



# AGENDA

## REGULAR BOARD MEETING

PLACE: Little Chute Village Hall  
DATE: Wednesday, January 3, 2018  
TIME: 6:00 p.m.

### REGULAR ORDER OF BUSINESS

- A. Invocation
- B. Pledge of Allegiance to the Flag
- C. Roll call of Trustees
- D. Roll call of Officers and Department Heads
- E. Public Appearance for Items Not on the Agenda
  
- F. Approval of Minutes  
*Minutes of the Regular Board Meeting of December 20, 2017*
- G. Public Informational Meeting—2018 Street Reconstruction Projects
- H. Presentation—Habitat for Humanity/Rock the Block
- I. Presentation—Fox Cities Chamber of Commerce/Bazaar After Dark
- J. Department and Officers Progress Reports
- K. Discussion—Outagamie County Landfill Siting Overview
- L. Discussion—Downtown Master Plan
- M. Call for Unfinished Business
- N. Items for Future Agendas
- O. Adjournment

Requests from persons with disabilities who need assistance to participate in this meeting or hearing should be made with as much advance notice as possible to the Clerk's Office at 108 West Main Street, (920) 423-3852, email: [Laurie@littlechutewi.org](mailto:Laurie@littlechutewi.org) Prepared: December 28, 2017

## **MINUTES OF THE REGULAR BOARD MEETING OF DECEMBER 20, 2017**

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  
John Elrick, Trustee  
David Peterson, Trustee (arrived 6:45)  
Skip Smith, Trustee  
Larry Van Lankvelt, Trustee  
James Hietpas, Trustee

EXCUSED: Bill Peerenboom, Trustee

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

PRESENT: James Fenlon, Village Administrator  
Tyler Claringbole, Village Attorney  
Lieutenant Slotke, Fox Valley Metro Police Department  
Laurie Decker, Village Clerk  
Teri Matheny, Finance Director  
Adam Breest, Director of Parks, Recreation and Forestry  
Jim Moes, Community Development Director  
Chris Murawski, Engineer  
Interested Citizens

EXCUSED: Steve Thiry, Library Director

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

None

### **Other Informational Items—November Fire, FVMPD Monthly Reports and November Report**

#### **Approval of Minutes**

Minutes of the Special Board Meeting of November 16, 2017

Minutes of the Regular Board Meeting of December 6, 2017

*Moved by Trustee Smith, seconded by Trustee Elrick to Approve the Minutes of the Special Board Meeting of November 16, 2017 and the Regular Board Meeting of December 6, 2017*

Ayes 5, Nays 0 – Motion Carried

#### **Department and Officers Progress Reports**

Departments and Officers provided progress reports to the Board

#### **Action—Approve 2018 Meeting Schedule**

*Moved by Trustee Smith, seconded by Trustee Elrick to Approve 2018 Meeting Schedule*

Ayes 5, Nays 0 – Motion Carried

#### **Action—Appoint 2018 Election Inspectors**

*Moved by Trustee Smith, seconded by Trustee Van Lankvelt to Appoint 2018 Election Inspectors*

Ayes 5, Nays 0 – Motion Carried

**Discussion/Action—2018-2022 CIP**

Director Matheny presented slides to review the 2018-2022 CIP. Administrator Fenlon advised that Trustee Peerenboom was concerned on sidewalks in the downtown area and the quiet zone study for 2018. Trustee Smith questioned the cost on the quiet zone study. Administrator Fenlon advised the cost was for hiring a consultant that would have to be approved by the Village and also recognized by the Railroad.

*Moved by Trustee Smith, seconded by Trustee Van Lankvelt to Approve 2018-2022 CIP*

Ayes 5, Nays 0 – Motion Carried

**Action—2017 Strategic Plan Review and 2018 Strategic Plan Action Items**

Administrator Fenlon went over the attachments for the 2017 Strategic Plan Review and 2018 Strategic Plan Action Items.

*Moved by Trustee Elrick, seconded by Trustee Smith to Approve the 2018 Strategic Plan Action Items as presented*

Ayes 6, Nays 0 – Motion Carried

**Action—FVMPD Professional Police Association 2018-2019 Contract**

*Moved by Trustee Elrick, seconded by Trustee Van Lankvelt to Approve FVMPD Professional Police Association 2018-2019 Contract*

Ayes 6, Nays 0 – Motion Carried

**Action—Municipal Services Building Equipment**

Director Matheny went over Equipment needed for the Municipal Services Building not to exceed \$51,131.00.

*Moved by Trustee Elrick, seconded by Trustee Van Lankvelt to Approve Municipal Services Building Equipment not to exceed \$51,131.00*

Ayes 6, Nays 0 – Motion Carried

**Action—DPW/DPRF Hiring Process**

*Moved by Trustee Elrick, seconded by Trustee Van Lankvelt to Approve DPW/DPRF Hiring Process*

Ayes 6, Nays 0 – Motion Carried

**Operator License Approval**

Cope, Bradley	Seth's Coffee	Menasha
Dolan, Amora	Walgreens	Appleton
Johnson, Justis	Shell	Kimberly
Manthey, Eli	Walgreens	Kimberly
Roovers, Braden	Rose Hill	Kaukauna
Sandoval, Edgar	El Jaripeo	Appleton
Selwitschka, Jennifer	Down the Hill	Little Chute
Streuly, Kathleen	Gentleman Jacks	Appleton
Tankersley, Ridley	Seth's Coffee	Appleton
VandenBloomer, Laura	The Ladder House	Appleton

