

## MINUTES OF THE REGULAR BOARD MEETING OF AUGUST 5, 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

David Peterson, Trustee

Larry Van Lankvelt, Trustee

John Elrick, Trustee

Skip Smith, Trustee

James Hietpas, Trustee

EXCUSED: Bill Peerenboom, Trustee

### **Roll Call of Officers and Department Heads**

PRESENT: James Fenlon, Village Administrator

Erik Misselt, Fox Valley Metro Police Department

Jim Moes, Community Development Director

Roy Van Gheem, Director of Public Works

Laurie Decker, Village Clerk

Beth Carpenter, Library Director

Charles Koehler, Village Attorney

Teri Matheny, Finance Director

### **Public Appearance for Items Not on the Agenda**

None

### **Public Hearing—Amending the Zoning Code Article 2 Industrial District Section 44-53 of the Village of Little Chute Municipal Code**

*Moved by Trustee Elrick, seconded by Trustee Van Lankvelt to enter into the Public Hearing Amending the Zoning Code Article 2 Industrial District Section 44-53 of the Little Chute Municipal Code* Ayes 6, Nays 0 – Motion Carried

Director Moes stated that this a language change from lot coverage to impervious and exactly matches Appleton's code. The Plan Commission has reviewed it and recommends approval.

*Moved by Trustee Elrick, seconded by Trustee Smith the Exit the Public Hearing* Ayes 6, Nays 0 – Motion Carried

### **Approval of Minutes**

Minutes of the Committee of the Whole Meeting of July 22, 2015

*Moved by Trustee Van Lankvelt, seconded by Trustee Elrick to Approve the Minutes as presented* Ayes 6, Nays 0 – Motion Carried

### **Operator License Approvals:**

Gartzke, Diane

Piggly Wiggly

Kaukauna

Mikulski, Cynthia

Trish's Pop In

Appleton

Mullins, Patricia

Down the Hill

Little Chute

Canan, Steven

Piggly Wiggly

Kaukauna

Noack, Donna

Rosehill

Appleton

Harlow, Joseph

Main Event

Little Chute

Vande Burgt, Jeff

Weenie's Still

Kaukauna

Lor, Hue

Seth's Coffee

Appleton

Brown, Karen

Hawk's Nest

Appleton

VanRoy Stedl, Amy

Trish's Pop In

Little Chute

Jerset, Marlene

Walgreen's

Appleton

Gilbertson, Evelyn

Walgreen's

Kaukauna

Menting, Christopher	Pump House	Kaukauna
Rowman, Nicholas	Gentleman Jack's	Appleton
Niemuth, Melissa	Piggly Wiggly	Appleton
Zempel, Courtney	Piggly Wiggly	Kaukauna
Braden, Munoz	Fox Convenience	Appleton
Baker, Leanna	Moasis	Appleton
Heiting, Brain	Heiting Place	Kaukauna
Siebers, Heather	Heiting Place	Kaukauna
Schanter, Amanda	5 <sup>th</sup> Quarter	Appleton
Vaubel, Noreen	Trish's Pop In	Little Chute
Coffey, Sherri	Piggly Wiggly	Kimberly
Wentland, Kelly	Down the Hill	Little Chute
Vandenberg, James	5 <sup>th</sup> Quarter	Little Chute
Puyleart, Katherine	Down the Hill	Little Chute

*Moved by Trustee Smith, seconded by Trustee Peterson to Approve the Operator Licenses as presented.*

Ayes 6, Nays 0 – Motion Carried

**Discussion/Action—Adopt Ordinance #4 Amending the Zoning Code Article 2 Industrial District Section 44-53 of the Village of Little Chute Municipal Code**

*Moved by Trustee Smith, seconded by Trustee Elrick to Adopt Ordinance #4 Amending the Zoning Code Article 2 Industrial District Section 44-53 of the Village of Little Chute Municipal Code*

