

**Minutes of the Village Board Meeting
March 22, 2010 at 6:30 p.m.
Village Hall Board Room**

Call to Order Village President Burt R. McIntyre called the meeting to order at 6:30 p.m.

Roll Call Burt R. McIntyre, Village President; Ron Bredael, Trustee Wards 1 & 2; Jim Widiger, Trustee Wards 3 & 4; Cathy Hughes, Trustee Wards 5 & 6; George Speaker, Trustee Wards 7 & 8; Jim Lemorande, Trustee Wards 9 & 10; Kelly Crouch, Trustee Wards 11 & 12; & Dan Deppeler, Trustee Wards 15 & 16.

Excused: David Steffen, Trustee Wards 13 & 14

Also (staff): J. Smith, R. Bartelt, E. Janke, D. Wiese, C. Haltom, G. Farr, J. Pollitt & A. Helms

The Board recited the Pledge of Allegiance.

Approve Agenda G. Speaker moved to approve the agenda. C. Hughes seconded the motion. **The motion carried unanimously.**

Public Appearances B. McIntyre opened the public appearances.

There were no comments from the public.

B. McIntyre closed the public appearances.

Future Agenda Items C. Hughes requested that the Village Board review the liquor license fees.

Communications David Machel of Schenk S.C. addressed the Village Board and presented the Village of Howard's fiscal year 2010 comprehensive annual financial report and audit management letter.

R. Bredael moved to approve the Village of Howard's fiscal year 2009 comprehensive annual financial report and audit management letter. J. Lemorande seconded the motion. **The motion carried unanimously.**

CONSENT AGENDA J. Widiger moved to approve the consent agenda. C. Hughes seconded the motion. **The motion carried unanimously.**

The Following Items were Approved as Part of the Consent Agenda:

Village Board Minutes from March 8, 2010

Community Development Authority Minutes from March 10, 2010

Small Biz Partnership Minutes from March 11, 2010

Plan Commission Minutes from March 15, 2010

Municipal Invoices from March 5 to March 18, 2010 in the amount of \$745,407.23 utilizing check numbers 210707-210797.

Ordinance 2010-6, "An Ordinance Amending Various Sections of Chapter 46 of the Howard Municipal Code Relating to Subdivision and Platting"

Planned Development District Amendment for SKI Properties to Construct a 20-Unit Assisted Living Facility at 320 Cardinal Lane

Ordinance 2010-7, "Rezoning Parcel VH-206-1 at 3669 Glendale Avenue from Rural Estate to Single-Family Residential"

Conditional Use Permit for Kimp's Hardware to Erect a 21' x 30' White Fabric Canopy at 2548 Glendale Ave, Parcel VH-747-D-12

REPORTS OF VILLAGE OFFICIALS

#6a

**Administrator
Report**

Ethics Ordinance

J. Smith reported on the Village of Howard's existing ethics ordinance and asked if the Village Board desired to make any changes to the ordinance. The Village Board directed staff to take no further action on the ethics ordinance.

Google Internet

J. Smith reported on Google's high-speed internet pilot program. J. Smith stated that the Village will be submitting an application to serve as a host site for the pilot program.

L.E. O'Connor Fellow

J. Smith stated that the Village of Howard has hired its next L.E. O'Connor Fellow. Jamie Belongia will be replacing current fellow, Jennifer Pollitt in mid-May.

ADVANCE Municipal Issues Meeting Update

J. Smith reported on the proceedings of the ADVANCE Municipal Issues meeting. He stated that the State Legislators Breakfast will be held in June and the focus of the breakfast will be the US 41 reconstruction project.

#6b
Deputy
Administrator
Report

Seasonal Public Works Employees

R. Bartelt reported that the Department of Public works will hire twelve seasonal employees that will begin in April and May. The seasonal employees will perform park maintenance, grass-cutting, spring cleanup, baseball diamond preparation and roundabout and flower bed maintenance.

#6c
Community
Development
Report

Comprehensive Plan Update

D. Wiese reported on the status of the comprehensive plan update. The Village is in the process of creating an ad-hoc committee to review the proposals for comprehensive planning services.