*Moved by Trustee Smith, seconded by Trustee Elrick to Approve Operator License as presented*

Ayes 6, Nays 0 – Motion Carried

## Disbursement List

*Moved by Trustee Van Lankvelt, seconded by Trustee Elrick to Approve Disbursement List and Authorize the Finance Director to pay all vendors*

Ayes 6, Nays 0 – Motion Carried

## Call for Unfinished Business

Exhibition Center and Hotel/Motel Tax update from Director Matheny  
Downtown Lighting Information

## Items for Future Agenda

None

## Closed Session:

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. *Negotiations—Town of Vandenbroek*

*Moved by Trustee Smith, seconded by Trustee Peterson to Enter into Closed Session at 7:15 p.m.*

Ayes 6, Nays 0 – Motion Carried

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

*Moved by Trustee Smith, seconded by Trustee Peterson to Enter into Closed Session at 7:15p.m.*

Ayes 6, Nays 0 – Motion Carried

## Return to Open Session

*Moved by Trustee Peterson, seconded by Trustee Elrick to Exit Closed Session at 8:18 p.m.*

Ayes 6, Nays 0 – Motion Carried

## Adjournment

*Moved by Trustee Peterson, seconded by Trustee Elrick to Adjourn the Regular Board Meeting at 8:18 p.m.*

Ayes 6, Nays 0 - Motion Carried

VILLAGE OF LITTLE CHUTE

Attest:

\_\_\_\_\_  
Laurie Decker, Village Clerk

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

# 2018 Utility & Street Reconstruction

## Public Information Meeting

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January 3, 2018 at 6pm, Village Hall Board Room

### Meeting Outline

The Village of Little Chute utilizes Asset Management as a systematic process for maintaining, improving and operating of our physical facilities in a cost effective manner.

1. Why do we need asset management?

- Existing infrastructure is ageing
- Increased demand for better roads, bridges, sidewalks, lights and improved sewer & water systems
- Higher standards for safety & health
- Environmental protection concerns
- Regulations
- Growth

2. What are the benefits of asset management?

- Facilitates the establishment of policy objectives & related measurement of performance
- Avoids problems & potential crisis
- Provides better & consistent levels of service for public
- Reduces life cycle costs
- Allows for better decisions regarding resource allocation
- Reduces risk to municipality
- Allows for more effective financial planning
- Leads to more efficient data management
- Results in positive institutional change

3. What are the essential components of a good asset management plan?

**Asset Value:** It must be recognized that all assets have a monetary value. This value is used to determine the depth of re-investment for each asset. By knowing the “value” the type of rehab strategy and optimum replacement time will reduce maintenance costs while improving the Village’s infrastructure.

**Life Cycle Management:** All assets have a finite life expectancy. Engineering staff tries to estimate the rate of deterioration to provide a decision point when maintenance or reconstruction will be done at any point in the life cycle for the public facilities while considering the remaining asset life, operational costs and other related expenses.

**Sustainability:** “Meeting the needs of the present generation without compromising the ability of future generations to meet their own needs.” (National Guide to Sustainable Municipal Infrastructure)

Current users pay a fair share for the service they receive so that future users do not have to pay a higher cost for the same level of service.

**Risk Assessment:** Acceptable risk tolerance for each asset must be part of the strategy and condition surveys are used to determine rate and consequences of failure.

Risk Factors include - financial, environmental, regulatory/legal, public health and safety

**Performance Measurement:** Monitor strategies regularly while making adjustments at the right stage of the asset’s life cycle to achieve the balance between cost and level of service. Utilize benchmarks to determine performance of assets.

### **Meeting Purpose**

To provide residents with information regarding the planned utility and street reconstruction project adjacent to your property. Residents are encouraged to view the exhibits which show the scope of the project and design details. Please feel free to ask questions or share comments and concerns with the Village staff. Introductions of the Village staff with roles pertaining to the projects.

### **Project Information**

The utility and street reconstruction are necessary on Daytona, Hayes, and Wilson streets to replace the existing infrastructure. The proposed work includes pavement structure, sanitary sewer, storm sewer, water main, curb and gutter, sidewalk, topsoil and grass restoration. The new pavement will be comprised of two 11-foot-wide drive lanes and one 6-foot-wide parking lane. The Downtown Storm Sewer project is to redirect the storm water to a detention pond before entering the Fox River also allowing for redevelopment of the downtown area.

### **Typical Construction Procedure**

Note: Procedure may not always occur in the order listed below.

**Terrace Trees:** Terrace trees located within the reconstruction are evaluated by the Parks and Rec Director. Trees that are Ash, unsustainable, or conflict with street reconstruction may be trimmed or removed from the terrace. Smaller trees may be temporarily relocated for the duration of the project.

**Sanitary Sewer Installation:** Install sanitary sewer mains and structures. Temporary connections are made between the new main and existing sanitary laterals.

**Water Main Installation:** Install water mains, fittings and hydrants. Water service is maintained from a temporary main.

**Sanitary Sewer Lateral Installation:** Removal of temporary lateral connections. New laterals are installed by one of the following three options; property owner does the work, owner hires a private contractor, or owner gives consent to the Village contractor. The Village contractor will make all attempts to perform pipe bursting

**Water Lateral Installation:** New services are installed from the main to the curb stop located near the front of sidewalk. Lead service lines will be required to be replaced to the existing building.

