

## **MINUTES OF THE REGULAR BOARD MEETING OF SEPTEMBER 5, 2007**

The Regular Board meeting was called to order at 6:10 p.m. by Charles Fischer, Village President

### **Invocation**

President Fischer called for a moment of silence.

### **Pledge Allegiance to the Flag**

President Fischer led members in the reciting of the Pledge of Allegiance.

### **Roll call of Trustees**

PRESENT: Charles Fischer, President

John Elrick, Trustee

Brian Joosten, Trustee

Steve Ransbottom, Trustee

Uriah Van Ooyen, Trustee

Judd Vanden Heuvel, Trustee

EXCUSED: Janet Verstegen, Trustee

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

PRESENT: Charles Kell, Village Administrator

David Peterson, Police Chief Fox Valley Metro

Jim Moes, Community Development Director

Tom Flick, Parks, Recreation and Forestry Director

Roy Van Gheem, Assistant Director of Public Works

Charles Koehler, Village Attorney

Vicki Schneider, Village Clerk

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

None

### **Approval of Minutes**

*Regular Board Meeting Minutes – August 15, 2007*

*Committee of the Whole Meeting Minutes – August 22, 2007*

*Moved by Trustee Elrick, seconded by Trustee Vanden Heuvel to approve the Regular Board minutes of August 15 and the Committee of the Whole minutes of August 22, 2007 as presented.*

All Ayes – Motion Carried Unanimously

### **Report of Other Minutes – Other Informational Items**

*Weights and Measurers Update*

*Board of Review Hearings – August 22, 2007*

### **Ordinances:**

- a) **Amending Village of Little Chute Municipal Code Title 9 Public Utilities Chapter 2 Sewer User/Industrial Cost Recovery Rate Regulations and Separate Action to Adopt Policy Statement Regarding Enforcement of Village Ordinance 9-2**

*Moved by Trustee Elrick, seconded by Trustee Vanden Heuvel to Adopt Ordinance No. 12, Series of 2007 Amending Village of Little Chute Municipal Code Title 9 Public Utilities Chapter 2 Sewer User/Industrial Cost Recovery Rate*

All Ayes – Motion Carried Unanimously

*Moved by Trustee Ransbottom, seconded by Trustee Elrick to Adopt the Policy Statement Regarding Enforcement of Village Ordinance 9-2.*

All Ayes – Motion Carried Unanimously

**b) Appealing and Recreating Section 10-1-12(f) Village of Little Chute Municipal Code – Heavy Traffic Routes Designated**

*Moved by Trustee Van Ooyen, seconded by Trustee Elrick to Adopt Ordinance No. 13, Series of 2007 Appealing and Recreating Section 10-1-12(f) Village of Little Chute Municipal Code – Heavy Traffic Routes Designated.*

All Ayes – Motion Carried Unanimously

**Resolutions:**

**a) Creating a “Four-Way Stop” at the Intersection of Vandenbroek Road and Elm Drive in the Village of Little Chute**

Chief Peterson stated he is recommending approval of the resolution contingent upon the Town of Vandenbroek agreeing to the stop sign being placed on the Town's section of the intersection. Chief Peterson stated the Town will be deciding on the issue at their meeting that is being held tonight and he anticipates support from the Town for the four-way stop.

*Moved by Trustee Elrick, seconded by Trustee Ransbottom to Adopt Resolution No. 30, Series of 2007 Creating a “Four-Way Stop” at the Intersection of Vandenbroek Road and Elm Drive in the Village of Little Chute contingent upon the Town of Vandenbroek approving placement of the stop sign on the section of the intersection owned by the Town of Vandenbroek.*

All Ayes – Motion Carried Unanimously

**b) Memorandum of Understanding between the Village of Little Chute and East Central Wisconsin Regional Planning Commission**

*Moved by Trustee Ransbottom, seconded by Trustee Elrick to Adopt Resolution No. 31, Series of 2007 approving the Memorandum of Understanding between the Village of Little Chute and East Central Wisconsin Regional Planning Commission.*

All Ayes – Motion Carried Unanimously

**Discussion/Decision on Concrete Curb and Apron Driveway Issue – 1718 Buchanan Street**

R. Van Gheem discussed the options available to address the situation with a driveway being in non-compliance with Village Code and encroaching on Village land. Board members discussed the options of selling a piece of Village land to the property owner, replacing the curb and gutter to the property owner's property line, or requiring the property owner to correct the driveway at his cost.

*Moved by Trustee Joosten, seconded by Trustee Elrick to authorize Village staff to initiate replacement of the curb to the south Village property line and the Village will bear the cost of the curb placement.*

Further Discussion: Mr. Hietpas asked if this motion allows him to have a 15 foot driveway. Staff informed Mr. Hietpas that he needed to remain three feet from the property line with the driveway but the apron area can be a 15 foot width.

