

MINUTES OF THE REGULAR BOARD MEETING OF JUNE 17, 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
Skip Smith, Trustee
Steve Ransbottom, Trustee
Don Van Deurzen, Trustee
Janet Verstegen, Trustee

Roll Call of Officers and Department Heads

PRESENT: Charles Kell, Village Administrator
Mark Recker, Assistant Police Chief
Jim Moes, Community Development Director
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

Public Appearance for Items Not on the Agenda

None

Moved by Trustee Elrick, seconded by Trustee Ransbottom to Enter into the Public Hearing for the Preliminary Assessment Hearing for Concrete Paving/Apron/Sidewalk for a portion of Wildenberg Drive. (6:03 p.m.)

Ayes 7, Nay 0 – Motion Carried Unanimously

Public Hearing- Preliminary Assessment Hearing – Concrete Paving/Apron/Sidewalk – Wildenberg Dr.

No public comment.

R. Van Gheem briefly explained the project and preliminary project costs for the four properties involved in the project on Wildenberg Drive.

Moved by Trustee Verstegen, seconded by Trustee Elrick to close the public hearing. (6:04 p.m.)

Ayes 7, Nay 0-Motion Carried Unanimously

Approval of Minutes

Regular Board Meeting Minutes – June 3, 2009

Moved by Trustee Verstegen, seconded by Trustee Leicht to approve the Regular Board Minutes of June 3, 2009 as presented

Ayes 7, Nay 0-Motion Carried Unanimously

Report of Other Minutes-Other Informational Items

Planning Commission Meeting Minutes – May 11, 2009

Kimberly/Little Chute Library Board Special Meeting- May 28, 2009

Board members noted receipt of the informational items.

Ordinance:

Amending Sections 8-24(l) of the Building Code

Moved by Trustee Elrick, seconded by Trustee Ransbottom to Adopt Ordinance No. 8. Series of 2009 Amending Section 8-24(l) of the Building Code – Minimum Standards for sanitation and heating, ventilating and electrical service.

Ayes 7, Nay 0 – Motion Carried Unanimously

Resolutions:

Declaring Official Intent to Reimburse Expenditures from Proceeds of Borrowing

Moved by Trustee Verstegen, seconded by Trustee Ransbottom to Adopt Resolution No. 23, Series of 2009 Declaring Official Intent to Reimburse Expenditures from Proceeds of Borrowing as presented.

Ayes 7, Nay 0-Motion Carried Unanimously

Authorizing Representative to File Applications for Financial Assistance from the State of Wisconsin Environmental Improvement Fund

Moved by Trustee Verstegen, seconded by Trustee Van Deurzen to Adopt Resolution No. 24, Series of 2009 Authorizing the Village Administrator to File Applications for Financial Assistance from the State of Wisconsin Environmental Improvement Fund.

Ayes 7, Nay 0-Motion Carried Unanimously

Approving the Signing of a Lot Boundary Agreement of Property Owned by the Village Located with the Proposed 2008 Assessor's Plat

Moved by Trustee Leicht, seconded by Trustee Smith to Adopt Resolution No. 25, Series of 2009 Approving the Signing of a Lot Boundary Agreement of Property Owned by the Village Located with the Proposed 2008 Assessor's Plat.

Ayes 7, Nay 0 – Motion Carried Unanimously

Possible Action to Reconsider Washington Street Sidewalk Construction Motion and Vote

Moved by Trustee Verstegen, seconded by Trustee Smith to Reconsider the Motion and Vote on the installation of sidewalk on Washington Street.

Ayes 7, Nay 0 – Motion Carried Unanimously

Trustee Verstegen stated that due to the unusual situation in this area, repositioning the sidewalk may be appropriate but noted that Mr. Heiting would still lose parking spaces because they are currently in the right-of-way and she invited Mr. Heiting to comment. Mr. Heiting stated that he didn't see a need for a sidewalk to be installed between Paradise Dr. and Hwy. "OO" as the sidewalk will go nowhere if traffic lights are not installed and he recommended that the Village put in speed bumps on Washington Street and a pedestrian crossing at Paradise Drive to the sidewalk on the east side of the street. He asked the Board to be pro-business with their decisions for the design of the street so to prevent the loss of nine of his parking spaces. Discussion took place on the various issues of sidewalk, street design, pedestrian safety, and signal light installation. Lori Verhagen, 226 Paradise Dr., commented that it is too dangerous to cross Hwy. "OO" without signal lights and she would rather see a pedestrian crossing at Paradise Dr. Mark Londo, spoke on behalf of Robin Verbruggen, 1155 Washington St., and stated he agreed with Mr. Heiting's comments that a sidewalk is not needed on the west side of Washington Street between Paradise Dr. and Hwy. "OO". R. Van Gheem stated a

preliminary design could be drafted for the street construction without sidewalk included and if it is decided in the future to include sidewalk it could be added. Board members requested that a preliminary construction design for Washington Street reconstruction be drafted and brought to the Board for review.

