

**Minutes of the Village Board Meeting  
December 10, 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)(e)

**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, J. Dagneau, J. O'Connor, G. Farr, M. Pigeon, S. King, M. Hoff and A. Helms

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

**Approve Agenda**

C. Felmer requested that item 10b be moved after the agenda was approved. K. Crouch moved to approve the agenda. D. Steffen seconded the motion. **The motion carried unanimously.**

**Reconsider Bieda  
Rezoning**

D. Duffy reported on the reconsideration of the rezoning petition from Steve Bieda. D. Duffy stated that reconsidering the already approved rezoning would require an ordinance to rezone the property back to its original zoning (R-2), which would require that the rezoning request be considered at both the Plan Commission and Village Board level.

D. Steffen moved to suspend the rules. R. Bredael seconded the motion. **The motion carried unanimously.**

Marilyn Johnson of 517 Lacona Court addressed the Board regarding the rezoning of the Bieda property. She stated that she was opposed to the rezoning because there would be an adverse affect on traffic and parking on Lacona Court.

Don Patzke of 513 Lacona Court addressed the Board regarding the rezoning of the Bieda property. D. Patzke questioned whether the buildings would meet the required setbacks. He also stated that he was concerned about parking on Lacona Court. Therefore, he was not in favor of the rezoning and requested the Board to reconsider the adopted the ordinance.

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

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

**Reconsider Rogers  
CUP for Maxi-  
Warehousing**

D. Duffy reported on the reconsideration of the conditional use permit for Jim Rogers. D. Duffy stated that the permit application would have to be considered by the Plan Commission and the Village Board to approve the conditional use permit.

C. Felmer moved to reconsider the Rogers' conditional use permit to construct maxi-warehouse buildings at 1640 Brookfield Ave. D. Steffen seconded the motion. The Board discussed the motion. A roll call vote was taken. **The motion carried on a 5 to 4 vote with G. Speaker, B. McIntyre, R. Bredael and J. Widiger dissenting.**

**Director of Parks &  
Recreation Report**

M. Pigeon introduced the Village's new recreation supervisor Sara King.

**Public Appearances**

Christopher Neida of 2581 Jogens Drive addressed the Board regarding a request to consider rezoning property behind Coggins Court. C. Neida was requesting that the property be rezoned so bow hunting would be permitted on the property.

Steve Bieda, owner of the property on Riverview Drive addressed the Board regarding the rezoning of the property he owns on Riverview Drive.

**Future Agenda  
Items**

None

**Communications**

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

**Consent Agenda**

D. Steffen moved to approve. R. Ziemer seconded. K. Crouch requested that item 8c(ii) 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 26, 2007

- b. Accept Plan Commission Minutes
  - i. November 19, 2007
- c. Approve Operator's Licenses
  - i. Christine Richer, 233 N. Broadway, DePere
  - iii. Harvey J. Hoes, 1306 Rockwell Road, Green Bay
  - iv. Marnie Ellen Parse, 1374 Dousman Street, Green Bay
  - v. Laurie Kay Whitburn, 906 N Locust Street, Green Bay
- d. Municipal Invoices
  - i. November 22, 2007 to December 6, 2007 utilizing checks #203891 – 203992 in the amount of \$505,441.45.

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

**#8c(ii)**

**Todd Kaczrowski**

**Operator's License**

J. Smith reported on the application for an operator's license from Todd Kaczrowski. D. Steffen moved to approve the operator's license for T. Kaczrowski. B. McIntyre seconded the motion. The Board discussed the motion. A roll call vote was taken. **The motion carried on an 8 to 1 vote with K. Crouch dissenting.**

**Public Hearing**

**#9a**

**Impact Fee Public Hearing**

C. Felmer opened the public hearing scheduled for 7:00 p.m. regarding **Ordinance 2007- 45** "An Ordinance Repealing and Recreating Section 3.08, Chapter 3, of the Municipal Code of Howard Relating to Impact Fees." There were no comments from the public. C. Felmer closed the public hearing.

**#9b**

**Action on Impact Fee Ordinance**

D. Steffen moved to approve **Ordinance 2007- 45** "An Ordinance Repealing and Recreating Section 3.08, Chapter 3, of the Municipal Code of Howard Relating to Impact Fees." J. Widiger seconded the motion. A roll call vote was taken. **The motion carried unanimously.**

## Reports of Village Officials

### **Administrator Report**

J. Smith reported on potential items for discussion at a future strategic planning session. J. Smith identified fire department succession planning, animal control issues, growth issues, financial forecasting, performance measurement, internal organizational changes to focus on customer service/service excellence, and the golf course as items for discussion. The Board recommended that the session be held in May after the spring elections.

