

# HOWARD VILLAGE BOARD

June 28, 2004 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.
- ROLL CALL** R. Bredael, G. Nauman, R. Sachs, G. Speaker, T. Hansen, K. Crouch, L. Weix, S. Schomaker and B. Strazishar  
Also: H. Thomas, D. Duffy, B. Bartelt, J. O'Connor, D. Wiese and C. Haltom
- The Pledge of Allegiance was recited.
- APPROVE AGENDA** A motion was made by G. Nauman and seconded by G. Speaker to approve the agenda for tonight's meeting.  
Motion carried unanimously.
- PUBLIC APPEARANCES** Public Appearances  
Yang Kong-1655 Lenwood Apartment #15 appeared representing his mother-Tia and the Board stated that they would hear from him when the item is up for discussion.
- Jerry-3604 Shawano Avenue also would like the rules suspended to hear from him regarding an item under new business and the Board stated that they would hear from him when the item is up for discussion.
- John Kornowski-1561 W. Deerfield appeared upset that the Village did not contact him about the May 24<sup>th</sup> gypsy moth spraying and he was coated with a brown substance while cutting his lawn on that date. He is looking for an apology and then better communication in the future.
- COMMUNICATIONS** A motion was made by R. Sachs and seconded by T. Hansen to approve and place on file the following communications: CBCWA agenda/minutes/correspondence, HYSA 6/16/04 Agenda, HYSA 5/19/04 Minutes, Brown County Recycling Manager Letter Regarding Paint Can Recycling, 6/21/04 Plan Commission Minutes, and Public Service Commission Notice of 8/6/04 Notice of Rate Proceeding.  
Motion carried unanimously.
- CONSENT AGENDA** A motion was made by G. Nauman and seconded by T. Hansen to approve the consent agenda, including, Municipal Invoices in the amount of \$385,091.87 utilizing check numbers 730279-730381; Village Board 6/14/04 Minutes; Change Order for RC Excavating \$120.00; Change Order for RC Excavating \$120.00; Change Order for McKeefry & Sons

**CONSENT AGENDA  
CONTINUED**

\$15,924.33; Change Order for Ronet Construction (\$875.50); Change Order for Knaus Construction \$500.00; Class A Beer Licenses for: Fleet Wholesale Supply Co. d/b/a Mills Gas-Mart, Packerland Shell Inc. d/b/a Packerland Shell, Velp Avenue Shell LLC; Class A Beer & Liquor Licenses for: US Oil Co, Inc. d/b/a Express Convenience Centers, Varsha Inc. d/b/a Express Pantry, Harley Davidson of Green Bay Inc., Lineville Travel Mart LTD d/b/a Lineville Travel Mart, CW Enterprises, Inc. d/b/a Maplewood Shell, Olsen Food's Inc. d/b/a Olsen's Piggly Wiggly, American Drug Stores, Inc. d/b/a Osco Drug #5055, Randy John Zaidel d/b/a Taylor Street Amoco, Kwik Trip, Inc. d/b/a Tobacco Outlet Plus #542, HPMP LLC d/b/a Townline Citgo, Velp Mobil Mart, LLP d/b/a Velp Mobil Mart & Convenience Store, Woodman's Food Market, Inc; Class B Beer Licenses for: Bamboo Garden LLC d/b/a Bamboo Garden Buffet, Brown County Sportsmen's Club, Duck Creek Softball Association Clubhouse d/b/a DCSA Clubhouse, Frank R. Marshall d/b/a Josephine's Pizza & Pastaria, Pedro Curiel d/b/a Taco Burrito Express; Class B Beer & Liquor Licenses for: Barley's Deerfield Diner, Inc. d/b/a Barley's Deerfield Diner, LaComb & Steshetz d/b/a Bill & Teri's Bar & Grill, Eric Robert Boehm d/b/a Boehmer's Bar, M.T. Pockets, Inc. d/b/a Boondocks, Box Car Billy's LTD d/b/a Box Car Billy's, Harold James Heuvelmans d/b/a Charlie Browns, Farr's Grove, Inc., Gene B. Malcore d/b/a Geno's, Bonnie Lee Darrow d/b/a JR's Saloon, Kim M. Hill d/b/a Kim's Place, Margaret E. Kropp d/b/a Kropp's Supper Club, Legends Brewhouse & Eatery of Green bay Inc. d/b/a Legends Brewhouse & Eatery, Maxemum Development LLC d/b/a Max & Erma's, SWAABGO, Inc. d/b/a No Name Bar & Grill, Rite View LTD, River's Bend, Inc. d/b/a Rivers Bend Supper Club, River St. Pier, Inc. d/b/a River St. Pier, Rock Garden, Inc. d/b/a Rock Garden, Rustic Rail Grill & Brewhouse LLC d/b/a Rustic Rail Grill & Brewhouse, Thomas Van Gheem d/b/a Sportsman's Supper Club & Motel, TL Enterprises of Howard LLC d/b/a Townline Pub & Grill, Duck Creek Post #7534 d/b/a VFW Post Home 7534, Village Green Golf Course, D&H Village Lanes, Inc. d/b/a Village Lanes, Wallaby's LTD d/b/a Wallaby's Food & Drink, and The Watering Hole of Green Bay, Inc. d/b/a Watering Hole; Class C Wine License for: Frank M. Marshall d/b/a Josephine's Pizza & Pastaria; 2004 Dump Truck Body; CSM for the Village of Howard on Kimps Court/Woodale Avenue; Final Resolution 2004-24 authorizing the levying of special assessments against benefited property for sanitary sewer & laterals, watermain & services, storm sewer & laterals, storm water management facilities, sidewalks, curb & Gutter, and roadway construction upon the plat of Windjammer Estates 1<sup>st</sup> Addition; Award bid schedule 1 of the Windjammer Estates 1<sup>st</sup> Addition, & Hummingbird Drive Roadway Construction project to RC Excavating for \$187,282.10 contingent upon receipt of

