

HOWARD VILLAGE BOARD

March 24, 2003 at 6:30 P.M.

Village Hall Board Room

- CALL TO ORDER** B. Strazishar, Village President, called the meeting to order at 6:30 P.M. and announced the closed session language.
- ROLL CALL** R. Bredael, G. Nauman, R. Sachs, G. Speaker, T. Hansen, E. Gulbrand, L. Weix, D. Johnson and B. Strazishar
Also: H. Thomas, D. Duffy, J. O'Connor D. Wiese, G. Farr, M. Pigeon and C. Haltom
- The Pledge of Allegiance was recited.
- APPROVE AGENDA** A motion was made by G. Nauman and seconded by E. Gulbrand to approve tonight's agenda.
Motion carried unanimously.
- EXTENSION OF OLDE HICKORY** Public Appearances
Burt McIntyre-1108 Coprinus inquired if the extension of Olde Hickory is a convenience to the area residents or a need. He recommends eliminating that connection to solve the issue of traffic flow, speed and special assessments.
- SNOWMOBILES ON MOUNTAIN BAY TRAIL** Pam Hunt-Snobirds representative stated that she is appearing as a reminder to see this matter through. She verbally addressed the opposition's written, inaccurate statements including; Pulaski and Shawano are rural not residential, liability to landowners abutting trail and that snowmobilers are asking for money. The rebuttal is that while areas of Pulaski and Shawano are still rural that the trail runs through the larger populated areas, the "berry picker" law was put into place to take the liability away from landowners if people are recreating while an accident happens and the snowmobilers are not asking for money, but will actually pick up some of the costs associated with the maintenance of the trail. She requested that with the appropriate petition being presented to this governing body that logic, procedure and facts guide the way to the right decision for all involved.
- Cheryl Winzenried-964 Velsen discussed facts pertaining to the snowmobile sport. She feels that the opposition has made this a very emotional issue by spreading misinformation. She suggested a trial period.
- Ann Lemere presented a series of pictures that were taken of the trail where she received permission from a landowner on Sunray. She discussed the funding and volunteer sno-patrol that helps with enforcement.

Richard Nuss-1227 Valley Lane requested that the Village Board review the video tape he presented at the last meeting that is visual proof of the violations that are occurring. He stated that the Brown County Board has a copy and the DNR.

Hal Tust-1355 Sunray appeared impressed with another presentation from the Snobirds, but he feels that this is going to affect the quality of life in his area. He encouraged the Board to look at the pictures presented and see a residential area that does not need motorized vehicle traffic running through it.

KRAUSE RD

Jeff Krause appeared asking for consideration from the Board to leave Krause Road as a cul-de-sac. He is not opposed to the development, but would like Krause Road to remain as is.

Michelle Swear-2704 Sunray stated that she is a stay at home mom and when there is snow on the trail, there isn't anyone on the trail. She supports snowmobiles on the trail for the 5 to 10 days per year that it could be opened to snowmobile use.

SPECIAL ASSESSMENTS

Keith Kottke-1100 David discussed Trustee Bredael's comment for the owner of the old Champeau school building that he would not have a benefit and should not have to pay for the Village Court paving. He questioned how that is any different than Mrs. Huben or Ms. Soule.

Mike Dewitt-315 Rainbow Court requested that Rainbow Court be a cul-de-sac and vacated.

FUTURE AGENDA

Future Agenda Items

G. Nauman would like to discuss street lights in the 2000 block of Shawano and E. Gulbrand would like to discuss changing the lights at Cardinal and Glendale to blink during the late night/early morning hours to keep traffic flowing.

COMMUNICATIONS

Communications

A motion was made by T. Hansen and seconded by G. Speaker to accept the three communication items, including; Water Authority Minutes/Agendas, Plan Commission Minutes 3/17/03 and Howard Youth Sports Association 3/19/03 Agenda and HYSA 2/26/03 Minutes.
Motion carried unanimously.

CONSENT AGENDA

Consent Agenda

The Board agreed to act on each consent agenda item separately.

MUNICIPAL INVOICES

H. Thomas explained the GBMSD payment for the Bayview Interceptor will be \$80,323, instead of \$822,469.79 because Hobart project will be rebid in about 4 weeks from now.

A motion was made by Roger Sachs and seconded by G. Nauman to approve the municipal invoices with the correction to the GBMSD payment as discussed.

A roll call vote was taken on the motion.
Motion carried unanimously.

3/10/03 VILLAGE BOARD MINUTES

A motion was made by G. Speaker and seconded by R. Sachs to approve the 3/10/03 Village Board minutes.

