

MINUTES OF THE COMMITTEE OF THE WHOLE MEETING OF OCTOBER 28, 2009

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 Smith, Trustee Van Deurzen, Trustee Verstegen

EXCUSED: Trustee Ransbottom

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

Public Appearance for Items not on the Agenda

None

Discussion/Possible Action – Mailbox Encroachment Permits

Staff reviewed the issues with two custom built mailbox structures that were recently permitted and constructed but the structures were not built in compliance with the Village code. The structure at 1901 Vandenberg Ln. was constructed five inches too high and seven inches too close to the curb. The structure at 1909 Vandenberg Ln. was constructed four inches too high. Staff is asking the Board if these mailbox structures should be required to be brought into compliance. Discussion took place. Carl Newhouse, 1901 Vandenberg Ln. commented on the issue stating he had started the permitting process for the structure 1 ½ years ago and feels he was grandfathered on the requirements because of the conversations he had with the Administrator. Gary Evers, 1909 Vandenberg Ln., commented that his mailbox was placed as low as possible so it would meet post office regulations. Trustees Verstegen and Smith requested that the Public Works Dept. sketch a sample design to give to residents that shows the dimensions that are allowed and to emphasize to residents that the Village has a zero tolerance policy if the requirements are not followed. Trustees Leicht, Elrick, and Van Deurzen commented on the ordinance being clear on the requirements for the placement and size of the structures. Trustee Smith stated he did not want to make the residents take down and correct the structures. Trustee Elrick disagreed as he thinks the ordinance is clear and the requirements should have been followed. Mr. Evers commented that they should not have waited to get the permit as the other neighbors are allowed to keep their structures as they are. President Fischer stated the Board reviewed the situation in depth as there were violations of the ordinance and the Board decided to go forward from that point to establish a permit process and he agrees with Trustee Elrick that the ordinance is clear and either the ordinance is disposed of and people can build what they want or something has to be done with this situation. Trustee Leicht suggested overlooking the structure that is closest to the curb but require the structures to comply with the height restriction. Trustee Verstegen stated she agreed with Trustee Leicht and asked that the sketch provided to residents in the future also shows the curb setback requirements.

Moved by Trustee Verstegen, seconded by Trustee Smith to allow the two mailbox structures and to produce a drawing to give to property owners.

Further Discussion: President Fischer stated his belief is that a fair discussion on this issue has taken place and it is a bit quick to make a decision but it is up to the Board but his suggestion is to put it on next week's agenda. Trustee Elrick asked if the motion was allowing the current height and the setback as he understood the recommendation was that the structures be taken down to the correct height. Trustee Verstegen agreed.

Trustee Verstegen moved for permission to withdraw her motion, Trustee Smith agreed to withdraw the second.

The motion and second was allowed to be withdrawn by unanimous consent. Mr. Newhouse explained that the reason the structure was constructed closer to the curb than what was allowed was because of a larger boulder that was in the ground. Mr. Newhouse also commented on the

mailbox being located in a position convenient for mail delivery. C. Kell clarified that the ordinance was written to meet the postal requirements for the setback of the mailbox itself but that doesn't mean the structure or pillar has to be closer to the curb as the mailbox itself can be set closer. Mr. Newhouse stated that the restrictions are stronger for new structures and this makes the new structures less impressive than their neighbors across the street and the whole issue should be looked at if the opportunity to make them look decorated nicely is not going to be allowed.

Moved by Trustee Smith, seconded by Trustee Verstegen to put the Mailbox Encroachment Permit Issue on Next Week's Agenda for Possible Action.

Ayes 6, Nay 0 – Motion Carried

Discussion/Possible Action – Reopen Island Park

Moved by Trustee Leicht, seconded by Trustee Elrick to Reopen Island Park.

