

MINUTES OF THE COMMITTEE OF THE WHOLE MEETING OF NOVEMBER 14, 2012

Call to Order

President Vanden Berg called the Committee of the Whole meeting to order at 6:00 p.m.

Roll Call

PRESENT: President Vanden Berg, Trustee Frassetto, Trustee Hietpas, Trustee Peerenboom, Trustee Smith, Trustee Van Lankvelt

EXCUSED: Trustee Berken

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

Larry Burkhardt and Skip Golden Representatives of Fox Cities EDC and Ignite Fox Cities, Dan Trass of Ranger Services, Chuck Stangel, Mary Janssen and Reuben Wittman of the Park Planning Committee, Interested Citizens, Media Reps

President Vanden Berg asked for the agenda to be amended to take up a portion of agenda item 9 (Budget Discussion) as the first agenda item.

Moved by Trustee Peerenboom, seconded by Trustee Frassetto to amend the agenda to take up a portion of agenda item 9 at this time. Ayes 6, Nays 0 – Motion Carried

Public Appearance for Items not on the Agenda

None

2013 Budget Discussion

Larry Burkhardt, 1609 Maplewood Dr., reviewed and explained the new program Ignite Fox Cities that he stated will improve the quality of life for local residents and support business development. Mr. Burkhardt stated that this program is attempting to put together a public/private partnership that would fund \$800,000 annually to support the effort and they are asking for the Village to contribute \$1.00 per capita in support of this effort. Kip Golden, Menasha, commented on pooling money together to do this economic development championing for the Fox Cities and he explained that site selectors are not aware of the Fox Cities and what we have to offer. Mr. Burkhardt explained the goals of Ignite Fox Cities and the economic impact of reaching those goals. A question and answer session took place. Mr. Burkhardt and Mr. Golden thanked the Board for the opportunity to explain the Ignite Fox Cities program.

Presentation by Ranger Services – Emerald Ash Borer Readiness and Response Plan

T. Flick stated that this project has been funded by a DNR forestry grant and he introduced Dan Trass of Ranger Services. Mr. Trass gave an overview of the Village's Emerald Ash Borer Readiness and Response Plan and proposed ordinance changes that were prepared by Ranger Services Inc. Noted points made by Mr. Trass were: Little Chute has approximately 650 Ash trees on public property and 980 on private property; the bug has been found in 14 Wisconsin Counties and this includes Brown County and it is only a matter of time before the disease will be found in Little Chute and the Fox Valley; it costs 2-3 times more to remove a dead Ash tree; LC is doing a good job and is ahead of the game because Ash trees have been being removed systematically and most trees are 12" or less in diameter; it's a public safety issue when they become infested; disposal of trees is a major issue that needs to be planned for; the Village hasn't planted Ash trees in six or more years; public education is needed. A question and answer session took place. T. Flick stated that once this plan is adopted by the Board and the ordinance changes are made, the Department needs to move forward with locating and establishing a future marshaling site for the trees to be taken and it will need to be determined if this site will be also be open to the public. T. Flick stated that there are two employees on staff that are trained pesticide applicators to treat trees that they want to save and he stated the Department also plans to dedicate the Forestry section of the Program Book to EAB education. T. Flick stated that they will also be adding information to the Village's website to educate the public. Mr. Trass thanked the Board and he asked them to contact him if they have any further questions.

Action on Insurance on Recommendation - Hietpas

Moved by Trustee Frassetto, seconded by Trustee Van Lanvelt to accept the recommendation of the Village's Insurance Company and deny the claim filed by Mr. Hietpas.

Ayes 6, Nays 0 – Motion Carried

Review/Discussion/Possible Action – Village North Park Concept Plan

T. Flick reviewed the plan that the Park Planning Committee had been working on over the last year and he pointed out that this is just a concept plan and he isn't looking for approval of a Master Plan. T. Flick stated that the intention is to keep the majority of the park passive with the exception of the northeast corner where space has been left for a playing field(s) if needed in the future. The concept plan includes a picnic area, playground equipment, picnic shelter with bathrooms, and possibly volleyball and basketball courts. T. Flick noted that there are also references to a rain garden and biofiltration landscaping and it is the intention to be a good steward in treating storm water and possibly turning it into an educational value for the public. The plan also shows a pathway around the park and that gives ADA access to the pond and a future trail system. T. Flick stated that they would like the concept plan approved so it can be used as a marketing tool for the subdivision. T. Flick noted that they hope there are a fair number of residential developments in the subdivision by 2016 and approximately \$350,000 had been slotted in the 2017 CIP for Phase I development. Discussion took place. J. Moes informed the Board that an interested party has stated to him that they don't want to live across from a park that would be attracting a lot of traffic. T. Flick thanked Vande Hey Landscaping and Chuck Stangel, the Parks Planning Committee Chair, for preparing the concept plan on his own time and free of charge to the Village.

