

MINUTES OF THE REGULAR BOARD MEETING OF JUNE 20, 2007

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
Brian Joosten, Trustee
Steve Ransbottom, Trustee
Uriah Van Ooyen, Trustee
Judd Vanden Heuvel, Trustee
Janet Verstegen, Trustee

Roll Call of Officers and Department Heads

PRESENT: Charles Kell, Village Administrator
Dale Haug, Finance Director
David Peterson, Police Chief Fox Valley Metro
Jim Moes, Community Development Director
Tom Flick, Director of Parks and Recreation
Roy Van Gheem, Director of Public Works
Charles Koehler, Village Attorney
Vicki Schneider, Village Clerk

Public Appearance for Items Not on the Agenda

Mr. Robert Berken, 182 Grant Street, asked the Board if the Village was going to follow its own grass cutting ordinance concerning the Village's land next to his property. President Fischer stated that the Village is currently looking at a new policy for Village parcels and it wasn't the Village's intent to have the piece of village land next to the Berken property as a grassy area of land. President Fischer informed Mr. Berken that the Village will cut this area of grass one time because the ordinance is currently still in place. President Fischer informed Mr. Berken that the policy will be changed for all Village parcels such as this that are along the river.

Approval of Minutes

Regular Board Meeting Minutes – June 6, 2007

Committee of the Whole Meeting Minutes – June 13, 2007

Moved by Trustee Verstegen, seconded by Trustee Ransbottom to approve the Regular Board minutes of June 6 and the Committee of the Whole minutes of June 13, 2007 as presented.

All Ayes – Motion Carried Unanimously

Report of Other Minutes – Other Informational Items

Minutes of the Little Chute Park Planning Committee Meeting – April 2, 2007

Minutes of the Plan Commission Meeting – May 14, 2007

Fox Valley Metro Police Department Report Activity Report – April 2007

Regular Board Meeting Minutes – June 20, 2007

Review/Discussion – Possible Adoption – Ordinance Creating Section 11-2-15 Sexual Offender Residency Restrictions

President Fischer stated that on July 31 in Combined Locks the communities of Kimberly, Combined Locks, Town of Harrison, and the Town of Buchanan are planning to meet to discuss the topic on regional basis. President Fischer stated he is not in favor of supporting the ordinance as written in accordance with level one notification offenders and that he has done research and cannot find any legitimate information that shows the residency restrictions as a benefit but he is willing to support the ordinance on level three and possibly level two notification offenders. President Fischer stated he also believes the 2,000 square foot restriction is unreasonable. Mr. Tom Smith from the Department of Corrections explained the different levels of notification and who makes up the core team that recommends the notification level of the offender. Trustee Verstegen expressed support for the ordinance as written. Trustee Ransbottom stated he supported the ordinance as written. Chief Peterson read a statement that he had written to the Board and encouraged the Board to adopt the ordinance as presented. (A copy of the Chief's statement is made a part of this record.) Trustee Elrick expressed support for the ordinance. Attorney Koehler stated the Board may want to consider including safety zones such as parks as part of the ordinance language. Trustee Joosten stated he is not in favor of the ordinance as he does not want to see the offenders go underground. Discussion took place. Trustee Van Ooyen stated he would like to see similar ordinances throughout the neighboring communities but felt the Village should not wait to pass the ordinance as the ordinance can be changed in the future and he supports the ordinance as written. President Fischer commented to the Trustees that he still believes the Board should wait to pass the ordinance.

Moved by Trustee Verstegen, seconded by Trustee Ransbottom to Adopt Ordinance No. 10, Series of 2007 Creating Village of Little Chute Municipal Code Section 11-2-15 Sexual Offender Residency Requirements as presented to the Board today.

Further Discussion: Trustee Joosten questioned Board members as to what they were looking for and stated this ordinance does not create a level of security. Trustee Vanden Heuvel stated he does not see it as creating a sense of security and that his concern is that as more communities start to pass this type of ordinance, Little Chute will become an island where sexual offenders can locate. Trustee Joosten stated if that is the case then the State should step in and make it a legislative issue. Trustee Vanden Heuvel stated he cannot wait for the State to step in. Trustee Van Ooyen asked President Fischer if he wanted to amend the 2,000 foot distance. President Fischer stated he did not as he believes passing the ordinance as is, is a mistake. Trustee Van Ooyen stated he would rather be a leader than a follower on the residency issue.

