

MINUTES OF THE REGULAR BOARD MEETING OF AUGUST 3, 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
Erik Misselt, Police Chief
Jim Moes, Community Development Director
Tom Flick, Director of Parks, Recreation, and Forestry
Roy Van Gheem, Director of Public Works
Beth Carpenter, Library Director
Vicki Schneider, Village Clerk
Charles Koehler, Village Attorney

Public Appearance for Items Not on the Agenda

None

Approval of Minutes

Regular Board Meeting Minutes – July 20, 2011

Committee of the Whole Meeting Minutes – July 27, 2011

Moved by Trustee Frassetto, seconded by Trustee Berken to approve the Regular Board Minutes of July 20, 2011 and the Committee of the Whole Minutes of July 27, 2011 as presented.

Ayes 7, Nays 0-Motion Carried Unanimously

Report of Other Minutes-Other Informational Items

Minutes of the Joint Library Board Meeting-June 21, 2011

Budget Status Report

Board members noted receipt of the informational items.

Resolution-Approving Mutual Aid Box Alarm System Agreement

Moved by Trustee Frassetto, seconded by Trustee Mahlik to Approve Resolution #34, Series 2011 Mutual Aid Box Alarm System Agreement.

Further Discussion: Attorney Koehler pointed out that in section seven, Indemnification Liability and Waiver of Claims of the Mutual Aid Box Alarm System Agreement, that if a third party is providing aid under this agreement and a bystander is injured, Little Chute would be required to indemnify the aiding municipality even if the Village of Little Chute was not involved. Attorney Koehler stated that for this reason indemnification is not suggested in agreements. Attorney Koehler stated that the Village could check with their insurance company to see if an endorsement could be added to the policy to protect the Village from this indemnification. Trustee Mahlik stated that this is the same agreement that other communities are signing. Chuck Kell stated that the paragraph in question could be stricken and the agreement signed and see what happens. Board members agreed to have the Administrator check further into the indemnification issue and report back to the Board.

Trustee Frassetto withdraw her motion to Approve Resolution #34, Series 2011 Mutual Aid Box Alarm System Agreement, Trustee Mahlik withdrew his second of the motion.

Award Contract for 2011 Utility Construction - Project No. L0001-910159

Moved by Trustee Smith, seconded by Trustee Mahlik to Award the Contract for 2011 Utility Construction – Project No. L0001-910159 to Donald Hietpas and Sons at the cost of \$996,945.58.

Ayes 7, Nays 0 – Motion Carried Unanimously

Award Contract for Polk Pond Project – Project No. L0001-910204

Moved by Trustee Mahlik, seconded by Trustee Frassetto to Award the Contract for Polk Pond Project No. L0001-910204 to Gene Fredericks Trucking of Kaukauna at the cost of \$474,567.36.

Ayes 7, Nays 0 – Motion Carried Unanimously

Discussion on Deer Culling Program

Trustee Smith commented that he had received two complaints regarding the discontinuation of the Deer Culling Program and these residents would like to see the program continue. Trustee Mahlik commented that he too has had complaints and the residents would like to see even more deer culled this year. T. Flick recommended a three week program with enforcement of no trespassing during the culling period. Trustee Smith commented that he would like to wait to make a decision until meeting with Combined Locks and Kimberly to discuss the deer herd issues. Trustee Smith also commented that he would like to orchestrate something with Chris Hartwig for culling deer in the Paradise Street area. T. Flick stated that last year the Board directed him to contact Mr. Hartwig on this situation and it did not go anywhere. Trustee Smith stated that he would like to see some permanent tree stands put in place and then bait them to increase the amount of deer culled. T. Flick stated that he will check with the DNR to see if this area is a herd control area where hunters could take numerous deer. No action was taken.

Operator's Licenses:

Andrew G. Culver	907 Joyce St. #201	Kaukauna	Dwyer's Food Mart
Kathleen S. Friebel	926 Lawe St.	Kaukauna	The Flying Dutchmen
Mary M. Garvey	N3861 Hwy. E	Freedom	The Flying Dutchmen
Sheri L. Gasparick	908 Rolling Meadows Dr.	Little Chute	Simons Cheese
Daniel J. Kobussen	1301 Rosehill Rd. #79	Little Chute	The Flying Dutchmen
Mary L. McCauley	283 Brule Rd.	DePere	Simons Cheese
Bobbi J. Pekarek	527 Manitowoc	Reedsburg	M & M Bar
Cindy A. Pynenberg	W2810 Cty. Rd. S	Freedom	Simons Cheese
Amanda M. Schuchart	W2412 Snowberry Dr.	Appleton	Hawks Nest
Jason J. Verbeten	18 Bittersweet Ct.	Little Chute	The Pump House
Lynn M. Wildenberg	2285 Fraser Fir Ln.	Appleton	Walgreens
Nicole A. VanDeLeygraaf	383 Frances St.	Menasha	Piggly Wiggly
Joyce C. Van Groll	W3040 Evergreen Dr.	Appleton	Simons Cheese

