

MINUTES OF THE REGULAR BOARD MEETING OF FEBRUARY 4, 2009

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, Village President
John Elrick, Trustee
Jason Leicht, Trustee
Steven Ransbottom, Trustee
Skip Smith, Trustee
Uriah Van Ooyen, Trustee
Janet Verstegen, Trustee

Roll Call of Officers and Department Heads

PRESENT: Charles Kell, Village Administrator
Mark Recker, Assistant Police Chief
Dale Haug, Finance Director
Tom Flick, Director of Parks, Recreation, and Forestry
Roy Van Gheem, Director of Public Works
Charles Koehler, Village Attorney
Vicki Schneider, Village Clerk

EXCUSED: Jim Moes, Community Development Director

Public Appearance for Items Not on the Agenda

David Funk, 124 Canal Street, inquired about a future traffic study the Board had discussed during a construction meeting last year. Father Funk reminded the Board that they had indicated a traffic study would be considered this spring in response to the residents concerns with narrowing the street, removing the parking, and safety issues. Father Funk stated he has concerns with safety as the traffic on the street is moving faster and there are not any lines painted on the street and there is a problem with vision obstruction when trucks are parked on the road and he also stated that he believes the street will become more dangerous once traffic increases with the windmill and in the summer when more individuals are on scooters. President Fischer stated that the Board will bring up the issue under Items for Future agendas.

Moved by Trustee Elrick, seconded by Trustee Ransbottom to enter into the Public Hearing for the Rezoning Request for 114 Canal Street.

Ayes 7, Nay 0 – Motion Carried

Public Hearing – Rezoning Request – 114 Canal Street from RT – Residential Two Family District to CB- Central Business District – Applicant – George and Ann Kessler

President Fischer stated that the Plan Commission had reviewed the rezoning request and recommended denial of changing the zoning but they were not opposed to the Board granting a conditional use for creation of a parking lot on the property. President Fischer further noted that J. Moes had stated in his IFC that the

conditional use be approved subject to approval of final construction, drainage, and landscape plans and that the Village Board retain jurisdiction over such conditional use approval and any future appeals of such use. Mr. Kessler stated that he is comfortable with obtaining a conditional use permit for construction of the parking lot. David Funk, 124 Canal Street, stated that his residence is only 10 feet from the proposed parking lot and he and Father Jim Hablewitz do not have a problem with the construction of a parking lot on this property. C. Kell suggested putting the issue of granting a conditional use for the parking lot on a future agenda if the Board wants to approve it or they can send it back to the Plan Commission for review. Trustee's indicated agreement with putting the item on the agenda of February 18 and Trustee Verstegen stated that discussion of the size of signage to be allowed and screening of the parking lot should be addressed at the meeting.

*Moved by Trustee Elrick, seconded by Trustee Smith to Exit the Public Hearing for Rezoning
114 Canal Street.*

Ayes 7, Nay 0 – Motion Carried

Approval of Minutes

Regular Board Meeting Minutes – January 21, 2009

Committee of the Whole Meeting Minutes – January 28, 2009

Moved by Trustee Verstegen, seconded by Trustee Ransbottom to approve the Regular Board minutes of January 21 and the Committee of the Whole minutes of January 28, 2009 as presented.

Ayes 7, Nay 0 – Motion Carried

Report of Other Minutes – Other Informational Items

Quarterly Budget Summary

Minutes of Police Commission Meeting of January 20, 2009

Board members noted receipt of the item listed above.

Ordinance:

Amending Village of Little Chute Municipal Code – Section 6-2-5 – Public Works, Streets and Sidewalks, Obstructions and Encroachments

Trustee Verstegen thanked staff for the work they did in revising the ordinance.

*Moved by Trustee Ransbottom, seconded by Trustee Smith to Adopt Ordinance No. 2, Series of 2009
Amending Village of Little Chute Municipal Code – Section 6-2-5 – Public Works, Streets and
Sidewalks, Obstructions and Encroachments.*

Ayes 7, Nay 0 – Motion Carried

Resolution:

Fox River Navigational System Authority Trail and Bridge Lease

T. Flick stated that an updated copy of the lease had been distributed at tonight's meeting and the resolution approving the lease is required by the DNR in order for the Village to receive grants for the pedestrian walkway and bridge at Heesakker Park.

*Moved by Trustee Elrick, seconded by Trustee Ransbottom to Adopt Resolution No. 3, Series of 2009
Approving the Fox River Navigational System Authority Trail and Bridge Lease.*

Ayes 7, Nay 0 – Motion Carried

Action – Fund Balance Designation for Future Revaluation

<u>Fund</u>	<u>Amount</u>	<u>Designated Purpose</u>
101-29214 General Fund	\$25,000	Village Revaluation in 2010-2011
Designated Revaluation		

Moved by Trustee Verstegen, seconded by Trustee Van Ooyen to Approve the 2009 fund balance designation for future revaluation.

Roll Call Vote: Trustee Elrick – Yes, President Fischer – Yes, Trustee Leicht – Yes, Trustee Ransbottom – Yes, Trustee Smith – Yes, Trustee Van Ooyen – Yes, Trustee Verstegen – Yes

Ayes 7, Nay 0 – Motion Carried

Action – Apply Unspent 2008 Finance Department Budget to OPEB Study

<u>Account</u>	2009 Adopted Budget	Previously Amended	2009 Amended Budget	<u>Change</u>
Expenditure				
101-51420-204	\$17,000	-0-	\$21,000	\$4,000

Contractual

Moved by Trustee Verstegen, seconded by Trustee Van Ooyen to Apply unspent 2008 Finance Department budget to fund OPEB study.