Vote on the Motion:

Ayes 5, Nay 2 (Fischer, Joosten) – Motion Carried

Set Public Hearing – Amending Section 13-1-49 CH – Commercial Highway District (d) Special Exception Uses and Structures, Section 13-1-51 ID – Industrial District (d) Special Exception Uses and Structures, and Section 13-1-300 Definitions (86) Self Storage or mini-warehouses

Moved by Trustee Verstegen, seconded by Trustee Ransbottom to set a Public Hearing for July 25, 2007 at 6:00 p.m. for Amending Section 13-1-49 CH – Commercial Highway District (d) Special Exception Uses and Structures, Section 13-1-51 ID – Industrial District (d) Special Exception Uses and Structures, and Section 13-1-300 Definitions (86) Self Storage or mini-warehouses.

All Ayes – Motion Carried Unanimously

Action on Combination Liquor & Fermented Beverages Class B Renewal Liquor License – M & M Bar

Moved by Trustee Van Ooyen, seconded by Trustee Ransbottom to approve the Liquor License Renewal for M&M Bar as presented.

All Ayes – Motion Carried Unanimously

Village Board Action on Policy for Dealing with Mail Box and Similar Structures Constructed in Village right-of-way

Staff stated that currently the Village does not have any standards to state what is allowed or not allowed to be built and if the Board feels structures in the terraces should be allowed then standards need to be developed. C. Kell stated staff is recommending that structures not be allowed in public right-of-ways. Trustee Elrick asked Administrator Kell to gather information on standards for structures from communities that allow structures in the right-of-way and bring the issue back to the Board at a future meeting for discussion. President Fischer stated he will also further research the issue. No action was taken.

Update on Windmill Project

President Fischer stated that he and the Administrator had met with the Windmill Committee about a proposal that he wants the Board to consider. Administrator Kell provided a handout to the Board that had also been provided to the Windmill Committee as a draft for discussion on the proposal which considers relocating the windmill project from the downtown site to Island Park. (Document included as a record of these minutes.) The proposal is to consider moving the windmill to Island Park to create a regional Dutch Heritage and historical tourism attraction with the canal opening and the potential riverfront heritage parkway. The proposal provides reason for the Village to invest in a vehicular lift bridge to access the park which provides for cost sharing from other sources. The tax exempt status and the availability of the current windmill land to become part of the tax base can be considered along with the Village potentially contributing to the construction of the windmill. Administrator Kell pointed out the cons to the proposal are the timeline and the possible concerns of the downtown businesses. President Fischer relayed a message from Windmill President Don De Groot that stated Island Park was considered as a site for the windmill but because of the issues at the time with the not knowing what was happening with the locks, the site was not selected. President Fischer and Administrator Kell discussed how the proposal can be a win-win situation for the Windmill Committee and the Village and stated he is looking for Board members, Windmill Committee members and citizens to provide input on the proposal. Administrator Kell stated the Windmill Committee has expressed support and enthusiasm for the proposal and a number of Committee member were present tonight to answer questions. Discussion took place. Administrator Kell stated a negative is the funding cycle for the bridge and he directed R. Van Gheem to submit an application to the DOT for funding and noted that the application is not binding but it has been submitted should the Board want to move ahead with the proposal. Administrator Kell stated the bridge funding timeframe is not acceptable to the Windmill Committee and he believe the way to approach this issue is to get legislative support for project and to earmark the funding so the project could potentially be moved up. Administrator Kell stated that the Fox Locks Authority has indicated strong support for the project. Board members indicated agreement with pursuing the concept for the project. Discussion continued.

Moved by Trustee Elrick, seconded by Trustee Verstegen staff to pursue relocation of the Windmill Project to Island Park and to contact the appropriate Legislative Representatives necessary to address the funding needed for the bridge replacement.

