

MINUTES OF THE REGULAR BOARD MEETING OF MARCH 6, 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 (7:05pm)
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
Village Attorney Charles Koehler
Vicki Schneider, Village Clerk
Mark Jansen, Fire Chief

OTHERS PRESENT: Members of LCFD, Jeff Hendricks of Pierce Manufacturing, Inc., Interested Citizens, Media Reps

Public Appearance for Items Not on the Agenda

None

Moved by Trustee Frassetto, seconded by Trustee Smith to enter into the Public Hearing.

Ayes 6, Nays 0 – Motion Carried

Public Hearing – Rezoning Request for 1020 Washington Street – Rezone from RC – Residential Conventional Single-Family District to ID- Industrial District

J. Moes stated that this is the last parcel on this side of street that is being acquired by Nestle subject to approval of the rezoning. J. Moes stated that the Plan Commission had reviewed the rezoning request and they are recommending to the Village Board approval of the request. No public comment.

Moved by Trustee Smith, seconded by Trustee Van Lankvelt to exit the Public Hearing.

Ayes 6, Nays 0 – Motion Carried

Approval of Minutes

Regular Board Meeting Minutes – February 20, 2013

Committee of the Whole Meeting Minutes – February 27, 2013

Moved by Trustee Van Lankvelt, seconded by Trustee Smith to approve the Regular Board Meeting Minutes of February 20, 2013 and the Committee of the Whole Minutes of February 27, 2013, as presented.

Ayes 6, Nays 0 - Motion Carried

Report of Other Minutes-Other Informational Items

Water Commission Meeting Minutes – December 20, 2012

Joint Library Board Meeting Minutes – January 15, 2013

Fox Valley Metro Police Department Incident Report February 2013 and YTD

Fire Commission Special Meeting Minutes (unapproved) – February 25, 2013

Board members noted receipt of the informational items.

Ordinances:

Amending the Village of Little Chute Municipal Code Chapter 44 and the Official Zoning Map by Approving the Rezoning of 1020 Washington Street from RC – Residential Conventional Single – Family District to ID – Industrial District

Moved by Trustee Smith, seconded by Trustee Van Lankvelt to Adopt Ordinance No. 3, Series of 2013 Amending the Little Chute Municipal Code Chapter 44 and the Official Zoning Map and Approve the Rezoning of 1020 Washington Street, Parcel #260096100, from RC-Residential Conventional Single Family District to ID – Industrial District.

Ayes 6, Nays 0 – Motion Carried

Amending the Village of Little Chute Municipal Code Chapter 4 – Alcohol Beverages, Article II Licensing Classes and Fees – Sections 4-27 Classes of Licenses and 4-28 License Fees and Appendix C Fee Schedule

Moved by Trustee Van Lankvelt, seconded by Trustee Smith to Adopt Ordinance No. 4, Series of 2013 Amending the Village of Little Chute Municipal Code Chapter 4 – Alcohol Beverages, Article II Licensing Classes and Fees – Sections 4-27 Classes of Licenses and 4-28 License Fees and Appendix C Fee Schedule.

Further Discussion: Trustee Hietpas asked if there were any other reasons to raise the fees besides making them equal to other communities. Clerk Schneider stated that the fee is for enforcement by the Police Department and for the licensing procedures that the Village conducts and the fees have not been raised since 2004. Clerk Schneider stated it is up to the Board if they want to raise the fees and some communities are much higher than Little Chute's but a few are still lower.

Vote on the Motion:

Ayes 5, Nay 1(Hietpas) – Motion Carried

Resolution:

Final Special Assessment Resolution for 2012 Utility and Street Paving Projects for Buchanan St., Sanitorium Rd., Polk St., and Grant St.

Moved by Trustee Van Lankvelt, seconded by Trustee Smith to Adopt Resolution No. 8, Series of 2013 Final Special Assessment/ hookup Fee Resolution Authorizing Special Assessments/ hookup Fees for 2012 Utility and Street Paving Projects for Buchanan St., Sanitorium Rd., Polk St., and Grant St.

