

## **MINUTES OF THE REGULAR BOARD MEETING OF DECEMBER 19, 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

Uriah Van Ooyen, Trustee

Janet Verstegen, Trustee

Judd Vanden Heuvel, Trustee

EXCUSED: Steve Ransbottom, 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, Director of Parks, Recreation and Forestry

Roy Van Gheem, Director of Public Works and Jeff Elrick, 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 – December 5, 2007*

*Committee of the Whole Meeting Minutes – December 12, 2007*

*Moved by Trustee Verstegen, seconded by Trustee Vanden Heuvel to approve the Regular Board minutes of December 5 and the Committee of the Whole minutes of December 12, 2007 as presented.*

Ayes 6, Nay 0 – Motion Carried Unanimously

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

*Minutes of the Park Planning Committee meeting – September 10, 2007*

*Minutes of the Plan Commission Meeting – November 12, 2007*

Board members noted receipt and review of the Report of Other Minutes and Informational Items.

### **Ordinances:**

#### **a) Creating Chapter 6 of Title 9, Illicit Discharge and Connection Ordinance of the Village of Little Chute Municipal Code**

*Moved by Trustee Verstegen, seconded by Trustee Elrick, to Adopt Ordinance No. 15, Series of 2007*

*Creating Chapter 6 – Illicit Discharge and Connection Ordinance - Title 9 Public Utilities of the Village of Little Chute Municipal Code.*

Ayes 6, Nay 0 – Motion Carried Unanimously

## **Ordinances Continued:**

### ***b) Creating Chapter 7 of Title 9 – Control of Construction Site Erosion Control Resulting from Land Disturbing Construction Activities – Village of Little Chute Municipal Code***

*Moved by Trustee Verstegen, seconded by Trustee Van Elrick to Adopt Ordinance No. 16, Series of 2007 Creating Chapter 7 of Title 9 – Control of Construction Site Erosion Control Resulting from Land Disturbing Construction Activities – Title 9 – Public Utilities - Village of Little Chute Municipal Code*

Ayes 6, Nay 0 – Motion Carried Unanimously

### ***c) Creating Chapter 8 of Title 9 – Post Construction Storm Water Management***

Asst. Director of Public Works Jeff Elrick distributed an updated copy of page 10 of the ordinance and stated section 47 of S.05 Definitions was revised at the recommendation of the Village Attorney and Attorney Koehler proposed making an additional revision so the corrected wording of (47) states “Post Construction site” means all construction sites created after the adoption of this Ordinance, following the completion of land disturbing construction activity and final site stabilization, and only those pre-existing construction sites where the Village of Little Chute has required construction of storm water management facilities including but not limited to a detention or retention basin as a condition for site plan approval, issuance of building permits, or other development.

*Moved by Trustee Verstegen, seconded by Trustee Elrick to Adopt Ordinance No. 17, Series of 2007 Creating Chapter 8 of Title 9 – Post Construction Storm Water Management – Title 9 Public Utilities with revisions to section (47) as recommended by the Village Attorney.*

Ayes – 6, Nay 0 – Motion Carried Unanimously

*Moved by Trustee Verstegen, seconded by Trustee Vanden Heuvel to Adopt the Fee Schedules for the Illicit Discharge Detection & Elimination Program, Construction Site Pollutant Control and Post Construction Storm Water Management Program as presented.*

Ayes – 6, Nay 0 – Motion Carried Unanimously

## **Resolution:**

### ***a) Initial Resolution Relating to Industrial Development Revenue Bond Financing Resource One International, LLC project***

(Information with Respect to the Job Impact of the Project will be available at the time of consideration of the Initial Resolution) Administrator Kell introduced Tom Sonntag of Resource One and their bond council from Godfrey & Kahn. Mr. Sonntag explained the expansion project that is estimated at being a \$10,000,000 project that will create at the minimum 26 new jobs that will be both salary and hourly positions. In response to Trustee Joosten’s question, Mr. Sonntag stated the jobs are full-time and they will not be filled by temporary workers.

