

## **MINUTES OF THE REGULAR BOARD MEETING OF OCTOBER 19, 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

Dan Mahlik, Trustee

Bill Peerenboom, Trustee

Skip Smith, Trustee

EXCUSED: Tammy Frassetto, Trustee

James Hietpas, Trustee

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

PRESENT: Charles Kell, Village Administrator

Ray Lee, Police Captain

Jim Moes, Community Development Director

Teri Matheny, Finance Director

Roy Van Gheem, Public Works Director

Vicki Schneider, Village Clerk

Charles Koehler, Village Attorney

EXCUSED: Tom Flick, Director of Parks, Recreation, and Forestry

OTHERS PRESENT: Nick Vande Hey- McMahon & Associates, Interested Citizens, and Media Reps

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

None

### **Approval of Minutes**

Regular Board Meeting Minutes – October 5, 2011

Committee of the Whole Meeting Minutes – October 12, 2011

*Moved by Trustee Peerenboom, seconded by Trustee Berken to approve the Regular Board Minutes of October 5, 2011 and the Committee of the Whole Minutes of October 12, 2011 as presented.*

Ayes 5, Nays 0-Motion Carried

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

*Minutes of the Plan Commission Meeting – September 12, 2011*

Board members noted receipt of informational items

### **Ordinances:**

a) **Repealing Village of Little Chute Municipal Code Section 30-21 – Regulation of Firearms and Explosives and Recreating Section 30-21 Regulation of the Discharging of Firearms, Electric Weapons, and Other Devices**

*Moved by Trustee Mahlik, seconded by Trustee Berken to adopt Ordinance No. 18, Series of 2011 Repealing Village of Little Chute Municipal Code Section 30-21 – Regulation of Firearms and Explosives and Recreating Section 30-21 Regulation of the Discharging of Firearms, Electric Weapons, and Other Devices.*

Ayes 5, Nays 0 - Motion Carried

**b) Repealing Village of Little Chute Municipal Code Section 30-22 Carrying Concealed Weapons Prohibited; Certain Weapons Prohibited and Recreating Section 30-22 Open and Concealed Firearms and Dangerous Weapons**

*Moved by Trustee Mahlik, seconded by Trustee Smith to Adopt Ordinance No. 19, Series of 2011 Repealing Village of Little Chute Municipal Code Section 30-22 Carrying Concealed Weapons Prohibited; Certain Weapons Prohibited and Recreating Section 30-22 Open and Concealed Firearms and Dangerous Weapons.*

Ayes 5, Nays 0 – Motion Carried

**c) Amending Village of Little Chute Municipal Code Section 30-23(b)(1)-(5) and (c)(1)(2) Safe Use and Transportation of Firearms and Bows**

*Moved by Trustee Berken, seconded by Trustee Peerenboom to Adopt Ordinance No. 20, Series of 2011 Amending Village of Little Chute Municipal Code Section 30-23(b)(1)-(5) and (c)(1)(2) Safe Use and Transportation of Firearms and Bows.*

Ayes 5 Nays 0 – Motion Carried

**d) Amending Village of Little Chute Municipal Code Section 32-1(c) Park Regulations – Firearms; hunting**

*Moved by Trustee Mahlik, seconded by Trustee Berken to Adopt Ordinance No. 21, Series of 2011 Amending Village of Little Chute Municipal Code Section 32-1(c) Park Regulations – Firearms; hunting.*

Ayes 5, Nays 0 – Motion Carried

**e) Amending Village of Little Chute Municipal Code Chapter 44 and the Official Zoning Map**

*Moved by Trustee Smith, seconded by Trustee Mahlik to Adopt Ordinance No. 22, Series of 2011 Amending Village of Little Chute Municipal Code Chapter 44 and Official Zoning Map*

Ayes 5, Nays 0 – Motion Carried

**Appearance by Mark & Jean Landreman – Landreman's Family Restaurant – Applying for Available Class B Liquor License**

President Vanden Berg stated the Landreman's were not able to attend tonight's meeting due to a scheduling conflict and they would like the Board to table this agenda.

*Moved by Trustee Peerenboom, seconded by Trustee Berken to Table this Agenda Item until the Landreman's are available to attend a Board meeting.*

Further Discussion: Trustee Peerenboom questioned the reference to an email in the IFC that had been written by the Administrator and staff indicated the items provided to Board members were from a previous application filed by the Landreman's for a liquor license and that application was denied. Since the denial, the Village has obtained another liquor license. Trustee Mahlik asked when the Village would receive another liquor license and Clerk Schneider replied that the Village currently has one regular Class B license from the old Snaggletooths and that license is designated for a downtown development and one reserve license is now available and this is the license that the Country Inn & Suites didn't renew. Clerk Schneider stated that a license is gained with every 500 person gained in population and that isn't likely to happen any time soon as with the recent census the Village went down in population. Trustee Smith asked if Landreman's already had a Class B license and staff responded they did but it was only a beer license and they are now requesting to apply again for a Class B liquor license.

Vote on the Motion: Ayes 5, Nays 0 – Motion Carried

## **Review/Action on Site Plan for Absolute Supply – 1560 Bohm Drive**

J. Moes stated staff has reviewed the plan and approval is recommended.

*Moved by Trustee Berken, seconded by Trustee Smith to Approve the Site Plan for Absolute Supply – 1560 Bohm Drive, Little Chute as presented.*

Ayes 5, Nays 0 – Motion Carried

## **Discussion/Action – Amendment to Street Occupancy Permit and Use Agreement for Sandwich Board Signs**

C. Kell stated that he is looking to simplify this process for the Village and the businesses and instead of leasing the signs to the businesses he is recommending that the Village sell the sandwich boards at \$150 charge and require a one-time Street Occupancy Permit at a fee of \$20. C. Kell stated that the \$150 charge covers the cost for the Village to build the sandwich board signs. C. Kell stated that seven business owners are interested in purchasing the signs and the businesses were in agreement with the cost for the signs. Trustee Smith asked if the agreement addressed the issue of the signs having to be replaced if they are in disrepair and C. Kell stated the agreement states that if they need to replace the sign, they can purchase a new one from the Village.

