

MINUTES OF THE REGULAR BOARD MEETING OF JANUARY 2, 2013

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
Skip Smith, Trustee
Larry Van Lankvelt, Trustee

Roll Call of Officers and Department Heads

PRESENT: Charles Kell, Village Administrator
Jim Moes, Community Development Director
Erik Misselt, FVMPD Police Chief
Roy Van Gheem, Director of Public Works
Tom Flick, Director of Parks, Recreation and Forestry
Teri Matheny, Finance Director
Beth Carpenter, Library Director
Vicki Schneider, Village Clerk
Village Attorney Charles Koehler

OTHERS PRESENT: Nick Vande Hey of McMahon, Interested Citizens, Media Reps

Public Appearance for Items Not on the Agenda

None

Approval of Minutes

Regular Board Meeting Minutes – December 19, 2012

Moved by Trustee Frassetto, seconded by Trustee Van Lankvelt to approve the Regular Board Meeting Minutes of December 19, 2012 as presented.

Ayes 7, Nays 0 - Motion Carried Unanimously

Report of Other Minutes-Other Informational Items

Minutes of the Joint Library Board Meeting of October 16, 2012

Minutes of the Special Joint Library Meeting of October 29, 2012

Board members noted receipt of the informational items.

Resolution:

Preliminary Assessment Resolution – 2013 Private Sanitary Laterals and Storm Sewer Laterals in Area of Main Street (Hwy. 96) from Jackson Street to East Village Limits.

Moved by Trustee Frassetto, seconded by Trustee Berken to Adopt Resolution No. 1, Series of 2013 a Preliminary Assessment Resolution for the 2013 Private Sanitary Laterals and Storm Sewer Laterals Projects in Area of Main Street (Hwy. 96) from Jackson Street to the East Village Limits.

Ayes 7, Nays 0 – Motion Carried Unanimously

Review/Approve Compassionate Canines Agreement

B. Carpenter stated that the Library does perform background checks on the volunteers.

Moved by Trustee Frassetto, seconded by Trustee Van Lankvelt to Approve the Compassionate Canines Agreement as presented.

Ayes 7, Nays 0 – Motion Carried Unanimously

Adoption of Little Chute Employee Handbook and Personnel Policies

C. Kell reviewed the adjustments that were made based on the discussion the Board had at the last meeting and he stated that he feels the handbook is ready for adoption. Trustee Peerenboom asked for clarification on how the change to the sixth week of vacation would impact union employees once their contract expires. C. Kell stated that he believes that the Union's contract clause eliminating the sixth week for those hired before 2007 would disappear once the contract disappears and the sixth week would be reinstated for the Union members that were hired prior to the date of the adoption of the handbook. Trustee Peerenboom stated his preference is that he wants to see everyone fall under the new date once the Union contract is gone. President Vanden Berg stated that his position is that everyone is treated the same and he agreed with the recommendation. Trustee Peerenboom asked if the weapons policy and the sign postings also covered the parks. T. Flick stated that the Doyle Park Aquatic Facility has a sign posted. Chief Misselt stated that parks were exempted according to the Concealed Carry Law and only the buildings within the parks can be posted. Discussion took place on the wording of Section 17.38 Weapons. Chief Misselt suggested changing the word "property" to "Village owned buildings". C. Kell stated he will make the change to the language. President Vanden Berg asked for the word "law" to be changed to "ordinance".

Moved by Trustee Smith, seconded by Trustee Van Lankvelt to Approve the Village of Little Chute Employee Handbook and Personnel Policies with the noted changes.

Further Discussion: Trustee Frassetto asked the Village Administrator if he had received information on where other communities keep the personnel files of their Administrators. C. Kell stated that he did receive comments and overall the standard practice for those that do not have a personnel department or a Human Resources Director is that the file is kept in the Administrator's office.