Plan Commission Update

D. Wiese reported that the proposed utility line burial ordinance was tabled at the March 15, 2010 Plan Commission meeting. Staff would like to meet with various utility companies to gather input on the proposed ordinance.

#6d
Administrative
Services Report

Financial Report

C. Haltom presented the February 2010 financial report.

#6e
Public Safety
Report

Public Safety Radio Communications Update

E. Janke presented the Brown County Fire and EMS Radio Advisory Committee report. E. Janke stated that new mobile and portable radios will need to be purchased in 2011 or 2012.

#6f
Engineering
Report

US 41/Velp Avenue Utility Project

G. Farr reported on the Velp Avenue power line burial project. He stated that the cost for keeping the lines aerial is \$150,000 less than what it would cost to bury the lines completely.

#6g
L.E. O'Connor
Fellow Report

Omnova Community Advisory Panel Update

J. Pollitt reported on the March 16, 2010 community advisory panel meeting at Omnova Solutions.

Utility Report

J. Pollitt presented the 2009 utility cost report. The report tracked monthly utility costs and was broken down for each building the Village owns.

NEW BUSINESS

#7a
Sewer Rate Study

C. Haltom reported on the proposals for the Village of Howard's sanitary sewer rate study. The Village received three proposals with Schenk S.C. being the lowest qualified bidder at \$5,500.

G. Speaker moved to award the sewer rate study contract to Schenk S.C. in the amount of \$5,500. J. Widiger seconded the motion. **The motion carried unanimously.**

#7b
Berger CSM

D. Wiese reported on a proposed certified survey map from John Berger to divide the property located at 3669 Glendale Avenue into four lots.

R. Bredael moved to approve the certified survey map with the condition that lot number one's driveway must be placed on Spring Green Road. J. Lemorande seconded the motion. The Board discussed the motion. **The motion carried unanimously.**

#7c
Ordinance
2010-8

D. Wiese reported on Ordinance 2010-8, "Rezoning Parcels VH-408-6, VH-405, VH-416, VH-416-1, VH-415, and VH-389 from Single Family Residential to Multi-Family." The owner of the properties listed above is requesting rezoning to construct three, eight-unit apartment buildings.

Jim LaPlante, the architect for the project, addressed the Village Board regarding the proposed rezoning.

G. Speaker moved to approve Ordinance 2010-8. R. Bredael seconded the motion. **The motion carried on a 6 to 2 vote with K. Crouch and C. Hughes dissenting.**

#7d

Brunette CUP

D. Wiese reported on a request from Tim Brunette for a conditional use permit to construct three, eight-unit apartment buildings at 2036 Elmwood Court. The access for the apartment buildings would be off of Riverview Drive.

Jim LaPlante, the architect for the proposed project, addressed the Village Board regarding the proposed apartment project. He stated that the apartment buildings were specifically designed to address the Village of Howard's comprehensive plan.

T. Brunette addressed the Village Board regarding his proposed apartment complex. T. Brunette stated that this project is a family venture and that he would be residing in the complex and managing it with the help of his family.

R. Bredael moved to approve the conditional use permit for Tim Brunette to construct three, eight-unit apartment buildings with the following conditions:

- 1) Show existing Village street trees on plan and request for removal to install driveway. Also have a plan to protect street trees during construction.
- 2) This is a very minimalistic landscape plan. I would suggest a more in depth plan with many more landscape plantings and hardscapes. The B-3 landscape regulations would be a good example.
- 3) Use more tree species for diversity. If pricing is an issue use smaller diameter plants. Also suggest installing landscape shrubs/flowers around buildings and sign.
- 4) Install Sidewalks along Riverview Drive. A pedestrian connection should be considered from Riverview Drive to the development.
- 5) Since all roads are recommended as private roads, fire hydrants will have to be installed to Howard Fire Department specifications

and an agreement will have to be provided to the Village Board which provides the following: The Village shall maintain or repair any fire hydrant they deem needs such maintenance or repair. The cost for said maintenance or repairs shall be reimbursed in its entirety to the Village of Howard within 30 days of receipt of an invoice.