*Moved by Trustee Verstegen, seconded by Trustee Vanden Heuvel to Adopt Resolution No. 46, Series of 2007 Initial Resolution Relating to Industrial Development Revenue Bond Financing for Resource One International, LLC project as presented.*

Ayes – 5, Nay 0 – Abstained 1(Elrick) – Motion Carried

### ***b) Resolution Relating to Waiver of Section 66.1103(11)(b)1 Requirements in Connection with an Industrial Development Revenue Bond Financing – Resource One International, LLC Project***

*Moved by Trustee Verstegen, seconded by Trustee Van Ooyen to Adopt Resolution No. 47, Series of 2007 Relating to Waiver of Section 66.1103(11)(b)1 Requirements in Connection with an Industrial Development Revenue Bond Financing – Resource One International, LLC Project as presented.*

Ayes – 5, Nay 0 – Abstained 1(Elrick) – Motion Carried

## Action on 2007 Budget Adjustments

*Moved by Trustee Verstegen, seconded by Trustee Elrick to approve the Special Items budget transfers including the use of Fund Balance as presented.*

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

Ayes – 6, Nay 0 – Motion Carried Unanimously

*Moved by Trustee Verstegen, seconded by Trustee Elrick to approve \$15,433 carryover of 2007 unspent funds in the General Fund and approve the operations budget year-end budget transfers to reflect revenue and expenditure information as presented.*

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

Ayes – 6, Nay 0 – Motion Carried Unanimously

## Set Public Informational Meeting Date for 2008 Projects

R. Van Gheem stated staff is recommending the meeting date be set for Wednesday, January 9 at 6 p.m. before the Board at the Committee of the Whole Meeting.

*Moved by Trustee Vanden Heuvel, seconded by Trustee Elrick to set the Public Information Meeting date on January 9, 2008 at 6:00 p.m.*

Ayes 6, Nay 0 – Motion Carried Unanimously

## Action on Revolving Loan and Micro Loan Application for Lappen Security Products

Administrator Kell stated the application is for \$90,000 and because of the State's terms for matching the Revolving Loan, the recommendation the Loan Review Board has made is a reduced loan amount of \$60,000 split out as a Revolving Loan of \$40,000 and a micro loan for \$20,000 and the term is being recommended at 8 years instead of 10 as requested by the applicant. The applicant has agreed to the recommendations of the Loan Review Board. The Loan Review Board and the CDA are recommending approval of this loan as it is a loan for a business with a well thought out and responsible expansion plan, sufficient cash flow, and a very strong local long term ownership of the business with an excellent credit history and a very low level of indebtedness. Trustee Verstegen asked that question three on the application be completed. Administrator Kell stated he will have the applicant complete the question. Trustee Joosten stated he would like to see an administrative assessment fee charged to the applicants and that the interest rate is too low for the eight year term and should be set closer to the commercial rate. Staff stated that this loan has been reviewed under the current policy and the policy could be reviewed before future loans are considered. President Fischer stated that the loan program is set up to assist local businesses with expansion and growth and the Village's goal is to not be a commercial lending institution.

*Moved by Trustee Elrick, seconded by Trustee Verstegen to approve the Revolving Loan and Micro Loan for Lappen Security Products as presented.*

Further Discussion: Trustee Joosten stated he could support the Revolving Loan but not the micro loan.

Ayes 5, Nay 1 (Joosten) – Motion Carried

## Approval of Project Agreement and Funding for Design of the Mill Street Lift Bridge

Administrator Kell stated the State is moving quickly ahead with the project to get it completed by the proposed timeline and the hiring of design consultant needs to be completed at this time. C. Kell stated the State enters into a project agreement with the County and the County enters into a project agreement with the Village to share the local cost. Administrator Kell explained the Village did not budget for the design cost in the 2008 budget and staff will be bringing a recommendation for paying for the funding to a future meeting. Administrator Kell also explained that the estimated cost is high because the amount shows the total amount that has been approved for the bridge project at this time but the design itself will not cost the Village

Regular Board Meeting Minutes – December 19, 2007

\$93,000 and the amount that is left after paying for the design will be moved to another budget for

construction cost. C. Kell stated he is recommending approval of the agreement so a consultant can be hired in January and the Village's cost share is 10% of the project. Trustee Joosten asked how the Board can approve the agreement without knowing where the funds are coming from. Trustee Elrick pointed out that many times it is not known how funding will occur for the Village's construction design projects and approval is given for the design with funding decisions made at future date. Trustee Joosten stated he wants to account to the taxpayers for every dollar of this project.