**CONSENT AGENDA  
CONTINUED**

irrevocable letter of credit, development agreement, waiver of public hearing and construction permits; Award bid for the Windjammer Estates 1<sup>st</sup> Addition and Velp Avenue Utility Construction project to Triple P, Inc. for \$179,643.90 contingent upon receipt of irrevocable letter of credit, development agreement, waiver of public hearing and construction permits; Approve Ordinance 2004-22 rezoning parcel VH-747-B-776 located on Cornell Road from Industrial Park-Light Industry (I-3) to Industrial Park-Heavy Industry (I-4); Approve Ordinance 2004-21 rezoning a portion of parcel VH-4 located at 1600 Greenfield Avenue from Exclusive Agricultural (A-1) to Rural Estate Residential (R-5); Approve conditional use approval to Patrick Burns of P & A Investments to permit the erection of a temporary storage structure at 2296 Sachs Court, VH-747-A-232; and Approve Micoley & Company proposed site plan/building design for the 29/41 retail plat area located behind Max & Ermas.

A roll call vote was taken.  
Motion carried unanimously.

**FINANCE DIRECTOR**

The Finance director reported on the PSC rate study and the August 6<sup>th</sup> telephonic hearing at 9am. He also reported on the Village's website is up and running and that he is looking for feedback from the Board.

**PUBLIC WORKS  
DIRECTOR**

The Public Works Director reported on some of the current projects.

**FIRE CHIEF**

The Fire Chief and Village Planner discussed temporary structures and the need to inspect them. This will be a future agenda item.

**VILLAGE  
ADMINISTRATOR**

The Village Administrator discussed the Posey Court neighborhood meeting, Resolution 2004-23 relocation order for construction of Richborough & Leeds Castle, and the agreement with the CBCWA to design and construct pressure increasing/reducing stations.

**VILLAGE PRESIDENT**

Village president distributed a report that he prepared about the CBCWA and it is part of the record for this meeting. He stated that he received one call from a resident regarding this issue.

**VILLAGE ATTORNEY**

Attorney Duffy reported on the Attorney Generals informal report regarding agenda items and the open meeting laws.

**SITE PLAN FOR  
QUALITY TECHNICAL  
SERVICES, INC**

New Business  
A motion was made by R. Sachs and seconded by T. Hansen to approve the site plan for Quality Technical Services, Inc. with the staff recommendations.

A roll call vote was taken.  
Motion carried unanimously.

