

MINUTES OF THE REGULAR BOARD MEETING OF FEBRUARY 20, 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
Jeff Elrick, Assistant Director of Public Works
Tom Flick, Director of Parks, Recreation and Forestry
Teri Matheny, Finance Director
Village Attorney Charles Koehler
Vicki Schneider, Village Clerk

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

Public Appearance for Items Not on the Agenda

None

Approval of Minutes

Regular Board Meeting Minutes – February 6, 2013
Committee of the Whole Meeting Minutes – February 13, 2013
Special Board Meeting – January 30, 2013

Moved by Trustee Frassetto, seconded by Trustee Van Lankvelt to approve the Regular Board Meeting Minutes of February 6, 2013, the Committee of the Whole Minutes of February 13, 2013, and the Special Board Meeting Minutes of January 30, 2013 as presented.

Ayes 7, Nays 0 - Motion Carried Unanimously

Report of Other Minutes-Other Informational Items

Plan Commission Meeting Minutes – January 14, 2013
Fire Commission Meeting Minutes (unapproved) – February 14, 2013
Board members noted receipt of the informational items.

Resolution:

Authorizing the Sale of Real Estate Located at 1030 Harvest Trail to Dennis & Tara De Both

Moved by Trustee Van Lankvelt, seconded by Trustee Smith to Adopt Resolution No. 6, Series of 2013 Authorizing the Sale of Real Estate Located at 1030 Harvest Trail to Dennis & Tara De Both.

Ayes 7, Nays 0 – Motion Carried Unanimously

Action on Liquor License Application – Class A Beer & Liquor – Save-A-Lot – 133 W. Main Street – Applicant – Jarabek Enterprises, LLC

Moved by Trustee Frassetto, seconded by Trustee Smith to Approve the Class A Beer/Liquor License Application for Save-A-Lot – 133 W. Main Street.

Ayes 7, Nays 0 – Motion Carried Unanimously

Action on Claim of Excessive Assessment filed by Walgreen Co. – 219 W. Main Street

Moved by Trustee Peerenboom, seconded by Trustee Frassetto to Deny the Claim of Excessive Assessment filed by Walgreen Co. for property located at 219 W. Main Street.

Ayes 7, Nays 0 - Motion Carried Unanimously

Draw Names for Ballot Placement – Village President – April 2, 2013 General Election

Clerk Schneider stated that the Board of Municipal Canvass would be meeting on Friday to certify the results from the February 19, 2013 Primary Election. Attorney Koehler drew the candidate's names for ballot placement:

1st ballot placement: Tammy L. Frassetto

2nd ballot placement: Mike Vanden Berg

Approve Purchase of Two – Five Yard Dump Trucks (Patrol Trucks)

Moved by Trustee Smith, seconded by Trustee Berken to approve the purchase of one (1) patrol truck chassis from Truck Country for \$84,529 and to approve the purchase of one (1) patrol chassis from Packer City International for \$85,618 as presented.

Ayes 7, Nays 0 – Motion Carried Unanimously

Review/Action to Approve Riverside Drive Ravine Project

J. Elrick reviewed the estimated costs for the trapezoidal channel system and for the 60" pipe. J. Elrick stated that staff is still in favor of and recommending moving forward with applying for approval from the DNR for the 60" pipe as in the long-term the maintenance costs will be cheaper and the pipe will last a lot longer than the gabion system. R. Van Gheem informed the Board that they are trying to be proactive by addressing the issues with the ravine at this time but the Village does have the option of doing nothing. Discussion took place on the issues of property owners wanting different options, obtaining easements from the property owners, the bonding requirement timeline for the project, and the time it may take for engineering and DNR review. T. Matheny informed the Board that she will provide them with a spreadsheet showing the financing status of storm water projects that are related to bonding dollars and a complete review on the status of CIP projects will be presented to the Board at a future meeting.

Moved by Trustee Smith, seconded by Trustee Van Lankvelt to allow the Public Works Department to move forward with the engineering design for the 60" pipe.

