

MINUTES OF THE REGULAR BOARD MEETING OF JANUARY 16, 2013

Call to Order: President Vanden Berg called the Regular Board Meeting to Order at 6:00 p.m.

Pledge Allegiance to the Flag

President Vanden Berg led members in the reciting of the Pledge of Allegiance.

Roll call of Trustees

PRESENT: Michael Vanden Berg, President
Bob Berken, Trustee
Tammy Frassetto, Trustee
James Hietpas, Trustee
Bill Peerenboom, Trustee
Skip Smith, Trustee
Larry Van Lankvelt, Trustee

Roll Call of Officers and Department Heads

PRESENT: Charles Kell, Village Administrator
Jim Moes, Community Development Director
Erik Misselt, FVMPD Police Chief
Roy Van Gheem, Director of Public Works
Tom Flick, Director of Parks, Recreation and Forestry
Teri Matheny, Finance Director
Vicki Schneider, Village Clerk
Village Attorney Charles Koehler

OTHERS PRESENT: Dave Botz and Kent Swanson- LCSD, Mel Baeten, Attorney Michael Willis, Interested Citizens, Media Reps

Public Appearance for Items Not on the Agenda

None

Approval of Minutes

Regular Board Meeting Minutes – January 2, 2013

Committee of the Whole Meeting Minutes – January 9, 2013

Moved by Trustee Smith, seconded by Trustee Van Lankvelt to approve the Regular Board Meeting Minutes of January 2, 2013 and the Committee of the Whole minutes of January 9, 2013 as presented.

Ayes 7, Nays 0 - Motion Carried Unanimously

Report of Other Minutes-Other Informational Items

FVMPD Incident Report – December 2012 and YTD

Board members noted receipt of the informational items.

Resolutions:

Authorizing Amendments to \$1,211,250 Village of Little Chute Industrial Development Revenue Bonds for Van Zeeland Manufacturing, Inc. Project

Attorney Willis explained that the bonds were issued in 2008 and the interest rate was scheduled to be reset in June 2013 and they decided they would accelerate the process and get it done earlier and this will result in a reduction of the interest rate. Attorney Willis stated that none of the other conditions or terms of the bonding had changed. Attorney Willis pointed out minor changes that had been made to the agreement that was included in the Board's packet.

Moved by Trustee Frassetto, seconded by Trustee Van Lankvelt to Adopt Resolution No. 2, Series of 2013 Authorizing Amendments to \$1,211,250 Industrial Development Revenue Bonds for Van Zeeland Manufacturing, Inc. Project, Series 2008 Bonds

Ayes 7, Nays 0 – Motion Carried Unanimously

Approving the Dedication of Approximately 0.359 Acres of Village Owned Land as Parkland

T. Flick stated that the one item in the resolution that had not previously been discussed with the Board was the name of the park. T. Flick stated that the Park Planning Committee is recommending that the park be named Heritage Park for the reason of referencing the educational and historical amenities that will be involved in the park. T. Flick stated the name is acceptable to the donor. T. Flick stated that the corner will remain County right-of-way.

Moved by Trustee Berken, seconded by Trustee Smith to Adopt Resolution No. 3, Series of 2013 Approving the Dedication of Approximately 0.359 Acres of Village Owned Land as Parkland

Ayes 7, Nays 0 – Motion Carried Unanimously

Approving the Signing of a Development Agreement between the Village of Little Chute and Dale T. and Donna L. Baeten Revocable Living Trust for Property Being Subdivided by Certified Survey Map.

Mel Baeten approached the Board with a copy of the CSM and stated that they have a couple of questions about the agreement. Mr. Baeten stated they do not want to furnish temporary blacktop on the section of Fullview Drive that isn't their property and they are asking that the Village hold off on paving the other section of road for four of five years. Mr. Baeten also questioned and commented on the hook-up fee charges and storm water requirements. Mr. Baeten also questioned if the Village was going to snow plow the road. Staff informed Mr. Baeten that the hookup fee is based on the meter size that would be installed in the buildings and that is a requirement of HOV. R. Van Gheem stated that Village ordinance requires the oversizing fee and the interceptor area fee to be paid when the land is platted. Discussion took place on Mr. Baeten's questions and concerns. Options discussed for the road were to leave it in gravel, the Developer will install the asphalt, or the Village will install the asphalt and assess the property owners. Mr. Baeten was informed that concrete paving, curb and gutter will have to be installed if further land is divided or additional new development takes place. R. Van Gheem explained that further dividing of the land or an increase in impervious surface will also require the Developer to construction storm water treatment systems. Mr. Baeten agreed they would have to determine the options for installing storm water ponds. Trustee Peerenboom questioned if the indication of the temporary turnaround still qualifies it as a village street for plowing. President Vanden Berg stated he would assume it would be part of the dedication of the road.