Moved by Trustee Smith, seconded by Trustee Frassetto to approve the Concept Plan for the Village North Park.

Ayes 6, Nays 0 – Motion Carried

Review/Discussion/Possible Action – Naming of Village North Park

T. Flick reviewed the history on what the Park Planning Committee had done as a group to gather input from the public on naming the park and he reviewed the guidelines and criteria that are to be taken into account when naming a park. T. Flick stated that only three suggestions were submitted by the public and Park Planning reviewed the three name suggestions and unanimously declined all three suggestions. Each committee member was then charged with bringing forward a proposal for a name and the name picked is generic in its use as this leaves the option open for potential renaming of the park in the future based on the criteria. T. Flick used the example of Sunnydale Park being changed to Van Lieshout Park. T. Flick stated that the recommendation of the Park Planning Committee is to name the park Creekview Park and their recommendation is based on the naming criteria of a natural setting and what the park offers with the pond and the creek located on the North side and he stated that is also his recommendation to the Board for the name for the park. Trustee Peerenboom questioned if there is a Creekview Rd. nearby and staff stated there is a Creekview Rd. in the Appleton. Trustee Hietpas stated he had signed a petition that was circulated to name the park and he asked if there were other petitions. T. Flick stated it wasn't a petition but he did receive one request to name the park that had an extensive list of signees and Park Planning didn't feel it was the proper use of a name at this time. T. Flick stated there were probably a few hundred names on the petition but some were youth and not adults and Park Planning also took that into consideration. Chuck Stangel spoke on behalf of the Park Planning Committee and he stated that they stressed they want to make people aware of the natural features and water attractions and it isn't a default name and they think it is a good name and there really wasn't a strong case for any of the other names. Chuck Stangel further stated he doesn't believe there is a plan to change the name but it is a name that could be changed although if it doesn't change he believes this name is a good choice.

Moved by Trustee Smith, seconded by Trustee Van Lanvelt to name the referenced Village North Park, Creekview Park.

Ayes 5, Nays 1(Hietpas) – Motion Carried

Resolution: CSM – John and Sharon Johannes – 401 Madison Street

J. Moes stated that the family purchased the lot next door and removed the home and they want to combine the lots into one parcel and the Plan Commission did recommend approval of the CSM.

Moved by Trustee Hietpas, seconded by Trustee Van Lankvelt to Adopt Resolution No. 39, Series of 2012 Approving the CSM for John and Sharon Johannes at 401 Madison Street as presented.

Ayes 6, Nays 0 – Motion Carried

Review/Approval of Memorandum of Agreement for the Little Chute Canal Bridge

Trustee Frassetto asked if the Administrator had received a proposal from the Locks Authority concerning the operation of the locks and C. Kell responded that he has not yet received a proposal. C. Kell reviewed the Memorandum of Agreement that was drafted by DOT and approved by DOT and the Federal Highway Commission. The MOA is very restrictive on how the Village can allow the bridge to be utilized but it does allow the Village to maintain its facilities and it allows the HOVMSD and Fox Locks Authority access to the park but strictly restricts public traffic. It also requires the Village to incorporate in the project design the use of locking moveable bollards or gates. C. Kell stated they will not allow vehicles for the handicapped access to the bridge. T. Flick stated when they replace the road from the drawbridge to the fishing wharf that will be 100% ADA accessible and people will be able to park on the north side of the drawbridge. Discussion took place on the possibility to increase the parking on the west side of the bridge on land owned by the Locks Authority. C. Kell stated that the bollards were included in the original plan and he noted that this project has been at a standstill for the last seven or more months so once this agreement is signed we can begin moving forward and in the future the Village can look at making attempts to change the restricted access. T. Flick stated their in-house policy for use of the bridge will be lock in and lock out. Staff stated they can require the other entities to follow the same policy.

