Village's consultant and Nick has been at several village meetings trying to get a feel for village issue as he will be the consultant for many of the Village's engineering projects. C. Kell reported that the De Bruin/Hietpas Development is currently working on zoning changes with Appleton and those zoning change requests will also be coming forward to the Village in the near future. J. Moes reported that he has been performing field work this week as the Building Inspector is on vacation and he has also been working on DOR reports. T. Flick stated that the final inspection for the Virginia Graham Baker mandated pool drain improvements will be next week. T. Flick stated that his department is in the process of finding a company to do the soil borings for the Pedestrian Trail Project and they are also training summer staff. T. Flick also stated that the filling of the Canal had to be pushed back to Memorial Day weekend and that the pool was due to be filled by Monday, May 23, 2011. T. Flick stated that he had recently met with the Fox Locks Authority regarding an earth berm that exists on Island Park and the Fox Locks Authority will be removing trees and vegetation from the berm. R. Van Gheem stated that the construction on the Private Sewer Laterals was due to start in June and the Department is working on constructing the new yard waste site. V. Schneider – no report.

Disbursement List

Moved by Trustee Frassetto, seconded by Trustee Peerenboom to Approve the Vouchers as presented and Authorize the Finance Director to draw from the Respective Funds.

Ayes 7, Nays 0 – Motion Carried Unanimously

Call for Unfinished Business

None

Items for Future Agendas

V. Schneider stated that at a previous meeting an Operator's License was denied and the applicant is requesting a reconsideration hearing and this will be on next week's agenda as a closed session as required by Village ordinance. V. Schneider stated that a request from a residence for a waiver from an ordinance that only allows three dogs per residential lot will be on next week's agenda. The issue involves a duplex where the residents on each side each have three dogs. V. Schneider also stated that two insurance claims would be on next week's agenda for action. Trustee Hietpas stated he would like to have the rescinding of the Dutch Boyz conditional use permit to vacate Lincoln Avenue and rezoning of property on Lincoln Avenue on next week's agenda. J. Moes stated it would take him some time to put the information together so he asked for those items not to be on next week's agenda but a meeting after that. D. Haug stated he would like to bring back a review of utility rates and a follow up to the Debt Financing Plan.

Adjournment

Moved by Trustee Frassetto, seconded by Trustee Peerenboom to Adjourn the Regular Board meeting at 7:19 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