*Moved by Trustee Peerenboom, seconded by Trustee Mahlik to Approved the Amendment to the Street Occupancy Permit and Use Agreement for Sandwich Board Signs.*

Ayes 5, Nays 0 – Motion Carried

## Operator's License:

*Jody L. Roscynalia*      *2022 W. Marquette*      *Appleton*      *Rosehill Bar*

2022 W. Marquette

Appleton

## *Rosehill Bar*

*Moved by Trustee Berken, seconded by Trustee Mahlik to approve the operator's license as listed on the agenda.*

Ayes 5, Nays 0 – Motion Carried

## Department and Officers Progress Reports

Captain Lee reported that the Fall Citizens Police Academy is in its second week of classes and they are held on Tuesday night at the Combined Locks Municipal Building and he invited Board members to stop by to participate in the program. Captain Lee also reported that the Department is in the process of accepting applications for the police officer's eligibility list. T. Matheny reported that she had provided the Administrator with a draft of the budget and the budget workshop calendar will be presented to the Board in the next week or two. C. Kell reported that staff had met with Fox Valley Tool and Dye representatives and a timetable had been agreed upon for the relocation and expansion of public utilities and the work will be completed before the 2013 Main Street project. C. Kell reported that he is still waiting for the Plastics Company to make their formal announcement regarding building a facility in Little Chute and once they make the announcement the resolution and Developer's agreement will be on the Board's agenda for action. C. Kell reported that staff had met with the Fox Cities Greenway Representative and November 30 has been scheduled for them to appear before the Board to make a presentation on the Bike Plan. C. Kell stated that with meeting on the 30<sup>th</sup> he is recommending canceling the November 23 meeting. The other item on the November 30<sup>th</sup> agenda will be budget discussion. C. Kell reported that the State has approved the Village's selection of TENG & Associates as the Engineering Consultant for the Mill Street Bridge Project. C. Kell reported that Open Range Communications has filed for bankruptcy and they are trying to find a buyer for the company. C. Kell also reported that the company is two months behind on its lease payment to the Village and he has alerted Attorney Koehler on this matter. Attorney Koehler stated that once the Village actually receives the notice of bankruptcy, he can move forward with representing the Village in the matter. J. Moes commented on the inspection report that he had provided to Board members concerning the

condition of the homes that the Village recently purchased. J. Moes also provided information on the budget for the Library noting that budget that was originally presented was adjusted based on the direction of the Kimberly Administrator and this caused a reduction in hours for one staff member and originally it was proposed to increase the hours of the staff member. R. Van Gheem provided an update on the status of the current projects noting that the utility work is completed on all projects except the Polk Pond and paving of the roads is now taking place. Trustee Peerenboom asked if the Village had stopped picking up branches from the storm damage and if residents now needed to call in and R. Van Gheem responded that residents are now required to call in for brush pickup as the storm cleanup has been completed.

R. Van Gheem noted that the brush pile from the storm is currently being chipped and their department is working on leaf pickup and getting equipment ready for winter snow pickup. V. Schneider reported that some staff members will be participating in a web session being put on by the League's insurance concerning disaster planning. V. Schneider informed the Board that at the next Regular Board meeting she will be bringing forward an insurance claim for the Board to take action on. Attorney Koehler read the State Statutes concerning formulas used to determine the number of liquor licenses available to the Village.

### **Disbursement List**

*Moved by Trustee Peerenboom, seconded by Trustee Berken to Approve the Vouchers as presented and Authorize the Finance Director to pay all vendors.*

Ayes 4, Nays 0, Abstained 1(Smith) – Motion Carried

### **Call for Unfinished Business**

C. Kell provided Board members a copy of a letter from the Mayor of Uden, Holland and he noted that this letter had previously been provided to the Board in January 2011. Uden was asking for the Village to be a Sister City with them and the Board had agreed to this and a letter was sent back to the Uden Mayor informing him that the Village would be interested in becoming a Sister City. Uden then decided they didn't want to spend money to become a Sister City and they are now asking for the Village to have a "Friendly City" relationship with them. C. Kell stated that through the Historical Society President, they were informed that the Village would be happy to have a "Friendly City" relationship. The Uden Mayor was encouraged to move forward with their idea of working with the LC Schools.

### **Items for Future Agendas**

Trustee Peerenboom requested that next week's agenda include an item to discuss the direction that should be taken with the homes on W. Lincoln Ave. and W. Main St. Trustee Mahlik asked if J. Moes could tell them what the value would be if the repairs are not done to the homes. J. Moes stated that generally the repair cost will be more than the return but all of the homes have repair orders and those repairs have to be made to the homes before they are sold. Board members were informed that if they want to view the homes the keys are available to be picked up in the Community Development office.

### **Adjournment**

*Moved by Trustee Peerenboom, seconded by Trustee Berken to Adjourn the Regular Board meeting at 6:31 p.m.*

Ayes 5, Nays 0 - Motion Carried

## **VILLAGE OF LITTLE CHUTE**

By: \_\_\_\_\_  
Michael R. Vanden Berg, Village President

Attest: Vicki Schneider, Village Clerk