**AGREEMENT TO  
DESIGN &  
CONSTRUCT  
PRESSURE  
INCREASING  
REDUCING STATION**

A motion was made by G. Speaker and seconded by G. Nauman to approve the agreement to design and construct pressure increasing/reducing station as presented.

A roll call vote was taken.

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

Eight for. One Against (K. Crouch).  
Motion carried.

**TABLE RESOLUTION  
2004-23  
RELOCATION  
ORDER FOR  
RICHBOROUGH &  
LEEDS CASTLE**

A motion was made by R. Sachs and seconded by K. Crouch to suspend the rules to hear from Jerry Vile-3604 Shawano Avenue who is upset about special assessments on his property. Tom at 3600 Shawano Avenue also appeared and stated that he gave Tom Juza an easement for sewer and did not sell the property. He is also concerned about special assessments and would like to have some actual figures.

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

A motion was made by K. Crouch and seconded by R. Bredael to table Resolution 2004-23 regarding a relocation order ofr the construction of Richborough Road and Leeds Castle Drive for further information.

A roll call vote was taken.  
Motion carried unanimously.

**DENY TIA KONG  
d/b/a CHIAG MAI  
THAI RESTAURANT  
CLASS B BEER  
LICENSE**

A motion was made by K. Crouch and seconded by T. Hansen to suspend the rules to hear from Yang Kong-1855 Lenwood #15 who was representing his mother and distributed a packet of information to the Board regarding the liquor license for Tia Kong.  
Motion carried unanimously.

Attorney Duffy explained Ordinance 12.02(c) as the basis for her denial and she will be notified in writing.

**DENY TIA KONG  
d/b/a CHIAG MAI  
THAI RESTAURANT  
CLASS B BEER  
LICENSE  
CONTINUED**

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

A motion was made by G. Speaker and seconded by R. Bredael to deny the class b beer license for Tia Kong d/b/aChiag Mai Thai Restaurant based on the license being revoked at 1119 N. Military and Village Ordinance 12.02(c).

A roll call vote was taken.  
Motion carried unanimously.

**TABLE CLASS B  
BEER LICENSE FOR  
YING HANG d/b/a  
CLUB ADDICTION**

A motion was made by G. Nauman and seconded by L. Weix to table the Class B Beer and Liquor License for Ying Hang d/b/a Club Addiction for further information on their Sellers Permit.

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

**APPROVE CLASS A  
BEER & LIQUOR FOR  
HOWARD CENTRAL  
LLC d/b/a HOWARD  
CENTRAL STATION**

A motion was made by K. Crouch and seconded by L. Weix to approve the Howard Central LLC d/b/a Howard Central Station.

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

**APPROVE CLASS B  
BEER & LIQUOR FOR  
SHEILA  
DERPINGHAUS d/b/a  
BS'S**

A motion was made by T. Hansen and seconded by R. Bredael to approve Sheila Derpinghaus d/b/a BS's Class B Beer and Liquor license with the stipulation that Sheila adheres to the same restrictions as the previous party that had the ball diamond.

A roll call vote was taken.  
Motion carried unanimously.

**ATTEMPTING TO  
HOLD A SPECIAL  
MEETING**

Trustee Crouch presented the Board with a power point presentation regarding attempting to hold a special meeting that is part of the record for this meeting.

**RESOLUTION  
2004-25 GENERAL  
OBLIGATION  
PROMISSORY  
NOTES**

Jim Mann appeared before the board and explained that the market improved just enough to do the transaction and the Village should save approximately \$22,000 for the next 9 years.

Old Business

A motion was made by R. Sachs and seconded by G. Speaker to approve resolution 2004-25 authorizing and providing for the sale and issuance of \$4,655,000 General Obligation Promissory Notes, Series 2004A, and all the related details.

A roll call vote was taken.  
Motion carried unanimously.

**ORDINANCE 2004-19**

A motion was made by G. Speaker and seconded by R. Sachs to approve Ordinance 2004-19 amending section 9.01 offenses against state law.

A roll call vote was taken.  
Motion carried unanimously.

**ADJOURNMENT**

A motion was made by L. Weix and seconded by T. Hansen to adjourn at 8:40 p.m.  
Motion carried unanimously.

MICHELLE OLMAN  
Deputy Clerk