

MINUTES OF THE REGULAR BOARD MEETING OF AUGUST 5, 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
Erik Misselt, Police Chief
Dale Haug, Finance Director
Jim Moes, Community Development Director
Tom Flick, Director of Parks, Recreation, and Forestry
Roy Van Gheem, Director of Public Works
Vicki Schneider, Village Clerk
Charles Koehler, Village Attorney

Public Appearance for Items Not on the Agenda

None

Approval of Minutes

Regular Board Meeting Minutes – July 15, 2009

Committee of the Whole- July 22, 2009

Moved by Trustee Verstegen, seconded by Trustee Leicht to approve the Regular Board Minutes of July 15 and the Committee of the Whole Minutes of July 22,, 2009 as presented

Ayes 7, Nay 0 –Motion Carried Unanimously

Report of Other Minutes-Other Informational Items

Fox Valley Metro Activity Report – May 2009

Minutes of the Water Commission Meeting – June 16, 2009

Minutes of the Joint Police Commission Meeting – July 7, 2009

Quarterly Investment Summary

Board members noted receipt of the informational items.

Action – Request to Amend Liquor License to include Outside Tent Area at the 5th Quarter on Friday, August 28th and Saturday, August 29th

Regular Board Meeting Minutes – August 5, 2009

Chief Misselt stated he had reviewed the request and the applicants are using fencing to enclose the area between the building and the tent and he does not have any concerns or further conditions to apply to the temporary license amendment.

Moved by Trustee Smith, seconded by Trustee Elrick to approve the liquor license amendment for the 5th Quarter for Friday, August 27th and Saturday, August 28, 2009 to include the outside tent area.

Ayes 7, Nay 0 – Motion Carried Unanimously

Action – Request to Amend Liquor License to include Outside Area at Down the Hill Bar on Saturday, August 15, 2009

Chief Misselt stated he had reviewed the liquor license amendment request and he does have concerns with the use of rope instead of fencing to contain the outside area and he recommended that the Village Board consider requiring fencing to contain the outside area so patrons are not able to access the outside area except by entering into the bar first.

Moved by Trustee Leicht, seconded by Trustee Ransbottom to approve the amendment to the liquor license premise description for Down the Hill Bar for Saturday, August 15, 2009 on the condition that the outside area where alcohol will be consumed is fully contained with fencing and access to this area is allowed only through the inside of the bar.

Ayes 7, Nay 0 – Motion Carried Unanimously

Action – Walk/Run Permit – Kermis Volksmarch – Vanderloop Shoes, Inc. – October 10, 2009 at 8 a.m.

Board members had questions about the walk/run crossing Main Street and the use of barricades and whether the group needed assistance from the Metro and Public Works. Board members also questioned whether the run/walk would be taking place on the streets or on the sidewalks. T. Flick stated that the group had worked with him to reserve the Legion Park Shelter as the start and stopping point for the event and he had directed them to the Public Works Department and Police Department. T. Flick will contact the applicant to get more information and the permit will be brought back to the Board for action at a future meeting.

Discussion/Possible Action on Evergreen Pond Storm Water System Assessments and Adoption of Resolution

R. Van Gheem explained the project expanding the Evergreen Pond storm water system by adding a new storm water pipe down Evergreen Drive and stated that because of stimulus funding, timing is of the essence and the bidding process has been initiated and the bid opening date is scheduled for August 24th as contracts need to be executed by October 1st according to stimulus requirements. D. Haug stated the normal Village policy is to assess property owners for new sewer and water laterals when they are part of an extension. Staff stated that the area involves properties on the north and south side of Evergreen Drive from Spirit Court to 50 feet west of Southview Road and some of the properties are located in the Town of Vandenbroek and those properties would be assessed hookup fee charges. Attorney Kohler suggested language to add to the Preliminary Resolution that sets the assessment hearing.

Moved by Trustee Verstegen, seconded by Trustee Ransbottom to Adopt Resolution No. 28, Series of 2009, the Preliminary Assessment/Hookup Fee Resolution for New Storm Sewer for Evergreen Pond and to include the language revisions recommended by the Village Attorney and to set the Public Hearing date for the Assessments/Hookup Fees for August 26, 2009 at 6:00 p.m.

Ayes 7, Nay 0 – Motion Carried Unanimously

Discussion/Possible Action on Heesakker Park Pond Project, North side Park Proposal around Ebbens Pond and Setting a Date for a Public Informational Meeting Regarding the Heesakker Park Pond

