

**Minutes of the Village Board Meeting
March 23, 2009 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; James 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; David Steffen, Trustee Wards 13 & 14; & Dan Deppeler, Trustee Wards 15 & 16.

Also (staff): J. Smith, D. Wiese, G. Farr, E. Janke, M. Pigeon, J. Dagneau, D. Duffy and A. Helms

The Board recited the Pledge of Allegiance.

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

Public Appearances B. McIntyre opened the public hearing.

There were no comments from the public.

B. McIntyre closed the public hearing.

Future Agenda Items J. Lemorande requested the Village Board discuss the possibility of dredging Duck Creek near the existing boat landings.

Communications None

Resolutions R. Bredael moved to approve **Resolution No. 2009-16**, "Recognizing the Boy's Bay Port Pirate Basketball Team for an Undefeated Regular Season & Their 2nd Consecutive Appearance at the WIAA State Basketball Tournament."

Consent Agenda J. Widiger moved to approve the consent agenda. R. Bredael seconded the motion. **The motion carried unanimously.**

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

- a. Approve Village Board Minutes
 - i. March 9, 2009 Village Board Minutes

- b. Accept Small Biz Partnership Minutes
 - i. March 5, 2009 Small Biz Partnership Minutes
- c. Accept Plan Commission Minutes
 - i. March 23, 2009 Plan Commission Minutes
- d. Municipal Invoices
 - i. March 6, 2009 to March 19, 2009 in the amount of \$605,120.34 utilizing checks #207878 – 207961.
- e. Approve Operator’s Licenses
 - i. Christina Murphy, Green Bay
 - ii. Steven Stoltenow, Green Bay
 - iii. Bobis Schroeder, Gillett
 - iv. Shannon Frank, Green Bay
 - v. Jeffrey Novak, Pulaski
 - vi. Megan Hodgson, Green Bay
- f. Plan Commission Items
 - i. Approve a request for a Conditional Use Permit from Schroeder’s Flowers Inc. and Woodman’s Food Market to Construct Two temporary Structures in Woodman’s Parking Lot Located at 2400 Dousman Street for the Purpose of Selling Flowers and Garden Plants Over a Period of 110 Days

#7a(i-iii)
Administrator
Report

Fiscal Year 2010 Budget Process

J. Smith reported on the fiscal year 2010 budget process

Administrator Blog & Twitter

J. Smith reported on the Village of Howard’s Twitter page and the Administrator’s Blog. Both of these items serve as methods of electronic communication between the Village and the public.

Transforming Local Government Conference

J. Smith reported on the “Transforming Local Government Conference” which will be held in Corpus Christi, Texas. The Village will be sending three representatives to the conference. Two Trustees and one staff member will attend the conference. Each attendee will provide a written summary of the workshops they attended at the conference and present it to the Village Board.

#7b(i)

**Director of Public
Works Report**

Valley Brook Property Acquisition

G. Farr reported on property acquisition in the Valley Brook subdivision. The Village will be acquiring some property for right-of-way purposes as part of the Glendale Avenue reconstruction project. The Village also has the opportunity to acquire several outlots from the developer at no charge. These outlots were supposed to be deeded to the Village as a condition of the approval of the subdivision plat. The Village will be hosting a neighborhood meeting regarding the project in the coming weeks.

#7c(i)

**Director of Parks
& Rec. Report**

M. Pigeon reported on spring and summer 2009 recreation programming.

#7d(i-ii)

**Director of
Community
Development
Report**

Building Permit Activity Report

D. Wiese presented the February 2009 Building Permit Activity Report.

Brown County Planning Commission Report

D. Wiese reported on the proceedings of the March Brown County Planning Commission meetings.

OLD BUSINESS

#8a

Resolution 2009-9

E. Janke and J. Smith reported on **Resolution 2009-9**, "Gifting the 1952 Chevrolet Pumper to the Howard-Suamico Historical Society."

R. Bredael moved to approve **Resolution 2009-9** with the following amendment:

"The Howard-Suamico Historical Society shall not sell, gift, or transfer ownership of the 1952 Chevrolet Pumper without the consent of the Village of Howard."

J. Lemorande seconded the motion. The Board discussed the motion.

Nancy O'Kelley of the Howard-Suamico Historical Society addressed the Board and discussed how the Historical Society may dispose and/or sell property or historical items.