Moved by Trustee Smith, seconded by Trustee Verstegen to remove sidewalk installation from Paradise Drive to Hwy. 00 from the design plans for the Washington Street reconstruction project.

Ayes 4, Nay 3 (Fischer, Elrick, Leicht) – Motion Carried

Discussion/Possible Action – Regarding Inclusion of the Washington Street/Hwy. “OO” Traffic Signals and Hwy. “OO” Left Turn Lane for Kraft Pizza Company in the TEA Grant Project

C. Kell explained that staff had met with the Outagamie County Highway Commissioner and he indicated that the County is opposed to the installation of traffic signals on Cty. “OO” and Washington St. because of the possibility of installing roundabouts in the future at Holland Rd., Madison St., and Cty. “N” intersections.

C. Kell stated the County does need to give permission for the Village to install the signals at this location.

C. Kell stated the second issue with the TEA Grant Project request is that a left turn lane coming from the east on Cty. “OO” into the Kraft facility is included in the grant application but Kraft Co. and the County have stated they will not assist with the funding for the turn lane so the Village would have to apply approximately \$123,000 of Village funds for the turning lane. Discussion on the issue of the signalization and pedestrian and traffic safety took place. Asst. Chief Recker stated that it is too dangerous for pedestrians to cross Hwy. OO without traffic signals or some type of assistance with crossing the Highway. Board members felt firmly that the intersection needs traffic signals for the safety of the Village’s residents. Mr. Lesperance, 1000 W. Main St., commented that he feel the roundabouts in DePere are not safe for pedestrians to cross. Staff stated that the left turning lane could be added when the County reconstructs Hwy. “OO” in the future. C. Kell stated that the Village has three years to use the TEA grant funds and if a resolution on the traffic signals doesn’t take place, the Village isn’t obligated to use the grant money for the lights.

Moved by Trustee Verstegen, seconded by Trustee Ransbottom to remove the left turn lane into Kraft Pizza Company from the TEA Grant Project and to leave in the grant application the request for funding for the traffic signals at County “OO” and Washington Street.

Ayes 7 – Nay 0 – Motion Carried Unanimously

Action to Deny Zoning Request – 1000 W. Main Street and Possible Action to Approve Conditional Use Request for 1000 W. Main Street – Church Counsel, Inc.

J. Moes stated that he is recommending that the Board deny the zoning request and grant a conditional use for the proposed use of the building for the current offices and day care, and the proposed electrical parts distributor and allow operations between 7 a.m. and 7 p.m., with no outside storage or objectionable noise generated by the operations, and that the Village Board retain jurisdiction over such conditional use approval and any future appeals of such use.

Moved by Trustee Elrick to Deny the Rezoning Request for 1000 W. Main Street.

Ayes 7, Nay 0 – Motion Carried Unanimously

Moved by Trustee Smith, seconded by Trustee Elrick to Approve the Conditional Use Request for 1000 W. Main Street with the conditions to be applied as outlined in the application.

Ayes 7, Nay 0 – Motion Carried Unanimously

HOVMSD Request for Village Contribution to the Cost of the Temporary Bridge to Island Park

Moved by Trustee Leicht, seconded by Trustee Smith to Approve a Contribution of \$7,200 to the HOVMSD Toward the Lease Cost of the Temporary Bridge to Island Park from the Mill Street Bridge.

Ayes 7, Nay 0 – Motion Carried Unanimously

Set Public Hearing – Creating Section 2-156 Design Review Board of the Village of Little Chute Code of Ordinances and Amending Section 44-50 CB – Central Business District of the Zoning Code

J. Moes stated a hearing is needed for amending Section 44-50 of the Zoning Code. Trustee Verstegen suggested including the Design Manual as an agenda item on the same date as the public hearing.

Moved by Trustee Verstegen, seconded by Trustee Ransbottom to Set a Public Hearing for 6:00 p.m. on July 22, 2009 for the Amendment of the Zoning Code Section 44-50 – Central Business District.

Ayes 7, Nay 0 – Motion Carried Unanimously

Action-2009/2010 Renewal Liquor License Applications

Moved by Trustee Elrick, seconded by Trustee Ransbottom to Approve the 2009/2010 Renewal Liquor License Applications as presented.

Ayes 7, Nay 0 - Motion Carried Unanimously

Budget Adjustment – Designation for Fox Valley Metro Reserve

<u>Fund</u>	<u>Amount</u>	<u>Designated Purpose</u>
From: 101-29111 General Fund	\$19,620	FVMPD Budget Variance
To: 101-29218	\$19,620	Fox Valley Metro Reserve

Moved by Trustee Leicht, seconded by Trustee Smith to approve the budget transfer of \$19,620.

