

MINUTES OF THE REGULAR BOARD MEETING OF APRIL 17, 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
Tammy Frassetto, Trustee
James Hietpas, Trustee
Brian Joosten, Trustee
Bill Peerenboom, Trustee
Skip Smith, Trustee
Larry Van Lankvelt, Trustee

Roll Call of Officers and Department Heads

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

OTHERS PRESENT: Larry Janssen - 43 Adams Way, John Janssen -1208 E. Lincoln Avenue, Interested Citizens, Media Reps

Public Appearance for Items Not on the Agenda

Larry Janssen, 43 Adams Way, addressed the Board and asked if anything would be addressed about children crossing the intersection at Lincoln Ave. and Van Buren St. this summer when they are going to the swimming pool. Mr. Janssen stated that traffic is heavy on Lincoln Ave. because of the Main St. construction and it took him five minutes to cross the street when he recently visited his parents that live on Lincoln Ave. Mr. Janssen asked if some type of pedestrian sign could be installed or if a crossing guard could be placed at this intersection as he would like to see it safer for kids that cross the street. Larry Janssen also stated he has concerns with children/pedestrians crossing Wilson Street where the street car sidewalk is located because of the increased traffic. Mr. Janssen stated that when cars are parked on Wilson St. it is difficult for kids to see when it is safe to cross the road and he suggested that the cars parking on the street be required to park farther back from the street car sidewalk. John Janssen, 1208 E. Lincoln Ave., stated he has concerns with buses and semis using Lincoln Avenue. Chief Misselt stated that Larry Janssen makes a good point and he and the Public Works Director will review the situation to determine if temporary signage should be placed at the intersection. Trustee Smith asked if trucks were allowed on E. Lincoln Ave. as that isn't the detour route for trucks. Chief Misselt stated that semi-trucks are not allowed on E. Lincoln Ave. and this is the first that he has heard about semi-trucks being on the road. Chief Misselt stated that there were complaints about the Valley Transit Busses speeding and that was investigated and Valley Transit cooperated and reported that there was one incident of a bus traveling over the speed limit and that was addressed. John Janssen stated he had spoken with a Metro Police Officer and the Officer stated that Lincoln Ave. was a detour and they would not be pulling over any semis and the Public Works Director had informed him that Lincoln Ave. was not the detour for semis. John Janssen stated that on Monday two semis were traveling in the opposite directions and met in front of his house at the same time and if there were two parked vehicles they probably would not have fit. Chief Misselt stated he will follow up with the Officer as the official detour route is Hwy. 00. John Janssen stated he had more details on the issue and Chief Misselt asked John Janssen to stop in or give him a call at the Police Department.

Approval of Minutes

Regular Board Meeting Minutes – April 3, 2013

Committee of the Whole Meeting Minutes – April 10, 2013

Moved by Trustee Van Lankvelt, seconded by Trustee Smith to approve the Regular Board Meeting Minutes of April 3, 2013 and the Committee of the Whole Minutes of April 10, 2013 as presented.

Ayes 7, Nays 0 - Motion Carried Unanimously

Report of Other Minutes-Other Informational Items

Fox Valley Metro Police Department Activity Report March 2013 and YTD

Resolutions:

Authoring the Sale of Real Estate Located at 715 Harvest Trail to Harwell Homes

Moved by Trustee Frassetto, seconded by Trustee Smith to Adopt Resolution No. 16, Series of 2013 Authorizing the Sale of 715 Harvest Trail (Lot 28 Village North) to Harwell Homes.

Ayes 7, Nays 0 – Motion Carried Unanimously

Declaring Governmental Responsibility for Runoff Management Grants

Moved by Trustee Frassetto, seconded by Trustee Van Lankvelt to Adopt Resolution No. 17, Series of 2013 Declaring Governmental Responsibility for Runoff Management Grants.

