

## MINUTES OF THE COMMITTEE OF THE WHOLE MEETING OF NOVEMBER 12, 2008

### Call to Order

President Fischer called the Committee of the Whole meeting to order at 6:00 p.m.

### Roll Call

PRESENT: President Fischer, Trustee Elrick, Trustee Leicht, Trustee Ransbottom, Trustee Smith, Trustee Van Ooyen

EXCUSED: Trustee Verstegen

ALSO PRESENT: C. Kell, D. Haug, J. Moes, T. Flick, R. Van Gheem, V. Schneider

### Public Appearance for Items not on the Agenda

Robert Berken, 182 Grant Street, presented a written request to the Board concerning payment of his special assessments and stated that his request is that the portion of Bluff Avenue that was completed in 2005 be charged at 2005 rates and the portion that was completed in 2007 be charged at the 2007 rate. Mr. Berken also stated the road never received curb and gutter and the restoration of the road was never completed and he is requesting that the restoration be completed. Mr. Berken also questioned the location of the neighbor's wood pile in location to the property lines. J. Moes stated that tomorrow he would visit the property and review the situation and the property lines are currently be reviewed and corrected as part of the assessors plat project for that area.. D. Haug stated that policy calls for the owner to pay the special assessment before it can be appealed and then an adjustment can be made if the Board grants the appeal.

*Moved by Trustee Elrick, seconded by Trustee Ransbottom to enter into the Public Hearing for the Zoning Code Amendments.*

Ayes 6, Nay 0 – Motion Carried

### Public Hearings – Amending Zoning Code Sections –

#### 1) Section 13-1-53 – Creating an Institutional (IT) Zoning District

J. Moes stated that the Plan Commission had reviewed this section that creates a new zoning district in the Village and the Commission is recommending approval of establishing the ordinance. J. Moes also stated that currently no parcels are zoned IT and any rezoning will require a public hearing before the Board. No other comments were made.

#### 2) Section 13-1-124 – Storage and Parking of Recreational Vehicles, Automobiles and Utility Trailers

J. Moes stated the amendment is being proposed due to numerous complaints about storage of automobile and utility trailers on lawns. This amendment addresses the issue by only allowing storage that is longer than 24 hours to be only on concrete surfaces and it also addresses the issue of prohibiting vehicle or storage container use for offices, etc., in any zoning district except for temporary construction trailers. J. Moes stated the Plan Commission is recommending approval of the amendment. No other comments were made.

#### 3) Section 13-1-142 - Sign Permit Required

J. Moes stated that the Plan Commission is recommending approval of the amendment that requires a sign permit for any work done to a sign. No other comments were made.

*Moved by Trustee Elrick, seconded by Trustee Smith to exit the Public Hearing on the Zoning Code Amendments.*

Ayes 6, Nay 0 – Motion Carried

### Discussion/Possible Action Regarding Reconstruction of Paradise Drive

Tim Zak, 225 Paradise Drive, asked what the Village's plan was for the road. R. Van Gheem stated that in the 2009 CIP the road is scheduled for curb and gutter and concrete, storm sewer, a turnaround, and

water main loop if the Board approves the CIP for 2009 as it has been presented. Discussion took place on the cost of asphalt versus concrete and the need to acquire land from Mr. Huss for the turnaround. Property owners asked questions about the plans for the property to the west of Paradise Drive. Village Trustees and staff commented that they have not been informed of any current plans for the property and it may be years before the property is developed. Richard Williams, 224 Paradise Drive, asked the Board if property owners can be forced from their homes if they don't want to sell to the Paradise Valley landowner and commented that the Village's Comprehensive Plan states that the Village will protect existing residential neighborhoods. Board members stated that the Village Board would not force property owners to sell their homes and any rezoning of the land has to have a public hearing. R. Van Gheem informed the residents and the Board that it is highly unlikely that Paradise Drive would be extended if there was a development to the west. Lori Verhagen, 226 Paradise Drive, presented a written statement to President Fischer and questioned why the improvements were needed. R. Van Gheem explained the benefits to repairing the road included reducing I & I, reducing maintenance costs to the Village as the road is deteriorating quickly because of water drainage issues, the water main loop will improve the water quality for the residents, and the turnaround will benefit the residents. Mr. Verhagen, 221 Paradise Drive, commented on the vehicles that turnaround in his driveway that includes the Village's vehicles and stated the residents still have rusty water and he felt that the land for the turnaround should be purchased before the design plan. Board members also discussed the increased cost to all taxpayers if the project is postponed and not done at the same time that Washington Street is reconstructed. C. Kell stated the properties were annexed to the Village from the Town of Vandenbroek and the Village didn't create the problem and cautioned the Board on treating this road different than Jackson Street. Joyce Tiedt, 221 Paradise Drive, stated her father had developed the road and she stated she had deeded land to the Village this summer for the turnaround and questioned why it was taking the Village so long to move forward with purchasing the additional land that was needed for a turnaround. Staff stated that the project has to be approved by the Board before staff can proceed with a design plan. If the Board approves the project, then the design plan will be developed and presented to the residents at a public informational meeting. Trustee Van Ooyen informed the residents that he would consider delaying the project if they had a notarized letter from the Paradise Valley property owner stating a timeline for his plans for the land. Discussion continued and the majority of Board members expressed agreement with moving forward with the project in 2009 and proceeding with the design for the road.

