

## **MINUTES OF THE REGULAR BOARD MEETING OF SEPTEMBER 15, 2010**

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, President  
John Elrick, Trustee  
Tammy Frassetto Trustee  
James Hietpas, Trustee  
Dan Mahlik, Trustee  
Don Van Deurzen, Trustee  
Janet Verstegen, Trustee

### **Roll Call of Officers and Department Heads**

PRESENT: Charles Kell, Village Administrator  
Eric Misselt, Police Chief  
Dale Haug, Finance Director  
Tom Flick, Director of Parks, Recreation, and Forestry  
Jim Moes, Community Development Director  
Jeff Elrick, Assistant Director of Public Works  
Charles Koehler, Village Attorney  
Cindy Dillinger, Deputy Clerk - Accounting  
EXCUSED: Roy Van Gheem, Director of Public Works  
Vicki Schneider, Village Clerk

### **Public Appearance for Items Not on the Agenda**

None

### **Approval of Minutes**

Regular Board Meeting Minutes – September 1, 2010

Committee of the Whole Meeting Minutes – September 8, 2010

*Moved by Trustee Verstegen, seconded by Trustee Van Deurzen to approve the Regular Board Minutes of September 1, 2010 and the Committee of the Whole Meeting Minutes of September 8, 2010 as presented.*

Ayes 7, Nay 0-Motion Carried Unanimously

### **Report of Other Minutes-Other Informational Items**

FVMPD Activity Reports – June & July 2010

Minutes of the Library Board meeting – July 20, 2010

Board noted receipt of items.

### **Ordinance:**

### **Amending Village of Little Chute Municipal Code, Section 26-131(d)(2) of Appendix C, Village Fees Deposits, Charges – Forfeitures for Parking Violations**

*Moved by Trustee Elrick, seconded by Trustee Verstegen to Adopt Ordinance No. 17, Series of 2010 Amending Village of Little Chute Municipal Code, Section 26-131(d)(2) of Appendix C, Village Fees, Deposits, and Charges – Forfeitures for Parking Violations.*

Ayes 7, Nay 0-Motion Carried Unanimously

**Resolutions:**

**a) Initial Resolution regarding Industrial Development Revenue Bonds for the benefit of Darboy Development, LLC.** As required by State law, information regarding the expected job impact of the project to be financed with the bonds on the project site and elsewhere in the State of Wisconsin will be available at the time of consideration of the Initial Resolution.

*Moved by Trustee Elrick, seconded by Trustee Verstegen to Adopt Resolution No. 19, Series of 2010, an Initial Resolution regarding Industrial Development Revenue Bonds for the benefit of Darboy Development, LLC. As required by State law, information regarding the expected job impact of the project to be financed with the bonds on the project site and elsewhere in the State of Wisconsin will be available at the time of consideration of the Initial Resolution.*

Ayes 7, Nay 0-Motion Carried Unanimously

**b) Resolution Regarding Public Bidding and Non-Discrimination in Connection with Industrial Development Revenue Bond Financing on Behalf of Darboy Development, LLC**

*Moved by Trustee Elrick, seconded by Trustee Verstegen to Adopt Resolution No. 20, Series of 2010, Resolution Regarding Public Bidding and Non-Discrimination in Connection with Industrial Development Revenue Bond Financing on Behalf of Darboy Development, LLC.*

Ayes 7, Nay 0-Motion Carried Unanimously

**c) Authorizing the Sale of Excess Land to Clifford Peeters**

*Moved by Trustee Frassetto, seconded by Trustee Elrick to Adopt Resolution No. 21, Series of 2010, Authorizing the Sale of Excess Land to Clifford Peeters.*

Ayes 7, Nay 0-Motion Carried Unanimously

**d) Approving Amendment No. 1 to the Project Plan for Tax Incremental District No. 4**

*Moved by Trustee Verstegen, seconded by Trustee Elrick to Adopt Resolution No. 22, Series of 2010, Approving Amendment No. 1 to the Project Plan for Tax Incremental District No. 4.*

Ayes 7, Nay 0-Motion Carried Unanimously

**e) Approving Certified Survey Map for Illa Mullen, Lot 1 CSM 4841 – W. Main St.**

*Moved by Trustee Elrick, seconded by Trustee Verstegen to Adopt Resolution No. 23, Series of 2010 Approving the CSM for Illa Mullen.*

Ayes 7, Nay 0-Motion Carried Unanimously

**f) Approving the Plat for Kelly Street Subdivision**

Trustee Verstegen asked if this plat was creating four new lots and if it was a preliminary plat as stated in the resolution and not a final plat and she also asked if park fees were going to be paid. C. Kell stated that it looks like a final plat to him and he believes in this particular case the park fees have already been paid because the land was previously divided by survey map and this plan is being presented because the properties are going to be sold as duplexes instead of as condos. President Fischer stated that the Plan Commission did recommend approval of the plat.

*Moved by Trustee Elrick, seconded by Trustee Van Deurzen to Adopt Resolution No. 24, Series of 2010 Approving the Final Plat for the Kelly Street Subdivision.*

Further Discussion: Trustee Verstegen asked the Administrator to check on the park fees for this plat.