Ayes 7, Nays 0 – Motion Carried Unanimously

Termination of TID #3

T. Matheny stated that TID #3 has been a very successful TID over the last thirteen years and the total TID is valued at approximately \$56 million and the projected fund balance for the TID is \$1 to \$1.5 million at the end of this year which will result in refunds for all of the involved tax entities. The termination will lower the Village below the allowed TID threshold of 12% which will provide capacity for the Village to discuss TID financing with potential developers, it allows for amendments of existing TIDs, and it returns a significant amount of tax base to the assessment roll. T. Matheny stated that the timing of the increase in tax base is important because it may provide funding for any potential debt service required on TID #4 and any potential excess may be used to address unfunded priorities without increasing the Village's mill rate. Discussion took place.

Moved by Trustee Smith, seconded by Trustee Van Lankvelt to Adopt Resolution No. 18, Series of 2013 Terminating Tax Incremental District #3 and Authorizing the Village Treasurer to Distribute Excess Increment to the Overlaying Taxing Districts of Outagamie County, Fox Valley Technical College, Village of Little Chute and Little Chute and Kaukauna School Districts.

Ayes 7, Nays 0 - Motion Carried Unanimously

Action to Award Bid – 2013 Street and Utility Construction – Part A

R. Van Gheem stated this contract consists of milling and resurfacing of the asphalt pavement, rehab sidewalk, and rehab curb and gutter on Sheridan Ct. Woodland Ct, Wisconsin Ct., Harding Street from Hoover St. to Coolidge Ave., and E. Elm Dr. from Ceil Street to Buchanan St. Two bids were received and MCC Inc. was the low bidder and appears to be a responsible bidder that is qualified to perform the work.

Moved by Trustee Frassetto, seconded by Trustee Van Lankvelt to Award Contract No. 4987-13-01-Part A for the 2013 Street and Utility Reconstruction to MCC, Inc. of Appleton, WI for \$269,686.46.

Further Discussion: President Vanden Berg questioned if the bids came in as expected. R. Van Gheem stated that they were a little lower than what was estimated.

Vote on the Motion:

Ayes 7, Nays 0 – Motion Carried Unanimously

Action to Award Bid – 2013 Street and Utility Construction- Part B

R. Van Gheem stated this bid consists of spot repair of storm sewer, water main and sanitary sewer on Sheridan Ct., Woodland Ct., Wisconsin Ct., Harding Street from Hoover Ave to Coolidge Ave., and E. Elm Dr. from Ceil St. to Buchanan St. Five bids were received and the low bid was submitted by

Don Hietpas & Sons and they appear to be a responsible bidder that is qualified to perform the work. Trustee Hietpas asked the Public Works Director if he had talked to Don Hietpas & Sons about their bid as their bid is approximately 29% lower than the next bid. R. Van Gheem stated that Don Hietpas & Sons contacted him shortly after the bids were opened and they did review their bid tabulation and verified everything was correct and he did review the project with them.

Moved by Trustee Frassetto, seconded by Trustee Peerenboom to Award Contract No. 4987-13-01-Part B for the 2013 Street and Utility Construction to Donald Hietpas & Sons of Little Chute, WI for \$235,970.00.
Ayes 7, Nays 0 – Motion Carried Unanimously

Set Public Hearing – Rezoning Request Filed by Steven Golz for 1409 Vandebroek Road for Rezoning from RM – Residential Multi-Family to CH – Commercial Highway

Moved by Trustee Frassetto, seconded by Trustee Hietpas to set the Public Hearing for May 8, 2013 at 6 p.m. for the rezoning request filed by Steven Golz for 1409 Vandebroek Road – rezone from RM – Residential Multi-Family District to CH – Commercial Highway District.