A roll call vote was taken on the motion.
Motion carried unanimously.

ORDINANCE 2003-5 R-5 Zoning Changes

D. Johnson inquired about the changes to the R-5 zoning district that Ordinance 2003-5 creates.

A motion was made by G. Speaker and seconded by D. Johnson to table Ordinance 2003-5 for further information.

A roll call vote was taken on the motion.
Motion carried unanimously.

AMEND FLOODPLAIN MAPS FOR VH-315-1 1225 BROOKFIELD

A motion was made by T. Hansen and seconded by E. Gulbrand to approve an amendment to the Village of Howard Floodplain maps adopted in Section 21.01(12) of the Howard Municipal Code (Floodplain and Shoreland Wetland Zoning Ordinance) to remove a portion of parcel VH-315-1, (located at 1225 Brookfield Avenue) from the Floodplain Zoning District with staff considerations.

A roll call vote was taken on the motion.
Motion carried unanimously.

GUSTMAN PONTIAC ADDITIONAL SIGN AREA – 301 TAYLOR VH-616

A motion was made by R. Bredael and seconded by T. Hansen to approve the request from Shannon Oninski of Appleton Sign Company representing Gustman Pontiac/GMC to permit an additional 18 square feet of sign area at 301 N. Taylor Street, VH-616.

A roll call vote was taken on the motion.
Motion carried unanimously.

**PETROLEUM EQUIP.
CONDITIONAL USE -
712 MEMORIAL
VH-533-3 & 533-4**

A motion was made by R. Bredael and seconded by G. Nauman to approve the request for Patrick Ryan of Petroleum Equipment Services to permit the operation of a warehousing and distribution company for petroleum equipment and supplies at 712 Memorial Drive, VH-533-3 and VH-533-4 in accordance with Section 17.11(3)(b)8 of the Howard Municipal Code (Zoning Ordinance) with the four staff recommendations noted on the staff report.

A roll call vote was taken on the motion.
Motion carried unanimously.

**JUZA REZONING -
VH-223, 226, 227, 220,
232, 233, 234 & VH505**

A motion was made by R. Sachs and seconded by E. Gulbrand to approve the request from Tom Juza to rezone parcels VH-223, 226, 227, 220, 232, 233, 234 and VH-505 from R-5 Rural Estate Residential and Exclusive Agriculture to R-2 Residential Single Family Duplex by Subdivision and a 5 acre portion of VH-220 to R-4 Multi-Family.

A roll call vote was taken on the motion.
Motion carried unanimously.

**PREL. PLAT OF
GLEN KENT
ESTATES**

A motion was made by G. Speaker and seconded by R. Bredael to approve the Preliminary Plat of Glen Kent Estates with the following considerations: Lots 310, 313, 314, 344, 322 and 323 be labeled as outlots; Lots 150, 151 and the road should be curved for future road extension; road connection shown on Lot 220; sewer and water extended from Hobart for the southern part of development; wetland delineation and flood study need to be approved by the proper agencies; storm water management plan be approved by the Engineering Department; sidewalks be installed within the development; trails constructed as presented; road names be added and that staff review/approve the lighting with the developer.

A roll call vote was taken on the motion.
Motion carried unanimously.

**PREL. PLAT OF
WINDJAMMER
ESTATES 1st ADD.**

A motion was made by D. Johnson and seconded by T. Hansen to table the new Preliminary Plat of Windjammer Estates 1st Addition and refer it back to the Plan Commission.

A roll call vote was taken on the motion.
Motion carried unanimously.

BIDS SET FOR APRIL

G. Farr reported that the Engineering Department is currently working on several projects that will be bid the middle to end of April.

**NEW GOLF COURSE
MANAGER**

M. Pigeon informed the Board that a new Golf Course Manager has been hired and things are going smoothly. She is accepting applications for the Village Forester and currently has 36 applicants. The Village of Howard is going to be receiving the Tree City USA Growth Award.

C. Haltom stated that he will report next month on the quarterly water/sewer utility report. Golf Course reports will start after the start of the season.

WATER AUTHORITY

H. Thomas elaborated on his Administrator's Report that the Water Authority would like to work with the City of Green Bay if it is cost effective, but a pilot study needs to be conducted to determine the costs and more wells would have to be installed to meet quantity needs. He informed the Board members that there will be a walk through of the new addition on Thursday at 5 p.m. A meeting is scheduled with the School District Superintendent on April 9th to discuss land.