All Ayes-Motion Carried Unanimously  
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## **Discussion/Possible Action on Purchase of School Crossing Portable Signs for all Village School Crossing Zones**

Trustee Ransbottom stated he had contacted the Administrator to include this agenda item as he thought the motion to include approval of the crossing guard at Florida and Hwy. N had also included placement of signs at the school crossing intersections but he was informed that the sign placement had not been included in the motion. Trustee Ransbottom stated for safety measures he believes signs that state "Yield to Pedestrian, State Law" and that are portable signs that can be placed in the middle of the road are needed at the school crossings. Chief Peterson stated the signs that inform traffic the speed limit is 15 mph in school crossings would cost \$3,400 for all of the Village's school crossings. These signs would replace the orange cones that the crossing guards are currently using. Chief Peterson stated that currently the guards are also placing smaller cones on the lane lines to alert and encourage traffic to slow. Discussion took place. Board members agreed to table the issue until it is determined if signs are safer than the cones and to see how the addition of the crossing guard at Florida Avenue and Hwy. N in addition to the cones being place in the center lanes help with school crossings safety.

## Action on “Class B” Liquor License Application – Little Chute Family Restaurant

*Moved by Trustee Joosten, seconded by Trustee Ransbottom to approve the "Class B" Liquor License Application for Little Chute Family Restaurant as presented.*

## All Ayes-Motion Carried Unanimously

## Operator's Licenses

*Laura A. Hannon*      *1286 S. 7<sup>th</sup> Street*      *De Pere*      *Van Zeelands*

1286 S. 7<sup>th</sup> Street

De Pere

Van Zeelands

*Moved by Trustee Van Ooyen, seconded by Trustee Ransbottom to approve the operator's license as presented.*

All Ayes – Motion Carried Unanimously

## **Department and Officers Progress Reports**

Chief Peterson confirmed with the Board that the Village would pay for both of the stop signs at the Vandenbroek Road and Elm Drive intersection as the Village is requesting the stop signs. D. Haug stated budget review is currently taking place with the departments and also distributed a copy of the legal ad that notices the Public Hearing with the PSC concerning the water rate increase. The hearing will be held on September 20<sup>th</sup> at 10 a.m. and the PSC is recommending an overall increase of 14%. C. Kell stated that the locks trip that he and President Fischer participated in was a success and he has been invited to Madison next Tuesday to speak with the Secretary of Transportation on the issue of the Mill Street bridge replacement. C. Kell informed the Board that he was informed by Lieutenant Parks that the safe routes committee was approved for a grant for safe routes planning and Lieutenant Parks was asked to give a presentation to the Board at an upcoming meeting. C. Kell stated he has a concern that the property owners adjacent to the Buchanan Pond may not understand what is going to happen to the grassy area from their property lines to the pond and asked the Board if another public hearing should be considered. Discussion took place and it was agreed that it was understood that prairie grasses would be planted up to the property lines and the grasses would be mowed a couple time of years until the prairie grasses are established. Board members agreed that the best tool of action is for the Public Works Director to continue to communicate to the affected residents by letter to inform them of the procedures that will be taking place with the areas around the pond. C. Kell handed out information about a proposed development and the difficulty the developer is having acquiring land from a private owner so a road can be constructed and utilities installed to the development. The developer is asking the Village to assist with acquisition of the property. C. Kell reviewed the proposal the developer is making to

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the Village. T. Flick informed the Board that the new playground equipment project at Doyle Park has been completed and the Legion Park ball field has had the topsoil applied. T. Flick informed the Board that he had given permission for the HOV to use the parking lot at the bottom of Heesakker Park and Island Park during their construction project. T. Flick stated that Fall Flag Football and Dance programs had begun. J. Moes reported that the Plan Commission will be taking action at their meeting on September 10 on a resolution to adopt the TID #4 project plan and two resolutions for adopting the Plan and creating TID #4 will be presented to the Board for review at next week's meeting. V. Schneider asked Board members to notify her early next week if they planned to attend the League conference and also stated that newsletter articles were due next Monday. Attorney Koehler stated he had nothing to report.

### **Call for Unfinished Business**

President Fischer read a thank you letter to the Board that was sent by Sarah Wydeven for the Village's support of the Backpacks Beyond Borders" program.

### **Items for Future Agenda**

Trustee Joosten asked if the Board would like to reconsider the sexual offender residency requirement ordinance as other municipalities have not adopted an ordinance on the issue. The majority of Board members did not express an interest in reconsidering the ordinance at this time.

*Moved by Trustee Elrick, seconded by Trustee Ransbottom to enter into Closed Session.*

Roll Call Vote: President Fischer – Yes, Trustee Elrick – Yes, Trustee Joosten – Yes, Trustee Ransbottom – Yes, Trustee Vanden Heuvel – Yes, Trustee Van Ooyen – Yes

Ayes 6, Nay 0 – Motion Carried

**Closed Session:** *Motion/Action by roll call vote to enter closed under WI Statute 19.85(e) to deliberate the purchase and exchange of public properties with WOW Logistics and Resource One International where competitive reasons require a closed session and under WI Statute 19.85(g) to confer with legal counsel who is rendering oral or written advise concerning strategy to be adopted by the Village Board with respect to litigation in which it is likely to become involved with regarding Cinder Care of Little Chute, Inc.*

*Moved by Trustee Elrick, seconded by Trustee Ransbottom to exit the Closed Session.*

All Ayes – Motion Carried Unanimously

### **Adjournment**

*Moved by Trustee Ransbottom, seconded by Trustee Vanden Heuvel to adjourn the meeting at 8:30 pm*

All Ayes-Motion Carried Unanimously

## **VILLAGE OF LITTLE CHUTE**

By: \_\_\_\_\_  
Charles Fischer, Village President

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Attest: Vicki Schneider, Village Clerk