Further Discussion: Trustee Peerenboom asked what the Plan Commission had recommended on this rezoning. J. Moes stated that the Plan Commission recommended that the Village Board set a public hearing but as an alternative to the rezoning, the Village Board consider granting a conditional use. J. Moes stated that the Plan Commission does not have the authority to grant the conditional use because this use is not listed under RM zoning. J. Moes stated that spot rezoning is not recommended for one parcel. Trustee Peerenboom stated his concern is that a public hearing is being scheduled for rezoning but the recommended action is to grant a conditional use. President Vanden Berg stated that applicant has a right to have the hearing held. J. Moes stated that the Plan Commission is recommending denying the rezoning. Trustee Frassetto asked if this public hearing would also suffice as the public hearing for the conditional use and J. Moes stated he believes it would. Discussion continued.

Vote on the Motion:

Ayes 6, Nays (1) Peerenboom – Motion Carried

Update/Discussion – Regarding Issue Related to Design and Construction of the Mill Street Lift Bridge

C. Kell stated that there are two issues he is reporting on. One is that the Village has to secure an easement from the Fox River Navigational System Authority (FRNSA) to construct the bridge as the Village does not have any right-of-way or land ownership connected to the bridge except for a small portion on the Island Park side. A survey will be conducted to get a permanent easement created and that will be submitted to the DOT. C. Kell stated he doesn't expect that the easement will cost anything and in doing this the Village will create a small parking lot on a portion of the Navigational Authorities property and the easement will also include the part of the road that is on the Navigational Authorities property. Part of the parking lot falls outside of the area that the grant covered and is not part of the existing design services contract, so this will be an expense that the Village will have to cover. C. Kell pointed out that the other issue is that the canal system is on the National Register of Historic Places as an historic district and any change made is considered an adverse impact. A Memorandum of Agreement is needed and the signatories will be the Village, the FRNSA, the Little Chute Historical Society, WDOT, and FHWA and possibly the Outagamie County Historical Society. C. Kell reviewed and commented on the three mitigation activities proposed by the historic consultant. The historical consultant is leaning towards the proposal of less formal documentation of the existing structure to be prepared by LC and Outagamie County Historical Societies and the Fox Wisconsin Heritage Parkway. This documentation would be a portfolio of historic and contemporary images with interpretive materials to be geared toward presentation to the local and regional community. The proposal has to be approved by the State Historical Society and they will ultimately make the decision as to what needs to be done. It is likely that the Village will be identified as the funding source for the mitigation activities and that expense is not covered in the grant and the historical societies and other groups would implement the required mitigation activities. This is typical for a project like this when there is a historic district. C. Kell stated he will be moving forward with getting the survey work done and creating the easement and the project cannot go out to bid until the easement and right-of-way are

in place. C. Kell stated he is working with the DOT and FRNSA to get this through the Dept. of Administration as the Village will want this to be a permanent easement and that is a longer process. President Vanden Berg asked if there would be a cap on the amount the Village will fund for the mitigation activities. C. Kell answered that there would be a cap put in place and the historic consultant is trying to put together a cost effective program but it is not known what the State Historical Society will require.