Ayes 6, Nay 0 – Motion Carried

Discussion – Amending Ordinances Chapter 34 Utilities - Sec. 34-82 Use of Hydrants for Construction; Temporary Supply; Sec. 34.84 Refunds of Monetary Deposits; Sec. 34-85 Service Connections or Water Laterals Installation and Testing; 34-86 Service Piping for Meter Settings; 34-92 Meters/Radio Heads; 34-96 Inspection of Premises; Sec. 34-98 Disconnection of Services; Sec. 34-102 Duty of Utility with Respect to Safety of the Public; Sec. 34-106 Cross Connection Control; 34-496 Leaks Between Curb Box and Meter; Sec. 34-497 Inspection; Sec. 34-498 Water Meters

Board members reviewed the proposed changes to ordinances covering the Village's Water Utility.

R. Van Gheem stated that in the future, additional changes will be made to the ordinance but the changes currently being proposed are needed at this time because of the new cross connection rules. R. Van Gheem pointed out Section 34-106(c) that states the utility may perform the cross connection inspection on owner's properties but they are not required to. However, if that is the case then the property owner must at their own expense have an inspection conducted for cross connections. R. Van Gheem stated that the Village will be conducting the inspections for residential and small commercial properties but larger commercial and industrial properties will be required to hire a certified inspector and report the findings to the Village.

Board members agreed to put the ordinance amendments on next week's agenda for action.

Discussion/Possible Action – Operator's License Fee Increase

Board members reviewed the proposal to raise the Operator's License Fees to \$50 and agreed to put the item on next week's agenda for action.

Discussion – Fund Designation – Park Improvement – Island Park

Board members reviewed the proposed fund designation of \$19,300 for future improvements at Island Park. The Fox Locks Authority had a contract with the Village to use Island Park for the levee rehab project and the Village received \$19,360 as a fee for the inconvenience. The Parks Director is requesting that \$19,300 be set aside and designated for Island Park improvements. The remaining \$60 will go in the Park fund. Board members agreed to put the item on next week's agenda for action.

Discussion – Budget Transfer – Windmill Pocket Park

Board members reviewed the proposals for budget transfers and adjustments for village costs for the Windmill Pocket Park, village festivals, and events such as the Rock Cancer Concert. Board members agreed to put the item on next week's agenda for action.

Discussion – 2010 Budget and CIP Projects

D. Haug led a condensed review of the proposed CIP projects for 2010 emphasizing that nothing is finalized and the numbers are not firm as the Departments' have had to deal with constant changes on projects due to stimulus and grant funding options. Projects that were carried over from 2009 were reviewed along with those being proposed for 2010 through 2014. D. Haug provided a debt ratio chart that showed the 2009 debt ratio is 43.5%, the estimated debt ratio in 2010 is 47.3%, and 55.8 % in 2011. Staff stated that the Vanden Broek/Depot Street intersection is being considered for 2012 to go along with the Main Street project as there may be an opportunity for cost sharing on the project. Staff agreed that Pine Street was in need of utility and street work but the work has been on hold until a decision is made on the status of Pine St. Staff pointed out that many building improvement projects are on hold until the facilities study is completed. The Police Department recently discovered that they will be required to have new portable radios at a cost of approximately \$60,000 and this cost needs to be added to the CIP. Discussion on the 2010 budget will continue at next week's meeting.

Unfinished Business

J. Moes stated that he has an accepted offer for the Village to purchase the property at 704 Grand Avenue for \$106,000 which includes the seller tearing down the property. Board members agreed to allow staff to sign the offer to purchase and a resolution will be presented at next week's meeting to authorize the purchase.

Items for Future Agenda

C. Kell reported on an issue with the Evergreen Pond Assessment hearing and stated the Board may need to hold another hearing because of the requirements for hookup when a property is annexed according to the Hookup Fee policy. The issue will be put on a future agenda for discussion. Board members agreed to put a discussion on the Business Improvement program on the next Committee of the Whole agenda for discussion. Trustee Elrick asked that a discussion be held concerning the pool and the canal at some point after the pool facilities study is completed.

Adjournment

Moved by Trustee Van Deurzen, seconded by Trustee Elrick to adjourn the Committee of the Whole meeting at 7:37 p.m.

Ayes-6, Nay-0, Motion Carried

VILLAGE OF LITTLE CHUTE

By: Charles Fischer, Village President

Attest: Vicki Schneider, Village Clerk