Ayes 6, Nays 0 – Motion Carried

**Discussion/Action—Simplified Rate Case Test Calculation**

The Public Service Commission of Wisconsin (PSC) allows a quick calculation to determine the adequacy of current rates. It is called Simplified Rate Case (SRC). By answering a few questions from the last annual report, a utility can determine if it is eligible for the rate increase. While the Water Utility anticipates the completion of a conventional rate case within the next year, the utility has significant plant issues to be finalized. Due to the change in utility billing, the water utility needs additional revenue to ensure that the Village will be able to maintain bond coverage for 2015 and 2016. The Water Utility will address plant concerns, additional billing and customer service costs as the Utility prepares to file a conventional rate case. This will be the second consecutive SRC for the Water Utility.

*Moved by Trustee Van Lankvelt, seconded by Trustee Elrick to move forward with the Simplified Rate Case Application*

Ayes 6, Nays 0 – Motion Carried

**Discussion/Action—Small Business Micro Loan Application for Seth's Coffee**

In mid-July, Seth Lenz from Seth's Coffee submitted a complete Small Business Micro Loan application for a \$24,000 loan (100% of total project cost) to add a deck to the exterior of his building (\$9k) and purchase/upgrade his espresso machine (\$15k). In addition, the requested loan term was for 10 years at an interest rate of 4%. On July 21<sup>st</sup>, 2015, the Loan Review Committee met to discuss the merits of the application and present a recommendation for the Village Board to consider. As you recall, the Small Business Micro Loan program is for businesses of 10 employees or fewer and is meant to incentivize job creation, leverage private investment and to perpetuate a positive and proactive business climate that encourages retention and expansion. The committee discussed a number of issues pertaining to the application, reviewed the application's supporting financial documentation and discussed the general direction of the Village's Micro Loan application program. Based upon the committee's review, it was recommended that the Micro Loan Program offer Seth's Coffee a loan for \$24,000. In addition, the recommendation was that the loan term would be for 10 years and at a rate of 4%. Lastly, the recommendation requires that the loan would be made with a 2<sup>nd</sup> mortgage as security on the existing building, a personal guarantee from Seth Lenz and a specific filing on the espresso machine. These terms have been agreed to in principle by the proprietor.

*Moved by Trustee Smith, seconded by Trustee Peterson to Approve the Small Business Micro Loan Application for Seth's Coffee*

Ayes 6, Nays 0 – Motion Carried

**Discussion/Action—Resolution #20 Authorizing General Obligation Bonds in an Amount Not to Exceed \$3,285,000 for Community Development Projects in Tax Incremental District No. 5**

Mr. Phil Cosson with Ehlers gave an overview of the pre-sale report documents. The Village has been engaged in this project for the last couple years. All the funds are related to with TID 5 to facilitate the proposed expansion. The two purposes for the funds are to help facilitate the expansion and for necessary storm water improvements needed in TID 5.

*Moved by Trustee Van Lankvelt, seconded by Trustee Elrick to Approve Resolution #20 Authorizing General Obligation Bonds in an Amount Not to Exceed \$3,285,000 for Community Development Projects in Tax Incremental District No. 5*

Ayes 6, Nays 0 – Motion Carried

**Discussion/Action—Resolution #21 Providing For the Sale of \$3, 285,000 General Obligation Community Development Bonds, Series 2015A**

*Moved by Trustee Elrick, seconded by Trustee Peterson to Adopt Resolution #21 Providing For the Sale of \$3, 285,000 General Obligation Community Development Bonds, Series 2015A*

