

MINUTES OF THE REGULAR BOARD MEETING OF MAY 6, 2015

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
James Hietpas, Trustee
David Peterson, Trustee
Bill Peerenboom, Trustee
Larry Van Lankvelt, Trustee
John Elrick, Trustee
Skip Smith, Trustee

Roll Call of Officers and Department Heads

PRESENT: James Fenlon, Village Administrator
Police Chief Eric Misselt
Jim Moes, Community Development Director
Roy Van Gheem, Director of Public Works
Teri Matheny, Finance Director
Laurie Decker, Village Clerk
Michael Menghini, Village Attorney
Nick Vande Hey with McMahon and Associates
EXCUSED: Beth Carpenter, Library Director

Public Appearance for Items Not on the Agenda

None

Approval of Minutes

Minutes of the Regular Board Meeting of April 15, 2015

Moved by Trustee Van Lankvelt, seconded by Trustee Hietpas to approve the minutes as presented
Ayes 7, Nays 0 – Motion Carried

Public Hearing—Special Assessments on Fillmore Street and Greenfield Drive

Moved by Trustee Elrick, seconded by Trustee Smith to enter in the Public Hearing

Ayes 7, Nays 0 – Motion Carried

Director Van Gheem of Public Works opened the Public Hearing with an overview of the special assessment process and numbers. He stated that after the presentation he and his staff will take individual questions in the hallway. Nick Vande Hey with McMahon and Associates presented a slideshow overview of the construction project. Utilities are scheduled for completion on Fillmore Street on August 14, 2015. After the utility work is complete the street will be completed by the October 30, 2015. It is possible that the work could be completed before these dates. Greenfield Drive utilities would be completed by July 17, 2015 and the street by October 30, 2015. During construction, every effort will be made to maintain driveway access. Finance Director, Teri Matheny presented a slideshow on the costs and financing options. When your special assessment bill arrives it will come with a five year schedule attached. However, on special assessments the Village does allow 10 year financing if requested by the owner. All you have to do is sign it and return it. These forms are also available on our website. Private utility laterals are referred to as special charges are only billed on a 5 year amortization. If you pay off your bill within 60 days it will not incur any interest charges. The interest rate is determined at the time of the Final Resolution and is a fixed rate. A resident asked if the Village covers any of the costs. Director Van Gheem stated that the Village covers 40-60% depending on the project and 30% of storm sewer laterals. A question was also raised if the concrete paving will be extended to their driveways as the street is being narrowed. Director Van Gheem

confirmed that all aprons are included. The last question asked was regarding the funding for special assessments. Appleton went to the wheel tax last year that covers projects and asked if the board ever considered wheel tax. Director Van Gheem replied staff and board spent several months going through options for the special assessments including wheel tax. At that time the board decided not to go with the wheel tax. Administrator Fenlon added if anyone wants more information on the presentations, alternatives and final assessment policy it is on our website under the Administrator tab or you call him directly. Director Van Gheem stated the presentation had concluded and he will take additional questions in the hallway.

Moved by Trustee Elrick, seconded by Trustee Smith to Return to Open Session

Ayes 7, Nays 0 – Motion Carried

Action—Adopt Final Resolution #15 for E. Evergreen Drive

Moved by Trustee Van Lankvelt, seconded by Trustee Elrick to Adopt Final Resolution #15 for E. Evergreen Drive

Ayes 7, Nays 0 – Motion Carried

Action—Bid Award on Street Construction

Moved by Trustee Elrick, seconded by Trustee Van Lankvelt to Award RC Excavating, Inc in the Street Construction Bid in the Amount of \$530,157.90

Ayes 7, Nays 0 – Motion Carried

Action—Bid Award on Utility Construction

Moved by Trustee Elrick, seconded by Trustee Peterson to Award Donald Heeltaps & Sons the Utility Construction Bid for \$758,817.60

Ayes 7, Nays 0 – Motion Carried

Discussion/Possible Action—Adopt Ordinance #2 Creating Chapters 30, Section 136 of the Village Of Little Chute Prohibiting “Sexting”