Update/Discussion – Village Hall Renovation and Expansion Project

C. Kell stated that the cost estimate for the 4,500 sq. ft. addition minus issues like phones, security, computers, and furniture is \$975,000 and that does not include the cost for design. Boldt feels that once the hard numbers come in they will be better and the current estimated costs are based off the plan C. Kell had drafted. Boldt will review the cost estimates once they get the design plans from McMahon and it appears the project will come in around the budgeted amount. The proposed updates for the Village Hall renovation were reviewed and the estimate is \$1,242,000 which includes all new mechanical systems. This estimate also does not include phone, security, computer or furniture upgrades or the design costs. There is only \$800,000 available for the project because of the \$500,000 spent on property acquisition and he reviewed an option of not replacing all of the air control units in the building as that cost is \$278,000 and the air control units are all independent of each other. C. Kell stated he is still recommending the replacement of the boilers, the plumbing and electric but some of the HVAC work could be set aside and money could be included to add some additional controls to the HVAC system. Another option is to cut out the remodeling of the second floor and that would save an estimated \$200,000, or if the Mezzanine wasn't done, it could save an estimated \$395,000. The numbers are rough as they are based on the estimate provided for the entire renovation project. Another option is to bid out the HVAC work as alternate bids. When the plans from McMahon are completed they will be making a presentation to the Board and there will be decision points to make at that time. McMahon is planning to have the plans done by mid-June and the bidding would be in early to mid-July and construction would begin in August. Boldt would like McMahon to provide them with the footings plan for the addition and they will get that set up and the plans approved so it may be a two-stage bidding process. Boldt will be the construction manager on the whole project and that is at a 3 ½% fee and they may not bid on the project at all or they may self perform on a portion of the project. There is a 7% contingency fund for both projects and hourly wages for a full-time project superintendent and a part-time project manager, which he questioned. There may be an option to share the superintendent with the Windmill project to share that cost. Trustee Peerenboom stated that he thinks both projects need to be looked at to trim costs and he wouldn't feel comfortable unless the project falls within the budgeted amount. Trustee Peerenboom stated he would volunteer to participate in meetings to look at cuts as he is familiar with HVAC projects. President Vanden Berg stated the plan is to bring McMahon in once the design plans are completed to review the alternatives. C. Kell asked Board members to think about the issues so once the plans are completed decisions can be made so the projects can move forward. John Janssen, 1208 E. Lincoln Ave. volunteered to help with looking at HVAC options as he has experience in that area. Trustee Frassetto asked if the Community Room would be accessible to the groups during the construction. C. Kell stated that it should be but it will depend on where the Finance Dept. will have to be moved to. T. Matheny stated that all groups that normally use the Community Room were given notice that the building would potentially be under renovation and no dates could be guaranteed after the beginning of this year and many groups moved their meetings to the Civic Center. Additional discussion took place.

Appoint President Pro Tem

President Vanden Berg stated he is recommending that Trustee Smith be appointed President Pro Tem.

Moved by Trustee Van Lankvelt, seconded by Trustee Joosten to appoint Trustee Smith as President Pro Tem for a one-year term.

Further Discussion: Trustee Hietpas asked why Trustee Peerenboom was being replaced as he had served in the past as President Pro Tem. President Vanden Berg stated village ordinance states that he can nominate any of the Trustees with the Board's approval.

Vote on the motion:

Ayes 7, Nays 0 – Motion Carried Unanimously

Committee/Commission Appointments

President Vanden Berg stated that he is recommending the following appointments:

Plan Commission Board Member Representative – Trustee Van Lankvelt; Board of Review – new member Jerry Kerkhoff; CDA – new member John Elrick; Design Review Board – reappointment of Steve Reynebeau; Sexual Offender Residency Board – reappointments of Todd Bruyette and Jim Moes; Fire Commission – reappointment of Carl Peeters. President Vanden Berg stated he is waiting to hear back from others on additional appointments that are needed to various Committee/Commissions and those appointments will be made at a future meeting.

Moved by Trustee Smith, seconded by Trustee Van Lankvelt to approve the committee/commission member appointments as recommended by the Village President.

Ayes 7, Nays 0 – Motion Carried Unanimously

Operator's Licenses:

Christopher J. Ackerman	703 Carver Ln.	Menasha	5 th Quarter/Hollanders
Brenda L. Farrell	W1979 Vans Ct.	Kaukauna	Simons
Susan Schlimm-Janssen	W2626 Hwy. J	Seymour	Simons
Shawn W. Reinke	1511 Lawe St.	Kaukauna	5 th Quarter
Heather J. Russell	W2009 Vans Ct.	Freedom	Simons
Alison N. Wheeler	720 W. 8 th St.	Appleton	Express

