

**Minutes of the Village Board Meeting
November 26, 2007 at 6:30 p.m.
Village Hall Board Room**

Call to Order

C. Felmer called the meeting to order at 6:30 p.m.

C. Felmer stated that the Board may convene into closed session pursuant to s. 19.85(1)(c)

Roll Call

B. McIntyre, D. Steffen, G. Speaker, C. Hughes, R. Ziemer, K. Crouch, J. Widiger, R. Bredael & C. Felmer

Also (staff): J. Smith, R. Bartelt, C. Haltom, J. Dagneau, M. Hoff and A. Helms

The Board recited the Pledge of Allegiance.

Approve Agenda

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

Public Appearances

Marge DeCoster of 2934 Glendale Avenue addressed the Board in favor of the proposed resolution regarding switching to monthly water utility billing.

J. Anholzer of U.S. Oil addressed the Board regarding the Velp Avenue reconstruction project. He stated he was concerned about the installation of a roundabout at the intersection of Military Avenue and Glendale Avenue.

C. Felmer closed the public appearances.

**Future Agenda
Items**

D. Steffen requested that the Board review the operator's license application form and standards for approval.

Communications

G. Speaker moved to approve the communications. R. Ziemer seconded. **The motion carried unanimously.**

Consent Agenda

C. Hughes moved to approve the consent agenda. R. Ziemer seconded the motion. B. McIntyre requested that items 8e (iv, & vi) be removed for discussion; G. Speaker requested that item 8e(i) be removed for discussion; C. Hughes requested that item 8c(i) be removed for discussion; K. Crouch requested that item 8c(iv) be removed for discussion. **The motion carried unanimously.**

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

- a. Approve Village Board Minutes
 - i. November 12, 2007
- b. Approve Plan Commission Minutes
 - i. November 19, 2007
- c. Approve Operator's Licenses
 - ii. Gina Van Dahm, 2828 Mt. Mary Circle #8D, Green Bay
 - iii. Nichole Reihbandt, 2200 Nicolet Drive #2, Green Bay
- d. Municipal Invoices
 - i. November 9, 2007 to November 21, 2007 utilizing check #203807-203876, in the amount of \$306,271.26.
- e. Plan Commission Items
 - ii. Approve Ordinance No. 2007-40 "Rezoning Parcel Number VH 456-6-1, Located on Riverview Drive west (south of Riverview and immediately west of the railroad tracks) from R-2 (Single Family Duplex by Subdivision) to R-3 (Duplex)"
 - iii. Approve a request from MRB Commercial, LLC to Amend a Planned Development District at 445 Cardinal Lane to attach a 52" x 94" Extension to an Existing Signal
 - v. Approve a Conditional Use Permit from Bayland Buildings to Use the Existing Building at 487 Riverwood Lane, (VH-747-H-234) for Classroom Purposes.
 - vii. Approve Ordinance 2007-42, "An Ordinance Amending Section 17.22(5)(c) of the Village of Howard's Code of Ordinances Relating to the Height of Free-Standing Signs."

The following Consent Agenda items (#8's) were then discussed:

#8c(i)

Christine Richer

Operator's

License

C. Hughes moved to table the item until December 10. K. Crouch seconded. **The motion carried unanimously.**

#8c(iv)

Todd Kaczrowski

Operator's

License

K. Crouch moved to deny the license. C. Hughes seconded the motion. A roll call vote was taken. The motion failed on a 2 to 7 vote with J. Widiger, G. Speaker, R. Ziemer, D. Steffen, B. McIntyre, R. Bredael and C. Felmer dissenting.

G. Speaker moved to table the item. D. Steffen seconded the motion. **The motion carried unanimously.**

#8e(i)
Christ the King
Church CUP

G. Speaker questioned whether Christ the King Church has complied with the conditions set forth by the Plan Commission at the November 19, 2007 meeting. J. Smith stated that Christ the King Church has submitted landscaping plans to staff that comply with the conditions for landscaping set forth by the Plan Commission.

- K. Crouch moved to approve with the following conditions:
1. A landscaping plan is completed for the east side of the building.
 2. The siding, roofing and other design features of the proposed building shall compliment that of the principal building on the property.
 3. Two coniferous trees shall be planted on east and west sides of the storage building.

D. Steffen seconded the motion. **The motion carried unanimously.**

#8e(iv)
Jim Rogers
CUP for Maxi-
Warehousing

The Board discussed design standards and warehousing uses in the industrial park. R. Bredael moved to deny the conditional use permit. K. Crouch seconded the motion. B. McIntyre moved to suspend the rules. C. Hughes seconded the motion. **The motion carried unanimously.**

Eric Van DeYacht of Lineville Maxi-Storage addressed the Board regarding the proposed maxi-storage buildings.

Dave Chrouser of Mau & Associates addressed the Board regarding the proposed maxi-storage buildings.