Erik Misselt, Fox Valley Metro Police Chief stated currently there are two very polarizing options for law enforcement when dealing with juvenile sexting. Officers either have to charge the juvenile with felony charges for soliciting, manufacturing, distributing and possessing child pornography or allow for the parents to choose the appropriate punishment (if any) for their child. This ordinance would give officers another option of holding juveniles accountable, if necessary. This would allow Fox Valley Metro to seize any device used and with the implementation of the ordinance they could then issue a municipal summons if appropriate. While we may not choose to address every situation with the ordinance, it will give them another tool for juveniles who do not meet the criteria for criminal charge but their parents are not holding them appropriately accountable. Situations where adults are involved with soliciting, manufacturing, distributing and possessing child pornography would still addressed through the criminal investigative process.

Moved by Trustee Elrick, seconded by Trustee Van Lankvelt to Adopt Ordinance #2 Creating Chapter 30, Section 136 of the Village of Little Chute Prohibiting “Sexting”

Ayes 7, Nays 0 – Motion Carried

Action—Approve Special Event Permit for the Legion’s Memorial Day Parade

Moved by Trustee Van Lankvelt, seconded by Trustee Elrick to Approve the Special Event Permit For the Legion’s Memorial Day Parade

Ayes 7, Nays 0 – Motion Carried

Discussion—Mill Street Bridge Update

Administrator Fenlon presented an update on the Mill Street Bridge stating as of April 30, 2015, the Village is complete with historic preservation requirements for the mechanical structure. There will be follow-on items with creating displays per previous agreements, but from project perspective things are moving forward. It should be noted that no costs are final as they are still wrapping up negotiations for Consultant Inspection services. We will not know the final numbers until the final bids are received. The Village has an agreement with Outagamie County to split the 20% local share at 10% each. As these figures are

finalized, Village staff will work state and county officials to ensure that all facets of the project are accounted for.

Discussion/Action—Industrial Park Site Plan Approval for Building Services Group

Director Moes handed out a revised application which more fully described the numbers of employees and number of parking spaces. Parking was shifted and reduced in size to make sure it fell under the Village's storm water regulations. Recommendation is the Village Board approve the site plan.

Moved by Trustee Van Lankvelt, seconded by Trustee Peterson to Approve the Industrial Park Site Plan for Building Services Group

Ayes 7, Nays 0 – Motion Carried

Operator Licenses:

Wilson, Jerod

Seth's Coffee

Little Chute

De La Hunt, David

Dwyer's Food Mart

Little Chute

Moved by Trustee Van Lankvelt, seconded by Trustee Peterson to Approve the Operator Licenses as presented

Ayes 7, Nays 0 – Motion Carried

Department and Officers Progress Reports

Departments and Officers provided progress reports to the Board

Disbursement List

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

Ayes 7, Nays 0 – Motion Carried

Call for Unfinished Business

None

Items for Future Agendas

None

Closed Sessions:

a) 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. *Purchase of Property/Negotiations*

b) 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 Village Owned Property*

c) 19.85(1) (c) Consideration of Employment, Promotion, or Performance Evaluation Data of any Public Employee of the Village of Little Chute. *Personnel Matter/Recruitment of Parks, Recreation, and Forestry Director*

Moved by Trustee Smith, seconded by Trustee Van Lankvelt to enter into Closed Session at 7:10 p.m.

Ayes 7, Nays 0 – Motion Carried

Return to Open Session

Moved by Trustee Elrick, seconded by Trustee Peterson to exit Closed Session at 8:20 p.m.

Ayes 7, Nays 0 – Motion Carried

Adjournment

Moved by Trustee Elrick, seconded by Trustee Peterson to Adjourn the Regular Board Meeting at 8:20 p.m.

Ayes 7, Nays 0 - Motion Carried

VILLAGE OF LITTLE CHUTE

Attest: Laurie Decker
Laurie Decker, Village Clerk

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