*Moved by Trustee Ransbottom, seconded by Trustee Elrick to authorize staff to move ahead with the design plans for Paradise Drive that include constructing the street in concrete with curb and gutter and also including a turnaround and water main loop.*

Ayes 5, Nay 1 (President Fischer) – Motion Carried

#### **Discussion – Resolution Regarding Revenue Bond Financing for the Community Blood Center**

Alan Cable, Community Blood Center, and Lisa Lang, attorney for the bond issue, presented information on the proposed construction of an 18,000 square-foot two-story addition to the existing facility in Grand Chute and the purchase and installation of equipment to the Little Chute facility and the request to the Village to act as a conduit issue for tax-exempt bonds for the projects. It was further stated that the Village is being asked because Grand Chute's projected borrowing in 2009 does not allow for them to designate the conduit bonds as bank qualified. C. Kell stated the Village would only be impacted if we were to borrow a significant amount in 2009 and that is not the case. Board members agreed that the Blood Center provides a benefit to the Fox Cities and agreed to put the resolution on the RFB next week's agenda for action.

**Discussion/Possible Action – Resolution Requesting Actions to Hal Harmful Barriers to Fair and Free Trade**

C. Kell stated he had reviewed the resolutions adopted by other communities and they were mainly written verbatim from the proposal presented by Ms. Lollar. C. Kell stated the resolution he drafted does not include specifics except for a determination made by the International Trade Commission on October 30, 2008 determining that Appleton Paper is threatened with material injury by reason of imports of certain thermal paper being sold in the U.S. by China and Germany at less than fair value.

*Moved by Trustee Elrick, seconded by Trustee Ransbottom to Adopt Resolution No. 41, Series of 2008 Requesting Actions to Halt Harmful Barriers to Fair and Free Trade.*

Ayes 6, Nay 0 – Motion Carried

**Discussion of 2009 Village Budget and Possible Action to Adopt 2009 Capital Improvement Plan**

D. Haug reviewed the updated handouts that indicated the Board discussions and decisions on the budget and CIP. Discussion took place on the proposed improvements to Legion Park. Staff agreed to downsize the basketball court at a budgeted amount of \$4,000 and allocate \$10,000 towards sodding the infield at Van Lieshout Park. Trustee Leicht expressed concerns with spending money on baseball field lighting at Legion Park. Staff pointed out that there is only a proposal to light diamond #2 at Legion Park and the funding for the park improvements is through borrowing and not the tax levy. Discussion took place.

D. Haug reviewed the revenue changes and the practice to transfer surplus dollars in the Vehicle Maintenance budget to the Fleet Revolving for future high cost fleet maintenance repairs and the Snow & Ice Control budget to the fleet replacement fund. Board members agreed to act on the 2009 CIP. The Resolution to approve the budget will be presented next week.

*Moved by Trustee Leicht, seconded by Trustee Van Ooyen to approve the 2009 Capital Improvement Plan.*

Ayes 6, Nay 0 – Motion Carried

**Unfinished Business**

C. Kell stated that at next week's meeting the settlement agreement with Vinton construction for the sidewalk project will be presented and at a future meeting the Board will need to address how to handle the assessments to property owners for the sidewalk replacements. C. Kell also suggested that the meeting on Wednesday, November 26 be canceled if the budget is approved next week. Board members indicated agreement with canceling the meeting on November 26.

**Items for Future Agenda**

None

**Adjournment**

*Moved by Trustee Ransbottom, seconded by Trustee Elrick to adjourn the meeting at 7:46 p.m.*  
Ayes-6, Nay, 0 - Motion Carried

**VILLAGE OF LITTLE CHUTE**

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By: Charles Fischer, Village President

Attest: Vicki Schneider, Village Clerk