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

Ayes 7, Nays 0 – Motion Carried Unanimously

Department and Officers Progress Reports

Chief Misselt reported that municipal attorneys have reviewed the proposed mutual aid agreement and some concerns were raised and language changes are needed so it will be delayed for a while before it is brought to the Board. Chief stated that the reconstruction of Main St. will continue to be an issue throughout the summer for the Police Department, Public Works Department, and the neighborhoods around the construction. Chief stated that as Board members get complaints or suggestions related to what the Police Department would oversee, to please send the people his way and they will do their best to address the issues. Trustee Van Lankvelt asked if the number of traffic stops made in March was higher or comparable to previous years and Chief stated he doesn't believe they are much higher but he would have to compare it to past years but it may be higher because of the task force work they have been involved in. T. Matheny reported they are in the second week of the audit and everything is going well and they will also be putting the new police contract into effect with next week's paychecks. T. Matheny also reported that the TID #3 closure paperwork will be processed. C. Kell reported that he and the Fox Valley Regional Partnership had met with Heartland Business Systems for a business retention visit and he reported on the successes of the business and that the business is happy with the services of the Village and he will be assisting them with some power issues they are having. C. Kell reported that Fox Cities Regional Partnership changed their name back to this after they had changed the name to Appleton Regional Partnership for a brief time. C. Kell stated that he attended a Wisconsin EDC meeting and this was about developing a system to get the large scale industrial and commercial properties into a database that will be used when site selectors are looking for properties and it will be critical for the Village to determine what public and private properties it wants listed on the database. C. Kell stated that Fox Cities Regional Partnership is coordinating efforts with all of the communities for a standardized product to present through the database. C. Kell reported that he and J. Moes would be meeting with Bob Toonen and his consultants on the multi-family project on Evergreen Dr. and they will be finalizing what will be brought to the Plan Commission and the Board and this relates to the rezoning public hearing that the Board scheduled for May 15. C. Kell stated that next week he and the Public Works Director will be meeting with the Outagamie County Highway Committee and Solid Waste Committee and one issue that is going to be addressed is the amount of waste that is blowing out of the landfill into the Village. J. Moes provided Board members with a copy of a document called "Flood Facts" that will be included in the next Village newsletter and it has been placed on the Village's website. J. Moes reported that the Building Inspector is

