

HOWARD VILLAGE BOARD

June 26, 2006 at 6:30 P.M.

Village Hall Board Room

- CALL TO ORDER** C. Felmer called the meeting to order and announced that at the close of the meeting, the Village Board will convene into closed session pursuant to Section 19.85(1)(c) of the Wisconsin Statutes for considering promotion, compensation, and performance evaluation data for a Village employee and pursuant to Section 19.85(1)(e), Wisconsin Statutes for deliberating and/or negotiating developer agreements where competitive and bargaining reasons require a closed session.
- ANNOUNCE CLOSED SESSION**
- ROLL CALL** R. Bredael, J. Widiger, C. Hughes, G. Speaker, R. Ziemer, K. Crouch, L. Weix, B. McIntyre, and C. Felmer
Also: H. Thomas, D. Wiese, M. Pigeon, B. Bartelt, and J. Dagneau-6:55 p.m.
- APPROVE AGENDA** A motion was made by B. McIntyre and seconded by G. Speaker to approve the agenda with moving item 10A under New Business to be done directly after item 7 the public hearing.
Motion carried unanimously.
- FUTURE AGENDA ITEMS** Future Agenda Items
C. Hughes would like to address the coverall issue at the next meeting.
- PUBLIC APPEARANCES** Public Appearances
Paul Bookter-1238 Prairie Rose Lane would like the Village Board to consider helping the VFW with the Memorial Day parade to make it a more successful event. He also gave names of potential future street names: Nathalie Bookter who was the first woman elected to a position and Thomas Farr the first elected municipal judge. He continued by suggesting that the Howard Municipal Judge be required to have a law degree.
- COMMUNICATIONS** A motion was made by R. Ziemer and seconded by B. McIntyre to approve the following communications: CBCWA Agenda/Minutes/Correspondence; Baseball/Softball Facility Needs Ad-Hoc Committee 6/29/2006 Agenda; 6/27/2006 Board of Appeals Agenda; 5/30/2006 Board of Appeals Minutes; 6/19/2006 Facsimile from Mau & Associates regarding Lexington Homes Submittal; 6/19/2006 Plan Commission Minutes; 5/17/2006 HYSA Minutes; and 6/21/2006 HYSA Agenda.
Motion carried unanimously.

CONSENT AGENDA

A motion was made by G. Speaker and seconded by R. Ziemer to approve the following as part of the consent agenda excluding items 6E and 6G: Municipal Invoices in the amount of \$331,181.04 utilizing check numbers 736070-736180; 6/12/2006 Village Board Minutes; 2006 Appointments; McKeefry & Sons Inc. Change Order \$1,882.44; Potts Construction Inc. dba Sievert Excavating Change Order \$469.63; Carl Bowers and Sons Change Order \$9,071.00; Janke General Contractors Change Order (\$4,050.00); Temporary Class B Retailers License for Family Connections for 2027 Velp Avenue, July 8-9, 2006; Approve Plan Commission recommendation to deny the rezoning request from John and Corrine Faikel to rezone 1509 Greenfield Avenue, VH-10-2, VH-10-1, and VH-9 from R-5 Rural Estate Residential to A-1 Exclusive Agriculture.; Approve Plan Commission recommendation to approve the request from Thomas J. Juza Custom Home and Design to construct 36 condominium units (6-6 unit buildings) to be located between Faversham Way and Herne Bay Way, VH-2763 with the appropriate road access, the completion of a developer agreement and all other staff recommendations.; and Approve Plan Commission recommendation to adopt alternative 1-D as the preferred alternative for Wisconsin Highway 29 right of way preservation plan.
Motion carried unanimously.

**PICNIC LICENSE -
NORTHERN WI
SOCCER LEAGUE**

A motion was made by J. Widiger and seconded by C. Hughes to correct the date organized listed and then approve the Temporary Class B Retailers License for Northern Wisconsin Soccer League.
Motion carried unanimously.

**SUBORDINATION
AGREEMENT –
BAYLAKE BANK FOR
MAX & ERMAS**

A motion was made by B. McIntyre and seconded by J. Widiger to approve item 6G a subordination agreement for Baylake Bank for the Village's revolving loan fund mortgage for Max and Ermas/HJLS, LLC.
Motion carried unanimously.

**REZONING - KAMPS
1613 W DEERFIELD
VH-119**

A motion was made by B. McIntyre and seconded by R. Ziemer to approve the rezoning request from Jason Jacobson representing Betty Kamps to rezone VH-119, located at 1613 West Deerfield Avenue from R-5 Rural Estate Residential to I-3 Industrial Park Light with all the recommendations of staff.

A roll call vote was taken.
Five for. Four against (L. Weix, C. Hughes, G. Speaker and C. Felmer).
Motion carried.