Ayes 6, Nays 1 (Peerenboom) – Motion Carried

Review/Action – Island Park and Heesakker Park Construction Project

T. Flick led a review of the plans for Island Park noting that the existing gravel path will be replaced with an ADA accessible path, a 20' x 20' concrete slab will be installed for a future shelter, benches will be placed on concrete slabs along the river, wildflowers will be planted on the hillside, storm water improvements will be made, and the project will involve a complete restoration of the park. T. Flick noted that a concrete pad will be removed and consideration is being given to putting the Frisbee golf holes back in this area and it may be possible to reuse some of the concrete. T. Flick reviewed the plans for Heesakker Park noting that there is room to construct a 25 stall parking lot that would be within budget but they are looking at revising the plans to construct a 19 stall parking lot and stalls could be added in the future if they are needed. The plan shows the location of a 20' x 20' concrete slab for a future open air shelter but consideration is now being given to move the shelter slightly to the south to save on concrete connections and to move it out of the way of the sledding hill. An ADA asphalt path would follow the existing gravel path, sidewalk would be installed between the parking lot, future shelter and the path, and sidewalk would also be installed on the east side of the parking lot connecting to the trail, the current gate would be moved back and consideration is being given to installing a centered bollard as this will allow for two-way traffic on the trail and also additional boulders would be placed to stop people from driving into the park. T. Flick stated that currently they would like to hold off on installing electric and in the future they would propose adding lighting that is similar to what is installed on the bridge and trail. T. Flick pointed out the

location of the future ADA canoe/kayak launch and also the location of the Lock's Tender House and he noted the plan of the Fox Locks Authority and Heritage Parkway is to have the house as a pay and stay facility. T. Flick stated an earth berm would be added at the bottom of the sledding hill. T. Flick noted that the Fox Locks Authority will need an easement from the Village for maintenance and possibly public access to the Lock Tenders House and the Board will need to address this issue in the future. J. Moes pointed out that currently the Lock Tender House does not have sewer or water and T. Flick stated he will work with McMahon to get an estimate of the cost to provide water/sewer services to the house. T. Flick stated that due to grant money being tied to these projects, they are looking at 100% completion of these projects by June 20th. T. Flick reviewed the opinion of probable costs that was provided to the Board. Discussion took place. T. Matheny stated that she would provide the Board members with a spreadsheet that itemizes the grants, contributions, totals of what has been spent to date and the use of bonding dollars for the projects. T. Flick stated that he feels that the total for the projects will be under budget and he would like to get the Board's general approval to move forward so the bids can be let next week. T. Matheny requested that the Board wait until next week to approve the projects and Nick Vande Hey from McMahon agreed that it would be best to wait until next week so the Board can see the plans with the design changes that were discussed tonight.

Taxi Cab Driver's License: Action to Approve

Mark A. Arnoldussen	2001 Welhouse Dr.	Kaukauna	Bell Taxi
<i>Moved by Trustee Frassetto, seconded by Trustee Hietpas to approve the Taxi Cab Driver's License for Mark A Arnoldussen.</i>			
Ayes 7, Nays 0 – Motion Carried Unanimously			

Operator's Licenses:

Webster R. Grundy	913 Draper St.	Kaukauna	Dwyer's Food Mart
Kayla M. Rueden	1 Ashgrove Pl.	Kaukauna	Super 41 Shell
Pamela R Van Dera	310 W. Wisconsin Ave.	Kaukauna	Village Lanes
<i>Moved by Trustee Frassetto, seconded by Trustee Berken to Approve the Operator's Licenses as presented.</i>			
Ayes 7, Nays 0 – Motion Carried Unanimously			

