

MINUTES OF THE REGULAR BOARD MEETING OF OCTOBER 17, 2007

The Regular Board meeting was called to order at 6:00 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

Janet Verstegen, Trustee

EXCUSED: Judd Vanden Heuvel, Trustee

Roll Call of Officers and Department Heads

PRESENT: Charles Kell, Village Administrator

Mark Recker, Assistant Police Chief Fox Valley Metro

Dale Haug, Finance Director

Jim Moes, Community Development Director

Tom Flick, Parks, Recreation and Forestry Director

Roy Van Gheem, Assistant Director of Public Works

Vicki Schneider, Village Clerk

Public Appearance for Items Not on the Agenda

Several citizens appeared before the Board concerning the Buchanan Street Detention Pond and the issue of being notified by the Public Works Department that by November 15th they need to move their landscaping off Village property and redirect their storm water runoff. The citizens presented a petition to the Village Board requesting that the Public Works Department reconsider requiring the removal of the property owner's landscaping, which was they claim was previously approved for placement and was paid for by the Village. The property owners also provided documentation of the Village's approval for the landscaping order.

David Smith, 917 E. Florida Avenue, spoke about concerns with the timing deadline for rerouting the sump pump discharge and asked the Board to consider extending the deadline and to consider a meeting with the people involved to discuss solutions for rerouting the storm water discharge.

Mike Meier, 1506 Grant Street, spoke about concerns with the landscaping plan of the ponds that includes planting the prairie grass to the property lines and asked the Board to reconsider the landscaping plans to allow for a grass buffer area between the property lines and the prairie grass. Mr. Meier claimed that in the past the Village indicated to the property owners that they could use the Village land that abuts their properties and allowed the property owners to install landscaping and part of the landscaping around the pond was paid for by the Village. Mr. Meier stated the property owners have been using and caring for the land for the last nine years and also expressed concerns with potential rodent problems because of the pond and prairie grass plantings.

Delores Liesch, 1537 Buchanan Street, asked Board members to personally view the properties.

Leo De Coster, E7711 Cutoff Road, New London, stated he was the developer of the condos and he had

received approval from the Village for the storm water runoff placement constructed for the condos and asked why the situation is now changing.

Gary Sturm, 1420 Buchanan Street, commented on the Village granting an easement to the property owners for use of the land as they landscaped and have been providing care for the land.

Pam Vandenberg, 1502 Grant Street, expressed to the Board her concern with the prairie grass being planted to the property lines and the potential for rodents.

Michael Baeten, 1001 E. Florida Avenue, stated to the Board that he bought his property because of the location and the nice backyard and the property owners around the pond have been maintaining the grassy areas and they have not been satisfied with the response they have received from the Village when requests have been made to the Village to cut the grass around the pond.

Robert Phillips, 1415 Buchanan Street, commented to the Board on the issues concerning the residents and requested that the Board consider establishing a 4 to 5 foot grass buffer between the properties and the prairie grass.

Ellen Boen, 1507 Buchanan Street, asked the Board members to make a personal visit to her property and also requested that they consider allowing her to keep the memorial brick landscaping that is on the Village property. Board members informed the citizens that they could not make any decisions as the items of concern are not on the agenda of tonight's meeting. Board members agreed to address the issues related to the upcoming deadline being imposed on the residents as an agenda item at next week's Committee of the Whole meeting.

Approval of Minutes

Regular Board Meeting Minutes – October 3, 2007

Committee of the Whole Meeting Minutes – October 10, 2007

Moved by Trustee Verstegen, seconded by Trustee Van Ooyen to approve the Regular Board minutes of October 3 and the Committee of the Whole minutes of October 10, 2007 as presented.

Ayes 6, Nay 0 – Motion Carried

Report of Other Minutes – Other Informational Items

Minutes of the Joint Review Board Meeting of September 4, 2007

Minutes of the Plan Commission Public Hearing of September 5, 2007

Minutes of the Plan Commission Meeting of September 10, 2007

Minutes of the Kimberly-Little Chute Joint Library Board – September 27, 2007

Quarterly Investment Report

Quarterly Budget Status Report

Quarterly Weights and Measures Report

Board members noted receipt and review of the report of other minutes and informational items.

Insurance Claim Denial – Coenen

Staff reviewed the claim and Board members indicated agreement with the recommendation of the Village's Insurance Company to deny the claim based on the findings that the Village was not negligent in this matter.

Moved by Trustee Elrick, seconded by Trustee Ransbottom to accept the recommendation of the Village's Insurance Administrator, Midwest Claims Service, Inc. and deny the claim filed by Alice Coenen.

Ayes 6, Nay 0 - Motion Carried Unanimously

Discussion/Possible Action – Greene Sewer Lateral Replacement/Special Assessment Request

C. Kell reviewed the request by Mr. Roth and Mr. Green for Village assistance with a proposed solution to correct the problem with Mr. Greene's defective sanitary sewer lateral at 208 E. McKinley Avenue being connected to Mr. Roth's lateral beneath his home at 908 Depot Street. The lateral problem has been an issue for a number of years and Village staff and the Village Attorney have been involved with the issue. The proposal is for the Village to assist in the solution by paying for the cost of the work to install a new sewer lateral to the Greene residence along with any necessary plumbing work and impose the cost incurred by the Village as a special assessment on Mr. Greene's property at 208 E. Lincoln. The quote for the project is \$2,000 to \$2,500 but it is not known how much interior plumbing work may be needed. Discussion took place and Mr. Roth explained his position and interest in the project. Mr. Roth has agreed to pay \$1,000 toward the cost of getting the lateral problem fixed. C. Kell stated he is recommending that the Village Board authorize the Village staff to hire the contractors necessary to correct the sanitary sewer lateral issue and approve the balance of the cost minus the \$1,000 being contributed by Mr. Roth and apply the balance as a special assessment on the Greene property for a period of three years. C. Kell stated that the parties will need to give the Village permission to perform the work and a Waiver of Special Assessment Notices and Hearing will be required from Mr. Greene and also that due to the unknowns of the potential cost of the interior plumbing, the Board may want to establish a maximum dollar amount that the Village will pay up front with payback through the special assessment process.