very busy with inspections of apartment projects, other building projects, and the Main St. laterals so he will likely be asking to increase the Building Inspector's hours. J. Moes reported that he did some research on ordinances regulating yards and he couldn't find a good regulatory answer to deal with messy yards. J. Moes stated he spoke with the Chief about this as it would be considered a nuisance. J. Moes stated now they deal with it if it is a health issue. Discussion took place on this issue. John Janssen, 1208 E. Lincoln Ave. suggested holding a clean your yard day and solicit help from the Boy Scouts or other groups. Trustee Frassetto stated she likes Mr. Janssen's idea and maybe we can do a better job in the future to promote yard cleanup. Trustee Frassetto stated that the particular property that prompted this discussion has done some cleanup and she is content to say that the Village has done due diligence to correct the situation. Trustee Smith agreed that it would be difficult to enact an ordinance to regulate a messy yard. J. Moes stated that if anyone knows of any groups that would want to assist property owners in yard cleanup, to please let him know the name of the group. Trustee Hietpas asked if the Habitat for Humanity homes going up on Bluff Ave., are observing the 70 ft. lot line and the required setbacks. J. Moes stated that they were following the requirements and they are aware that they are going to have to dig down to get to the good soil and their building permits have been issued. T. Flick handed out a color photo that showed the Chuting Stars Dance team in their uniforms and he stated that the uniforms were designed by the dance instructor Megan Slater and the company that makes the uniforms is now selling this uniform design nationally. T. Flick also noted that the dance team took first place at the State competition and it has been a very successful program. T. Flick reported on the Van Lieshout Park project and stated they are still trying to raise the \$40,000 to install a rubberized pour and place so it is 100% ADA accessible and to date they have raised about \$8,000. The Kiwanis Club has donated \$2,500, Jaycees \$2,500, Autism Society \$2,000 and private individuals \$1,000. T. Flick stated there are efforts out there to try to raise the remaining money and if anyone is interested in donating they should contact him. T. Flick stated that four bids were received and opened today for the Heritage Park project and the bid award will be brought to the Board next week and the bids did come in favorable. He doesn't have a cost yet for the historical kiosks so he may have to use some of the \$10,000 that was to be set aside for future maintenance depending on that cost. T. Flick reported that the Island Park project will start next week and next week he will be asking the Board to close Island Park during the construction and this would include closing off the levy trail on the east end of Island Park but the good news is the project is set for completion by June 15. T. Flick reported on the status of cleanup of brush resulting from the ice storm and he noted it will take at least a few more weeks to complete the cleanup and a private contractor will be brought in to trim the large trees and the will cost an estimated \$3,000 to \$4,000. R. Van Gheem reported that the storm sewer project for the apartments on W. Elm Drive would be starting next week, weather dependent, and it will involve closing a portion of W. Elm Drive for a day or two to get the utilities across. R. Van Gheem reported that the assessment/informational meeting held on Monday concerning the asphalt and utility projects went well. R. Van Gheem stated the Main St. project is on schedule and currently they are working on water mains and sanitary laterals and there are six to eight crews working on Main St. at the same time. R. Van Gheem stated that the State paving project has been let but he does not have any other details at this time. R. Van Gheem provided a handout with sign layout designs for directions to Main St. businesses and a sample of a current sign. A review and discussion took place on the proposed layouts for the signs and locations for the signs. The cost of each sign is estimated to be \$350 and they will have to get permission from the County before placing the signs on Hwy. 00. R. Van Gheem stated that the containers with the maps will be put up near the construction entrance areas. J. Moes stated that the detour maps had been distributed to businesses in the Village. The map is also on the home page of the Village's website. R. Van Gheem stated that currently there are 11 detour signs placed throughout the Village. Board members agreed to place six additional detour signs. T. Flick reported that Rick Sanderfoot from Van Zeeland Nursery has asked for permission to put signs on park land and on the corner of Lincoln Ave. and Wilson St. near the street car sidewalk. T. Flick also reported that the Pop In put up a sign on the corner of Sue St. and Lincoln Ave. and it is on park property and he asked the Board how they want to address signs that randomly show up and Mr. Sanderfoot's request. R. Van Gheem stated they have also received calls and they are informing businesses that they can place them on private property if they obtain permission. Discussion took place on this issue with private signs. Chief stated that vision obstruction is a concern so they would want to take a look at the signs. Trustee Peerenboom stated he has concerns with

Lincoln Ave., becoming the official detour and he would be ok with letting them go up temporarily until the additional detour signs are placed by the Village. Board members agreed that the size of the businesses signs should be limited to the size of a political sign. T. Flick stated if we allow one business to put signs in the park, how many are we going to end up with? Trustee Joosten stated this is temporary and allow them to put the signs up for the summer as they are trying to keep in business and he doesn't think it will create a parade down Lincoln Ave. John Janssen, 1209 Lincoln Ave., commented that there is already a parade going down Lincoln Ave., and he is concerned about the safety of his child. R. Van Gheem stated there are a lot of complaints from the residents on Lincoln Ave. and that is why the official detour route is on Hwy. 00. T. Flick stated he doesn't care if the signs are in the park but it seems like there are issues of safety. President Vanden Berg stated he agrees with Trustee Joosten and allow the signs and if it gets out of hand, then the signs can be pulled. Trustee Frassetto agreed and suggested that the issues with traffic on Lincoln Ave. falls to the Police Department and she knows they are doing their best to address the issues and the Park Director should determine if the signs should be allowed in the park. Board members indicated agreement. T. Flick stated he understands from the Board that he will inform Mr. Sanderfoot that he can go ahead with his signage request however it is possible that Metro may determine as some time in the future that the sign on Wilson St./ Lincoln Ave. could be a visibility hazard and the signs may have to be removed and he will tell him to keep the signs to a limited size. T. Flick stated that internally they will determine where the signs can go in the Park. President Vanden Berg stated removal of the signs could be at the Boards discretion. Clerk Schneider – no report. Attorney Koehler commented on the issue of messy lawns stating his firm has brought actions to the circuit court for other municipalities under the zoning code for maintaining an illegal junkyard and they have received injunctions from the court with the owner given 30 days to clean up the yard or the municipality is authorized to hire a contractor to clean up and charge the property owner so if the Village reaches a certain point they have a case. J. Moes stated that the situation that was being discussed was not that severe.