The Board voted on the original motion. **The motion carried unanimously.**

NEW BUSINESS

#9a **Resolution** **2009-14**

J. Smith reported on **Resolution 2009-14**, "Establishing a Laptop Reimbursement Policy for Village Trustees Using Personal Laptops for Village Business."

D. Steffen moved to approve with the following amendments:

"Whereas, Village Staff time is reduced by approximately 90% by preparing staff reports electronically."

"Laptops shall be depreciated over a three year period and may be replaced no sooner than five years after issuance."

C. Hughes seconded the motion. The Board discussed the motion. **The motion carried unanimously.**

#9b **U.S. Census** **Committee**

B. McIntyre reported on the potential creation of the 2010 U.S. Census Committee. The Committee will be comprised of a representative from a faith-based institution, a representative from the school district, a student, and the Village President.

G. Speaker moved to approve the committee structure with the following committee members and with the condition that no staff time or Village resources be committed to the committee: Deacon Manny Torres, President Burt McIntyre, Cheryl Schmidt.

K. Crouch seconded the motion. The Board discussed the motion. **The motion carried unanimously.**

#9c
Investing Futures
Site Plan

D. Wiese reported on a proposed site plan from Investing Futures to construct an 8,087 square foot addition to the existing building at 1519 Cornell Road.

C. Hughes moved to approve with the following conditions:

1. A minimum of eighteen (18) shrubs shall be planted along the front wall and in the front yard within one year of the issuance of the building permit.
2. Existing and new exterior building lighting be brought into compliance with the exterior lighting regulations in section 17.24 of the Zoning Ordinance.
3. Trash dumpsters, recycling containers and other exterior refuse storage shall be effectively screened from public view by opaque fences, walls or enclosures within one year of the issuance of the building permit.

J. Widiger seconded the motion. **The motion carried unanimously.**

#9d
Mountain Lake
Development
Preliminary PDD

D. Wiese reported on a request for approval of a preliminary planned development district from Steve Bieda representing Mountain Lake Development, LLC to construct seventy-two (72) apartment units and fourteen (14) single-family homes at 1316 Cardinal Lane.

Michelle Stimpson of Lexington Homes addressed the Village Board regarding conditions of approval for the preliminary planned development district.

D. Steffen moved to approve with the following conditions:

1. Bayport Terrace stub and utilities shall be removed at the developer's cost.
2. The recycling and garbage shall be screened with the same brick as the principal structures and have a vinyl fence or iron gate.
3. All lighting except for decorative lighting shall be recessed or 90 degree cut-off.
4. No outside storage of any type other than the parking of vehicles in designated parking stalls shall be permitted in the complex.
5. Curb and gutter shall be installed where private drives intersect and on all curve areas.
6. In addition to the landscape plan, additional large maturing shade trees (15 to 20 trees with sizes of 2" – 3" cal.) shall be planted in

common spaces, especially around the stormwater pond and along the southern & western portion of the site.

7. A stormwater drainage plan with or without two-foot berm along southern border shall be submitted prior to issuance of building permits.
8. The minimum lot widths for the single-family homes along the southern border of the site shall be 75 feet.
9. Exterior building materials shall be 90% brick on fronts and sides of all apartment buildings and 100% brick on 6 stall garage located at the northwest corner of property.
10. Single family homes shall be subject to architectural review by staff.

D. Deppeler seconded the motion.

A roll call vote was taken. **The motion carried on a 5 to 4 vote with C. Hughes, G. Speaker, J. Lemorande, and R. Bredael dissenting.**

#9e
Kwik Trip Final
PDD Approval

D. Wiese and J. Smith reported on a request for approval of a final planned development district from Leah Berlin representing Kwik Trip, Inc. to construct a gas station, car wash and convenience store at 369 Cardinal Lane.

G. Speaker moved to suspend the rules. C. Hughes seconded the motion. **The motion carried unanimously.**

James Morrison of 440 Woodfield Drive addressed the Board regarding the proposed Kwik Trip development. J. Morrison is concerned about increased traffic on Woodfield Court, adverse impact on property values, and increased noise. Futhermore, J. Morrison stated that this development does not fit with other developments in the area.

John Hemmen of 452 Woodfield Drive addressed the Board regarding the proposed Kwik Trip. J. Hemmen stated he is opposed to the project and is concerned about increased noise, adverse impact on property values, and potential traffic issues.