Vote on Motion:

Ayes 6, Nays 1 (Berken) – Motion Carried

Review and Possible Action on Architectural and Design Contracts with McMahon Associates for Remodeling the Existing Village Hall and Construction of a New Addition to Village Hall

C. Kell reviewed the two separate contracts noting that one is for the expansion and one is for the remodeling but they are linked together. C. Kell stated the contracts were kept separate because of the monies for the projects coming from different sources. C. Kell recommended moving forward with signing the contracts so the project can move forward. C. Kell stated the designs should be completed by March and construction would begin in April. Trustee Frassetto asked if the Village had received the donation that would be funding a portion of this project. C. Kell stated that we have not yet received the money and he is still working on that with the Donor and an agreement drafted by Attorney Koehler has been provided to the Donor for signing. Discussion took place, with input from Nick Vande Hey, on moving forward at this time with only the assessment phase for the remodeling of the Village Hall. Trustee Peerenboom stated he would be comfortable with approving the contract for the Village Hall remodeling and having McMahons start the assessment process and once the donor agreement is signed the expansion contract could be then be approved. Trustee Frassetto stated that she cannot support either agreement until there is something in writing from the Donor because the Village has already invested \$400,000 in this project. President Vanden Berg stated that he believes the remodeling would happen either way as money has been borrowed for that purpose and it is just a matter of receiving the signed gift affidavit.

Moved by Trustee Peerenboom to approve the Design Services for alterations to the existing Village Hall in the amount of \$24,500.

Trustee Hietpas commented that the as-built drawings are excluded from the scope of the contract and there could be a lot of issues when there is a remodel and he questioned Mr. Vande Hey as to why the engineer would not be responsible for the as-built drawings in terms of warranty work in the future. Mr. Vande Hey stated he wasn't sure what happened at the meeting to determine the roles but this could be a responsibility that falls to Boldt. C. Kell stated that there will be follow-up contracts with Boldt that we haven't seen yet and he expects that they would be handling that piece of it. Trustee Peerenboom stated that typically the contractor of each trade would provide the as-builts because they are the ones doing the work and typically

the as-built designs come from the trade and not the general contractor or the architect and usually it is included in their spec book that they have to supply as-builts. Trustee Hietpas stated his concern is that the Construction Manager approves the changes and something doesn't work out then everyone is pointing fingers and the Engineer says that is not the way he designed it. Trustee Hietpas stated he would like to have just one person in case of a warranty issue. Trustee Peerenboom stated that typically the Construction Manager approves any change orders with the Village's consent and then they go to the individual trades for an as-built drawing and the Village and General Contractor would certainly have to ok it and note it and have it approved. Discussion continued.

Trustee Van Lankvelt seconded Trustee Peerenboom's motion to approve the Design Services for alterations to the existing Village Hall in the amount of \$24,500.

Further Discussion: Trustee Smith asked if the motion included the whole contract. Trustee Peerenboom stated his motion was only to approve for McMahon to provide the Design Services for the alterations to the existing Village Hall as listed on page 3 of the contract in the amount of \$24,500 which is basically their design fee for this building. Trustee Smith stated he just wanted to confirm that the other contract was left out and that contract will be revisited.

Vote on the motion:

Ayes 6, Nays 1(Frassetto) – Motion Carried

Draw Ballot Placement – Village President and Village Trustee Offices

Clerk Schneider stated that there are three candidates for Village President and a primary for this office would be held on February 19, 2013. Clerk Schneider stated there are five candidates for Village Trustee and the General Election will be on April 2, 2013. Attorney Koehler drew the candidates' names in the following order for ballot placement.

Village President – 1) Tammy L. Frassetto 2) Steven E. Ransbottom 3) Mike Vanden Berg

Village Trustee - 1) Brian Joosten 2) Bob Berken 3) Bill Peerenboom 4) Skip Smith 5) Mark R. Van Ooyen

Trustee Frassetto excused herself from the Board meeting at 6:35 p.m.

