

HOWARD VILLAGE BOARD
September 25, 2006 at 6:30 P.M.
Village Hall Board Room

CALL TO ORDER C. Felmer called the meeting to order at 6:30 p.m. and announced that at the close of the meeting the Village Board would convene into closed session pursuant to Section 19.85(1)(e), Wisconsin Statutes for deliberating and/or negotiating the purchase of Village real estate, developer agreements and leasing Village property where competitive and bargaining reasons require a closed session and pursuant to Section 19.85(1)(g) Wisconsin Statutes to confer with legal counsel for the Village who is rendering advice concerning strategy to be adopted by the Board with respect to litigation in which the Village is likely to become involved to-wit: Village of Howard vs. Brown County.

ROLL CALL R. Bredael-Excused, J. Widiger, C. Hughes, G. Speaker, R. Ziemer, K. Crouch, L. Weix, B. McIntyre, and C. Felmer
Also: D. Wiese, M. Hoff, M. Pigeon, N. Wendt, J. Korotev, J. Piontek and J. Dagneau

APPROVE AGENDA A motion was made by R. Ziemer and seconded by L. Weix to approve tonight's agenda.
Motion carried unanimously.

The Pledge of Allegiance was recited.

**MESSAGE
ESTABLISHMENT
PUBLIC HEARING -
PLANET MASSAGE
2331 VELP C/D** C. Felmer announced and opened the 6:35 p.m. public hearing regarding a massage establishment license application from Planet Massage located at 2331 Velp Avenue, Suite C/D. No one appeared and the public hearing was closed.

A motion was made by K. Crouch and seconded by J. Widiger to approve the massage establishment license application from Planet Massage to be located at 2331 Velp Avenue, Suite C/D.
Motion carried unanimously.

**FUTURE AGENDA
ITEMS** Future Agenda Items
B. McIntyre requested an agenda item due to an article in "The Press" relating to the Howard and Suamico Fire Departments. He would like to state the facts and clarify some of the article's content. He also feels that the Fire Department Christmas party and discretionary spending in any department needs a policy to avoid future conflicts.

L. Weix suggested reviewing the Plan Commission and the Village Board meeting dates and times because of the conflict with the school board's meetings.

**MESSAGE
TECHNICIAN
PUBLIC HEARING -
ZIMONICK
2331 VELP AVENUE**

C. Felmer announced and opened the 6:40 p.m. public hearing regarding a massage technician license application from Tricia Zimonick-2792 Summerset Circle to conduct business located at 2331 Velp Avenue, Suite C/D. No one appeared and the public hearing was closed.

A motion was made by B. McIntyre and seconded by G. Speaker to approve a massage technician license to Tricia Zimonick to conduct business at 2331 Velp Avenue, Suite C/D.

Motion carried unanimously.

**DOT PRESENTATION
ALTERNATIVES FOR
US 41 AND WIS 29**

The following individuals from the Department of Transportation gave a power point presentation regarding the alternatives for US 41 and WIS 29 interchange: Roger Ralph (Supervisor), Chad Degrave (Project Engineer), and Chuck Karow (Project Manager).

A motion was made by B. McIntyre and seconded by K. Crouch to suspend the rules to hear from James Goddard-161 Parkside Court, Norm Volasek-181 Parkside Court, and David Naniot-151 Parkside Court.

Motion carried unanimously.

A motion was made by J. Widiger and seconded by C. Hughes to return to the regular order of business.

Motion carried unanimously.

**PUBLIC
APPEARANCES**

Public Appearances

Shirley Destache-2827 Riveridge presented the clerk with a petition regarding the Meadowbrook Pavilion project.

Jerry Tilly-2769 Brookview Drive stated that he did not find any property owners supporting location #5 when he circulated the petition and he would like the board to reconsider the proposed location.

Cheryl Winzenried-964 Velsen and Ellery Gulbrand-2591 Lavender agreed with Jerry Tilly. They both stated that they had no problem getting people to sign and did not find any property owners supporting location #5.

Harold Taylor-2843 Brookview Drive supports the shelter being moved to another park or not be built at all. He suggested rejecting the bids and leave the shelters as they are in Meadowbrook.

Donald Creighbaum-2839 Brookview Drive thanked the five trustees who voted for location #5.

John Hermus-2833 Brookview Drive requested that the proposed shelter building be located within another park that doesn't currently have a shelter building.

Al Spakowitz-2827 Brookview Drive does not support three shelter buildings in Meadowbrook Park.

COMMUNICATIONS

A motion was made by C. Hughes and seconded by L. Weix to approve all other items within the Communications except for 10C and 10D. Those items approved as part of the Communications include: CBCWA Agenda, Minutes, and Correspondence; HYSAs 8/23/2006 Minutes; HYSAs 9/20/2006 Agenda; October-December 2006 Calendar of Events; 9/18/2006 Plan Commission Minutes; and the 8/24/2006 Mills Fleet Farm Correspondence Regarding DOT Alternate Plan for US 41/WIS 29 Interchange.

Motion carried unanimously.