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

A roll call vote was taken on the original motion. **The motion carried on a 6 to 3 vote with R. Ziemer, D. Steffen, and J. Widiger dissenting.**

#8e(vi)

**Lexington Homes
CUP**

D. Steffen moved to table the item until the December 10, 2007 Board meeting. R. Ziemer seconded the motion. **The motion carried unanimously.**

Public Hearing

#9a

**Budget Public
Hearing**

C. Felmer opened the public hearing scheduled for 6:45 p.m. regarding the fiscal year 2008 budget. There were no comments from the public. C. Felmer closed the public hearing.

#9b

**Approve FY 2008
Budget**

R. Bredael moved to approve the fiscal year 2008 budget. J. Widiger seconded the motion. The Board discussed the motion. A roll call vote was taken. **The motion carried unanimously.**

Reports of Village Officials

Administrator

Report

J. Smith reported on the Public Facilities Needs Assessment for impact fees.

Parks, Recreation &

Senior Services

Report

J. Smith reported on the hiring of a new recreation supervisor who will begin working for the Village in early December.

Attorney Report

D. Duffy reported on the former Rustic Rail property. D. Duffy stated that an individual is interested in purchasing the former Rustic Rail contingent upon receiving a class "B" liquor license.

D. Duffy also reported on a lawsuit between the Village of Howard and Brown County. The lawsuit is expected to be dismissed with prejudice.

Old Business

#11a

**Velp Ave Cross
Section Design**

C. Felmer moved to appoint G. Speaker as acting chair as she dismissed herself for the discussion of this agenda item. K. Crouch seconded. The motion carried unanimously.

J. Smith reported on the Velp Avenue reconstruction project.

C. Hughes moved to suspend the rules. R. Ziemer seconded the motion. **The motion carried unanimously.**

Jim Anholzer of U.S. Oil addressed the Board regarding the proposed roundabout at the intersection of Velp Ave and Military Avenue as part of the Velp Avenue reconstruction project.

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

J. Widiger moved to approve the concept design for Velp Avenue. B. McIntyre seconded the motion. C. Hughes moved to amend the motion by installing a mountable median to be placed on Velp Avenue near the intersection of Military Avenue and Velp Avenue. R. Ziemer seconded the amendment. The Board discussed the amendment. A roll call vote was taken on the amendment. **The amendment failed on a 3 to 5 vote with D. Steffen, B. McIntyre, R. Bredael, J. Widiger, & G. Speaker dissenting.**

A roll call vote was taken on the original motion. **The motion carried on a 7 to 1 vote with C. Hughes dissenting.**

D. Steffen made a motion to move item 12a before item 11b. J. Widiger seconded the motion. **The motion carried unanimously.**

#12a

Greater Green Bay Branding Initiative

Barb Fleisner, Vice President of ADVANCE, presented a report on Greater Green Bay's branding initiative.

#11b

Dec. 24th Village Board Meeting

R. Bredael moved to approve the elimination of the December 24th meeting. D. Steffen seconded the motion. **The motion carried unanimously.**

#11c

Resolution 2007-24

J. Widiger moved to approve **resolution 2007-24**, "Approving Issuing Water Utility Billing Statements on a Monthly Basis, Versus a Quarterly Basis." D. Steffen seconded the motion. The Board discussed the motion. A roll call vote was taken. **The motion carried unanimously.**

**#11d
Class "B" Liquor
License
Applications**

**Black Forest
Restaurant**

C. Hughes moved to table the liquor license for the Black Forest Restaurant. C. Hughes withdrew her motion.

D. Steffen moved to approve a liquor license for the Black Forest Restaurant with the conditions that the applicant close on the subject property within 30 days of the issuance of the license or the license shall be null and void and with that Paul Kaczrowski be listed as the agent for the liquor license until further clarification for the listed agent is presented to the Village Board. J. Widiger seconded the motion. A roll call vote was taken. **The motion carried unanimously.**

The Moon

C. Hughes moved to deny the license citing potential future development and the existing density of liquor-serving establishments in the area. K. Crouch seconded the motion. The Board discussed the motion.

B. McIntyre moved to suspend the rules. J. Widiger seconded the motion. **The motion carried unanimously.**

Karen Duval representing the Moon addressed the Board regarding the proposed development on Military Avenue.

D. Steffen moved to return to regular order of business. C. Hughes seconded the motion. **The motion carried unanimously.**

A roll call vote was taken on the original motion to deny the liquor license. **The motion failed on a 4 to 5 vote with J. Widiger, R. Ziemer, D. Steffen, B. McIntyre and C. Felmer dissenting.**

D. Steffen moved to table the item until December 10. B. McIntyre seconded the motion. **The motion carried on a 7 to 2 vote with K. Crouch and C. Hughes dissenting.**

C. Hughes was excused from the meeting at 9:00 p.m.

NEW BUSINESS

#12b Ordinance 2007-39

M. Hoff reported on ordinance 2007-39. R. Bredael moved to approve **Ordinance 2007-39**, “An Ordinance Repealing and Recreating Section 12.09(3)(f) ‘Licenses and Permits’ of the Village of Howard Municipal Code Relating to Licensing for Dogs/Cats”. J. Widiger seconded the motion. **The motion carried unanimously.**

#12c Ordinance 2007-33

J. Smith reported on the proposed rezoning at parcel VH-68, located in the 3800 block of Woodland Road. Staff recommended that the Village Board not approve the rezoning due to traffic concerns.