Roll Call Vote: President Fischer – Yes, Trustee Leicht – Yes, Trustee Smith – Yes, Trustee Ransbottom – Yes, Trustee Van Ooyen – Yes, Trustee Verstegen – Yes, Trustee Elrick - Yes

Ayes 7, Nay 0 – Motion Carried

Discussion/Possible Action – Projects for Federal Stimulus Program

C. Kell stated that staff had put together a list of approximately four-million dollars of various projects to send to the State to be considered for funding through the Federal Stimulus program. C. Kell stated that part of the criteria for funding is that the projects have to be ready to be started in 60-90 days. C. Kell stated he was looking for direction from the Board on whether to submit the projects to the State for consideration. Trustees agreed that the projects listed should be submitted and the bridge demolition should also be included. Trustee Elrick stated he would like to have fleet replacement be listed as a priority item on the list and asked Administrator Kell to lobby for the Village's projects. C. Kell stated he understands that priority consideration will be given to projects that will create jobs.

Discussion/Action – Rescind Personal Property Tax-U.S. Bancorp Equipment Finance

D. Haug stated a handout with revised numbers had been provided to Trustees at this meeting.

Moved by Trustee Van Ooyen, seconded by Trustee Leicht to recognize the 2008 assessment error of exempt property value for \$6,400 of leased computer equipment incorrectly reported by U.S. Bancorp Equipment Finance and Authorize the Finance Director to notify Wisconsin DOR for a tax correction of \$150.33.

Ayes 7, Nay 0 – Motion Carried

Operator's License:

None

Department and Officers Progress Reports

Assistant Chief Mark Recker informed the Board that a meeting for Neighborhood Watch captains and interested parties is being held on February 24 at 5:30 p.m. and the event is being organized by Lieutenant Parks. Asst. Chief Recker also announced that Officer Jeff Steeber had received the Officer of the Year award which is voted on by the Department's staff and Officer Steeber was present and was congratulated by the Board. D. Haug stated that the bills listing contains the 3rd installment payment to Walgreens for their excessive tax claim settlement but the issue may not be resolved as Walgreens has now filed another claim for this year's tax assessment. D. Haug stated that through a cooperative agreement with the County, Little Chute

residents will be able to make credit card payments for their second tax installment through a link on the County's website. Board members indicated agreement with D. Haug's objection to an unfunded mandate from the IRS to report individual's property tax payments. C. Kell distributed a letter from the League about the creation of a Local Government Storm Water Group and he recommended that the Village participate and the membership fee would be \$200. Board members indicated agreement with participating in the Storm Water Group. C. Kell reported that the Fox Locks Navigational Authority may be slowing down with their improvements to the system due to the current economy. C. Kell also reported that McMahon has been contracted to conduct a drainage control and analysis of storm water at Legion Park. Trustee Elrick asked staff to make sure the work already done by Rettler Corporation for the park is reflected in the McMahon study.

C. Kell reported that he will be sending an appeal to the Dept. of Agriculture, Trade, and Consumer Protection for the assessment charge the County Drainage Board is imposing on Little Chute as the current charges assess the Village for approximately 60% of the project and the Village should only be responsible for approximately 25% as most of the land is in the Town of Vandenbroek. T. Flick reported that July 20 – 26th is National Aquatics week and he proposes that the Village join in a regional program to honor participating municipalities pool passes during that week. Board members agreed with his proposal. T. Flick reported on recent developments with the Emerald Ash Boer Bug and the need to put in place a rediness plan to deal with the removal and the loss of the Emerald Ash trees. T. Flick reported that the expansion project by the Softball/Baseball Club to the concession stand at Legion Park had started. R. Van Gheem stated the Department has been removing snow from streets within the Village to widen them and he also commented on various projects taking place throughout the Village and informed the Board that a portion of Buchanan Road will be closed beginning February 16 until approximately May 8th and detours will be posted and publicized. V. Schneider reported that the new code books had been received but some of the binders were damaged and they have to be replaced before she is able to distribute them. V. Schneider also asked for Board members to let her know if they plan to attend the Fox Cities CVB annual breakfast. Attorney Koehler did not have a report.

Disbursement List

Motion by Trustee Leicht, seconded by Trustee Van Ooyen to approve the disbursement list as presented.

Ayes-7, Nay 0-Motion Carried

Call for Unfinished Business

None

Items for Future Agenda

Board members indicated agreement with putting the proposed conditional use permit for a parking lot at 114 Canal Street on the agenda of the February 18th meeting for possible action.

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

Ayes 7, Nay 0 – Motion Carried

Closed Session: Legal (g) Conferring with legal counsel for the Village, legal counsel rendering oral or written advice concerning strategy to be adopted by the Village Board with respect to litigation in which the Village is now or is likely to become involved. 19.85(1)(g), Wis. Stats. – Berken Adverse Possession of Village owned property.

Moved by Trustee Ransbottom, seconded by Trustee Van Ooyen to exit Closed Session and return to Open Session.

Ayes 7, Nay 0 – Motion Carried

Regular Board Meeting Minutes – February 4, 2009

Return to Open Session

Adjournment

Moved by Trustee Ransbottom, seconded by Trustee Elrick to Adjourn the Regular Board Meeting at 7:24 p.m.

Ayes - 7, Nay 0-Motion Carried

VILLAGE OF LITTLE CHUTE

By: _____

Charles Fischer, Village President

Attest: _____

Vicki Schneider, Village Clerk