NUSS VIDEO

R. Strazishar informed the Board that if anyone would like to view the Nuss video on Duck Creek, that they can get it from Michelle at the Village Hall.

E. Gulbrand relayed a message from a resident that called him to thank Public Works and the Acting Deputy Clerk for cleaning up the mud chunks on their roadway.

**STREET LIGHT
PROBLEM**

G. Speaker complained that the street lights are fading in and out on Hillcrest and he will call H. Thomas with the address.

**DEBAUCHE REZONE-
SHAWANO AVENUE
VH-478-10**

A motion was made by R. Sachs and seconded by T. Hansen to approve the request from Richard Huxford representing Richard DeBauche to rezone parcel VH-478-10 located on Shawano Avenue west of Aerostar Lane from Rural Estate (R-5) to Single Family (R-1).

G. Speaker would like to see the speed limit lowered for at least a portion of Shawano Avenue.

A roll call vote was taken on the motion.
Motion carried unanimously.

OLD BUSINESS

The Board discussed the Akzo-Nobel Sports Complex ball diamond scoreboards.

**AKZO-NOBEL
SCOREBOARDS &
SODA PROPOSAL**

A motion was made by D. Johnson and seconded by T. Hansen to suspend the rules to hear from the audience. Motion carried unanimously.

Burt McIntyre inquired if the same offer would be available to other groups.

A motion was made by R. Sachs and seconded by E. Gulbrand to return to the regular order of business. Motion carried unanimously.

A motion was made by R. Sachs and seconded by L. Weix to have staff and HYSA create specifications for vendors to reach a scoreboard/soda agreement.

G. Speaker suggested having the Village Attorney review the proposal prior to it coming back to the Board.

A motion was made by D. Johnson and seconded by R. Bredael to suspend the rules to hear from the audience. Motion carried unanimously.

Doug Martzke-Vice President of HYSA stated that 7up was the proposal that HYSA felt was in the best interest of the Village of Howard and all parties involved. We are looking for the best proposal that will meet the needs at the park and save the taxpayers from funding these improvements.

A motion was made by G. Speaker and seconded by L. Weix to return to the regular order of business. Motion carried unanimously.

R. Sachs and L. Weix both agreed to reword their motion to call them guidelines not specifications.

T. Hansen discussed other costs associated with the project to install the scoreboards.

R. Sachs withdrew his motion and L. Weix withdrew his second.

A motion was made by G. Nauman and seconded by T. Hansen to suspend the rules to hear from the audience.

Jim Jordan-Softball Commissioner for HYSA would like the guidelines set to help alleviate wasting time.

**AKZO-NOBEL
SCOREBOARDS &
SODA PROPOSAL
CONTINUED**

Jim Zawlocki-President of HYSA stated that we are looking for something simple for scoreboards and are willing to meet with the three soda vendors to bring back a recommendation to the Village Board for their approval.

A motion was made by E. Gulbrand and seconded by T. Hansen to return to the regular order of business.
Motion carried unanimously.

A motion was made by R. Sachs and seconded by L. Weix to table the Akzo-Nobel Sports Complex Scoreboards.

A roll call vote was taken on the motion.
Motion carried unanimously.

The Board took a seven minute recess.

**ALL CITY RAIL
BAR & GRILL
LIQUOR &
CIGARETTE LICENSE**

A motion was made by D. Johnson and seconded by T. Hansen to table the Class B Liquor & Beer License for All City Rail Bar & Grill.

A motion was made by R. Sachs and seconded by G. Speaker to suspend the rules to hear from the audience.
Motion carried unanimously.

Mike Haverkorn-2852 Norfield Road appeared before the Board and explained that Ron Metzler is working on a decision regarding the issue of ingress and egress. He should have a decision this week.

H. Thomas inquired if Mr. Haverkorn would still build if he was only given a right in and right out access. He could not answer that question at this time.

A motion was made by G. Speaker and seconded by L. Weix to return to the regular order of business.
Motion carried unanimously.

Roger Kolb-Brown County Highway Commissioner stated that the D.O.T. needs additional right-of-way for the 6 lane project on Highway 41 and would probably do a land swap with Mr. Haverkorn.

A roll call vote was taken on the previous motion to table.
Motion carried unanimously.

A motion was made by G. Speaker and seconded by G. Nauman to table the cigarette license for All City Rail Bar & Grill located at 1966 Velp Avenue.

A roll call vote was taken on the motion.
Motion carried unanimously.

