

HOWARD VILLAGE BOARD

May 24, 2004 at 5:00 P.M.

Village Hall Board Room

- CALL TO ORDER** B. Strazishar, Village President, called the meeting to order at 5:00 P.M. and announced the closed session language.
- ROLL CALL** R. Bredael, G. Nauman, R. Sachs, G. Speaker, T. Hansen, K. Crouch, L. Weix-Excused, S. Schomaker-Excused and B. Strazishar
Also: D. Duffy, H. Thomas, M. Pigeon and J. Dagneau
- APPROVE AGENDA** A motion was made by G. Nauman and seconded by T. Hansen to approve the agenda for tonight's meeting.
Motion carried unanimously.
- KONG HEARING ON COMPLAINT RE: CLASS B BEER LICENSE @ 1119 N. MILITARY** Attorney Dennis Duffy stated that he is the Village Attorney and is representing the Plaintiff regarding this proceeding.
Attorney Kua Vang appeared representing the Defendant, Mr. Neng Yee Kong.
Deputy Dagneau was sworn in by Village Clerk, H. Thomas.
Attorney D. Duffy conducted questioning of Deputy Dagneau and Attorney Vang conducted rebuttal. The following are the Exhibits that were presented during the proceedings: Exhibit A-Affidavit from the State of Wisconsin Department of Revenue Custodian of Files Dated 5/20/04, Exhibit B-Copy of the 2003-2004 Application for Renewal of the Alcohol Beverage License for the Hmong Performance Center, Exhibit C-Correspondence from the State of Wisconsin Department of Revenue Dated 3/29/04 and Exhibit D-Copy of Neng Y Kong's Wisconsin Sellers Permit #004-0000514989-01.
Neng Yee Kong was sworn in by Village Clerk, H. Thomas. Attorney D. Duffy conducted questioning of Neng Yee Kong and Attorney Vang conducted rebuttal. Mr. Kong replied that he holds a valid Wisconsin Sellers Permit which is contradictory to the evidence presented.
L. Weix joined the meeting at 6:25 p.m.
A motion was made by K. Crouch and seconded by T. Hansen to revoke Mr. Neng Yee Kong's Class B Beer License. Both the motion and the second were withdrawn.

**KONG HEARING ON
COMPLAINT RE:
CLASS B BEER
LICENSE @ 1119 N.
MILITARY
CONTINUED**

A motion was made by T. Hansen and seconded by K. Crouch to accept the findings and that the allegations of the complaint are true based on the findings of the proceedings.

A motion was made by G. Speaker and seconded by T. Hansen to suspend the rules to hear from Attorney Vang. Motion carried unanimously.

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

A roll call vote was taken on the previous motion.

	<u>YES</u>	<u>NO</u>	<u>ABSTENTION</u>
L. Weix			X
R. Bredael	X		
G. Nauman	X		
R. Sachs	X		
G. Speaker	X		
T. Hansen	X		
K. Crouch	X		
B. Strazishar	X		

Motion carried.

A motion was made by T. Hansen to suspend the license at this time. T. Hansen rescinded this motion.

A motion was made by T. Hansen and seconded by K. Crouch to revoke the Class B Beer License held by Neng Yee Kong for the Hmong Performance Center n/k/a Neng Yee's Dance Hall, 1119 North Military Avenue, Green Bay, Wisconsin, 54303.

A roll call vote was taken on the motion.

	<u>YES</u>	<u>NO</u>	<u>ABSTENTION</u>
R. Bredael	X		
G. Nauman	X		
R. Sachs	X		
G. Speaker	X		
T. Hansen	X		
K. Crouch	X		
L. Weix			X
B. Strazishar	X		

Motion carried.

The Village Board took a five minute recess at 6:36 p.m.

The meeting was reconvened at 6:41 p.m.

**TREE CITY USA
GROWTH AWARD**

A Growth Award from Tree City USA was presented to the Village Forester, C. Clark.

**PUBLIC HEARING -
VACATION OF
CUTTY SARK &
CHINA CLIPPER**

The Board conducted a 6:40 p.m. public hearing calling for the vacation of Cutty Sark & China Clipper. No one appeared and the public hearing was closed.

**PUBLIC
APPEARANCES**

Public Appearances

Andrew Utrie-3080 Glendale Avenue expressed his opinion that the speed limit on Glendale should be lowered to 30 m.p.h. as there is no sidewalk in this area.