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

Ayes 7, Nay 0-Motion Carried Unanimously

Operator's Licenses:

Sheri Lynn Gasparick	908 Rolling Meadows Dr.	Little Chute	Simon's Cheese
Mary LaVera McCauley	283 Brule Rd.	DePere	Simon's Cheese
Cynthia A. Pynenberg	W2810 Cty. Rd. S	Freedom	Simon's Cheese
Cynthia R. Rice	716 E. 9 th St.	Kaukauna	Moasis
Joyce C. Van Groll	W3040 Evergreen Dr.	Appleton	Simon's Cheese
Lynn M. Wildenberg	2285 Fraser Fir Ln.	Appleton	Simon's Cheese

Moved by Trustee Leicht, seconded by Trustee Elrick to approve the operator's licenses as presented.

Ayes 7, Nay 0-Motion Carried Unanimously

Department and Officers Progress Reports

Asst. Chief Recker stated that the Department had received a complaint about the noise from the Cheese Fest's music from a Combined Locks resident and also numerous complaints were received about the noise from the Festival's fireworks. Asst. Chief Recker stated that approximately 40 attendees at the Festival used the safe ride home program. D. Haug reported that the CIP is not following the typically planning stages because of the issues that have not yet been resolved for this year's plan. C. Kell reported that many of the Village's projects are on hold because of the application process for stimulus funds for the projects. C. Kell provided an update on meetings he has had and that are scheduled with the Development Group that is interested in the Island Park Development and

noted that the Developer has scheduled a meeting with the Bridge Consultant. C. Kell informed the Board that the land in the Village's Industrial Park is being considered as a possible site by a Distribution Company. C. Kell stated the new Police Chief's Oath of Office Ceremony will be held at 10 a.m. on July 6th and Board members are invited to attend. C. Kell notified the Board that the Kraft Pizza Ribbon Cutting Ceremony is being held on June 25 at 9 a.m. and Board members are invited to attend. C. Kell stated that auto defibrillators had been installed at the Library, Civic Center, and Village Hall through a fundraising effort by the Friends of the Library and the

major contributors were Gold Cross Ambulance, Little Chute Kiwanis, and Friends of the Library and other organizations. C. Kell reported that staff had reviewed two micro loan applications and one was for a new coffee shop and the other for an existing business and the CDA will be holding a meeting to review and make a recommendation on the loan applications. J. Moes reported that he had submitted the TID's Assessment information to the State and has provided the Finance Dept. with preliminary assessment and equalized value amounts. T. Flick reported that the Park Eviction Policy has been used on two individuals based on a recommendation from the Police Department and also stated that four youth tournaments were taking place in the Village this upcoming weekend. T. Flick reported that auto door locks had been placed on restrooms at Doyle Park and since the locks have been added to the restrooms at the Parks, vandalism has decreased around 90%. T. Flick stated that the summer programs and pool operations are running fine. R. Van Gheem reported that both the Vandenbroek Rd. and Buchanan St. bridges are now closed for the Hwy. 41 projects and the Department is working on street and sidewalk patching projects. V. Schneider reported that the newsletter is at the printer and should be distributed to residents next week. V. Schneider reported that the Village had received a \$100 incentive grant for her participation in an Elections Data Quality Survey and she also had applied for a scholarship through WMCA for the UWGB Clerk's Master Academy and she was awarded a full scholarship in the amount of \$505 to attend the academy. Attorney Koehler – no report.

Disbursement List

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

Ayes 7, Nay 0-Motion Carried Unanimously

Call for Unfinished Business

C. Kell stated the Village had received a quote from Toter Co. that was lower than the quote from Schaefer Co. for the recycling polycarts so staff is recommending that the Village proceed with ordering the carts from Toter as it would save the Village approximately \$38,000 and the Board was asked what color carts they prefer. Trustees' agreed to have staff place an order with Toter for blue recycling carts.

Items for Future Agenda

Trustee Verstegen requested that an agenda item for the Design Manual be included on the July 22nd agenda to coincide with the public hearing on the ordinance to amend zoning code for the CB District. C. Kell stated that the staff had contacted Kraft about the noise complaints and the Police Department is stepping up patrols near the facility at shift change so Board members agreed that the issue didn't need to be on a future agenda for discussion.

Adjournment

Moved by Trustee Elrick, seconded by Trustee Van Deurzen to adjourn the Regular Board Meeting at 7:30 pm

Ayes 7, Nay 0-Motion Carried Unanimously

VILLAGE OF LITTLE CHUTE

By: _____
Charles Fischer, Village President

Attest: _____
Vicki Schneider, Village Clerk