Ayes 6, Nays 0 – Motion Carried

Review/Possible Action on Bid for Purchase of a New Fire Truck

C. Kell stated the Fire Dept. had sent out a request for sealed quotes to four different companies and notice was also published in the *Times/Villager* and only one company (Pierce) submitted a quote. C. Kell stated that the quote is for \$517,238.00 and the quote is \$42,238 above the budgeted amount for the truck and the equipment requested. C. Kell reviewed the savings the Fire Department had with the upgrading of the radio systems that left a fund balance of \$76,865.93 and he stated it is staff's recommendation that this fund balance be utilized to fund the extra \$42,238 needed for the fire truck and equipment. The radios have been purchased and there will not be any more expenditures for the radios. Trustee Peerenboom asked if the price included the trade-in of the 1976 Pierce/Ford truck and Chief Jansen stated it did not and they would be selling the truck. Chief Jansen stated they would be stripping usable equipment off the old truck before selling it. T. Matheny stated the City of Appleton had applied for radio grants for the area Fire Departments and the LCFD received a grant of approximately \$42,000 so this money can be applied toward the pumper.

Moved by Trustee Frassetto, seconded by Trustee Van Lankvelt to Approve the Bid from Pierce Manufacturing Inc. and allow the Fire Department to go ahead and fund the truck as presented.

Ayes 6, Nays 0 - Motion Carried

Review/Action – Fireworks Display Permit Application – Great Wisconsin Cheese Festival – May 31, 2013 (rain date: June 1, 2013)

Moved by Trustee Frassetto, seconded by Trustee Smith to Approve the Fireworks Display Permit Application for the Great Wisconsin Cheese Festival.

Ayes 6, Nays 0 – Motion Carried

Appoint Members to the Board of Appeals

President Vanden Berg stated that he is recommending the reappointments of Leon Vanden Heuvel, Mike Bevers, and Carie Eiting to the Board of Appeals and also Dennis De Both as an alternate. President Vanden Berg stated he is recommending the appointment of Gene Hojan as a new member of the Board of Appeals and he noted that Don De Groot also serves as a current member on this Board.

Moved by Trustee Smith, seconded by Trustee Peerenboom to Approve the Appointments of Members of the Board of Appeals as recommended by the Village President.

Ayes 6, Nays 0 – Motion Carried

Operator's Licenses:

Kayla M. Linzmeier	907 Joyce St.	Kaukauna	Van Zeelands & M & M Bar
James H. Plamann	1602 W. Pershing St.	Appleton	Village Lanes

Moved by Trustee Frassetto, seconded by Trustee Smith to Approve the Operator's Licenses as presented.

Ayes 6, Nays 0 – Motion Carried

Department and Officers Progress Reports

B. Carpenter handed out a program on the Fox Cities Reads Program and she explained the theme for this year's program and she invited Board members to participate in the program. B. Carpenter also reported on the Fox Cities Book Festival taking place in April and she noted that five authors will be visiting the library. B. Carpenter provided a copy of the annual report for the Board to review and she noted that the numbers are up or holding steady. B. Carpenter reported that they have received a grant for hearing loops for both library locations and they will be installed soon. B. Carpenter reported that they are holding a Help for the Homeless collection and it also is serving as an amnesty program for outstanding library fines. B. Carpenter also reported that they are hiring for a summer student opening and this is being done through an on-line application process through Kimberly and she also reported that the library's new website has been launched. Chief Misselt reported that the Department's annual report is currently being compiled and will be presented to the Board in a few weeks. Chief Misselt reported that two of the new officers have successfully completed probation and the other two officers that were hired last year will be completing their probation time in the next 30 days or so and all four officers are doing very well. Chief Misselt reported that he has been contacted by a resident and she is requesting that she be allowed to have a therapy pig for her child. Chief Misselt stated that according to Village ordinance this isn't allowed. Chief Misselt stated he has asked the resident to submit a write-up from the doctor. Board members agreed that Chief Misselt should bring this issue forward at a future board meeting for discussion. T. Matheny reported that bills for sanitary laterals had been sent out and the Special Assessment bills for the resolution approved tonight would be sent out on April 1. T. Matheny reported that a conference call had been held with the PSC regarding servicing an area in the Northwest corner of the Village and the next step will be filing a certificate of authority but this will not be done until there is agreement between the involved parties. T. Matheny reported that next Wednesday she and the Public Works Director would be presenting an update on the CIP and she will also be presenting a Post Compliance Issuance Policy for Board approval. C. Kell reported that for the 20th year the Village had received a Certificate of Excellence in Government Accounting and he congratulated the Finance Director and the Department Heads on this achievement. C. Kell reported that the houses on Pine Street had been removed and he will be working with Attorney