**Storm Sewer Installation:** Install storm sewer mains and structures.

**Storm Sewer Lateral Installation:** Install laterals to right-of-way for each property allowing for sump pump hookups.

**Street Excavation:** Removal of remaining pavement, sub base, curb and gutter, terrace grass, sidewalk or any other obstructions.

**Sub Base Installation:** Install and grade crushed aggregate to function as road base.

**Concrete Placement:** Installation of street pavement and curb, replacement sidewalk, sidewalk ramps and driveway aprons. Approximately one week of concrete cure time required between placing adjacent concrete items.

**Terrace Restoration:** Shape terrace areas, install topsoil and seed.

**Signage and Pavement Marking Installation:** Reinstall traffic control, roadway signs and pavement markings.

### **Drainage & Sump Pump Water**

Engineering staff would like residents with yard drainage concerns to discuss these problems with staff as soon as possible. Street reconstruction may allow for staff to work with property owners to design and provide solutions for

ongoing drainage problems. In addition to yard drainage concerns, staff can also provide residents information on sump pump water discharge.

**Trash and Recycling Pickup**

Residential trash and recycling pickup will not change; however, it may occur very early in the morning. Business trash and recycling pickup will be coordinated with the contractor to ensure access throughout the project.

**Driveway Restrictions**

Driveway access will be temporarily restricted throughout the project. Often this will occur when work is being completed in front of or adjacent to the property. Driveway access will be restored at the end of each construction day whenever possible.

Driveway access will be restricted for an extended period during the construction of the pavement, driveway approach and any driveway sidewalk. Notification will be provided to the residents prior to the closure.

**Parking During the Project**

Parking on project streets is permitted only during non-working hours (8pm-7am). Residents that choose to park on the project streets are required to move their vehicles prior to the 7am start of construction. Residents are still required to adhere to existing parking restrictions on all the side streets during construction.

**Construction Updates**

Construction updates and information will be posted on the Village Little Chute's website under Road Projects. The website link is: **[www.littlechutewi.org](http://www.littlechutewi.org)**

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Village of Little Chute  
**INFORMATION FOR VILLAGE BOARD CONSIDERATION**

**ITEM DESCRIPTION:** Landfill Siting Process

**PREPARED BY:** James Fenlon, Administrator

**REPORT DATE:** December 26, 2017

**EXPLANATION:** On December 15<sup>th</sup>, the Village received the official notification from Outagamie County Recycling and Solid Waste that initiates a formal process for a solid waste facility. Since the facility is in our municipality, we have the requirement to participate in the process and enable/preserve our right to negotiate. From a very high level, the requirements for the Village of Little Chute are as follows:

1. Reply to official notice within 15 days indicating local approval process
2. Provide a “siting” resolution within 60 days of official notice
3. Appoint 4 members to the local committee within 60 days official notice and provide notice to the Waste Siting Board within 7 days of appointment (only 2 can be staff or elected officials)
4. 4 appointed members must file economic interest documents within 15 days of appointment
5. Negotiation process

To provide you background, please see the attached:

- Official Notice from Outagamie County Solid Waste with Standard Notice Information
- Village of Little Chute Official Response to Local Approval Inquiry
- DRAFT Siting Resolution

Staff will present the Siting Resolution for your approval on January 17<sup>th</sup>'s Regular Board meeting. We are presenting the above information to you ahead of time so that you can be informed, provide input and take action in the future.

**RECOMMENDATION:** Provided for information.





# Outagamie County

RECYCLING & SOLID WASTE

1419 Holland Road, Appleton, WI 54911  
PHONE: (920) 832-5277  
FAX: (920) 788-4130

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Date: December 15th, 2017

To: Laurie Decker, Village Clerk – Little Chute

From: Brian Van Straten, Recycling & Solid Waste Director

Subject: Request for Local Approvals - Northwest Landfill

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This letter is being sent to the Village of Little Chute as the required official notification and request for local approvals associated with Outagamie County's siting of its Northwest Landfill. The proposed Northwest Landfill will be located west of our existing Northeast Landfill and East Landfill, south of Highway I-41, and east of French Road. The Northwest Landfill will be approximately 1,300 feet north of Highway "OO". The Northwest Landfill will be located west of the existing high-voltage power line traversing the solid waste campus north-to-south.

With this letter, Outagamie County requests the affected municipalities to specify all applicable local approvals required for the County's solid waste facility. The term "local approval" is defined in Wis. Stat. § 289.33(3)(d). It essentially addresses any requirement, restriction, condition or prohibition imposed by a municipality on a waste facility site by ordinance, resolution, or regulation.

As a reminder under Wis. Stat. § 289 subchapter III 289.22 (1m), within 15 days after receipt of this written request for local approvals the Village of Little Chute shall specify all local approvals for which applications are required or issue a statement that there are no applicable local approvals.

In the case that a statement is issued that there are no applicable local approvals, this will not affect a municipality's ability to participate in the negotiation process for siting of the Northwest Landfill.

As a courtesy, the attached Standard Notice was prepared by the State of Wisconsin Waste Facility Siting Board. The Standard Notice is being sent to each affected municipality to provide information regarding time limits and requirements for municipalities to participate in the negotiation and arbitration process for siting of a solid waste facility.

Thank you for your review of this matter. If you have any questions about the siting process, please feel free to contact myself or the Waste Facility Siting Board.