All Ayes – Motion Carried Unanimously

Operator's License

Sievert, Anna J.	W4574 Glenn St	Appleton	Pop In Again
Gustavus, Allen H.	415 S. Olde Oneida St.	Appleton	M&M Bar
Eisenschink, Ellen H.	W1661 Lau Rd.	Kaukauna	Larry's Piggly Wiggly
Hau, Susan B.	222 N. Roger St.	Kimberly	Down the Hill
Hietpas, Emily A.	406 Johnson St.	Little Chute	Jack's or Better
Klein, Carla F.	1014 Pleasantview Ave	Little Chute	Hawk's Nest
Marlene J. Daelke	N5131 Thompson Ave.	Shiocton	Super 41 Shell
Jason M. Long	425 Arthur Ct.	Kimberly	Express

Regular Board Meeting Minutes – June 20, 2007

Kay M. Huempfner	219 1/2 W. North Ave.	Little Chute Express
Sheri L. Gasparick	908 Rolling Meadows Dr.	Little Chute Simon's Cheese
Margaret L. Hankwitz	1022 Washington Ct. #1	Little Chute Hawk's Nest

Moved by Trustee Elrick, seconded by Trustee Ransbottom to approve the list of operators' licenses as presented.

All Ayes – Motion Carried Unanimously

Department and Officers Progress Reports

Chief Peterson – no report. D. Haug reported that the auditor's presentation on the Village's financial report for 2006 is tentatively scheduled for the July 11th meeting and also informed the Board that because the Regular Board Meeting of July 4th is cancelled, a bills list may be presented to the Board for action at the Committee of the Whole meeting of July 11th. D. Haug informed the Board of educational opportunities his staff has participated in and thanked the Board for their support of continuing education. Administrator Kell reported on an agreement with Bayland Bank concerning Sidney Hotels and on a request by Cinder Care to use the Village Hall for a rummage sale during the sidewalk sale. The Village Board agreed to follow the current policy that does not allow for the Village Hall to be used by business groups. C. Kell reported on the response from the Casey Arts family that they are requesting to continue making monthly payments on their revolving loan. Staff stated the monthly loan payment is \$100 and the current outstanding loan amount is \$4,400. Board members agreed that they were comfortable with continued monthly payments on the loan. C. Kell stated a CDA meeting will be scheduled for a Revolving Loan and Micro Loan Fund for Jacks or Better and it will be brought before the Board for approval at a meeting in July. J. Moes reported that he continues working on 2007 assessments and he has worked with legal descriptions and maps to assist the Little Chute School District with a proposed land swap with Kaukauna School District and he also has been meeting with developers. J. Moes thanked the Board for appointing him to the Library Board and stated had been elected to serve as Chair of the Board. T. Flick reported that the Village will be receiving restitution for two previous occurrences of damage at the parks. T. Flick stated the Fox Cities Landscapers Association had contacted him with a requested to design and construct an in-kind planter landscaping project at Van Lieshout Park and he agreed to the project as the proposed design will be a very nice addition to the park with paver bricks, blocks and benches. T. Flick stated the playground equipment will be installed at Doyle Park in July and staff continues to work with the School District on the Legion Park project. T. Flick asked President Fischer for clarification on the weed cutting decision that was made earlier in the meeting regarding the Village property next to the Berken property. President Fischer stated he doesn't think the Village has any other choice at this point then to cut it. T. Flick stated the weeds are two-feet tall and it will have to be done by hand and R. Van Gheem stated he thought that at last week's meeting the Board agreed the Village's land would not be cut until a new policy was put in place. Discussion took place and President Fischer stated he will speak with the Berkens' about accessing the property via his property and he will contact T. Flick on Thursday about the issue. T. Flick stated the weed issues on ball fields will be worked on during the Fourth of July week. R. Van Gheem updated the Board on the status of the Village's 2007 projects and informed the Board that the Department plans to sell a grader that is no longer being used and use the funds towards purchasing a loader next year. V. Schneider reported that the newsletter will be distributed to residents next week. Attorney Koehler – no report.

Disbursement List

Moved by Trustee Van Ooyen, seconded by Trustee Ransbottom to approve the Disbursement List as presented by the Finance Director and draw from the respective funds.

All Ayes-Motion Carried Unanimously

Call for Unfinished Business

None

Regular Board Meeting Minutes – June 20, 2007

Items for Future Agenda

None

Adjournment

Moved by Trustee Van Ooyen, seconded by Trustee Verstegen to adjourn the meeting at 7:50 p.m.

All Ayes – Motion Carried Unanimously

VILLAGE OF LITTLE CHUTE

By: _____

Charles Fischer, Village President

Attest: Vicki Schneider, Village Clerk