

**Minutes of the Village Board Meeting  
June 22, 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; G. Speaker, Trustee 5 & 6; Cathy Hughes, Trustee Wards 7 & 8; J. Lemorande, Trustee Wards 9 & 10; Kelly Crouch, Trustee Wards 11 & 12; David Steffen, Trustee Wards 13 & 14; & Dan Deppeler, Trustee Wards 15 & 16.

Excused: J. Widiger, Trustee Wards 3 & 4.

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

**The Board recited the Pledge of Allegiance.**

**Approve Agenda** B. McIntyre requested to move item 8a after item 4a. R. Bredael moved to approve the agenda as amended. C. Hughes seconded the motion. **The motion carried unanimously.**

**Public  
Appearances**

B. McIntyre opened the public hearing.

Marge DeCoster of 2934 Glendale Avenue addressed the Board regarding the proposed LED street signs at the Woodale and Cardinal roundabout. M. DeCoster is concerned about the cost of the LED street signs. The cost for the LED signs is \$1,900 per sign as opposed to \$100 for a regular street sign. She requested the Board deny the signs.

Lou Ann Weix of 1596 Meadow Wood Court addressed the Board and requested to know how the Board would work together to lower taxes to accommodate proposed cuts and fee increases in the State of Wisconsin's biennial budget.

B. McIntyre closed the public hearing.

**Future Agenda  
Items**

C. Hughes requested the Village Board review and discuss the operator license application form at a future meeting.

## Communications

- #4a J. Lemorande moved to approve the communication from the West Side YMCA for Fire Department participation at the Healthy Kids Day.
- #4b R. Bredael moved to approve the Akzo Nobel Health, Safety, Environmental and Security update communication.

## NEW BUSINESS

### #8a **Crouch Ethics Report**

B. McIntyre reported on a memo from Attorney Duffy in response to Trustee Crouch's editorial article titled, "Let's Set the Record Straight." B. McIntyre stated the recommendation for Attorney Duffy is to refer potential ethics violations to the District Attorney for further investigation.

K. Crouch read a prepared statement in response to the memo prepared by Attorney Duffy.

C. Hughes stated that she did not attend any meeting or condone any action relating to the ethics investigation of Trustee Crouch.

C. Hughes moved not to refer the issue to the District Attorney's office. The motion failed due to a lack of a second.

D. Steffen moved to refer the issue to the District Attorney for further investigation. J. Lemorande seconded the motion. The Board discussed the motion. A roll call vote was taken. **The motion carried 6 to 1 with C. Hughes dissenting and K. Crouch abstaining.**

C. Hughes was excused from the meeting.

### Consent Agenda

G. Speaker moved to approve the consent agenda. D. Steffen seconded the motion. G. Speaker requested to remove item #5e(iii). **The motion carried unanimously.**

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

**Approve Village Board Minutes** from June 8, 2009 Meeting

**Accept Plan Commission Minutes** from June 15, 2009 meeting

**Approve Municipal Invoices** from June 5 to June 18, 2009 in the amount of \$634,487.79 utilizing checks 208595-208710.

### **Approve Operator's Licenses**

Operator licenses, per s. 125.17 of the *Wisconsin Statutes*, if approved, are valid for a period of two years expiring on June 30.

- (i) Debra Cacagni, Howard
- (ii) Carolyn Davies, De Pere
- (iii) Levi Johnson, Green Bay
- (iv) Eileen Krings, Howard
- (v) Jules Orie, Green Bay
- (vi) Melissa Mrozinski-Osgood, Green Bay
- (vii) Marnie Parse, Green Bay
- (viii) Otto Schmiling, Howard
- (ix) Sarah Stamps, Green Bay
- (x) Heather Glab, Green Bay

### **Plan Commission Items**

Deny a Request from Shipyard Marine Inc. for a Conditional Use Permit to Display up to Eight Boats and Two 4' x 10' Banners at 1966 Velp Avenue (Black Forest Restaurant) from April 15<sup>th</sup> to October 15<sup>th</sup>

Approve a Request from Trailside Storage, LLC for a Conditional Use Permit to Construct Individual Storage Buildings at 2239 O'Connor Road, Parcel VH-747-B-715 with conditions recommended by the Plan Commission.