Sincerely,

Brian Van Straten, Director  
Outagamie County Recycling & Solid Waste

cc: Gerald H. Van Hoof Library, 625 Grand Avenue, Little Chute WI 54140

[www.RecycleMoreOutagamie.org](http://www.RecycleMoreOutagamie.org)



**State of Wisconsin  
Waste Facility Siting Board**  
5005 University Avenue, Suite 201, Madison, WI  
53705-5400  
Phone: (608) 266-7709  
Fax: (608) 264-9885  
e-mail: dhamail@wisconsin.gov

James W. Schuerman  
Chairman

Brian Hayes  
Executive Director

### **STANDARD NOTICE**

#### **TIME LIMITS AND REQUIREMENTS FOR MUNICIPALITIES TO PARTICIPATE IN THE NEGOTIATION AND ARBITRATION PROCESS FOR THE SITING OF A SOLID OR HAZARDOUS WASTE FACILITY UNDER SEC. 289.33, WISCONSIN STATUTES.**

#### **PLEASE READ ALL PAGES CAREFULLY.**

This notice informs a municipality of the actions and deadlines required to qualify for participation in negotiations and arbitration concerning the proposed siting of all new or expanded solid or hazardous waste facilities in the state of Wisconsin.

This standard notice shall be submitted with any written requests for local approvals by the applicant to the clerk of each affected municipality and to the main public library in each affected municipality. s. 289.22(1m)(2) and s. 289.32, Wis. Stats.

#### **Who is the Waste Facility Siting Board?**

The Waste Facility Siting Board is an impartial body composed of six members. These members include the secretaries, or their formally appointed designees, of the Departments of Agriculture, Trade and Consumer Protection, Transportation, Safety and Professional Services and two town elected officials and one county elected official appointed by the governor for three year terms.

#### **What does the Waste Facility Siting Board do?**

The Waste Facility Siting Board administers the negotiation and arbitration process for the siting of every solid and hazardous waste facility in the state of Wisconsin.

The board's authority is created by law in Chapter 289, Subchapter III, Wis. Stats. The intent of the law is to create and maintain a comprehensive and effective policy of negotiation and

arbitration between an applicant for a waste facility license and a local committee representing the affected municipalities.

**Who is an Applicant?**

An "applicant" is any person applying for a license or the owner or operator of a facility.

**What is an Affected Municipality?**

An affected municipality is any town, village, city, or county:

- (a) where any or all of the proposed waste site will be located, or
- (b) whose boundary is within 1500 feet of the facility designated in the feasibility report for the disposal of solid waste or the treatment, storage or disposal of hazardous waste.

An applicant that is a municipality or is under contract with a municipality for development of the site, is not considered an affected municipality for purposes of negotiation.

**What is an Additional Municipality?**

An additional municipality is any town, city, village, or county which does not qualify as an affected municipality but is included in the negotiation and arbitration process by written agreement of the applicant and the participating affected municipalities.

**How does the negotiation-arbitration process begin?**

The process is initiated by the applicant. Before submitting a feasibility report to the Department of Natural Resources (DNR), the applicant must submit by certified mail to the clerk of each affected municipality a written request for specification of all applicable local approvals. The municipality has 15 days to respond.

**What is a "local approval"?**

The term "local approval" is defined in s. 289.33(3)(d), Stats. It essentially means any requirement, restriction, condition, or prohibition imposed by a municipality on a waste facility site by ordinance, resolution, or regulation.

The law gives special weight to "pre-existing local approvals." Pre-existing local approvals are those that have been in effect at least 15 months before the applicant submits to DNR an initial site report or a feasibility report, whichever happens first. A new or expanded waste facility is subject to pre-existing local approvals unless specified as inapplicable in a negotiated agreement or an arbitration award. A new or expanded waste facility is not subject to other local approvals unless specified as applicable in a negotiated agreement.

**If an Affected Municipality wants to negotiate with the applicant concerning the site what is required?**

There are three requirements.

First, an affected municipality must pass a siting resolution within 60 days of receipt of the applicant's initial written request for local approvals. If this deadline is missed, a municipality may not participate in negotiations. A copy of the siting resolution must be sent to the board within 7 days of passage.

Each affected municipality that wishes to negotiate with the applicant about the proposed facility must pass a siting resolution which shall state the following:

- (1) the name and location of the municipality,
- (2) the name and location of the applicant,
- (3) the specific location of the proposed facility, and
- (4) the municipality's intent to negotiate and, if necessary, arbitrate with the applicant concerning the proposed facility.

Second, an affected municipality must appoint members to the local committee within 60 days of receipt of the applicant's request for local approvals. Names and addresses of local committee members must be sent to the Waste Facility Siting Board within 7 days of appointment.

Each affected municipality that wishes to negotiate with the applicant must appoint members to the local negotiating committee. Each town, village, or city where all or part of the proposed waste facility is to be located may appoint 4 members, or 2 more than the total number of all other members, whichever number is greater; no more than 2, however, may be elected officials or municipal employees. Each county where all or any part of the proposed waste facility will be located may appoint 2 members. Every other town, village, city, or county within 1500 feet of the proposed waste facility may appoint 1 member. Appointment of members may be included in the siting resolution or in a separate resolution.

Third, each member appointed to the local committee must file with the Waste Facility Siting Board a Statement of Economic Interests within 15 days of appointment. A member who fails to file a Statement of Economic Interests may not serve on the local committee.

These forms are available at no cost from the Waste Facility Siting Board.

**What is required if an Additional Municipality wants to negotiate with the applicant concerning the site?**

There are four requirements.