Vote on the Motion:

All Ayes – Motion Carried Unanimously

**Operators Licenses:**

Nathan R. Boldt	148 S. Washington St.	Kimberly	Village Lanes
Kari J. Guyette	217 E McKinley Ave.	Little Chute	Gentlemen Jacks
Allison M. Holub	1800 W. Marquette St. #410	Appleton	Walgreens
Alexandra A. Matthies	3130 N. Spicewood Ln.	Appleton	Country Inn & Suites
Ashley M. Nettekoven	1301 Rosehill Rd	Little Chute	5 <sup>th</sup> Quarter
Erin Lynn Reardon	706 Strawberry Ln.	Kimberly	Piggly Wiggly
Craig J. Spierings	810 Depot St.	Little Chute	The Flying Dutchman

*Moved by Trustee Frassetto, seconded by Trustee Van Deurzen, to approve Operator's License as presented.*  
Ayes 7, Nay 0-Motion Carried Unanimously

## **Department and Officers Progress Reports**

Chief Misselt – no report. D. Haug reported that he and the Administrator had met with the Village's Financial Advisor and various options for financing were discussed and scenarios for long term financing will be presented to the Board, possibly in early November. D. Haug noted that an overview and discussion of the 2011 budget will be on the agenda the next two meetings. C. Kell stated the Village Clerk asked him to remind the Board about registering for the League Conference before the early bird deadline. C. Kell informed the Board that Landreman's Restaurant has applied for the last Class B liquor license and it may be a tough issue for the Board as it is the last liquor license the Village has available and the question for the Board to decide is if that is the best use for the license because of other potential developments in the downtown or other areas that may need a liquor license. C. Kell confirmed that Landreman's currently holds a Class B beer license. Trustee Verstegen asked if it wasn't clear that when the Village obtained the liquor license from Snaggletooth's that it was going to be designated for a downtown business. C. Kell stated that will be the Board's decision to make. C. Kell stated the lease with Open Range Communications for space on the Jefferson Street water tower has been signed and they will be moving forward with wireless internet service and the Village's water utility will be receiving a \$16,500 lease payment per year from the company. C. Kell stated he did receive a complaint about the music at Pop In over the weekend and the complainants have requested that they are notified when the Board acts on giving the tavern permission to have outdoor music. C. Kell stated he also understands that the music went at least an hour beyond the time that was approved by the Board. Chief Misselt stated that the Department will be addressing the issues with the owners of Pop In. Staff stated they did not receive any complaints this year about music at the 5<sup>th</sup> Quarter. C. Kell informed the Board that at the Village Hall and Police Dept. the holiday vacation days for Christmas will be Thursday and Friday before Christmas and because of the Public Works union contract, the Public Works/Parks Dept. union staff will be on their holiday vacation the Friday before and Monday following Christmas. C. Kell stated staff talked with the union about changing their holiday days off to coincide with Village Hall and the Police Dept. but they did not agree to change the dates. T. Flick reported that Kaukauna Utilities approved the Village's controlled deer bow hunt on Electric Island from Oct. 31 to Nov. 19 for Electric Island only and from Nov. 29 to Dec. 19<sup>th</sup> at both Heesakker Park and Electric Island. The Department will be moving forward with advertising, applications, proficiency tests, and background checks for the hunt. T. Flick stated that the Fox Locks Authority began lowering the locks and it should be empty by Friday and it will be kept lowered during the maintenance at the pool but he has not confirmed whether they will keep it lowered during the time of the Village's archery hunt and he will report back to the Board once he has that information. T. Flick reminded the Board that this weekend is the Kermis Festival at Legion Park. J. Elrick informed the Board that Washington Street is still closed but it is hopeful that is will open in the next week or so and once it is open, the County will be doing some work on Madison Street. C. Dillinger –no report. Attorney Koehler – no report.

## **Disbursement List**

*Moved by Trustee Verstegen, seconded by Trustee Van Deurzen to Approve the Bills List as Presented and Authorize the Finance Director to draw from the Respective Funds.*

Further Discussion: Trustee Frassetto asked about the purchase of cigarette containers from the Village of Kimberly and staff stated that was a joint purchase made by the Building Superintendent and the payment to Kimberly is for the containers the Village received. Trustee Mahlik asked about the McMahon charges for TEA grant projects and staff stated is was for the Washington Street project and the Cty. OO turning lane project and the charges were for the alternative designs that were requested. Trustee Mahlik asked staff to provide him with the total charges paid to McMahon for the projects. Staff also stated that the Village will get 50% back from the State as they are covering 50% of the project costs and the Village will be filing for reimbursement. Trustee Frassetto asked what the charges for #21 were for and staff responded that is a vehicle number.

Vote on the Motion to Approve the Disbursement List:

Ayes 7, Nay 0 – Motion Carried Unanimously

**Items for Future Agenda**

None

**Call for Unfinished Business**

None

*Moved by Trustee Elrick, seconded by Trustee Frassetto to Enter into Closed Session. (6:32 p.m.)*

Ayes 7, Nay 0 – Motion Carried Unanimously

**Closed Session: 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. 19.85(1)(e), Wis. Stats. Purchase of land for storm water management facilities. Purchase of land for future Industrial Development.**

*Moved by Trustee Elrick, seconded by Trustee Frassetto to Exit Closed Session and Return to Open Session. (7:50 p.m.)*

Ayes 7, Nay 0 – Motion Carried Unanimously

**Return to Open Session and Adjournment**

*Moved by Trustee Elrick, seconded by Trustee Frassetto to Adjourn the Regular Board meeting at 7:50 p.m.*

Ayes 7, Nay 0-Motion Carried Unanimously

**VILLAGE OF LITTLE CHUTE**

By: \_\_\_\_\_  
Charles Fischer, Village President

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Attest: Cindy Dillinger, Deputy Clerk - Accounting