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

None

Items for Future Agendas

Update on Lincoln Ave. traffic and installing stop signs. Resolution on the Final Plat for Kelly Street subdivision. John Janssen, 1208 E. Lincoln Ave., stated he would like to discuss the issue of Lincoln St. and the weight of busses and semis to make a case as to what the road is rated for. R. Van Gheem stated that busses are allowed and they are not tied to the truck routes. Mr. Janssen stated that the bus weighs more than what Lincoln Ave. is weighted for. R. Van Gheem stated that per village ordinances the busses are allowed on village streets and they are not limited to any class of road. Mr. Janssen stated that the weight of Valley Transit busses is 45,000 lbs. and according to the State's rating of a Class B highway the busses are 20,000 lbs. over what a Class B highway can handle. R. Van Gheem reiterated that busses, refuse trucks, and school busses are allowed on all village streets. Trustee Smith stated a fire truck full of water probably weighs more. R. Van Gheem agreed and stated the Village's refuse trucks probably weigh more. R. Van Gheem stated this is under the heavy traffic ordinance. Trustee Van Lankvelt stated he understands Mr. Janssen's frustration but this is a temporary situation that will be done after the summer and people have to get to these businesses as if the businesses go under, they won't pay any taxes so we have to make some exceptions. Mr. Janssen asked if the road deteriorates sooner and reconstruction happens sooner and he has to pay for the asphalt..., Hwy 00 isn't too far for the busses to go and residents can walk over to Hwy. 00. Trustee Frassetto asked Chief Misselt to report on the recent findings of the

Speed of the Valley Transit busses going down Lincoln Ave. Chief reported that the vast majority of busses traveling on Lincoln Ave. were within the speed limit but one was 11 mph over. Chief Misselt stated that because busses are so big, they look like they are speeding when they usually are not. Chief Misselt stated they could ticket busses but they don't do so on a regular basis because the busses normally don't speed. John Janssen asked if the driver was warned. Chief stated that the managers at Valley Transit followed up with their personnel but the Metro didn't issue a citation because it happened weeks ago and Valley Transit was very cooperative with the investigation.

Moved by Trustee Joosten, seconded by Trustee Van Lankvelt to enter into closed session for item #1.
(8:38 p.m.) Ayes 7, Nays 0 – Motion Carried Unanimously

Moved by Trustee Smith, seconded by Trustee Van Lankvelt to enter into closed session for item #2.
(8:38 p.m.) Ayes 7, Nays 0 – Motion Carried Unanimously

The Village Administrator, T. Matheny (item #1c), Clerk Schneider were present for closed session item #1. All staff members were excused from closed session item #2.

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. *a) Purchase of Public Property b) Sale of Public Property c) Update on Pending Development Agreements for Various Development Projects*

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 Frassetto, seconded by Trustee Peerenboom to exit closed session and return to open session. (10:17 pm)
Ayes 7, Nays 0 – Motion Carried Unanimously

Return to Open Session

No action taken.

Adjournment

Moved by Trustee Frassetto, seconded by Trustee Peerenboom to adjourn the Regular Board meeting at 10:17 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