Moved by Trustee Smith, seconded by Trustee Peerenboom to Approve the Memorandum of Agreement between the Wisconsin Department of Transportation and the Village of Little Chute regarding the Little Chute Canal Bridge Transportation Enhancement Project.

Further Discussion: Trustee Frassetto questioned if the Village Attorney had reviewed this document.

C. Kell stated that the Village Attorney had not reviewed the document. C. Kell stated he had input into the agreement to get the access for the Village and it was written by the DOT and this is the way it has to be and he doesn't see anything in it that would be a liability to the Village.

Vote on the Motion:

Ayes 6, Nays 0 – Motion Carried

Review/Discussion – Amending Chapter 32 Park and Navigable Waters, Section 1 Park Regulations

Subsection (c) (2) Specific Regulations of the Village of Little Chute Municipal Code

T. Flick reviewed the amended ordinance that was adopted on March 7, 2012 regarding allowing leashed dogs in parks and it is back before the Board as the ordinance was only in effect until November 1, 2012 at which time it was to come back to the Board for review. T. Flick stated he had discussed this issue with the Police Chief and the Chief has stated that he has had no significant issues with the ordinance. T. Flick reported that he had only come across one individual with an unleashed dog and he has not had any phone call or emails against the ordinance. T. Flick stated he supports the ordinance. Trustee Van Lankvelt stated the only issue he has is with the lack of space between the canal and the river as there is nowhere to run if there is a vicious dog at large. Trustee Hietpas stated the Trustees had received a handful of email complaints. Trustee Frassetto stated she had received two complaints but she has heard many positive comments and she would support the ordinance to continue to allow leashed dogs on trails. Trustee Smith stated he has also heard positive feedback and he supports the ordinance. Discussion took place. T. Flick stated the ordinance will be brought back for action at the next Regular Board meeting.

Set Public Hearing – Zoning Change Request filed by Irene Hietpas – CSM 5150 Lots 1 & 2 – RC Residential Conventional Single Family District to RT Residential Two Family district

Moved by Trustee Peerenboom, seconded by Trustee Hietpas to set a Public Hearing for

December 12, 2012 at 6:00 p.m.

Ayes 6, Nays 0 – Motion Carried

Review/Discussion – 2013 Budget

T. Matheny provided Board members with a copy of the budget hearing notice and she noted that due to publication deadlines for the notice, the hearing will be held on December 5, 2012 and she stated that the Board will need to take action on the budget on December 5. T. Matheny stated she wanted to go back to the Public Works budget to give the Director a chance to speak about the need to hire a new employee.

R. Van Gheem stated that the Department's staff is concerned about the ability to serve the public as they expect. R. Van Gheem reviewed the duties of the Department and the increased workload caused by new rules, regulations, and reporting requirements. R. Van Gheem stated that in 2001 the Department had 23 staff members and they are currently at 17 staff members. R. Van Gheem provided further comments in support of the need to add another staff member. T. Matheny explained budget areas that could be looked at to fund a new position and she stated that the Ignite Fox Cities dollars could be budgeted in a TID fund. Discussion took place. T. Matheny explained that if the Board wants to look at possibly setting aside funding to allow for flexibility in potentially adding staff at some point in 2013, they could levy up and the cost of adding in the available \$24-25,000 would be \$0.05 cents on the mill rate. Trustee Smith stated he would be in favor of having these dollars available to be used because he has concerns with the amount of increased work that will be generated from the Main Street project but he wants to see the money put in the general fund and not have it designated for any specific purpose. Discussion also took place on the proposed 2% COLA increase and the pay for performance proposal. The Special Revenue Funds budget was reviewed and it was noted that the sanitation fees for 2013 will not create the \$25,000 that is supposed to be moved to the Fleet Fund but staff isn't proposing an increase in sanitation fees as they want to see if the new sanitation truck and a savings in maintenance makes a difference as well as what happens with gas prices and this will be reviewed after six months to see if an increase is necessary. Debt Service budget items were reviewed. T. Matheny reviewed the Sanitary Sewer budget noting this is driven by HOV and she noted that the Village is now being billed for ammonia and chloride treatment and staff is looking at bringing forward an ordinance update to put these chemicals on to our billing so industrial and commercial customers can be billed. T. Matheny pointed out the increase in the budget item for monitoring/contract services is a contract for monitoring needed for industrial customers and also to complete an HOV report.