Moved by Trustee Frassetto, seconded by Trustee Van Lankvelt to Adopt Resolution No. 4, Series of 2013 Approving the Signing of a Development Agreement between the Village of Little Chute and Dale T. and Donna L. Baeten Revocable Living Trust for Property Being Subdivided by Certified Survey Map and Amend the Agreement by Deleting Section 1 Improvements, Item A- No 1.

Ayes 7, Nays 0 – Motion Carried Unanimously

Approving the CSM for Shade Today – Dale and Donna Baeten, Owners

Moved by Trustee Frassetto, seconded by Trustee Van Lankvelt to Adopt Resolution No. 5, Series of 2013 Approving the CSM for Shade Today – Dale and Donna Baeten, Owners.

Ayes 7, Nays 0 – Motion Carried Unanimously

Discussion/Possible Action on Request by the Little Chute School District to Utilize the Civic Center as a Classroom

Kent Swanson stated that as requested by the Village Board they met with the Library Board regarding the utilization of using the library with a small group of students and parents at various times throughout the day. J. Moes stated the Library Board has no objection to the collaboration and use of room S1 but they can't make any promises of extra assistance that would be provided through the library. Dave Botz stated the students using the library would also be with a teacher and if items were not available at the Little Chute library they would go to another library so that isn't an issue. Trustee Frassetto commented on the concerns she has with making a five-year commitment for use of the room because something could

occur down the road and the room may be needed by the Library or the Village. Mr. Swanson stated that they would have to come to the Board and discuss any issues if that happened. Mr. Botz stated that if something came up, it would have to be worked out because the school has to be established for five years based on the grant. Mr. Kell asked the school district reps to address the question of security for the classroom and when the room is needed for the general public, what happens to the equipment and furniture. Mr. Swanson stated they are looking at purchasing fold away/put away type furniture but it would be available in the room if others needed it and the electronics left in the room would be secured by the school staff. Mr. Botz stated because they are creating a totally new school there are some questions that can't be answered until they are actually into it and security will also have to be talked about and worked out. Discussion continued. Mr. Botz stated that with the \$100 monthly rental fee they are paying the Village they would expect that the Village's staff would do the general cleaning as part of the agreement. President Vanden Berg stated he was in favor of moving ahead with this agreement as it is a good collaboration and all the details can't be worked out yet because there are too many unknowns but he feels comfortable that everyone has the same goal and we can work through any issues. Trustee Peerenboom questioned who would take the lead in working out the issues with the school district such as parking issues and other issues that come up. Mr. Botz stated they want someone from the Library on the Committee and also someone from the Village. T. Matheny commented on the number of departments that are involved in the Civic Center operations and she recommended that it be determined at some point who the main contact is going to be from the Village. Trustee Smith and Trustee Peerenboom agreed there are issues to be worked out but they are in favor of moving forward with the collaboration. Trustee Frassetto stated she still has concerns with the five-year commitment but she agrees with moving forward.

Moved by Trustee Smith, seconded by Trustee Peerenboom to Approve the Agreement with Little Chute's School District for Utilization of Room S1 in the Civic Center for the Community Academy Charter School.
 Ayes 7, Nays 0 – Motion Carried Unanimously

Set Public Hearing – Rezoning Request filed by John Calmes for 1022/1024/1026 Washington Ct. – RM – Residential Multi-Family District to ID – Industrial District

J. Moes stated the rezoning is needed for Mr. Calmes to sell the property to Nestle.

Moved by Trustee Peerenboom, seconded by Trustee Berken to Set the Public Hearing for February 6, 2013 at 6:00 p.m. for the Rezoning Request filed by John Calmes for 1022/1024/1026 Washington Ct. for Rezoning from RM – Residential Multi-Family District to ID – Industrial District.
 Ayes 7, Nays 0 – Motion Carried Unanimously

Operator's Licenses:

Angela R. Schuerman	1650 Kelly Rd.	Little Chute	Gentlemen Jacks
Kurtis J. Vander Loop	N2299 Cty. Rd. N	Appleton	Valley Liquor

Moved by Trustee Frassetto, seconded by Trustee Berken to Approve the Operator's Licenses as presented.
 Ayes 7, Nays 0 – Motion Carried Unanimously

