

MINUTES OF THE COMMITTEE OF THE WHOLE MEETING OF APRIL 28, 2010

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 Verstegen, Trustee Frassetto, Trustee Mahlik, Trustee Hietpas, Trustee Van Deurzen

ALSO PRESENT: T. Flick, R. Van Gheem, C. Kell, E. Misselt

Public Appearance for Items not on the Agenda

None

Trustee Verstegen motioned to move into the Public Information Meeting. Trustee Van Deurzen seconded that motion.

Ayes 7, Nay 0-Motion Carried

Public Information Meeting-Washington Street Reconstruction

Mike Simon and Mike Kohlbeck from McMahons gave an overview of the Washington Street reconstruction project. The project is divided into 3 sections for funding purposes and two different contracts. Three improvements being brought forward, existing pavement needs replacement, the railroad crossing itself, and a bicycle lane. Project scheduled to start early summer. The big change in the street is the width. Currently the street is 40 feet face-to-face and with this project will be narrowing the road to 36 feet, no parking. Existing pavement is asphalt and will be changing to concrete. Entire cost of the project is \$1,083,450. Trustee Elrick asked if infrastructure was going to be put in for signal lights at "OO" and Washington. Mike Simon said that will be held up until Outagamie County works on the "OO" project in the future. Mike Kohlbeck explained there will be sidewalk on the east side of the road continuous from "OO" south to Main Street. The driveway aprons will be replaced. A dedicated left turning lane will be added. The project will be ending just on the north side of Dutch Harbor Estates driveway. Trustee VanDeurzen asked about the west side of Washington by the railroad tracks if we should be worried about erosion because of the steep slope? Roy VanGheem indicated he can place some erosion mats in that area or look at other alternative to stabilize these slopes. Dale Smith, 819 Briarwood Street, asked how is the section south of the railroad tracks being funded? Roy VanGheem said it was being funded with stimulus funds and that is why it has a separate contract. Trustee Mahlik asked what is the width of the bike lane? Four feet of concrete plus the gutter on both sides of the street. Trustee Frassetto asked what the total cost was to the tax payer. Roy VanGheem said it would be about \$480, 000. Tom Flick questioned their plans for terrace trees. Roy VanGheem said there weren't whole lot of terrace trees there. He felt it could be part of the terrace tree planting program. Tom Flick said when projects get to be this big he needs to plan for staffing. Ken Esslinger, 1005 Washington, asked if bike lanes are on both sides of the road where do cars park? Cars will have to park on McKinley Street. Trustee Verstegen asked if they would consider putting a left turn lane going out onto Hwy 96. Mike Kohlbeck said they would have to make sure it is wide enough for a left turn lane and for trucks turning onto this street. Trustee Hietpas asked how much the village property owner would have to pay? Roy VanGheem indicated the Village has a flat rate of \$90 to a foot. Chris Hartwig said there is some potential between Hwy "OO" and the railroad tracks. It has to do with the rotary that would go in on Holland Road which would cost some acreage that Chris Hartwig owns to the south. Hartwig feels we should help the number one taxpayer, Nestle. He feels to put a street in with a 50 year warranty with the potential of Nestle expanding doesn't make a whole lot of sense. Nestle and Chris Hartwig today would pay 1600 of the 2400 feet, which is aggregating both sides of the street. Chris Hartwig offered to pay \$100,000 and ask Nestle to help out with. That Nestle and Chris Hartwig would pay to have the road done in blacktop. Trustee Frassetto said that she feels Mr. Hartwig's offer is certainly something to consider. Mike Spence stated Nestle would support future growth of the village. Mr. Spence stated the

company would continue to grow and would make the Nestle pizza division a free standing business unit. John Calmes stated if Chris Hartwig is will to pick up the tab for the railroad tracks then he doesn't see any other option. Skip Smith questioned if there was still talk about round-abouts going in at Cty OO. R. VanGheem stated there is not a time frame right now. Trustee Mahlik questioned where would the funding for the portion north of Northland not covered by the TEA grant or Mr. Hartwig would come from. C. Kell stated it would have to be locally funded. Trustee Frassetto stated that she thought the situation was a win/win with the donation from Mr. Hartwig. Trustee Elrick questioned if when the TEA grant was applied for it was done with the understanding that Nestle would be expanding. Trustee Elrick stated that village is still going through with the project it just would not be concrete. C. Kell stated that he didn't think the TEA grant would not pick up the cost of a rehab, it has to be a reconstruction. Trustee Frassetto questioned if it were possible for Mc Mahon and staff to go over Mr. Hartwig's plans before getting back with board, to see how it would affect the village. President Fischer questioned Mc Mahon how long it would take to go over plan and get back with the board. Mc Mahon replied it would take two weeks. Dan Hietpas of 1312 Washington questioned if storm sewer would be installed in the area north of Cty OO, he was assured that yes they would be. Trustee Frassetto questioned what accommodations would be made for the elderly population in that area to get in and out of their driveway during construction. R. Van Gheem stated it would be taken care of on a case by case basis. Trustee Mahlik questioned it would be possible to get the TEA grant extended to cover the area north of OO. C. Kell answered the TEA grant was to support the needs of Kraft and their employees. Trustee Frassetto asked if it were possible to move forward and have Mc Mahon and the staff prepare the facts before more discussion.