**FUTURE AGENDA
ITEMS**

Future Agenda Items

G. Speaker would like to discuss placing items on the agenda by a Village Trustee and rummage sale signs in the Village right-of-way.

COMMUNICATIONS

Communications

A motion was made by R. Sachs and seconded by T. Hansen to hear from Amy Pagne-812 Posey Court.
Motion carried unanimously.

A motion was made by R. Sachs 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 G. Speaker to accept the communications and to have staff respond to the Posey Court resident's correspondence.

T. Hansen would like to review the process for communicating to residents when their streets are under construction.

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

CONSENT AGENDA

Consent Agenda

A motion was made by R. Sachs and seconded by T. Hansen to approve all of the consent agenda items excluding item 8d.

A roll call vote was taken.
Motion carried unanimously.

R. Bredael suggested reviewing the temporary Class B Beer License and the fee schedule.

G. Farr informed the Board that Windjammer is going to be re-bid as the costs came in too high.

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

**TEMPORARY CLASS
B BEER LICENSE -
NORTHERN WIS.
SOCCER LEAGUE**

A motion was made by G. Speaker and seconded by G. Nauman to deny a temporary Class B Beer License for the Northern Wisconsin Soccer League as presented.

A roll call vote was taken.

	<u>YES</u>	<u>NO</u>
G. Speaker	X	
T. Hansen		X
K. Crouch		X
L. Weix		X
R. Bredael		X
G. Nauman	X	
R. Sachs	X	
B. Strazishar		X

Three for. Five Against.
Motion fails.

A motion was made by T. Hansen and seconded by K. Crouch to approve a Temporary Class B Beer License for Northern Wisconsin Soccer League to be used on July 31st and August 31st as presented.

A roll call vote was taken.

	<u>YES</u>	<u>NO</u>
T. Hansen	X	
K. Crouch	X	
L. Weix	X	
R. Bredael	X	
G. Nauman		X
R. Sachs		X
G. Speaker		X
B. Srazishar	X	

Five for. Three against.
Motion carried.

**AUDITORS OPINION
& MANAGEMENT
LETTER RE: ANNUAL
FINANCIAL REPORT**

Caren Kerber of Kerber & Associates appeared before the Board and discussed her submitted financial statement and management letter.

A motion was made by G. Speaker and seconded by R. Sachs to accept the management letter and financial report from Kerber & Associates.

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

**PARK, REC &
FORESTRY
DIRECTOR**

Reports of Village Officials

M. Pigeon reported that as of today there is standing water on every field and all facilities were closed to activity today and there will not be anything tomorrow if it doesn't dry up.

**PARK, REC &
FORESTRY
DIRECTOR
CONTINUED**

She discussed the problem of adult rugby ripping up Barney Williams and Howard Memorial Park. She also received another request to use the quarry to look for fossils and will work out the details of how much he can take. The Adventure Group would also like to use it for canoe, diving and kayaking classes.

ENGINEER

G. Farr informed the Board that the Pinecrest Park contractor could not get in to seed, and Memorial has been delayed because of the weather.

FINANCE DIRECTOR

C. Haltom discussed the water utility being part of the water authority and language needs to be incorporated into the rate tier. January 1995 was the last rate study and he will keep the Board informed when the current rate study will occur.

VILLAGE PLANNER

D. Wiese reported that the first meeting regarding the Village Center Project will be conducted and he will keep the Board updated on the progress.

**COMMUNITY
ENFORCEMENT
OFFICER**

Deputy Dagneau stated that grass complaints are coming in heavy now and speeding is an ongoing targeted problem, as well as damage to the parks.

VILLAGE FORESTER

C. Clark is currently rapping up spring tree planting with almost 300 trees planted. Flower beds are next. The DNR will be spraying Gypsy moth spray within the next few days in the mornings for the three, Howard targeted areas.

VILLAGE PRESIDENT

B. Strazishar reported that he met with Howard Suamico Business and Professional Association and they would like to sponsor an outdoor movie in the park. N. Wendt will be meeting with the group to go over the details and help coordinate the event for either July 17th or 18th at Lineville Intermediate. He reminded the Board about the Memorial Day parade coming up this weekend.

**PROPERTIES TO BE
PURCHASED**

New Business

A motion was made by R. Sachs and seconded by T. Hansen to approve the purchase of the two properties suggested by the Village Administrator, one on Velp Avenue between the railroad tracks and the other property out on the Bay.

A roll call vote was taken.
Motion carried unanimously.