First, an additional municipality must receive written agreement of all parties to be added to the process.

Second, an additional municipality must pass a siting resolution within 30 days of the agreement between the parties to allow participation by the additional municipality. A copy of the siting resolution must be sent to the board within 7 days of passage.

The siting resolution must state the following:

- (1) the name and location of the municipality,

- (2) the name and location of the applicant,
- (3) the specific location of the proposed facility, and
- (4) the municipality's intent to negotiate and, if necessary, arbitrate with the applicant concerning the proposed facility.

Third, an additional municipality must appoint one member to the local committee within 60 days. The name and address of the local committee member must be sent to the Waste Facility Siting Board within 7 days of appointment.

Fourth, the appointed member to the local committee must file with the Waste Facility Siting Board a Statement of Economic Interests within 15 days of appointment. A member who fails to file a Statement of Economic Interests may not serve on the local committee.

These forms are available at no cost from the Waste Facility Siting Board.

#### **When may negotiations begin?**

Negotiations may begin at any time after notification by the Waste Facility Siting Board. The board will send a notification of participation to the applicant and the clerk of each participating municipality within 5 days after the board receives copies of the resolutions and names and addresses of members appointed to the local committee, or within 72 days after all affected municipalities have received written request for local approvals. This notice will identify the participating municipalities, identify the names of the members of the local committee, and inform the parties that negotiations may begin.

If, for error or change in plans, the applicant must add any other affected municipality following the board's notification of participation, that affected municipality shall have the same rights and obligations as outlined above. The board may issue an order delaying negotiations until that affected municipality has time to act. This procedure is outlined in s. 289.33(6)(c), Stats.

Either the applicant or the local committee may initiate negotiations. The time and place of negotiating sessions are determined by agreement between the applicant and the local committee. Negotiating sessions must be open to the public.

#### **What issues can be negotiated?**

Any subject may be negotiated except the need for the facility and any proposal that would make the applicant's responsibilities less stringent than required by the Department of Natural Resources. Either party may petition the board in writing for a determination as to whether a proposal is negotiable. The board will conduct a hearing and issue a binding decision in 14 days.

#### **If a negotiated settlement is reached, what is required?**

There are two requirements.

First, the agreement must be approved by all appropriate bodies.

An appropriate body is the governing body of each town, city, or village where all or a portion of the waste facility is to be located. If the agreement is approved by all of the appropriate bodies, the agreement is binding on all participating municipalities.

Second, if the agreement is approved, the applicant shall send a copy or notice of any negotiated agreement to the Waste Facility Siting Board and to the Department of Natural Resources within 10 days after the agreement is approved by all appropriate bodies. If the agreement is not approved by all of the appropriate bodies, the agreement is void. The parties may resume negotiations, begin mediation, or initiate arbitration.

**Who initiates mediation?**

Either party may request a mediator at any time during the negotiation.

**Who is the mediator?**

The board maintains a list of competent, impartial, disinterested persons consisting of lawyers, retired judges, and professional mediators who serve as mediators.

**Who chooses the mediator?**

Upon receipt of a request for a mediator, the board will immediately send the parties a list of 5 mediators. The parties shall alternately strike names until one name is left who will be appointed by the board.

**What is the role of the mediator?**

The role of the mediator is to encourage a voluntary settlement. The mediator may not impose a settlement on either party.

**Who pays for the mediator?**

Unless specified in the negotiated agreement or the arbitration award, the costs of the mediator will be shared equally by the applicant and the local committee.

**What happens if the mediator fails to bring settlement?**

The parties may resume negotiations or initiate arbitration.

**Who initiates arbitration?**

The applicant or the local committee may petition the board jointly or separately to initiate arbitration.

Arbitration may not be initiated until at least 120 days after the appointment of the local committee.

A statement in response to a unilateral arbitration petition must be filed within 14 days.

### **What issues can be arbitrated?**

Only eight issues can be arbitrated. These issues are:

1. Compensation to any person for substantial economic impacts which are a direct result of the facility including insurance and damages not covered by the waste management fund.
- 1m. Reimbursement of reasonable costs, but not to exceed \$20,0000, incurred by the local committee relating to negotiations, mediation and arbitration activities under this section.
2. Screening and fencing related to the appearance of the facility. This item may not affect the design capacity of the facility.
3. Operational concerns including, but not limited to, noise, dust, debris, odors and hours of operation but excluding design capacity.
4. Traffic flows and patterns resulting from the facility.
5. Uses of the site where the facility is located after closing the facility.
6. Economically feasible methods to recycle or reduce the quantities of waste to the facility. At facilities for which the applicant will not provide or contract for collection and transportation services, this item is limited to methods provided at the facility.
7. The applicability or non-applicability of any pre-existing local approvals.

If requested by either party, the board will rule on the arbitrability of a specific issue.

### **Once initiated, how does the arbitration process work?**

Within 15 days of receipt of a petition to initiate arbitration, the board will issue a decision either to have the parties continue negotiation for at least 30 days, delay arbitration until a feasibility report is submitted, or order the parties to submit their final offers within 90 days. If, when ordered by the board, the applicant fails to submit a final offer within 90 days, the applicant may not construct or operate the facility. If the local committee fails to submit a final offer in 90 days the local committee loses all rights to further negotiation and the facility is not subject to any local approval.

Within 30 days after the last day for submitting final offers, the board shall conduct a public meeting for the parties to explain their final offers.