- 6) The subject property is currently located in the 0-5 year growth area (the Comprehensive Plan was approved in 2002) and will be updated within the next year. The Comprehensive Plan does recommend varying the building types and have the buildings front the public street. It also recommends in keeping with the theme of mixed-use neighborhoods, multifamily developments should be scattered throughout the various residential areas rather than confined to a few areas of the Village. In this way, the impact of higher density development is limited as this density is spread over larger areas. (pg. 42) Placing the buildings close to and fronting the streets will be strongly encouraged as an effective way to integrate multifamily housing with other uses to form a coherent, livable area. (pg. 43)

All multiple-family buildings should be designed to reflect, as much as possible, the characteristics and amenities typically associated with single-family detached houses. (pg. 101)

Multiple-family projects should offer variation among individual buildings but remain within a coordinated overall design theme. Variation among buildings should be achieved by a combination of different footprints, façade treatments, roof forms, entrance features, and building orientation. Monotonous complexes of identical buildings should be discouraged. (pg. 101)

- 7) A stormwater management plan needs to be completed and reviewed by the Village of Howard Engineering Department.
- 8) Lighting must be recessed or 90 degree cutoff. Wall pack lighting shining outward is not allowed. They should be shielded.
- 9) Staff will work with the applicant to design a suitable location and aesthetically pleasing dumpster enclosure.

J. Widiger seconded the motion. The Board discussed the motion.
The motion carried on a 6 to 2 vote with K. Crouch and C. Hughes dissenting.

#7e

**Julie's Café
Liquor License**

C. Haltom reported on a request for a combination Class B beer and liquor license from JCW Inc., d/b/a Julie's Café, Troy Metzler agent.

C. Hughes moved to approve the combination Class B beer and liquor license for JCS Inc. contingent upon the Rite View returning their existing liquor license. J. Lemorande seconded the motion. **The motion carried unanimously.**

#7f

**Schroeder's
Flowers CUP**

D. Wiese reported on a request for a conditional use permit from Schroeder's Flowers to construct a temporary greenhouse at the Maplewood Shell Station located at 4720 Milltown Road for the purpose of selling flowers over a period of 110 days.

J. Widiger moved to approve the conditional use permit with the following conditions:

1. The temporary greenhouse shall be erected north of the front corner of the convenience store and adjacent to the easternmost property line.
2. No additional lighting is added.
3. No additional signs are added (only the name on the cover of the greenhouse).
4. If electricity is needed, proper measures are in place to protect the public.
5. A minimum of 24 feet (required drive width) between the proposed location of the greenhouse and the existing parking along the Arby's drive thru be maintained.
6. An updated parking plan is completed. The site is rather large and there is plenty of room for parking.

G. Speaker seconded the motion. **The motion carried unanimously.**

#7g

**Schroeder's
Flowers CUP**

K. Crouch stated that he will not participate in this discussion and will abstain from voting on the issue.

D. Wiese reported on a request for a conditional use permit from Schroeder's Flowers to construct a temporary greenhouse at 2400 Dousman Street (Woodman's Food Market) for the purpose of selling flowers over a period of 110 days.

G. Speaker moved to approve the conditional use permit with the following conditions:

1. No additional lighting is added.
2. No additional signs are added (only the name on the cover of the greenhouse).
3. If electricity is needed, proper measures are in place to protect the public.

D. Deppeler seconded the motion. **The motion carried on a 7 to 0 vote with K. Crouch abstaining.**

#7h

Woodfield Apts.

Letter of Support

J. Smith reported on a letter of support from the Village of Howard as a supplement for Woodfield Village's application for a WHEDA loan to construct a senior apartment complex in the Village Center.

K. Crouch moved to approve the letter of support. J. Lemorande seconded the motion. **The motion carried unanimously.**

#7i

Woodfield Apts.

WHEDA

Notification Form

J. Smith reported on the WHEDA Notification form for the proposed senior apartment complex in the Village Center. This form must be reviewed and approved by the Village Board before it is sent to WHEDA by the developer.