T. Matheny stated she did not envision any need for a sanitary sewer rate increase in 2013. The water utility budget was reviewed and it was noted that the rate increase from 2011 did not equate to an increase of 17% in revenues and this is because of consumers using less water. T. Matheny reported that a simple rate case study will likely be filed after the PSC is filed and that would be for a likely 3% increase.

T. Matheny also reported that MCO has held their contract price flat. The storm water utility was reviewed and no rate increase is being proposed for 2013. Discussion continued. Trustee Frassetto stated she would like to plan for possibly supporting a new position but she doesn't want to allocate it to a specific position. President Vanden Berg stated he agreed with Trustee Frassetto. T. Matheny stated the decision the Board needs to make is if they want to change two allocations, the Ignite funding to the TID budget and some recycling into storm water as that would create \$20,000 without having to adjust the levy or do that and raise the rate to use the \$25,000 that is available under the expenditure restraint. President Vanden Berg stated he would rather reallocate. C. Kell stated he would bring back the Ignite funding as a TID funded item. Trustees did not come to a consensus on whether they would fund Ignite Fox Cities at the full amount requested, a portion of it, or not at all. C. Kell explained the benefit of joining Ignite and how that can benefit the properties on the north side of the Village and the Village can also sign on a year-to-year basis instead of giving a five-year commitment. Trustee Smith indicated he would support 100% funding of the program. Trustee Peerenboom stated he is not in favor of raising the tax levy to fund for a possible

Public Works employee nor would he want to see a pool of money set aside and if an employee is needed it should be seriously looked at in the future and if an increase in hours for the inspector is needed money could be taken from fund balance. Trustee Peerenboom stated he would be in favor of funding Ignite Fox Cities at $\frac{1}{2}$ the level they asked for and he suggested taking the other \$5,000 and put it back into the Employee Recognition Dinner. Trustee Frassetto stated she would not want to raise the tax levy but she would take a look at other areas of the budget if a position is going to be considered and she would also support funding Ignite Fox Cities and to put money back into the Recognition Dinner but she would also consider supporting Ignite Fox Cities in full for the first year and review the data after that. T. Matheny commented on the May 2014 liability with the land on the north side and the need for development in that corridor and the \$10,000 could likely be money well spent. President Vanden Berg stated that the pay for performance program will take some time to develop and he asked the Board members for comment. Trustee Frassetto stated the Board needs to make a commitment on pay for performance if that is the direction the Board wants to go. Discussion took place on possibly bringing back the Recognition Dinner. T. Matheny reported that if taxpayers are in the Little Chute School District, without the school credit being factored in, their tax is up \$0.69.

Unfinished Business

Board members agreed to cancel next week's meeting and schedule the meeting of November 28, 2012 as a Regular Board meeting. Trustee Van Lanvelt commented on a letter received from Great Lakes Marine Contractor regarding the exceptionally good working relationship they had with Tom Flick on the Pedestrian Bridge and Trail project. C. Kell stated he has tried to make contact with Poly Flex but the President of the Company is out until November 26 and he will try to make contact again after that and he provide an update at the meeting on the 28th. J. Moes reported that building permits had been issued for a \$3 million office building for Greentree, for four apartment buildings, and for an office and clubhouse for the Premier project.

Items for Future Agenda

C. Kell stated he is looking for direction on a request made by LCSD to allow them to use a Civic Center room in 2014 for a charter school classroom for the entire year. Board members agreed to have a representative come and speak to the Board about the request. T. Flick stated the Readiness and Response Plan will be on the next agenda for action and the ordinance updates will be presented in the future.

Adjourn

Moved by Trustee Berken-Peerboom, seconded by Trustee Frassetto to Adjourn the Committee of the Whole meeting at 9:26 p.m. Ayes 6, Nays 0 – Motion Carried Unanimously

VILLAGE OF LITTLE CHUTE

By: Michael R. Vanden Berg, Village President

Attest: Vicki Schneider, Village Clerk