Within 90 days after the last day for submitting final offers, the board will issue an arbitration award. If the board fails to issue an award because it lacks the necessary five votes, the governor will issue an arbitration award within 120 days after the last day for submitting final offers.

The board's arbitration award is binding on the applicant and the participating municipalities.

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The information presented here serves as a guide to help affected and additional municipalities comply with the negotiation-arbitration laws concerning siting of solid and hazardous waste facilities under s. 289.33, Stats. For specific legal advice, or changes in the statute or administrative rules, an applicant or affected municipality should consult its attorney or contact the Waste Facility Siting Board, 5005 University Avenue, Suite 201, Madison, Wisconsin 53705-5400, (608) 266-7709, FAX: (608) 264-9885.

#### **STANDARD NOTICE**

Revised: 12/23/2015

G:\DOCS\WFSBD\BOARD DOCUMENTS\STANDRD NOTICE.DOC



December 26, 2017

Mr. Brian Van Straten  
Outagamie County Recycling and Solid Waste  
1419 Holland Road  
Appleton, WI 54911

Mr. Van Straten,

This letter is in response to your memo dated December 15<sup>th</sup> with regards to the proposed Northwest Landfill. As requested, this letter will serve as the official response specifying applicable local approvals.

With regards to this project, there are certain uses which, because of their unique characteristics, cannot be properly classified as unrestricted permitted uses without reviewing each case. Such uses may be necessary or desirable to be allowed in a particular district provided that due consideration is given to the location, development and operation. These uses are classified as conditional uses per Little Chute's Code of Ordinances. In other words, the applicable local approvals required consist of all of those requirements for conditional uses specified in Sec. 44-113 through Sec. 44-124 of Article IV of the Village Code of Ordinances, copies of which are attached to this letter.

The Village of Little Chute's Zoning Administrator has determined that the proposed use as described in your memorandum shall be require local approval by the Village for this conditional use. Attached to this letter is the Village of Little Chute code section regarding conditional uses and the application for a conditional use.

As the applicant, Outagamie County Recycling and Solid Waste will need to supply all relevant information, including but not limited to design engineering, testing, environmental impact study, etc., along with the completed application at least thirty days prior to hearing date by the Plan Commission. Since the site is adjacent to Interstate 41, the Plan Commission or Village Board shall request such review and await the Department of Transportation's recommendation for a period not to exceed 20 days before taking final action.

We offer you the opportunity that prior to submittal, you may consult with Village Engineer Chris Murawski and Community Development Director Jim Moes regarding standards of information required along with scheduling a future Public Hearing for the Plan Commission to review the conditional use.

Should you have any concerns, please do not hesitate to contact me.

Sincerely,

James P. Fenlon  
*Administrator - Village of Little Chute*

Attachments: Conditional Use Application and Chapter 44, Article IV Code of Ordinances



Village of Little Chute  
**INFORMATION FOR VILLAGE BOARD CONSIDERATION**

**ITEM DESCRIPTION:** Downtown Master Plan Implementation Strategy

**PREPARED BY:** James Fenlon, Administrator

**REPORT DATE:** December 26, 2017

**EXPLANATION:** On September 20<sup>th</sup>, at the Regular Board meeting, you adopted the 2018-2022 Downtown Master Plan. That Master Plan contained an attachment that outlined the initiatives required for a successful implementation. That document can be found at the following link:

<http://www.littlechutewi.org/DocumentCenter/View/4349>

In order to narrow down the tasks ahead, I want to identify the 2018 actions and create an itemized task list for staff and the board to execute on. Below are the Board required action items or tasks to complete in 2018:

1. Prioritize and Approve Capital Projects for the Downtown – A separately attached memo will outline the capital projects needing to be discussed and individually approved (Note: Also see previously distributed Archived Material on past Downtown efforts).
2. Amend the current Façade Program – Staff (primarily the Administrator, Community Development Director and Finance Director) will be providing recommended changes to the program. Your inputs now will assist in this effort. Current program application is attached or can also be found here: <http://www.littlechutewi.org/DocumentCenter/View/2355>
3. Create a 3-6 month rent incentive program for new businesses – Again, staff will be drafting a program for the Board of Trustees to consider. Your input into the program at this stage would be valuable. The program outline will look very similar to the façade program, adjusted for this specific effort.
4. Create a sign grant incentive program for new businesses (or businesses upgrading to signage to be in compliance with the Design Review Manual). Again, staff will be drafting a program for the Board of Trustees to consider. Your input into the program at this stage would be valuable. The program outline will look very similar to the façade program, adjusted for this specific effort.
5. Create a program to allow businesses to work with a design professional on renderings for the Façade Program. Again, staff will be drafting a program for the Board of Trustees to consider. Your input into the program at this stage would be valuable. The program outline will look very similar to the façade program, adjusted for this specific effort.

There are other items within the Downtown Plan that require efforts, but are more ongoing in nature as the effort has already commenced in prior years. These are what I would term as more passive efforts, as they have already been initiated, budgeted for or are in the final planning phase:

1. Village Market and increased plaza programming
2. Bike Share programs
3. Continued effort with Little Chute Business Association and related programming
4. Wayfinding Signage in the Community

While we are not taking action on any of the aforementioned items this evening, we want the Board to have as much information as you can on the related topics. Also, this gives you a chance to provide comments or recommendations at the beginning of the process versus the conclusion.