Approve a Request from David Grosam Representing Good Shepherd Lutheran Church for a Conditional Use Permit to Construct a Playground at 2736 Glendale Ave with conditions recommended by the Plan Commission.

### **Temporary Liquor License**

Approve a Temporary Class B Liquor License for a HYSA Softball Tournament July 24-26, 2009 at Akzo Nobel Sports Complex

Approve a Temporary Class B Liquor License for Howard Community Fest on July 18, 2009 at Akzo Nobel Sports Complex

Approve a Temporary Class B Liquor License for St. John the Baptist Parish July 25-26, 2009 at 2597 Glendale Avenue

**#5e(iii)**  
**Trailside Storage**  
**CUP**

J. Lemorande moved to approve a conditional use permit for Trailside Storage, LLC to construct individual storage buildings at 2260 Salscheider Ct. with the following conditions:

- 1) No outdoor storage shall be permitted on the property.
- 2) All parking drive and loading areas shall be paved with asphalt or concrete.
- 3) The use of the property shall comply with the self-storage warehouse regulations set forth in Section 17.03(22) of the Zoning Ordinance.
- 4) The two separate lots (VH-747-B-715 and VH-747-B-710) shall be combined into a single parcel via Combination Certified Survey Map. A recorded copy of the CSM shall be submitted prior to issuance of building permits.
- 5) A minimum of four (4) parking spaces shall be provided on the property. All required parking spaces shall be clearly identified by paint striping.
- 6) The proposed wall packs used to illuminate the exterior building grounds shall be shielded to comply with Section 17.24 of the Zoning Ordinance (Exterior Lighting Regulations).
- 7) The fronts of the buildings, including a minimum of 20 feet down each side, facing O'Connor Road and Salscheider Court shall be faced with at least four feet of decorative masonry.
- 8) All buildings shall be located no closer than 10 feet to the utility easement running along the east property line of both lots.
- 9) A stormwater management plan shall be approved by the Village Engineer prior to issuance of any building permits.
- 10) Security cameras shall be placed on site to monitor activity.

D. Steffen seconded the motion. **The motion carried on a 5 to 2 vote with G. Speaker and K. Crouch dissenting.**

**#6a**  
**Village President/**  
**Trustee Report**

B. McIntyre and K. Crouch reported on an Alliance for Innovation Conference they attended in Corpus Christi, TX. The theme of the conference was "Transforming Local Government."

**#6b**  
**Administrator**  
**Reports**

State Budget

J. Smith reported on the State of Wisconsin's biennial budget. J. Smith reported that the Village will experience an 11.9% decrease in shared

revenue in fiscal year 2010 and that tipping fees will increase by \$7.10 per ton.

Samuel's Recycling

J. Smith reported on a meeting with Samuel's Recycling regarding Samuel's conditional use permit. J. Smith stated that the Village received several complaints regarding noise at Samuel's. The general manager at Samuel's stated that they operate within the business hours on their conditional use permit and will submit energy bills to prove it. The Brown County Health Department will also be monitoring noise levels in the coming weeks.

**#6c**  
**Ass't. Admin./**  
**Director of Public**  
**Works Report**

Summer Construction Update

B. Bartelt reported on road construction projects currently underway throughout the Village of Howard.

**#6d**  
**Ass't. Admin/**  
**Performance &**  
**Information Svcs.**  
**Report**

FY 2008 Refuse & Recycling Performance Measurement Data

A. Helms reported on FY 2008 performance measurement data for the refuse and recycling service area. A. Helms will report on one or two services areas at each Village Board meeting for approximately the next four months in preparation for FY 2010 budget discussions.

**#6e**  
**Exec. Director**  
**Of Community**  
**Development**  
**Services Report**

Howard-Suamico Business Professional Association Update

D. Wiese reported on the proceedings at the May 21<sup>st</sup> Howard-Suamico Business Professional Association meeting. One of the items discussed was the installation of a banner hanging across Velp Avenue. The HSBPA also donated \$1,000 for Howard Community Fest.