Department and Officers Progress Reports

Chief Misselt reported that he, Outagamie County Emergency Management reps, and reps from the DNR would be meeting tomorrow with Nestle reps regarding emergency planning. Chief Misselt also reported that he was appointed to serve on the personnel and legislative committees of the Wisconsin Chiefs of Police Association. T. Matheny reported that the tax roll process had been completed and a conference call with the PSC will be scheduled in regards to potential service to the parcel located outside of TID #4. C. Kell reported that he has had three separate inquiries on the same industrial park property owned by the Village. C. Kell stated that the bid advertisement for the Civic Center roof project had been placed and bids are due on March 6. C. Kell reported that the bid is in for the new fire truck and it looks like it will be approximately \$42,000 over budget and he will be meeting with the Fire Chief to discuss the situation. C. Kell reported that he has had contact with the owner of Salon Indulgence and he has encouraged them to move their project along but it sounds to him that they will not have construction completed before the end of April because of weather and material issues so they may be asking for the option that was provided to them of a month's extension on vacating the current building. J. Moes reported that an RFP was put out to eight appraisal firms for the Village's revaluation project and he also stated that he and the Building Inspector had put together a list of trenching contractors to provide to property owners. J. Moes stated that he has also signed another offer to purchase on a lot in Village North and the resolution approving the sale will be presented to the Board at next week's meeting. J. Moes reminded the Village President that Board of Appeal members need to be appointed as a hearing before the Board of Appeals needs to be scheduled. T. Flick reported that the bid has been let for the Doyle Pool Slide replacement project and bids are due by March 1 and he also reported that the Summer/Fall program book will be mailed by Feb. 28th. T. Flick

reported that Cheesefest will be celebrating their 25th anniversary this year and they want to have fireworks on Friday, May 31st so a fireworks permit application will be presented to the Board at a future meeting. R. Van Gheem reported that the Department continues to deal with the frequent snowfalls and snow cleanup and they have also met with contractors for Main St. utilities and WE Energies is currently working on Main St. and Kaukauna Utilities is moving poles on the East end of Main St. R. Van Gheem provided Board members with a schedule of the Village's utility contractors work on Main St. and he stated staff is working at developing routes, signage, and maps to assist the Main Street businesses. R. Van Gheem stated that Phase 4 lateral replacement notices will be mailed out next week and the final resolution for the 2012 Utility and Street projects will be presented to the Board in a few weeks. V. Schneider reported that the Clerk's office would be working at closing out the Feb. 19th election and she stated that newsletter articles are due by March 1st. V. Schneider stated at next week's meeting she is planning to bring forward a proposed ordinance amendment to increase liquor license fees to make our fees equal to the fees charged by Kimberly and Combined Locks. Attorney Koehler – no report.

Disbursement List

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

Ayes 7, Nays 0 – Motion Carried Unanimously

Call for Unfinished Business

Trustee Van Lankvelt asked the Administrator if there had been any progress on the Tailwaggers issue. C. Kell stated the owners had sent him an email stating they want to meet with him. Attorney Koehler stated that on January 16th the Village dedicated the Heritage Park property as a park and the donor has requested that there is some assurance that the park will remain a park for a minimum length of time. Attorney Koehler stated he has discussed this with the donor's attorney and the proposal is to place a restriction on the deed that states that the park land will be used for park purposes for at least 20 years and adding a clause that states if any portion of the park is used or needed for street or highway improvements or for installation of public utilities that will not be a violation of the deed restrictions. Attorney Koehler stated that the language for this deed was provided to the Village President for approval at tonight's meeting.

Moved by Trustee Berken, seconded by Trustee Smith to approve the language on the deed as recommended by the Village Attorney.

Ayes 7, Nays 0 – Motion Carried Unanimously

Items for Future Agendas

None

Moved by Trustee Smith, seconded by Trustee Van Lankvelt to enter into closed session. (7:34pm)

Ayes 7, Nays 0 – Motion Carried Unanimously

The Village Administrator, Police Chief, and Finance Director were present for closed session item one (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. *Discussion of Fox Valley Metro Police Association contract arbitration/possible settlement offer*
2. *Discussion of a personnel contract matter*

Moved by Trustee Frassetto, seconded by Trustee Smith to exit closed session and return to open session. (8:20 pm)

Ayes 7, Nays 0 – Motion Carried Unanimously

Return to Open Session

No action taken.

Adjournment

Moved by Trustee Frassetto, seconded by Trustee Smith to adjourn the Regular Board meeting at 8:20 p.m.
Ayes 7, Nays 0 - Motion Carried Unanimously

VILLAGE OF LITTLE CHUTE

Attest:

Vicki Schneider, Village Clerk

By: _____
Michael R. Vanden Berg, Village President