G. Speaker moved to deny **Ordinance 2007-33**, “An Ordinance Rezoning Parcel VH-68 Located in the 3800 Block of Woodland Road, Village of Howard, Brown County, Wisconsin from Rural Estate (R-5) to Multi-Family (R-4)”. J. Widiger seconded the motion. The Board discussed the motion. A roll call vote was taken. **The motion carried unanimously.**

#12d Resolution 2007-25

K. Crouch moved to approve resolution 2007-25. B. McIntyre seconded the motion. K. Crouch withdrew his motion. B. McIntyre withdrew his second.

K. Crouch moved to table **Resolution 2007-25**, “Approving Brown County Recycling Contract.” D. Steffen seconded the motion. **The motion carried unanimously.**

#12e Ordinance 2007-41

R. Bartelt requested that **Ordinance 2007-41** be amended to set the speed limit at 45 MPH on Shawano Ave from Westhill Drive to Mill Center and 35 MPH on Shawano Ave from Hillcrest Heights to Westhill Drive.

G. Speaker moved to approve the ordinance with the condition that the speed on Shawano Avenue be 35 MPH. **The motion failed due to the lack of a second.**

D. Steffen moved to approve the ordinance as amended above. J. Widiger seconded the motion. A roll call vote was taken. **The motion carried on a 7 to 1 vote with G. Speaker dissenting.**

**#12f
Blight Study**

J. Smith reported on the proposed blight/rehabilitation study from Ehlers and Associates. D. Steffen moved to approve the study. R. Bredael seconded the motion. **The motion carried unanimously.**

**#12g
Creation of TID
5 & 6**

J. Smith reported on the potential creation of tax increment districts number 5 & 6. D. Steffen moved to approve the proposal. J. Widiger seconded the motion. **The motion carried unanimously.**

**#12h
Stordeur CSM**

D. Wiese reported on the proposed certified survey map for the parcel VH-231. G. Speaker moved to approve with the following conditions:

1. Existing storm easement on Lot 1 is shown.
2. An area development plan is submitted.
3. The Village Board agrees by approving the CSM they are acknowledging the applicant does not have to pay off the existing assessments from the reconstruction of Glendale Avenue at this time
4. Lots 1 and 2 need to be rezoned to R-1 Residential single family.

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

**#12i
Van DeYacht
Site Plan**

D. Wiese reported on the proposed site plan for the Van DeYacht building on parcel VH-134-1-3.

G. Speaker moved to suspend the rules. J. Widiger seconded. **The motion carried unanimously.**

Tom Van DeHye of Best Built General Contracting addressed the Board regarding the proposed building at parcel VH-134-1-3.

Troy Van DeYacht addressed the board regarding the proposed building.

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

B. McIntyre moved to approve the site plan with the following conditions:

1. All business, servicing, processing, sales and storage shall be conducted within completely enclosed buildings unless a conditional use is granted.
2. Lighting for the building and exterior areas shall be 90 degree cut off or recessed.
3. Employee parking shall be provided on the property behind the building setback line. A site plan shall be submitted showing the location of all required employee parking stalls.
4. Five additional trees should be added to the west property line to match the proposed landscaping on the east property line.
5. The chain link fence should be offset from the property line and coniferous trees should be planted at a spacing of 1 every 50 feet on the outside of the fence around the entire border of the fence.

R. Ziemer seconded the motion. The Board discussed the motion. A roll call vote was taken. **The motion carried unanimously.**

CLOSED SESSION

G. Speaker moved to convene to closed session. R. Bredael seconded the motion. A roll call vote was taken. **The motion carried unanimously and the Board convened into closed session at 9:50 p.m.**

RETURN TO OPEN SESSION

K. Crouch moved to return to open session. D. Steffen seconded. **The motion carried unanimously.**

#14a Wendt Agreement Of Resignation

R. Bredael moved to approve an agreement of resignation and release for Niki Wendt. J. Widiger seconded the motion. **The motion carried unanimously.**

#14b
Sandstrom Unpaid
Medical Leave

J. Widiger moved to approve a request for an unpaid medical leave of absence for Robert Sandstrom. G. Speaker seconded the motion.
The motion carried unanimously.

ADJOURNMENT

R. Bredael moved to adjourn. B. McIntyre seconded the motion.
The motion carried unanimously and the meeting was adjourned at 10:08 p.m.

Respectfully Submitted,

Adam Helms
Assistant to Administrator