Moved by Trustee Elrick, seconded by Trustee Ransbottom to authorize Village Staff to hire the contractors necessary to correct the sanitary sewer lateral problem at 208 E. McKinley Avenue and to authorize upfront payment of the work not to exceed \$2,500 with the cost to be charged to the property owner as a special assessment for a period of three years and to obtain permission from the parties to perform the work and to obtain a waiver of special assessment notices and hearing from Mr. Green.

Ayes 6, Nay 0 – Motion Carried Unanimously

Action on 2008 Kaukauna Utilities Billing Agreement

Moved by Trustee Verstegen, seconded by Trustee Elrick to approve the 2008 utility billing agreement with Kaukauna Utilities and authorize the Finance Director to sign the agreement.

Ayes 6, Nay 0 – Motion Carried Unanimously

Reappointment of Member to Water Commission

President Fischer stated he is recommending the reappointment of Mike Bevers to the Water Commission for a term of five years.

Moved by Trustee Verstegen, seconded by Trustee Elrick to reappoint Mike Bevers to the Water Commission for a term of five years.

Ayes 6, Nay 0 – Motion Carried Unanimously

2008 Budget Workshop – Discussion on Budget for TIDs, CDA, Debt Service, Capital Outlay and Utilities

D. Haug reviewed the budgets for TIDs #1, #2, #3 and #4, the Community Development Grants, Small Business Loan Program, Debt Service and Capital Project funds, and the Water, Sewer, and Storm Sewer Utility Budgets. D. Haug informed the Board that HOVMSD is not imposing a rate increase for 2008 and the Board may want to consider a small increase to the sewer rate to avoid passing on a larger increase at the time the HOVMSD does increase the fees to the Village. No action was taken at this time on the sewer rates. Board members agreed to use fund balance instead of bond proceeds for the Public Works Department Revolving Fleet budget for a new endloader.

Operator's Licenses

Mitzie C. Roffers

Andrea L. Rudolph

Jessica L. Strobel (Gibson)

W4369 County Rd. G

129 W. Lincoln Avenue

914 Hartzheim Dr.

Black Creek

Little Chute

Appleton

Super 41 Shell

Moasis

Snaggletooths

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

Ayes – 6, Nay 0 – Motion Carried Unanimously

Department and Officers Progress Reports

Assistant Chief Mark Recker commented on the case Lieutenant Lee is overseeing that is being referred to as the urban legend incident and stated the case should be wrapped up soon. Assistant Recker also updated the Board on an issue with the Humane Association's billing for multi animal cases and the area police chiefs will be discussing the matter that involves clarifying the contract with the Humane Association on charges for multi animal cases. D. Haug stated the Public Hearing Notice for the Budget Hearing on November 7 appeared in today's issue of the *Times – Villager* and that the new water rates are now in effect. D. Haug stated that staff is gathering information for TID audits and the Village is contracting with Kerber Rose to perform. C. Kell stated the meeting with Representative Nelson and the Secretary of the DOT is on hold due to the State Budget issues. C. Kell updated the Board on the Locks Authority Levy Project and concerns with nesting of the Eagle population. C. Kell updated the Board on the Town of Vandenbroek's decision to not approve the Buchanan Bridge construction. C. Kell stated the Town's approval is needed as the town has ½ road ownership and he is meeting with the Town Plan Commission on Monday and may discuss the issue. J. Moes reported that the Joint Review Board has approved TID #4 and he is now working on the required paperwork that needs to be submitted to the State. T. Flick stated the Department is wrapping up the terrace tree planting program and the removal of buckthorn at Heesakker Park. R. Van Gheem informed the Board that the 2007 projects have been closed. V. Schneider commented on the website statistical report provided to the Board and informed the Board that a final assessment resolution for the 2007 projects will be presented next week for approval. Attorney Koehler stated he is working with staff on drafting a letter to a property owner regarding a parking lot issue.

Disbursement List

Moved by Trustee Van Ooyen, seconded by Trustee Ransbottom to approve the disbursement list as presented and to authorize the Finance Director to draw from the respective funds.

Ayes 6, Nay 0 – Motion Carried Unanimously

Call for Unfinished Business

C. Kell stated that Lucas Verbij, the Windmill Builder, will be in the Village over the weekend to visit Island Park and to take wind readings and meet with the Windmill Committee on the new site proposal.

Items for Future Agenda

None

*Moved by Trustee Verstegen, seconded by Trustee Ransbottom to adjourn the meeting at 8:43 p.m.
All Ayes-Motion Carried Unanimously*

VILLAGE OF LITTLE CHUTE

By: _____
Charles Fischer, Village President

Attest: Vicki Schneider, Village Clerk