Ayes 6, Nays 0 – Motion Carried

**Discussion/Action—Approval of Development Agreement with Trilliant Food and Nutrition, LLC**

Administrator Fenlon provided an overview of the development agreement. Essentially, the Village is selling Trilliant 8.4 acres in the Village's Industrial Park, which is the current site of the Village Municipal Services building. Trilliant will expand roughly 215k square feet and increase employment at their current operation. The purchase price for the site is \$3.2M. The Village will be working with current infrastructure projects to handle increased storm water. The building has outlived its useful service life and has constrained operations in numerous areas. The recent relocation of staff to Village Hall has alleviated some minor issues, but the building itself and supporting structures are in need of renovation to serve the Village for the next 20 years. Estimate from a 2009 facilities study tabbed renovation at \$4.5M (includes additions to garage, cold storage, salt storage, and mechanicals). Tax Increment District #5 will be providing \$2.8M as an incentive to Trilliant. This incentive construct, tied to the purchase price, allows the Village to utilize the direct tax increment created by this expansion to recapitalize the Municipal Garage. At a minimum, \$2.8M of tax increment generated from the expansion will be utilized or applied by the Village to acquire a new Public Works facility. There is a surety bond of \$2.5M for the completion of the expansion from Trilliant. Bottom line, Trilliant is buying the 8 acres at market rate, or \$400k, for clear industrial park land as the current municipal structures would serve no purpose. The incentive allows for a significant investment of capital by Trilliant which will lead to additional jobs for the Village. To accommodate their plans, the Village entered into an agreement that allows Trilliant to obtain the desired property for their expansion, which in return allows the Village to build a new public works facility, replacing the antiquated facility that would have needed future investment. Village staff, along with Legal Counsel and financial consultants have worked diligently on this agreement and feel it provides the Village with a significant opportunity that doesn't come along for municipalities too often.

*Moved by Trustee Van Lankvelt, seconded by Trustee Peterson to Approve the Development Agreement with Trilliant Food and Nutrition, LLC*

Ayes 4, Abstain 2 (Elrick) (Smith), Nays 0 – Motion Carried

**Action—Approval of Resolution #22 Authorizing the Sale of Real Estate Located at 1940 Buchanan Street to Trilliant Food and Nutrition, LLC.**

*Moved by Trustee Van Lankvelt, seconded by Trustee Peterson to Approve Resolution #22 Authorizing the Sale of Real Estate Located at 1940 Buchanan Street to Trilliant Foods and Nutrition, LLC*

Ayes 4, Abstain 2 (Elrick) (Smith), Nays 0 – Motion Carried

**Discussion/Action—Industrial Park Site Plan Approval for Trilliant and Nutrition, LLC.**

*Moved by Trustee Peterson, seconded by Trustee Van Lankvelt to Approve the Industrial Park Site Plan for Trilliant and Nutrition, LLC.*

Ayes 4, Abstain 2 (Elrick) (Smith), Nays 0 – Motion Carried

**Department and Officers Progress Reports**

Departments and Officers provided progress reports to the Board

**Disbursement List**

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

Ayes 6, Nays 0 – Motion Carried

**Call for Unfinished Business**

None

**Items for Future Agendas**

None

**Closed Session:**

19.85(1) (c) Consideration of Employment, Promotion, or Performance Evaluation Data of any Public Employee of the Village of Little Chute. *Personnel Matter*

*Moved by Trustee Elrick, seconded by Trustee Smith to enter into closed session.*

Ayes 6, Nays 0 – Motion Carried

**Return to Open Session**

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

Ayes 6, Nays 0 – Motion Carried

**Adjournment**

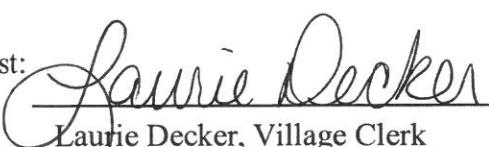
*Moved by Trustee Elrick, seconded by Trustee Smith to Adjourn the Regular Board Meeting at 7:55 p.m.*

Ayes 6, Nays 0 - Motion Carried

VILLAGE OF LITTLE CHUTE

By:

  
Michael R. Vanden Berg, Village President

Attest:   
Laurie Decker, Village Clerk