C. Kell reported that the Village has received grants and stimulus funding for this project that will cover

approximately 2/3 of the cost of the pond and because the Village already owns this land it is a cost effective way for the Village to build a pond to help with I and I reduction requirements. C. Kell stated that the Parks Director and Park Planning Committee have concerns with the amount of space devoted to the pond as the pond does take up a large area of the park. C. Kell stated that one option to make up for the lost park land is to provide for a neighborhood park around the Ebben Pond. Board members reviewed the proposal for the park and subdivision around the Ebben Pond. Discussion took place. Staff stated the approximate total cost of the pond is \$350,000 and installation of the pond would require the clearing of approximately 2.6 acres of trees from the park landscape. Board members stated they understood the need for the pond and that Heesakker Park is the most cost effective option for placement of a pond but they have concerns with the amount of land being used and the number of trees that are going to be lost. Staff recommended that the Board set a public hearing to gather public comment on the proposed pond. Trustee Smith asked if a representative from the DNR could be present to explain the mandates being imposed on the Village for storm water inflow and infiltration reduction. R. Van Gheem stated he will see if Nick Vande Hey from McMahons is available to attend the meeting and stated because of the stimulus funding, this project also is on a fast time track as the project contract needs to be executed by October 1. Board members asked to have the public informational notice placed in the local newspapers and on the website and they stated direct notification of property owners was not required. Board members agreed to set the Public Information Hearing date for Wednesday, August 19th at 6 p.m. with the Regular Village Board meeting to follow the hearing.

Operator's Licenses:

Dustin J. Champine	528 ½ 5 th Street	Menasha	Hollanders
Jennifer Mae Fulcer	305 Claribel Street	Kaukauna	M & M Bar
Jennifer Theresa McGee	227 Kamps Street	Combined Locks	The Flying Dutchman

Moved by Trustee Leicht, seconded by Trustee Smith to approve the Operator Licenses as presented.

Ayes 7, Nay 0 – Motion Carried Unanimously

Department and Officers Progress Reports:

Chief Misselt was excused from the meeting prior to this agenda item due to another commitment. D. Haug informed the Board that the Artz Jewelry Revolving Loan had been paid off and commented about the owners' commitment to making their payments even after the business closed. C. Kell reported that the Village received stimulus funding for the Washington Street project and the Heesakker and Buchanan Pond projects. C. Kell reported that he has given staff a 2010 budget directive for no salary increases or no new hires as the Village is currently looking at being 3% over its levy cap limit and without further cuts, the tax rate is being estimated at a 38% increase so staff is looking at various options for cutting their budgets. J. Moes reported that the Board of Review had met on Monday and two appeals had been filed and the Board sustained the Assessor's assessment for both appeals. T. Flick reported that the Family Fun Fest would be held this Thursday at Doyle Park from 5 to 7:30 p.m. and that the Rock Cancer Concert would be held on August 15th and it is expected to be a large event as the community support of the event has been tremendous. R. Van Gheem reported that the Department is wrapping up 2009 projects and planning for next year's projects. V. Schneider reported on a meeting with the Government Accountability Board and proposals to handle early voting/absentee voting and also commented that an event planner from Jamaica had contacted her about starting a Cheese Festival in their country and an assistant television producer from Germany had contacted her about the Festival and their interest in contacting the Cheesecake Contest winners and possible attending next year's festival to film the event. Attorney Kohler – no report.

Disbursement List

Trustee Elrick stated his company is included on the disbursement list and asked to abstain from voting.

Moved by Trustee Van Deurzen, seconded by Trustee Smith to pay all vouchers as recommended by the Finance Director and they be drawn from the respective funds.

Ayes 6, Nay 0, Abstained 1 (Elrick) Motion Carried

Call for Unfinished Business

T. Flick requested that the August 12 agenda include discussion on a proposal to add a pool facilities study to the Village facilities study. T. Flick also asked to bring the issue of advertising signage on ballpark fencing to the Board on August 26th. Board members agreed with both requests.

Items for Future Agenda

Trustee Ransbottom asked to have a future agenda include a discussion on electronic dog fencing.

Moved by Trustee Elrick, seconded by Trustee Ransbottom to Enter into Closed Session. (7:29 p.m.)

Ayes 7, Nay 0 – Motion Carried Unanimously

Trustee Ransbottom excluded himself from the discussion on the first closed session item.

Closed Sessions:

Real Estate under Wis. Stat. 19.85(1)(e) Deliberations or negotiations on the purchase of public properties, investing of public funds or conducting other specific public business when competitive or bargaining reasons require a closed session.

Trustee Ransbottom was excused from the closed session at this time. (8:19 p.m.)

Trustee Ransbottom returned to the Closed Session and Trustee Verstegen was excused from the Closed Session discussion at this time. (8:31 p.m.)

Trustee Verstegen returned to the Closed Session at this time. (8:55 p.m.)

Legal under Wis. Stat. 19.85(1)(g) – 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.

Moved by Trustee Van Deurzen, seconded by Trustee Smith to exit Closed Session and Return to Open Session. (9:12 p.m.)

Ayes 7, Nay 0 – Motion Carried Unanimously

Return to Open Session – Possible Action on Closed Session Items

No action was taken.

Adjournment

Moved by Trustee Ransbottom, seconded by Trustee Smith to adjourn the Regular Board Meeting at 9:12 pm

Ayes 7, Nay 0-Motion Carried Unanimously

VILLAGE OF LITTLE CHUTE

By: _____
Charles Fischer, Village President

Attest: Vicki Schneider, Village Clerk