**RECOMMENDATION:** Provided for information in support of future action.



To: President Vanden Berg and Board of Trustees  
From: James Fenlon, Administrator  
Date: December 28, 2017  
Subject: CIP Outline for Downtown Related Efforts

This memo has been updated from the last time you were provided an overview. The document attempts to itemize the projects discussed in the downtown master plan. The ultimate goal is to loosely depict a schedule for the projects along with final decisions for the Board of Trustees as it relates to the Downtown Plan and the capital projects required improving the downtown.

1. 2018 – Property acquisition (4 potential properties being discussed at the staff level throughout the five year downtown plan) - Currently allocated \$210k in the 2018-2022 CIP.
2. 2018 - Pine Street Vacation (future parking lot and decision point about non-vacated portion of Pine Street) No formal or updated estimate of cost exists for vacation (there really should be none other than \$5k contribution to partner) or on the parking lot. No property acquisition required, potential swap of properties exists with St. John's Nepomucene Church. Upon the property swap and vacation of Pine Street, the Village needs to be ready to improve the parking lot at the new property line.
3. 2019 - Civic Center/Library Parking or Pine Street Parking Lot currently allocated \$150k in 2018-2019 CIP—With storm sewer extension slated for the spring of 2018, the earliest this project could be executed would be in 2019.
4. 2018 - Crosswalk Maintenance – \$110k currently allocated within 2018-2022 CIP - Preliminary estimate of \$250k to reconstruct major crosswalks in the Central Business District. Pending what occurs with the Depot and Vandenbroek realignment, the timing and total schedule of this effort would be impacted.
5. 2022 - Depot/Vandenbroek Realignment – Allocated in 2018-2022 CIP for \$250k. Unofficial estimate of \$250k (this project does NOT require additional property acquisition). 2022 - Potential Property Acquisition of Riverfront/Canal Property – Informal cost estimate of \$231k (current assessed value). This effort would entail the acquisition and demolition of property to create additional access to the river. Earliest acquisition would commence would be beyond 2020 at present date.
6. TBD - Lincoln/Vandenbroek Extension – Very preliminary estimate of \$250k (this project does require additional property acquisition). This project would not move forward without the realignment of Vandenbroek and Depot. Timing and schedule to be determined. Overview will be presented to Board in early 2018 with the earliest start actually commencing in a time that is amenable to the five year CIP.

NOTE: Items that are confidential in nature due to negotiations or future legal actions have been removed from this document.

# Village of Little Chute Business Improvement/ Façade Renovation Program



## **Contact Information:**

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# **VILLAGE OF LITTLE CHUTE BUSINESS IMPROVEMENT/FAÇADE RENOVATION PROGRAM**

## **I. Program Summary**

The Little Chute Village Board has adopted a Design Manual primarily applicable within the Central Business District to create and retain the vision of a heritage destination in downtown Little Chute with an Old World European character. The purpose of the manual's requirements is to preserve, create, and promote the unique charm, atmosphere, and historical aspects of the community. Attractive building facades support and encourage local business and can have a significant effect on the attractiveness and marketability of a commercial district and the surrounding area.

To encourage business owners to reinvest in downtown Little Chute and other commercial areas within the Village and to financially assist with implementing the requirements of the Little Chute Design Manual, the Village of Little Chute has created a Business Improvement/Façade Renovation Financial Assistance Program to assist in the exterior renovations of these otherwise sound and vital properties within the Village. ***The Village encourages applicants for this program to obtain price quotes from Little Chute businesses and to undertake their proposed improvements utilizing Little Chute contractors whenever possible.***

## **II. Program Goals and Objectives**

The Little Chute Business Improvement/Façade Renovation Program has the following goals and objectives:

1. To renovate existing commercial properties and structures in accordance with an Old World European theme to harmonize with the authentic Dutch Windmill Project in the downtown and to reflect the Dutch heritage of the Village;
2. To attract new businesses and to retain existing businesses currently located in the Village;
3. To retain existing jobs and bring additional employment opportunities into the Village;
4. To provide an incentive and financial assistance to business and property owners to improve their building facades and signage in accordance with an Old World European design theme;

5. To help make the Village of Little Chute a tourist destination by exhibiting the appearance of a Village that cares about its built environment, the residents who live in the Village and the visitors who travel to and through the Village.

6. To encourage the maintenance, expansion and improvement of the Village's Central Business District and improve the viability of the downtown and other commercial areas as important commercial districts in the Village of Little Chute and Fox Valley region.

### **III. Applicant and Property Eligibility Requirements**

Property owners of service or commercial/mixed use structures and building tenants, with leases of more than one year in length located in the areas within the Village of Little Chute that are zoned Central Business District, Commercial Shopping District and Commercial Highway District are eligible to apply for this financial assistance program. Before the Village will approve financial assistance for a building tenant, the tenant must obtain written approval of their project from the property owner.

**In order to qualify for Village financial assistance, applicants cannot start on their project until after receiving the necessary Village approvals. If any work is started on a project before application and approval by the Village, the Village will not provide financial assistance for the project.**

### **IV. Eligible Costs and Activities**

Financial assistance is available to the above noted eligible applicants and properties within the financial limitations established by the Little Chute Village Board and based on the parameters outlined in this program document for the following activities and associated costs:

1. Restoring or substantially beautifying, or enhancing the entire or partial façades or elevations of an eligible building that is visible to the public from the public street right- of- way or from a public parking lot adjoining the building. Funding for improvement of the rear facades of buildings will only be allowed if the entire building envelope is being addressed for improvement or if the rear façade is a second phase for a building that has already had its street façade improved in conformance with the Little Chute Design Manual. Eligible items include uncovering and restoring historical facades, removing existing façade materials and replacing them with a new design and materials, and other detailing which leads to a substantially enhanced appearance in conformance with the Little Chute Design Manual. Although not eligible for individual funding, the following may be funded as part of a more comprehensive façade improvement: windows, doors, exterior cleaning, tuck pointing, painting,

exterior lighting, shutters, gutters, awnings, and historical architectural elements.