J. Widiger moved to approve the WHEDA Local Officials Notification Form. R. Bredael seconded the motion. **The motion carried unanimously.**

#7j

Woodfield Apts.

Incentive Letter

R. Bredael moved to approve the letter outlining the preliminary TIF agreement for a proposed senior apartment complex in the Village Center. G. Speaker seconded the motion. **The motion carried unanimously.**

#7k

Woodfield Apts.

Zoning & Infill

Letter

J. Lemorande moved to approve the zoning and infill letter for a proposed senior apartment complex in the Village Center. C. Hughes seconded the motion. **The motion carried unanimously.**

#7l
Ordinance
2010-9

R. Bartelt reported on Ordinance 2010-9, "An Ordinance Amending Section 34-220 of the Howard Village Code Relating to School Parking."

C. Hughes moved to approve Ordinance 2010-9 as written below:

5. On the north side of Woodale Avenue from Jaymar Street westerly 200 feet to Jaymar Street westerly 300 feet: all hours.
6. On the East side of N. Cardinal Lane from Woodale Ave to 600 feet north of Woodale Ave: 7:00 a.m. to 8:00 a.m. and 2:00 p.m. to 3:00 pm Monday thru Friday.

R. Bredael seconded the motion. **The motion carried unanimously.**

#7m
Resolution
2010-7

C. Haltom reported on Resolution 2010-7, "Modifying the Village of Howard's Investment Policy."

G. Speaker moved to approve Resolution 2010-7. D. Deppeler seconded the motion. The Board discussed the motion. **The motion carried unanimously.**

#7n
Public Comment
On MS4 Report

G. Farr gave a brief overview of the Village of Howard's MS4 stormwater management report. President McIntyre opened the floor to the public for comment on the Village of Howard's MS4 stormwater report. There were no comments from the public.

#7o
MS4 Report

G. Farr presented the Village of Howard's MS4 stormwater management report. G. Farr stated that the Village will be constructing two stormwater ponds and will be purchasing a street sweeper this year.

K. Crouch moved to approve the MS4 stormwater management plan. C. Hughes seconded the motion. **The motion carried unanimously.**

#7p
**Shawano/
Rivergrove Ave
Realignment**

G. Farr reported on a proposed realignment plan for the intersection of Rivergrove Avenue and Shawano Avenue. The proposed plan would

eliminate all of the pavement on Shawano Avenue north of Rivergrove Avenue, essentially making the intersection a two-way intersection. The Department of Transportation will be paying for the project as part of the US 41/STH 29 reconstruction project.

K. Crouch moved to suspend the rules. R. Bredael seconded the motion. **The motion carried unanimously.**

Gerald Farr of 2769 South Memorial addressed the Board regarding the proposed realignment plan. He stated the driveway on the property he owns would be extended by one hundred feet and would require additional maintenance.

J. Widiger moved to return to regular order of business. D. Deppeler seconded the motion. **The motion carried unanimously.**

C. Hughes moved to table the item. G. Speaker seconded the motion. **The motion failed on a 1 to 7 vote.**

J. Lemorande moved to approve the realignment plan for the intersection of Rivergrove Avenue and Shawano Avenue and to have staff prepare a memorandum of understanding for winter driveway maintenance at the property located at 2453 Shawano Avenue. J. Widiger seconded the motion. **The motion carried unanimously.**

#7q
Meadowbrook
Shelter Roof

R. Bartelt reported on the bids received for replacing the roof on the Meadowbrook Park open-air shelter with a steel roof. The Village Board discussed replacing the roof with asphalt shingles instead of a steel roof.

K. Crouch moved to table the item and requested that staff gather proposals for installing an asphalt shingle roof. R. Bredael seconded the motion. **The motion carried unanimously.**

ADJOURNMENT

R. Bredael moved to adjourn. G. Speaker seconded the motion. **The motion carried unanimously and the meeting was adjourned at 8:57 p.m.**

Respectfully Submitted,

Adam Helms

Adam Helms
Assistant Village Administrator