Jim Burke of 390 Woodfield Drive addressed the Board regarding the proposed Kwik Trip. J. Burke is concerned about potential traffic accidents occurring as a result of cars attempting to turn north onto Cardinal Lane from Howard Boulevard or Woodfield Court.

Norbert Gross of 2662 Woodfield Court addressed the Board regarding the proposed Kwik Trip development. Mr. Gross asked the Board, "Whether it would be a good idea to put a gas station in these people's backyards?"

Alan Smith of 2714 Woodfield Court addressed the Board regarding the proposed Kwik Trip development and stated he is concerned about increased traffic and the potential for accidents.

Donna Phillips of 424 Woodfield Drive addressed the Board regarding the proposed Kwik Trip. Mrs. Phillips stated she bought her condo with the assumption that the surrounding development would be office development. She further stated she is opposed to the development due to the gas station being a 24-hour operation.

J. Lemorande moved to return to regular order of business. G. Speaker seconded the motion. **The motion carried unanimously.**

Hans Zietlow of Kwik Trip addressed the Board regarding the proposed Kwik Trip development and the associated conditions of approval.

D. Steffen moved to approve the final planned development district with the following conditions:

1. All the supports for the canopy over the gas tanks shall be bricked or stone 100%.
2. The canopy shall be made of stucco, dryvit, or be tan in color. The Kwik Trip lettering being the only item to be internally lit.
3. All mechanical equipment shall be screened from public view to be consistent with Section 17.25(7)(d) of the Zoning Ordinance (B-3 Building Architecture and Style regulations.) Locate them on the site plan & elevational drawings.
4. All landscaping to be completed according to the landscape plan submitted with recommendations from the Village Forester (Install a vegetative or physical buffer south and west of car wash for a noise barrier to neighboring properties. Landscaping along the east side of parking lot, update plant material quantities & legend.)
5. The canopy shall have an off-white soffit, with a LED band & LED Kwik Trip lettering
6. All six pole light locations shall match the light fixtures installed at Woodfield Village.
7. Install a fire hydrant on the south side of Howard Blvd for the Fire Department.
8. Install street lighting in the median for Howard Boulevard. Approximately three lights are needed.

9. Developer is responsible for reconstruction costs of the altered median. The Village of Howard will complete the work.
10. A stormwater management plan shall be submitted to and approved by the Village Engineer prior to issuance of building permits.
11. Outside storage shall be limited to an ice machine and propane exchange sales provided it is located next to the store on the adjacent sidewalk.
12. The convenience store shall be allowed to be open 24 hours. The hours of operation for the car wash shall be 7 AM to 9 PM.
13. The driveway connection between the Associated Bank and the proposed site be eliminated over traffic concerns.
14. Outdoor music shall not be permitted.
15. Kwik Trip shall install a fence and heavy vegetative plantings extending approximately 80 feet west from the existing berm located on the southwest portion of the property.
16. All soffit and building accent colors shall be off-white (no white allowed).
17. There shall be no microphone announcements at the pumps, except for emergency or handicap announcements.
18. Any directional signage indicated on the site plan shall have a brick base or be removed.
19. There shall be no additional signage on the building than what is shown on the site plan or elevational drawings.
20. Up to three grand opening signs shall be permitted for a period of thirty days.

C. Hughes seconded the motion. The Board discussed the motion. A roll call vote was taken. **The motion carried 8 to 1 with K. Crouch dissenting.**

#9f
Resolution
2009-15

R. Bredael moved to approve **Resolution 2009-15**, "Announcing the Village of Howard Post-Graduate Internship Shall be Called the L. E. O'Connor Administrative Fellowship."

J. Lemorande seconded the motion. **The motion carried unanimously.**

#9g
2009 Utility
Rehabilitation

Project Bid Award G. Farr reported on the award of the 2009 utility rehabilitation construction project contingent upon receipt of permits. G. Farr recommended awarding the bid to Peters Concrete because they were the lowest responsible bidder at \$295,510.

J. Widiger moved to award the bid for the 2009 utility rehabilitation construction project to Peters Concrete in the amount of \$295,510 contingent upon receipt of permits. D. Steffen seconded the motion. The Board discussed the motion. **The motion carried unanimously.**

ADJOURNMENT

J. Widiger moved to adjourn. C. Hughes seconded the motion. **The motion carried unanimously and the meeting was adjourned at 9:34 p.m.**

Respectfully Submitted,

Adam Helms

Adam Helms
Assistant to the Administrator