A motion was made by G. Speaker and seconded by K. Crouch to suspend the rules to hear from Ellery Gulbrand-2591 Lavender Lane and Roger Gillis-2714 Woodfield Court. Motion carried unanimously.

**TRAFFIC LIGHTS @
CARDINAL AND
WOODFIELD**

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

K. Crouch stated that he conducted an informal survey of approximately 12 people. Two thought lights are a dumb idea, three people were indifferent and the remainder thought it was a very good idea.

A motion was made by K. Crouch and seconded by R. Bredael to ask Brown County Highway to provide the village with the future plan for traffic signals within the Cardinal Lane/Village Center corridor.

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

**SPEED LIMIT ON
WOODDALE**

A motion was made by G. Nauman and seconded by T. Hansen to recommend to Brown County that they change the speed limit to 25 m.p.h. from Velp to Cardinal on Wooddale Avenue.

Deputy Dagneau will do a report to the county.

A roll call vote was taken. Motion carried unanimously.

**SPEED LIMIT ON
GLENDALE**

A motion was made by G. Speaker and seconded by R. Sachs to approve changing the current 35 m.p.h. speed limit to 30 m.p.h. on Glendale Avenue, between Hillcrest Heights and Evergreen Avenue.

A motion was made by T. Hansen and seconded by R. Bredael to open the floor to hear from the resident at 3080 Glendale. Motion carried unanimously.

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

A motion was made by L. Weix and seconded by R. Sachs to call the question. Motion carried unanimously.

A roll call vote was taken on the previous motion.

**SPEED LIMIT ON
GLENDALE
CONTINUED**

	<u>YES</u>	<u>NO</u>
R. Sachs	X	
G. Speaker	X	
T. Hansen		X
K. Crouch	X	
L. Weix	X	
R. Bredael	X	
G. Nauman	X	
B. Srazishar	X	

Seven for. One against.
Motion carried.

**SITE PLAN FOR
ZEPNICK MACHINE**

A motion was made by R. Sachs and seconded by L. Weix to approve the site plan for Zepnick Machine with staff considerations and recommendations.

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

**VILLAGE OWNED
PROPERTY**

A motion was made by T. Hansen and seconded by L. Weix to have staff continue to review village owned land and report back for review at a future meeting any property that is potentially marketable.

A roll call vote was taken.
Motion carried unanimously.

**RESOLUTION
2004-22 VACATING
CHINA CLIPPER &
CUTTY SARK**

A motion was made by R. Sachs and seconded by T. Hansen to approve Resolution 2004-22 vacating China Clipper Street and a portion of Cutty Sark.

A roll call vote was taken.
Motion carried unanimously.

**OFFER TO
PURCHASE A
PORTION OF LOT 5
BROOKFIELD**

A motion was made by G. Nauman and seconded by R. Sachs to accept the offer to purchase a portion of Lot 5 Brookfield with the buyers paying for half of the lateral costs and the CSM costs. Attorney D. Duffy will prepare the counter offer.

A roll call vote was taken.
Motion carried unanimously.

G. Farr gave his presentation regarding Special Assessments within Glen Kent's plat.

**PRELIMINARY
RESOLUTION
2004-11 RE:
SPECIAL
ASSESSMENTS
WITHIN THE PLAT OF
GLEN KENT**

A motion was made by R. Sachs and seconded by T. Hansen to approve Preliminary Resolution 2004-11 regarding special assessments on upon plat of Glen Kent Estates First Addition, the plat glen Kent Estates Second Addition, the extension of Richbough Road southerly from the Glen Kent Estates First Addition Plat through and or adjacent to parcels VH-230-4, VH-230-4-1 & VH-230-4-2 ending at Shawano Avenue approximately 75 feet easterly of Posey Court, and the extension of Leads Castle Drive westerly from the plat of Glen Kent Estates First Addition through parcel VH-230 approximately 300 feet for sanitary sewer, watermain, storm sewer, laterals & services, storm water management facilities, sidewalks, trails, and roadway construction.

A roll call vote was taken.
Motion carried unanimously.

CLOSED SESSION

A motion was made by T. Hansen and seconded by L. Weix to convene into closed session

A roll call vote was taken.
Motion carried unanimously.

**RECONVENE INTO
OPEN SESSION**

A motion was made by T. Hansen and seconded by L. Weix to reconvene into open session at 9:49 p.m.
Motion carried unanimously.

ADJOURNMENT

A motion was made by L. Weix and seconded by T. Hansen to adjourn at 9:50 p.m.
Motion carried unanimously.

MICHELLE OLMAN
Deputy Clerk