**EXPRESS PANTRY
LIQUOR LICENSE
RENEWAL – 2522
GLENDALE**

The Village Board conducted a 7:00 p.m. public hearing regarding the renewal application for a Combination Class “A” Beer and Liquor License for Varsha, Inc. d/b/a Express Pantry for use at Express Pantry, 2522 Glendale Avenue and D. Duffy served the Deputy Clerk with the Affidavit for the intention not to renew the Combination Class “A” License for Express Pantry, a listing of the violations/convictions, and he stated that the Village is going to forgo a statement at this time.

A motion was made by J. Widiger and seconded by C. Hughes to hear from Attorney James Lewis who stated that he is representing the Bhagvat and Varsha Patel in regard to this issue and they were both present. He distributed a written request from Varsha Inc. requesting that their Combination Class “A” be renewed, the Varsha Inc. Employee Alcohol Sales Procedures, and a copy of the unofficial petition with 641 signatures requesting a renewal of the license. The evidentiary hearing was then closed. Motion carried unanimously.

Harold Peterson-St. Pats Drive stated that he could have had a few kids here that were approximately 25 years old that would attest that they purchased from Express Pantry when they were minors.

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

A motion was made by K. Crouch and seconded by B. McIntyre to grant a conditional Class “A” Beer and Liquor license to Varsha Inc. d/b/a Express Pantry, 2522 Glendale Avenue, Green Bay, WI, 54313 for the license period of July 1, 2006 ending June 30, 2007, with the following condition: Should any person selling alcohol at Varsha Inc. d/b/a Express Pantry, 2522 Glendale Avenue be convicted of a sale of underage person (alcohol) violation, the Class A Beer and Liquor license shall be surrendered immediately upon conviction. The five point were also added to the motion that includes: Express Pantry has added additional signage telling people that identification is required to purchase alcohol and tobacco; The point of sale cash register used by Express Pantry has been reprogrammed to request that a customer’s date of birth be entered in order to sell alcohol; Varsha, Inc. has initiated a policy where photo identification is now required on every sale of alcohol; All employees are now required to obtain an Operator’s License from the Village of Howard; and All employees are required to review and sign a written alcohol sale policy notice.

Varsha Patel verbalized that she is willing to comply with the conditions that the Village Board renewed their license under.

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

**MEADOWBROOK
PARK SHELTER SITE**

M. Pigeon reviewed the feasibility study of possibly relocating the proposed Meadowbrook park shelter.

A motion was made by K. Crouch and seconded by G. Speaker to not build Meadowbrook Park Shelter as proposed.

A roll call vote was taken.
Six for. Three against (R. Bredael, L. Weix, and C. Felmer).
Motion carried.

A motion was made by K. Crouch and seconded by B. McIntyre to reject all the Meadowbrook Park Shelter bids.

A roll call vote was taken.
Six for. Three against (R. Bredael, L. Weix, and C. Felmer).
Motion carried.

**TABLE VACATION
OF FLOWER LANE**

D. Wiese reviewed the request from area residents to vacate Flower Lane and he pointed out the correspondence from Mau and Associates who do not support the vacation at this time.

A motion was made by K. Crouch and seconded by R. Ziemer to suspend the rules to hear from Jeff Devroy-2808 Heartland Terrace explained that this property was given to the village 20 years ago, it is wetland, and just the three parcels would like to get their property back, not necessarily the entire street.
Motion carried unanimously.

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

A motion was made by J. Widiger and seconded by B. McIntyre to table the request to vacate Flower Lane.

A roll call vote was taken.
Motion carried unanimously.

**ADMINISTRATORS
SALARY**

C. Felmer distributed a copy of the 2005 Administrator salary data.

A motion was made by J. Widiger and seconded by L. Weix to keep the salary range of the Village Administrator the same as it currently is.

A roll call vote was taken.
Six for. Three against (C. Hughes, K. Crouch, and R. Bredael).
Motion carried.

CLOSED SESSION

A motion was made and seconded to convene into closed session at 9:15 pm after a five minutes recess.

A roll call vote was taken.
Motion carried unanimously.

**RECONVENE INTO
OPEN SESSION**

A motion was made by C. Hughes and seconded by J. Widiger to reconvene into open session.
Motion carried unanimously.

**INTERIM
ADMINISTRATOR
APPOINTMENT**

A motion was made by R. Ziemer and seconded by L. Weix to approve Dave Wiese as Interim Administrator with an additional salary of \$2,200 per month and no hiring or firing powers without Village Board action.

A roll call vote was taken.
Motion carried unanimously.

ADJOURNMENT

A motion was made by C. Hughes and seconded by R. Bredael to adjourn at 10:50 p.m.
Motion carried unanimously.

MICHELLE OLMAN
Deputy Clerk