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

B. Carpenter stated the Library was closed today for their annual in-service training and that part of the day was spent preparing for the Friends of the Library Book Sale. B. Carpenter stated that the group, Friends of the Library, supports numerous programs for the library that cannot be covered within the normal library

operating budget. B. Carpenter stated that a staff member at the library is leaving to take a full-time job position for the Little Chute School District and she will be looking to fill this position as soon as possible. B. Carpenter also stated that the library is wrapping up the planning process on the five year plan that will be presented to the Library Board on August 16. Chief Misselt stated the remodeling bid opening took place today and the work could begin as early as August 12 and the completion date could be the first or second week of November. Chief Misselt stated that in the near future he would be bringing the results from the Crossing Guard Study to the Board for discussion. Chief Misselt stated that the clerical reorganization is going well and that the extended hours at the Police Department will begin after Labor Day. C. Kell stated that he met with Valley Tool and Die in regards to their facility expansion plan and that there will be utility relocation issues that will be involved. C. Kell stated that the Village received bids for the remodeling of the Metro Police Department Buildings in Combined Locks and Little Chute and that the lowest bid was from a contractor in Green Bay and the Board could expect to see the bids on next week's agenda for approval. C. Kell stated that the Finance Director interviews were set for Friday, August 12, 2011. C. Kell stated that he had met with the Administrators of Kimberly and Combined Locks to go over health insurance coverage for employees and retirees and he learned that private companies do not want to cover us because of our retirement policy for employees hired before 1980 and also because the State is working with the two major companies to revise the State's Health Care Plan. Trustee Mahlik stated that there is the option of putting retirees on a Medicare supplement program that would cost between \$50-\$70 a month compared to the monthly health insurance cost of \$900 a month. C. Kell stated that the Design Review Board reviewed the building façade remodeling project at Jet's Pizza and there is a condition in the approval of the design and that is that the existing sign pole outside the building must be removed prior to the business opening. C. Kell stated that the Village Assessor, Jim Moes, received a letter from Jerry Van Dyn Hoven stating that the sign will be removed on or before September 9, 2011. Trustee Frassetto questioned J. Moes if it would be possible to offer a 45-day conditional occupancy permit to the owners of Jet's Pizza. After further discussion it was agreed upon that staff would speak with the tenants and have them stress to Mr. Van Dyn Hoven that if the sign pole was not taken down the business would not be allowed to open. J. Moes stated that he had provided Board members a copy of an e-mail that he had received from the Outagamie County Sheriff's Department requesting an address change for a residence on Riverside Drive and the Board could expect to see this request on a future agenda for action. T. Flick stated the Bridge Engineering Consultant will give a presentation on the Pedestrian Bridge design at next week's meeting. T. Flick stated that it currently the public comment period with the Coastguard regarding the Pedestrian Bridge project and he is hoping to have a permit by mid-September and the Corp of Engineers has signed off on the project. T. Flick commented that the Family Fun Fest was a success and he thanked trustees and staff that attended. T. Flick stated that there was a good article in the *Times-Villager* about the art project that Hollie Hammen has almost completed on the pitching wall at Legion Park. R. Van Gheem reported on the progress of current projects and reminded the Board that the hearing on special assessments for upcoming utility and concrete projects will be held next week. V. Schneider reported that her department was busy with absentee voting and she wanted to remind board members about the League Conference coming up in October. Attorney Koehler – no report.

Disbursement List

Moved by Trustee Frassetto, seconded by Trustee Smith to Approve the Vouchers as presented.

Further Discussion: Trustee Berken questioned why the Herrling Clark bill was not broke down by case and Attorney Koehler stated he had provided the breakdown to the Village Administrator. C. Kell stated that he will provide the breakdown of the bill to the Trustees.

Ayes 7, Nays 0 – Motion Carried Unanimously

Call for Unfinished Business

None

Items for Future Agendas

Trustee Peerenboom commented that he has been contacted by three residents regarding the fence around Buchanan Pond and residents are wondering if they can put up fences on the Village's property. C. Kell stated that fences are generally not put around retention ponds but in the case of the Buchanan Pond it was a condition of the purchase of the property from the past owner. Trustee Peerenboom asked if this should be a future agenda item and Trustee Frassetto stated she felt it should be a future agenda item. Trustee Smith questioned what drives the cost of HOV and he asked for something that could explain that to him. R. Van Gheem suggested that the HOVMSD Director make a presentation to the Board at a future meeting and Board members agreed that they would like to have a presentation by HOVMSD.

Moved by Trustee Peerenboom, seconded by Trustee Berken to Enter into Closed Session. (7:11)

Ayes 7, Nays 0 – Motion Carried Unanimously

Department Heads and the Village Clerk were excused from the meeting at this time.

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. Purchase of Properties for Redevelopment Purposes

Moved by Trustee Peerenboom, seconded by Trustee Mahlik to Exit Closed Session and Return to Open Session. (8:02 p.m.)

Ayes 7, Nays 0 – Motion Carried Unanimously

Return to Open Session – Possible Action on Closed Session Item

No action was taken.

Adjournment

Moved by Trustee Peerenboom, seconded by Trustee Mahlik to Adjourn the Regular Board meeting at 8:02 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