Trustee Frassetto motioned to exit the Public Information Meeting. Trustee Elrick seconded that motion.
Ayes 7, Nay 0-Motion Carried

Discussion/Possible Action – Private Lateral Replacement Policy

Trustee Frassetto stated she thought Gabe Konopka has a lot of great ideas, but would like some clarification on his ideas. Gabe Konopka of E. Mc Kinley stated he would like to see more of the cost savings shared. Trustee Frassetto stated she would like to see the village offer the residents the ability to put the cost onto to their assessment with a 10 percent interest rate for residents that have no other option. Roy Van Gheem stated the village already offers a hardship loan. Dick Salm questioned if laterals are put in incorrectly are there ways to safeguard residents against this. R. Van Gheem answered that no, that is a risk we take and that no contractor will give you a thirty-year warranty. R. Van Gheem stated there is a cost now, but wants to reduce the costs later by replacing laterals now. Trustee questioned if there were other ways to reduce I and I. R. Van Gheem answered that yes, they have looked at all possible options of reducing I and I. Trustee Elrick questioned if board needed to act on this policy this week, because he has Dale Haug in finance going over some possible scenarios. Trustee Elrick questioned if laterals fail, does the homeowner have the ability to blame. R. Van Gheem stated the contractors only offer the village a one year warranty. C. Kell stated his concern that if laterals fail, homeowners will look to the village for restitution because they were involved in the replacement of the laterals. Uriah Van Ooyen felt the village would be opening itself up to a lot of problems with being the middle man between the homeowner and the contractor responsible for putting in the laterals. Board members agreed that this item will be put on the next Committee of the Whole Agenda in two weeks.

Discussion/Possible Action-Private Sanitary Lateral (The Prequel)

Board members agreed that this item will be put on the next Committee of the Whole Agenda in two weeks.

Discussion-Amending Village Code Chapter 40 Streets, Sidewalk Construction, Maintenance, Repair, Sec. 40-66-Terrace area

Trustee Frassetto stated she made a visit to homeowners surrounding the terrace area. Trustee Frassetto stated if this code is enforced in this area it should be enforced in other areas of the village as well. Trustee Frassetto felt a stop sign in that block could address some of the issues in that area. Trustee Frassetto stated she drove around the area and noted other homes not in compliance with the code. Trustee Mahlik questioned when the ordinance went into effect and asked why it is now a problem. Trustee Frassetto and Mahlik both agreed if one homeowner is made to comply with ordinance then all of the village should comply as well. R. Van Gheem agreed that these issues should be enforced consistently, but admits the village does not go around looking for ordinance violations. Mr. Berken, the owner of the hedges in question replied that the bushes were planted thirty-five or more years ago and no other property owner has come forward and complained. Chief Misselt felt the hedges were not a safety issue. L. Hanson stated the dynamics of the neighborhood has changed and more kids are playing in the area and she commented it is concerning to her. L. Hanson stated it was never her intention of getting rid of all the hedges, just so vehicles are able to see children moving back and forth in the neighborhood. T. Flick stated it was his recommendation to set a time the homeowner must remove the hedges. Board members agreed that this item will be put on a future agenda.

Discussion-Repeal and Recreate Village Code Chapter 10 Business Licensing and Regulations, Article II, Sec. 10-19-10-28-Smoking Prohibited in Certain Areas

Chief Misselt stated he is still working with Attorney Koehler regarding this issue and there have been some changes to the draft. Trustee Elrick question C. Kell as why he thought Sec. 10-21, 1f, should be optional. C. Kell stated the 15 ft rule is not state law. Trustee Frassetto questioned Chief Misselt if staying 15 ft away from entry ways of village owned property would be enforced. Trustee Mahlik stated that he felt there should be a buffer from smokers who smoke outside of public buildings.

Review/Possible Action-Rules of the Village Board

Trustee Verstegen stated she would like to see Vicki make the Rules of the Village Board more gender neutral. Trustee Verstegen stated she would like to see in the Rules of the Village Board that board members shall speak no more than two times on any question changed to can speak as often as necessary. Trustee Frassetto stated she would like job descriptions of village employees to know who is responsible for the various issues that come up in the village.

Trustee Elrick's Request for Written Opinions from the Newly Elected Trustees on the Change of Direction They Feel the Village Needs to Consider to Move Forward With

Moved by Trustee Elrick, seconded by Trustee Frassetto to table this agenda item

Ayes 7, Nay 0 – Motion Carried Unanimously

Discussion/Possible Action-Holding Public Listening Sessions

Trustee Frassetto stated she would like to see the board set a date to hold a public listening session. C. Kell stated that the staff addresses issues that residents may have or they will let the resident know that they can speak with the Village Board. Trustee Elrick stated the possibility of having a listening session the first Committee of the Whole Meeting of each month. Trustee Frassetto stated she would like to have one session and see how it goes. Board members agreed that this item will be discussed at the next Committee of the Whole meeting.

Review/Possible Action to Vacate Drainage Easement in Wildenberg Estates Subdivision Located in the City of Kaukauna

Moved by Trustee Elrick, seconded by Trustee Van Deurzen to Vacate Drainage Easement in Wildenberg Estates Subdivision Located in the City of Kaukauna

Ayes 7, Nay 0-Motion Carried

Unfinished Business

Items for Future Agenda

Board agrees that issue with the shrubs be put on the next agenda

Adjournment

Moved by Trustee VanDeurzen, seconded by Trustee Mahlik to Adjourn the Committee of the Whole meeting at 9:10 p.m.

Ayes 7, Nay 0-Motion Carried

VILLAGE OF LITTLE CHUTE

By: Charles Fischer, Village President

Attest: Cindy Dillinger, Deputy Treasurer-Acctg