2. Design and/or architectural fees and permit fees up to a maximum of **\$2500.00 of the total Village loan** per project associated with the proposed renovation. These fees will only be eligible to be covered if the building renovation project is undertaken and completed.

3. Landscaping, pedestrian improvements, signage and exterior improvements related to addressing ADA issues may be included in a project application if they are directly related to a larger façade improvement project.

4. Roof repair or replacement of a roof structure only where a new roof style is a critical component associated with a major architectural change in building design and facades that requires the installation of a totally new and different roof structure.

## **V. Ineligible Costs and Activities**

The following activities and improvements are not eligible to receive financial assistance from the Business Improvement/Façade Renovation Program:

1. Any expense incurred prior to written notification from the Village of Little Chute of approval of financial assistance for the project.

2. The cost of construction where the majority of the project is new construction unless the new construction involves the replacement or reconstruction of an existing building and funding shall not exceed \$30,000.

3. Work that principally involves minor repairs, painting or maintenance, billboards, landscaping or paving of patio or parking areas.

4. Re-roofing, repair or replacement of a roof unless it is associated with a major architectural change to the building design and facades that requires the installation of a totally new and different roof structure.

5. Internal renovations or improvements to buildings. The Village of Little Chute has a Revolving Loan Program and Small Business Micro Loan Program to assist with interior improvements to buildings.

6. Expenditures incurred with regard to acquiring business related inventory.

7. Working capital.

8. Property acquisition.



9. Work on buildings or businesses owned and/or operated by a non-profit entity.
10. Building or property used for residential purposes unless 50% or more of the buildings area is used for commercial purposes.
11. Any project determined that is not in compliance with the Village's Zoning Ordinance, Building Codes or the adopted Little Chute Design Manual.

## **VI. Financial Assistance and Terms of the Program**

1. The Village of Little Chute has established an initial fund of \$150,000 to support the Business Improvement/Façade Renovation Program.
2. The Program will be operated as a **No (0%) Interest** long term **matching loan** that will not have to be repaid to the Village until the property is sold and/or changes ownership.
3. The amount of the loan will be established as a **matching amount** to the amount of funds the owner/applicant is investing in the project on a cash basis which shall be documented through reports submitted to the Village following completion of the work. The Village will provide the loan proceeds as a reimbursement following completion of the work that was previously approved for funding by the Village and the filing of the required paperwork. Reimbursement will occur within 15 business days following submission of the required documentation to the Village by the owner/applicant.
4. The minimum amount of any loan approved under this program shall be \$1500. The **maximum amount** of any loan approved under this program shall be **\$20,000 for a single façade** project and **\$30,000 for a multiple façade** project such as a building on a corner lot or the renovation of a rear façade as part of an overall comprehensive building refurbishing.
5. Projects approved for loan funds shall be **started within 45 calendar days of approval** and shall be **completed within 6 months of the loan approval**. Extensions to the completion date may be granted by the Village for unforeseen circumstances such as inclement weather or the delayed delivery of special building materials being used on a project. The applicant must request any extension in writing documenting the reasons for the request. The Village will notify the applicant of its approval or denial of the extension request.
6. Loan/project applications will be processed on a first come, first eligible basis as funding under this program is limited.

7. Village participation in this loan program may be limited or capped based on the availability of program funds such that the above participation with matching loan funds may not be possible.

## **VII. Application Process**

**Step 1:** Application for financial assistance is submitted to the Village Administrator on the appropriate Village forms. An application from a tenant must include a copy of the building lease and written approval of the project by the building owner. Applications must include color photographs of the facades to be improved, a copy of the proposed façade renovation plans that have been approved by the Little Chute Design Review Board, and a copy of the cost estimates to complete all of the work that the applicant is requesting financial assistance with from the Village.

**Step 2:** The Village Administrator will work with the applicant to insure that all of the required application materials are complete. Upon determination of completeness the Village Administrator will prepare a recommendation on the application and schedule Review and Approval of the Financial Assistance Request for Village Board action.

**Step 3:** The applicant must sign a Financial Assistance/Loan Agreement with the Village and any other required paperwork including Lien papers against the property for the amount of the Village's loan for the project.

**Step 4:** The applicant must obtain all required State and Village permits for the required work prior to starting construction. In addition the applicant must display a sign provided by the Village on the site or building indicating that **“Financing is being provided for the project in part by the Village of Little Chute Business Improvement/Façade Renovation Program”**.

**Step 5:** The applicant pays for the completed construction work and submits their payment reimbursement request to the Village Administrator on the appropriate Village forms along with paid receipts and lien waivers from all contractors.

**Step 6:** A final inspection of the building project by the Village Administrator and Community Development staff shall be scheduled to determine that all of the required construction work is completed in accordance with the approved plans and application. Upon determination that the project meets all of the requirements of the program the Village Administrator shall authorize payment to the applicant for the approved amount of the financial assistance that was awarded to the applicant.

**Adopted by the Village Board on November 11, 2009**