Operator's Licenses:

Hilary J. Guenette	301 S. Kools St.	Appleton	5 th Quarter
Ezekiel L. O'Brien	633 Idlewood St.	Kaukauna	Dwyer's Food Mart
Sandra L. Stacy	930 Denise Ct.	Kaukauna	Gentlemen Jacks
Anna L. Wacaser	204 Island St.	Kaukauna	5 th Quarter

Moved by Trustee Berken, seconded by Trustee Van Lankvelt to Approve the Operator's Licenses as presented.

Ayes 6, Nays 0 – Motion Carried Unanimously

Trustee Frassetto returned to the Board meeting at 6:38 p.m.

Department and Officers Progress Reports

Chief Misselt – no report. T. Matheny reported that they are in the process of closing 2012 and moving into 2013 and the first payroll of the year was processed and social security adjustments were made and she also reported on the progress of tax collections. C. Kell stated that as he previously mentioned he is working with the Donor on the Village Hall project to get that moving forward. C. Kell stated that he had a meeting with Performance Welding and they are looking at a potential expansion project and to purchase some land from the Village so he will be working with them on an offer to purchase. C. Kell stated that the Historical Society is ready to meet on their recommendations for the park on W. Lincoln Ave./Madison St. and he will be arranging a meeting that will include the Parks Director. J. Moes reported that the Fire Department will be using the properties on Pine Street for practice drills. J. Moes also reported that he and the Public Works Director are reviewing the site plans for the apartment complex on Elm Dr. and also the plans for Eagle Plastics. T. Flick reported that the deer culling program did not have any issues but only four deer were culled during the annual hunt. T. Flick commented that the Board will need to have discussion later in the year to see if it is worth continuing the program because as far as numbers we are not achieving our goal. T. Flick stated that at next week's Board meeting he is planning to bring forward the Master Plan for the W. Lincoln Ave./Madison St. Park. T. Flick stated the plan has a couple options for a welcome sign and they will also be looking for the land to be formally dedicated as park land. T. Flick also

reported that Park Planning has a recommended name for the Park and that will be shared with the Board next week. T. Flick reported that the Department is starting to work on the ice rink and also summer job applications are now online and they are also working on preparing their program book. T. Flick provided Board members with a handout of the tree inventory for streets that shows the benefits that the trees give back to the Village and he noted that this information would also be put on the Village's website.

R. Van Gheem reported that the crew continues to work at cleaning up and removing the snow and they continue to work on closing out 2012 contracts and working on the 2013 projects. B. Carpenter reported on the various youth and adult programs that are taking place in January which includes a new on-line reading program for adults and she noted that all the events are listed on the Library's website. V. Schneider- no report. Attorney Koehler – no report.

Disbursement List

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

Ayes 7, Nays 0 – Motion Carried Unanimously

Call for Unfinished Business

None

Items for Future Agendas

Chief Misselt reported that the proposed amendments to the Ordinance on animals would be presented at next week's Committee of the Whole meeting.

President Vanden Berg stated that Legal Counsel would not be present and no action would be taken on the closed session items.

Moved by Trustee Frassetto, seconded by Trustee Smith to enter into closed session. (6:47 pm)

Ayes 7, Nays 0 – Motion Carried Unanimously

Staff and the Village Attorney were excused from the meeting at this time. The Village Administrator was present for item (1).

Closed Session: 19.85(1)(c)Consideration of Employment, Promotion, or Performance Evaluation Data of any Public Employee of the Village of Little Chute (g) Conferring with Legal Counsel for the Village, legal counsel rendering oral or written advice concerning strategy to be adopted by the Village Board with respect to litigation in which the Village is now or is likely to be involved.

- 1) *Review of Department Heads Performance Evaluations with the Village Administrator*
- 2) *Discussion of a personnel contract matter*

Moved by Trustee Peerenboom, seconded by Trustee Berken to exit closed session and return to open session. (8:07 pm)

Ayes 7, Nays 0 – Motion Carried Unanimously

Return to Open Session

No action taken.

Adjournment

Moved by Trustee Peerenboom, seconded by Trustee Berken to adjourn the Regular Board meeting at 8:07 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