**BC HIGHWAY
COMMISSIONER
REPORT ON 2002
PROJECT
OVERRUNS**

Roger Kolb-Brown County Highway Commissioner reviewed his cost overruns with the Board. He explained that drainage problems on the Woodale project created the overrun for that project. Right-of-way access on the Cardinal/Glendale project was higher than anticipated and they also had to build a retaining wall to accommodate the higher elevation of Family Video's parking lot. The high cost of fill for the ditching on the Cardinal Trail created the overrun for that project.

These costs will be on a future agenda for action.

Roger Kolb stated that he will work with B. Bartelt on flashing lights at Cardinal and Glendale. He will also try to do something with the Packerland tracks this summer to alleviate the bump in the roadway.

Ron bredael excused himself because of a conflict of interest relating to the vacation of a portion of Olde Hickory Trail and left the room.

**OLDE HICKORY
TRAIL**

The Board discussed proper egress/ingress for this roadway, reducing the roadway to 28' with no parking on that section, shifting the roadway in between the two structures and then having the properties vacated on both sides. The Board discussed the definition of benefit to the property owners and D. Duffy explained that a dollar figure does not have to be attached to be considered a benefit. He gave an example of looping the water system.

A motion was made by D. Johnson to hold a public hearing to vacate a portion or all of Olde Hickory.
Motion fails for lack of a second.

A motion was made by G. Speaker and seconded by T. Hansen to make the roadway 28' back to back, no driveway accesses and no parking.

	<u>YES</u>	<u>NO</u>
T. Hansen	X	
E. Gulbrand	X	
L. Weix	X	
D. Johnson		X
R. Bredael	ABSTAIN	
G. Nauman	X	
R. Sachs	X	
G. Speaker	X	
B. Strazishar	X	

Motion carried.

**AKZO-NOBEL
SPORTS COMPLEX
CONCESSION &
RESTROOM
CONTRACT**

M. Pigeon explained that she would like to bring back the Akzo-Nobel Sports Complex Concession/Restroom Construction Contract to the next meeting so that HYSA can have a chance to review the second story option and make a recommendation.

A motion was made by G. Nauman and seconded by L. Weix to table the Akzo-Nobel Sports Complex Concession and Restroom Construction Contract.

	<u>YES</u>	<u>NO</u>
E. Gulbrand	X	
L. Weix	X	
D. Johnson	X	
R. Bredael	NOT IN ATTENDANCE	
G. Nauman	X	
R. Sachs	X	
G. Speaker	X	
T. Hansen	X	
B. Strazishar	X	

Motion carried.

**VACATE A PORTION
OF RAINBOW COURT**

Discussion was held regarding vacating a portion of Rainbow Court and the Board reviewed the 9/13/99 minutes regarding proceedings for vacation of Rainbow Court.

A motion was made by G. Speaker and seconded by D. Johnson to schedule a public hearing to vacate Rainbow Court.

	<u>YES</u>	<u>NO</u>
L. Weix	X	
D. Johnson	X	
R. Bredael	ABSTAIN	
G. Nauman	X	
R. Sachs	X	
G. Speaker	X	
T. Hansen	X	
E. Gulbrand	X	
B. Strazishar	X	

Motion carried.

R. Bredael rejoined the meeting at this time.

A motion was made by L. Weix and seconded by R. Sachs to move forward with the vacation as listed for a portion of Bayport Terrace and Harwood North of Woodale Avenue.

**VACATE A PORTION
OF BAYPORT TER &
HARWOOD**

A roll call vote was taken on the motion.
Motion carried unanimously.

CLOSED SESSION

A motion was made by G. Speaker and seconded by T. Hansen to convene into closed session at 9:45 p.m.

	<u>YES</u>	<u>NO</u>
R. Bredael	X	
G. Nauman	X	
R. Sachs	X	
G. Speaker	X	
T. Hansen	X	
E. Gulbrand	X	
L. Weix	X	
D. Johnson	X	
B. Strazishar	X	

Motion carried unanimously.

MICHELLE BARTOLETTI
Acting Deputy Clerk

OPEN SESSION

A motion was made by G. Speaker and seconded by T. Hansen to return to open session.
Motion carried unanimously.

**DRAFT LETTER TO
SUAMICO RE:
BOUNDARY
AGREEMENT**

A motion was made by G. Speaker and seconded by T. Hansen to direct the Village Attorney to draft a response paper to Suamico regarding the Boundary Agreement.
Motion carried unanimously.

ADJOURNMENT

A motion was made by L. Weix and seconded by T. Hansen to adjourn.
Motion carried unanimously.

HUGH THOMAS
Village Administrator