Department and Officers Progress Reports

Chief Misselt reported that Lt. Lefebber recently requested to step down from his position as Lieutenant to return to patrol so a previous viable candidate for promotion to Lieutenant was Lance Steidl and he was recommended for the position and the Police Commission approved the promotion. T. Matheny referenced the letter she provided to the Board from Kerber, Rose & Associates regarding the 2012 audit. C. Kell stated that last Friday he met with the donor for the Village Hall expansion project and the affidavit was discussed and the donor's desire for the flow of the money to the Village is to provide \$500,000 when the contract is signed with Boldt for construction of the building, \$250,000 on October 1, 2013 and the balance of \$250,000 when the project is completed. The affidavit revised with the funding schedule is now in the donor's hands for signature and once it is signed, it will be brought back to the Board. C. Kell stated that tomorrow he will be meeting with Boldt and McMahon reps and they will be doing a walk thru assessment

of the Village Hall. C. Kell stated that next week Monday he is meeting with the Architect and the Facilities Director on the Library's roof replacement project so the bid packet can be prepared so it is out by early February. C. Kell informed the Board that next Tuesday is the arbitration hearing on the Police Union Contract. C. Kell informed the Board that next Friday he and the Public Works Director will be meeting with Kaukauna Utilities regarding the issue of their request to not have to remove their power polls for the Main Street project. C. Kell stated that he is requiring that all Department Heads and as many supervisors as possible attend a workplace harassment session being put on by the League's Insurance Company on January 31. J. Moes reported that he issued a permit today for the Salon and their tentative schedule is to begin next Monday subject to them obtaining an erosion control permit from the Public Works Dept. T. Flick reported that information on the Eagle Day viewing on January 26 is on the Village's website and the Park and Rec. Dept. is now has a Facebook page. T. Flick also reported that the ice skating rink at Heesakker Park is open. T. Flick reported that the insurance claim for Van Lieshout Park had been approved for the repairs/replacement and they will be moving forward with Park Planning on a plan and he also informed the Board that the individual that was going to do the fundraising to make the park ADA accessible is no longer able to do the fundraising because of personal reasons. T. Flick stated that money that has been donated will be used to purchase ADA equipment for the playground. T. Flick commented on an article that had appeared in the Post Crescent regarding turning the Cedar Lock Tenders House into a rental facility for canoes and kayaks and possible a rental for overnight stays. The Fox Wisconsin Heritage Parkway group is going to be renovating all three lock tender houses in Little Chute and they hope to have them all completed by 2015 and they have also approached the Village with some ideas for unique amenities at Island Park and he will report more about this as it moves forward. T. Flick stated that Fox Cities Greenways annual meeting is taking place on January 24 and they have asked Little Chute to premier our community projects at this meeting. R. Van Gheem reminded the Board that the assessment hearing for the Main Street utilities would be held at next week's Board meeting and tomorrow will be the bid opening for the Main St. utility projects. R. Van Gheem stated that he has received the preliminary State/Municipal agreement on the Main Street project. V. Schneider report that invites to the appreciation gathering had gone out and she has asked to be excused from next week's meeting. Attorney Koehler – no report.

Disbursement List

Moved by Trustee Peerenboom, seconded by Trustee Frassetto to Approve the Vouchers and Authorize the Finance Director to pay all vendors.

Ayes 7, Nays 0 – Motion Carried Unanimously

Call for Unfinished Business

None

Items for Future Agendas

None

Moved by Trustee Frassetto, seconded by Trustee Van Lankvelt to enter into closed session. (7:20pm)

Ayes 7, Nays 0 – Motion Carried Unanimously

The Village Administrator, staff and the Village Attorney were excused from the meeting at this time.

Closed Session: 19.85(1)(c) Consideration of Employment, Promotion, or Performance Evaluation Data of any Public Employee of the Village of Little Chute (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 be involved.

Discussion of a personnel contract matter

Moved by Trustee Peerenboom, seconded by Trustee Van Lankvelt to exit closed session and return to open session. (7:56 pm)

Ayes 7, Nays 0 – Motion Carried Unanimously

Return to Open Session

No action taken.

Adjournment

Moved by Trustee Peerenboom, seconded by Trustee Berken to adjourn the Regular Board meeting at 7:56 p.m. Ayes 7, Nays 0 - Motion Carried Unanimously

VILLAGE OF LITTLE CHUTE

By: _____
Michael R. Vanden Berg, Village President

Attest: _____
Vicki Schneider, Village Clerk