*Moved by Trustee Verstegen, seconded by Trustee Elrick to approve the Project Agreement and Funding for the Design of the Mill Street Lift Bridge as presented.*

Ayes 5, Nay 1(Joosten) – Motion Carried

President Fischer asked to be excused from the meeting at this time and President Pro Tem Vanden Heuvel took over as chair of the meeting. (7:05 p.m.)

### **Certify 2008 Election Inspectors**

*Moved by Trustee Elrick, seconded by Trustee Van Ooyen to approve the 2008-2009 Election Inspectors and Special Registration Deputies as listed on the Clerk's IFC.*

Ayes – 5, Nay 0 – Motion Carried Unanimously

### **Storm Water Management Plan**

R. Van Gheem explained that the Plan consummates a couple years of work and identifies measures the Village plans to implement as part of its program to reduce the pollutant of concern in the Fox River (phosphorus) and Apple Creek (phosphorus and sediment) and the plan is part of the MS4 permit requirements. Nick Vande Hey, PE, McMahon Associates led a slide show review of the study and plan.

*Moved by Trustee Elrick, seconded by Trustee Verstegen to accept the MS4 long range plan as presented.*

Ayes 5, Nay 0 – Motion Carried

### **Discussion/Possible Action on Joint Storm Water Treatment Facilities Proposal from Kaukauna**

R. Van Gheem reviewed the proposal from Kaukauna to develop a storm water treatment facility in a residential area near Draper and Main Street in Kaukauna that would service storm water runoff for a small section of Village residents on the East side. R. Van Gheem stated the Board does not need to take any action and Little Chute residents that are in the storm water service area will be notified of the public meeting by Kaukauna and the Board will be kept updated on the status of the project.

### **Operator's Licenses**

*None*

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

Assistant Chief Mark Recker did not have a report. D. Haug reported that the Wisconsin CLASS investment pool had received an AAA/V1+ rating by Fitch Rating and is the highest rating for a local government investment pool. C. Kell reported that preliminary talks had begun on the new contracts for the Village's bargaining units and negotiation meetings will continue in January. C. Kell informed the Board that the Windmill Committee had voted unanimously to relocate the Windmill to Island Park and the County is sending out RFPs for the roundabout study and the Village's cost share of the study is estimated at \$15,000. C. Kell asked permission to be excused from next week's meeting as he will be on vacation from December 28 until January 7. J. Moes did not have a report. T. Flick reported that negotiations will begin in January with the School district for a new 2-year shared use agreement and that recruiting for the 2008 summer staff had begun. R. Van Gheem gave an update on the status of planning for the 2008 projects. V. Schneider informed the Board that the date for the Village's recognition dinner is Friday, January 25, 2008. Attorney Koehler did not have a report.

**Disbursement List**

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

Ayes 5, Nay 0 – Motion Carried Unanimously

**Call for Unfinished Business**

None

**Items for Future Agenda**

Trustee Verstegen asked Board members if they wanted to consider the decision to no longer allow the Kiwanis to use the Village garage for construction of their Santa float as was being requested by the Kiwanis President. Discussion took place and staff commented on the issues of space, security, and liability if the group is allowed to use the Village garage. Board members suggested that the Administrator send the Kiwanis President a letter to acknowledge receipt of their letter and to let them know they should contact the Village if the Kiwanis would like to request that the issue be placed on the agenda of a future Board meeting for discussion.

**Adjournment**

*Moved by Trustee Van Ooyen, seconded by Trustee Verstegen to adjourn the meeting at 8:50 p.m.*

All Ayes-Motion Carried Unanimously

**VILLAGE OF LITTLE CHUTE**

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

By: \_\_\_\_\_  
Judd Vanden Heuvel, President Pro Tem

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Attest: Vicki Schneider, Village Clerk