A motion was made by B. McIntyre and seconded by L. Weix to approved item 10C, the 9/14/2006 Governor Jim Doyle Correspondence Regarding a Sidewalk Project Grant and item 10D, the 108th Annual League of Wisconsin Municipalities Conference Registration Form.

Motion carried unanimously.

CONSENT AGENDA

A motion was made by B. McIntyre and seconded by L. Weix to approve the consent agenda with the removal of item 11A and 11Hiii. Approved as part of the consent agenda includes: 9/11/2006 Village Board Minutes; Agreement for the Provision of Hazardous Materials Response Team Services; Village Green Golf Course Exterior Awning to be Awarded to Quick Signs for \$11,685; 2007 Greens Fees and Charges; Temporary Class B Retailers License for St. John the Baptist at 2597 Glendale Avenue on October 14, 2006; Plan Commission recommendation regarding a request from Dennis Reim of Robert E. Lee and Associates representing Lexington Homes to amend the official floodplain maps for the Village of Howard by removing lots 244 and 245 of Glen Kent Estates Second Addition from the 100-year floodplain, with staff recommendations.; Change Order for Advance Construction Company Inc. (\$28,903); Change Order for Dorner, Inc. \$892.50; and a Change Order for McKeefry & Sons Inc. \$4,864.11.

Motion carried unanimously.

A motion was made by J. Widiger and seconded by R. Ziemer to approve item 11Hiii, a change order for MCC, Inc. in the amount of \$47,991.50.

Motion carried unanimously.

Reports of Village Officials

VILLAGE PRESIDENT

C. Felmer reported that the CBCWA boring machine is now functioning and should speed up the progress of the project.

**CONSENT AGENDA
CONTINUED**

A motion was made by G. Speaker and seconded by L. Weix to approve item 11A, municipal invoices in the amount of \$742,491.54 and utilizing check numbers 736871-736985. Motion carried unanimously.

VILLAGE TRUSTEE

Report of Village Official Continued

K. Crouch reported on the Howard Suamico School District meeting as the liaison between the Boards.

Kevan Kay appeared as a member of the Plan Commission and discussed the coverall ordinance motion.

ORDINANCE 2006-19

A motion was made by J. Widiger and seconded by C. Hughes to approve Ordinance 2006-19 repealing and recreating section 17.03(18) of the Howard Municipal Code (Zoning Ordinance) relating to temporary buildings.

A roll call vote was taken.
Motion carried unanimously.

**MEADOWBROOK
PARK PAVILION
CONSTRUCTION
BIDS REJECTED**

M. Pigeon discussed the options for the Meadowbrook park pavilion construction bids and Attorney Duffy gave his opinion that the petition may not meet the criteria to be a direct legislative petition, however the Board does have over 700 signatures from residents who feel strongly about the pavilion's current approved location.

A motion was made by J. Widiger and seconded by R. Ziemer to reject the bids for the Meadowbrook park pavilion.

A roll call vote was taken.
Motion carried unanimously.

**ORDINANCE 2006-18
AGENDA ITEMS**

K. Crouch requested agenda items be a separate action item from the reconsideration item.

A motion was made by C. Hughes and seconded by J. Widiger to accept Ordinance 2006-18 creating section 2.01(6) of the Howard Municipal Code relating to agenda items.

A roll call vote was taken.
Motion carried unanimously.

**ORDINANCE 2006-18
RECONSIDERING
AGENDA ITEMS**

A motion was made by B. McIntyre and seconded by G. Speaker to accept Ordinance 2006-18 creating section 2.01(7) of the Howard Municipal Code relating to reconsidering agenda items.

A roll call vote was taken.
Motion carried unanimously.

**BASEBALL AND
SOFTBALL FIELDS
AD-HOC COMMITTEE
PRESENTATION**

N. Wendt gave a power point presentation regarding the Baseball Softball Fields Ad-hoc Committee results. Appearing in support of the findings included Ad-hoc Committee members: Sherry Hilbert, Bill Monfre, Tom Klatt, Marianne Pigeon, Niki Wendt, and Burt McIntyre.

**CONVENE INTO
CLOSED SESSION**

A motion was made by K. Crouch and seconded by C. Hughes to convene into closed session at 9:30 p.m. after a 5 minute recess.

A roll call vote was taken.
Motion carried unanimously.

**RECONVENE INTO
OPEN SESSION**

A motion was made by C. Hughes and seconded by K. Crouch to reconvene into open session at 10:08 p.m.
Motion carried unanimously.

**BAY INVESTMENTS
LLC OFFER**

A motion was made by G. Speaker and seconded by L. Weix to approve the offer for Bay Investments, LLC contingent upon the review of the offer by the Village Attorney.

A roll call vote was taken.
Motion carried unanimously.

**WOODFIELD DEV
AGREEMENT -
MRB COMMERCIAL
LLC**

A motion was made by B. McIntyre and seconded by K. Crouch to approve the Woodfield Development Agreement with MRB Commercial, LLC.

A roll call vote was taken.
Motion carried unanimously.

ADJOURNMENT

A motion was made by L. Weix and seconded by C. Hughes to adjourn at 10:12 p.m.
Motion carried unanimously.

MICHELLE OLMAN
Deputy Clerk