**#6f**  
**Exec. Director**  
**Of Admin. Svcs.**  
**Services Report**

Impact Fee Report

C. Haltom reported impact fees collected and expended in fiscal year 2008.

## OLD BUSINESS

### #7a

#### **Hansen Letters**

B. Bartelt reported on the Village's efforts to mitigate light spillage on the property at 1620 Pinecrest Road from the Akzo Nobel Sports Complex. The Village is proposing to plant three trees on Village property along the property line at a cost to the Village of \$1,350.

G. Speaker moved to suspend the rules. D. Deppeler seconded the motion. **The motion carried unanimously.**

Scott Hansen of 1620 Pinecrest Road addressed the Board regarding the Village's proposed solution to mitigate light spillage on the property. S. Hansen does not believe the trees will adequately screen the light from spilling on his property.

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

D. Deppeler moved to approve the purchase of three maple trees at a cost not to exceed \$1,350. B. McIntyre seconded the motion. The Board discussed the motion. **The motion carried on a 6 to 1 vote with G. Speaker dissenting.**

## NEW BUSINESS

### #8b

#### **N.E.W. Curative Senior Program Agreement**

J. Smith reported on a proposed program agreement with N.E.W. Curative Rehabilitation, Inc. for Senior Service Program. The agreement would authorize a 20-hour/week employee at a cost of \$600.

R. Bredael moved to approve the agreement with N.E.W. Curative for the Senior Training Program and a donation of \$600. D. Steffen seconded the motion. **The motion carried unanimously.**

### #8c

#### **HPMP Liquor License**

A. Helms reported on a request from HPMP, LLC for a class B liquor license at 1773 Cardinal Lane.

R. Bredael moved to table the item. D. Steffen seconded the motion. **The motion carried unanimously.**

**#8d**  
**Ordinance**  
**2009-16**

D. Duffy reported on Ordinance 2009-16, "Creating Section 11.13(5)(c) Relating to Limit on Appeals to the Sex Offender Residency Appeals Board."

D. Steffen moved to approve Ordinance 2009-16. D. Deppeler seconded the motion. **The motion carried unanimously.**

**#8e**  
**Resolution**  
**2009-29**

A. Helms reported on Resolution 2009-29, "Adopting the Wisconsin Office of Energy Independence 25 x 25 goals."

D. Steffen moved to approve Resolution 2009-29. G. Speaker seconded the motion. **The motion carried unanimously.**

**#8f**  
**Holton's No Name**  
**Bar Liquor License**  
**Renewal**

J. Smith reported on notifying the licensee for Swaabco Inc., d/b/a No Name Bar & Grill/Holton's Pizza at 2027 Velp Avenue of the Village Board's intent not to renew the liquor license due to delinquent personal property taxes, delinquent utility bills, and for not holding a valid Seller's Permit. Staff received notice on June 22<sup>nd</sup> that Swaabco Inc. has made payments to the Village for delinquent personal property taxes, utility bills and has obtained a valid Seller's Permit from the State of Wisconsin.

D. Steffen moved not to notify Swaabco Inc. of the Village's intent not to renew the license. D. Steffen withdrew his motion.

Christian Swaab representing Swaabco Inc. addressed the Board regarding his liquor license application. C. Swaab explained why he had delinquent personal property taxes and utility bills.

B. McIntyre moved to approve the liquor license for Swaabco Inc., d/b/a No Name Bar & Grill/Holton's Pizza at 2027 Velp Avenue. K. Crouch seconded the motion. **The motion carried on a 6 to 1 vote with G. Speaker dissenting.**

**#8g**

**LED Street Signs**

J. Smith reported on the potential purchase of two LED street signs to be placed in the roundabout intersection at Cardinal Lane and Woodale Avenue. The LED street signs cost \$1,900 per sign.

K. Crouch moved to deny the purchase. J. Lemorande seconded the motion. **The motion carried unanimously.**

**#8h**

**Salvage Yard  
Licenses**

C. Haltom reported on the current process for issuing salvage yard licenses. Staff is requesting direction from the Village Board on whether they would like to continue the annual inspections of salvage yards and amend the ordinances to reflect the Board's intent.

K. Crouch moved to direct staff to prepare an ordinance for annual inspections of salvage yards and to analyze and evaluate the existing salvage license permit fees. R. Bredael seconded the motion. The Board discussed 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 8:54 p.m.**

Respectfully Submitted,

*Adam Helms*

Adam Helms  
Assistant Village Administrator