Koehler on completing the real estate transfers between the Village and the Church. C. Kell reported that the Joint Village Board meeting concerning the Police Union arbitration would be held next Thursday in Little Chute's Board Room. C. Kell handed out information on the Wisconsin Certified Sites Program and he stated he would like to discuss this program in more detail at a future meeting. C. Kell reported that he had participated in a business retention program at Nestle and the staff at Nestle was very complimentary to village personnel. J. Moes reported that he has been working with builders/property owners and businesses that are moving forward with construction projects and he noted that there may be a new day care center being built. J. Moes stated that he did receive an offer for 316 W. Lincoln but it isn't for the full amount so discussion will take place in closed session. T. Flick reported that the Park Planning Committee had recently met and discussed replacing the Van Lieshout playground equipment and the recommendation is to work with Lee Recreation and Park Planning also gave the direction that if there is a significant savings in having the Village install the equipment, then the Village should do that so there is an opportunity to purchase more equipment. T. Flick stated he will pursue that as an option but the downside will be that the installation would not take place until the week of July 4. T. Flick stated that the pool slide replacement proposals will be on next week's agenda for review and direction. T. Flick stated the WE Energies easement had been finalized for the Heritage Park site and that will be brought forward to the Board next week for review and approval. T. Flick reported that the Department has a seasonal part-time position open and that position has been advertised. R. Van Gheem reported that a progress payment had been made to La Londe for \$257,971.66 for work that substantially meets the Village's spec but a substantial amount of money is being held along with the 5% retainer and the Village is asking for a response on how they are going to upgrade or repair areas that don't meet the Village's standards. R. Van Gheem reported on the Main Street project noting that WE Energies has basically completed their new gas line on the north side and they are currently cutting in services to residential lots and KU is upgrading their electrical lines and moving poles and that will continue for several more weeks. R. Van Gheem stated the Village's utility contractors will not be able to start until the frost comes out but they may be doing some spot work and prep work for the project. R. Van Gheem stated they are working with the homeowners on Main Street in regards to their laterals and last week borings were done for upcoming asphalt projects and preliminary designs for the asphalt projects are moving forward. Clerk Schneider reported that the Spring Newsletter would be sent to the printer tomorrow and the electronic copy would be sent out next week. Clerk Schneider reported that she is also working on planning for the Cheese Festival and Kermis Festival. Attorney Kohler – 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 6, Nays 0 – Motion Carried Unanimously

Call for Unfinished Business

Trustee Van Lankvelt asked about the status of the Tailwaggers project. C. Kell stated that the bank has stated they would be willing to switch spots with the Village regarding the collateral and he was told that the bank would be in touch with Attorney Koehler but that hasn't happened yet, so he will be giving them a call this week to check on the status.

Items for Future Agendas

None

Moved by Trustee Smith, seconded by Trustee Peerenboom to enter into closed session. (6:48pm)

Ayes 6, Nays 0 – Motion Carried

The Village Administrator and Community Development Director were present for closed session item (1).

Closed Session:

1) 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. *Sale of Industrial Park Land*

2) 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. *Discussion of a personnel contract matter*

Moved by Trustee Peerenboom, seconded by Trustee Berken to exit closed session and return to open session. (9:10 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 9:10 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