### **Director of Admin. Services Report**

J. Smith presented the November 2007 financial report.

J. Smith reported on monthly water utility billing statements and collection methods.

## Old Business

### **#11a Marlow Apartment PDD**

J. Smith reported on the proposed apartment complex at Cardinal Lane. D. Steffen moved to accept a withdrawal of the Planned Development District and place it on file. R. Ziemer seconded the motion. A roll call vote was taken. **The motion carried on an 8 to 1 vote with K. Crouch dissenting.**

### **#11b Class "B" Liquor License Application**

J. Smith reported on the application from Karen Duval for a class "B" liquor license. K. Crouch moved to deny the license on the basis that the license would better serve potential future economic development. R. Bredael seconded the motion. The Board discussed the motion. A roll call vote was taken. **The motion carried on a 5 to 4 vote with D. Steffen, B. McIntyre, R. Ziemer, and C. Felmer dissenting.**

### **#11c Resolution 2007-25**

R. Bartelt reported on the proposed recycling contract with Brown County. R. Bredael moved to approve resolution **2007-25**, ""Approving Brown County Recycling Contract" with a "me too" clause included. D. Steffen seconded the motion. **The motion carried unanimously.**

**#11d**  
**Bieda Rezoning**

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

S. Bieda, owner of the property on Riverview Drive addressed the Board regarding a request to rezone the property on Riverview Drive.

Marilyn Johnson of 517 Lacona Court addressed the Board regarding the proposed rezoning of the property on Riverview Drive immediately west of the railroad tracks. She stated she was not in favor of the rezoning because the proposed duplexes would have a detrimental effect on parking on Lacona Court.

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

K. Crouch moved to send the rezoning request to the Plan Commission to change the zoning to R-2. R. Bredael seconded the motion. A roll call vote was taken. **The motion failed on a 3 to 6 vote with B. McIntyre, J. Widiger, G. Speaker, R. Ziemer, D. Steffen and C. Felmer dissenting.**

**#11e**  
**Rogers CUP for**  
**Maxi-Warehouses**

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

Jim Rogers of 2813 Bay Lake Drive addressed the Board regarding proposed maxi-warehouse storage buildings at 1640 Brookfield Avenue, VH-118-1. He suggested that the Village Board grant the CUP for maxi-warehouses. He also suggested that staff altered the recommendation of the Director of Code Administration.

The Board addressed comments from Jim Rogers regarding a conditional use permit to construct maxi-warehouse units on Brookfield Avenue. J. Rogers submitted a staff report that did not contain a staff recommendation. The second report submitted did contain a recommendation.

Eric Van DeYacht of 1513 Velle Hollow Lane addressed the Board regarding the proposed maxi-warehouse building. E. Van DeYacht stated that keys for the locks on the storage unit would be provided to the fire department. He also stated that his development would provide additional tax revenue. Mr. Van DeYacht further stated that there is a growing need for maxi-warehouse storage units.

Jim Morrison of 440 Woodfield Drive addressed the Board regarding the maxi-warehouse building and to voice his concern that the Village Board is not acting in a business friendly manner. J. Morrison urged the Board to consider approving the conditional use permit.

Dave Chrouser of 3357 Lineville Road addressed the Board regarding the proposed maxi-warehouse building. D. Chrouser stated that there is a need for maxi-warehouse storage in the Village of Howard.

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

J. Smith addressed the Board and stated the staff's justification for recommending denial of the maxi-warehouse building at 1640 Brookfield Avenue.

D. Steffen moved to refer the proposal back to the Plan Commission for a conditional use permit. R. Ziemer seconded the motion. The Board discussed the motion. A roll call vote was taken. **The motion failed on a 4 to 5 vote with R. Bredael, J. Widiger, G. Speaker, K. Crouch, and B. McIntyre dissenting.**

## NEW BUSINESS

### **#12a**

#### **Howard-Suamico Fire Dept. Task Force Report**

Don Phillips of the Suamico Fire Commission reported on the proceedings of the Howard-Suamico fire department task force. The purpose of the task force is to identify operating efficiencies in service production through strategic collaboration of the two fire departments.

D. Steffen recommended that C. Hughes be nominated to serve on the Howard-Suamico Fire Department task force.

### **#12b**

#### **Operator's License Application Form**

J. Smith reported on the amended operator license application form and standards.

J. Widiger moved to approve the operator's license application. K. Crouch seconded the motion. **The motion carried on an 8 to 1 vote with D. Steffen dissenting.**

**#12c**

**Sportsman's Club**

J. Smith reported on the assessment of the inventory at the Sportsman's Club, which the Village of Howard purchased in November. The board discussed demolition options for the buildings on the property. K. Crouch moved to table the item. R. Bredael seconded the motion. **The motion carried unanimously.**

**#12d**

**Nomination of  
Election Workers**

C. Hughes moved to approve the Village President's nomination of election workers for the upcoming elections. G. Speaker seconded the motion. **The motion carried unanimously.**

**#12e**

**Dais CUP**

G. Speaker moved to table the item. R. Bredael seconded the motion. **The motion carried on a 6 to 2 vote with D. Steffen and B. McIntyre dissenting.**

R. Bredael moved to reconsider the conditional use permit. R. Ziemer seconded the motion. **The motion carried unanimously.**

D. Wiese reported on existing buildings on the Dais property. J. Widiger moved to approve the conditional use permit with the following conditions:

1. A site plan shall be submitted accurately showing the proposed front, side and rear yard setbacks for the proposed building addition. The setbacks shall comply with Section 17.08(3)(a) of the Zoning Ordinance.
2. A survey or document prepared and signed by a registered land surveyor shall be submitted verifying that the existing building is located a minimum of fifty (50) feet from the rear (easterly) property line.
3. Building plans shall be submitted showing that the existing building and proposed addition comply with the maximum 40' height requirement specified in Section 17.08(4) of the Zoning Ordinance.
4. The architectural style and all exterior building materials and colors shall match that of the existing building constructed in 2003.
5. A Sanitary Permit shall be obtained from the Brown County Zoning Department prior to the completion of any plumbing work in the building.
6. A statement or document prepared by the property owner shall be submitted verifying the number of horses and other farm animals currently existing on the property. A conditional use

permit shall be obtained prior to any increase in the number of horses or other farm animals on the property.

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

**#12f**

**Ordinance 2007-43**

**Portable Signs**

D. Steffen moved to approve **ordinance 2007-43**, “An Ordinance Amending Section 17.22(5)(k) of the Village of Howard’s Code of Ordinances Relating to the Number of Portable Signs and the Time Period They are Allowed.” B. McIntyre seconded the motion. The Board discussed the motion. **The motion carried on an 8 to 1 vote with G. Speaker dissenting.**

**#12g**

**Animal Control**

**Officer Duties**

The Board directed staff to prepare an ordinance amending the duties of the animal control officer as indicated in the draft ordinance for the January 14, 2007 Village Board meeting.

**#12h**

**Ordinance 2007-44**

**User Charge for**

**Sanitary Sewer**

J. Widiger moved to approve the **ordinance 2007-44**, “Repealing and Recreating Section 13.13(2)(A)(1) of the Municipal Code of the Village of Howard for User Charge System for the Sanitary Sewer Utility” with staff recommendations to keep residents with minimal utility bills on a quarterly billing cycle. R. Ziemer seconded the motion. **The motion carried unanimously.**

**#12i**

**ICMA Performance**

**Measurement**

**Consortium**

J. Smith reported on the ICMA performance measurement consortium. C. Hughes moved to table the item. R. Ziemer seconded the motion. **The motion carried unanimously.**

**#12j**

**Glendale & Riverview**

**Transportation Plat**

R. Bartelt reported on the proposed transportation plat. D. Steffen moved to approve. R. Ziemer seconded the motion. C. Hughes moved to amend the motion to notify the homeowners. G. Speaker seconded the amendment. **The amendment carried unanimously.** The Board discussed the motion. **The motion carried unanimously.**

**#12k  
Glendale Ave  
Reconstruction  
Project Plat**

R. Ziemer moved to approve the Glendale Avenue reconstruction project transportation plat. R. Bredael seconded the motion. **The motion carried unanimously.**

**#12l  
Contract Award  
For Public Works  
Backup Generator**

D. Steffen moved to approve the contract to purchase a backup generator for the public works building. R. Bredael seconded the motion. The Board discussed the motion. **The motion carried unanimously.**

**#12m  
Water Tower  
Painting Change  
Order #1**

D. Steffen moved to approve the change order deduction in the amount of \$2,128.00. R. Ziemer seconded the motion. **The motion carried unanimously.**

**#12n  
Woodfield Mixed  
Use Project Change  
Order #3**

K. Crouch moved to approve the change order deduction for the Woodfield Village mixed use development project in the amount of \$4,900.54. D. Steffen seconded the motion. **The motion carried unanimously.**

**#12o  
Preliminary  
Resolution 2007-26**

R. Bartelt reported on the preliminary resolution. B. McIntyre moved to approve **preliminary resolution 2007-26**, “Declaring the Intent to Exercise Special Assessment Powers Under Wisconsin Statute Section 66.0701 upon Glendale Avenue, Chatsworth Drive, and Evergreen Avenue for Sanitary Sewer and Laterals, Watermain and Services, Storm Sewer and Laterals, Storm Water Management Facilities, Driveways, Curb and Gutter, and Roadway Reconstruction.” K. Crouch seconded the motion. **The motion carried unanimously.**

**#12p  
Preliminary  
Resolution 2007-27**

D. Steffen moved to approve **preliminary resolution 2007-27**, “Declaring the Intent to Exercise Special Assessment Powers Under

Wisconsin Statute Section 66.0701 upon Lakeview Drive, East Deerfield Avenue, and West Deerfield Avenue for Sanitary Sewer and Laterals and Watermain Services.” R. Bredael seconded the motion. The Board discussed the motion. **The motion carried unanimously.**

#12q

**Preliminary**

**Resolution 2007-28**

B. McIntyre moved to approve **preliminary resolution 2007-28**, “Declaring the Intent to Exercise Special Assessment Powers Under Wisconsin Statute Section 66.0701 upon Woodale Avenue and Lineville Road for Driveways.” R. Ziemer seconded the motion. The Board discussed the motion. **The motion carried unanimously.**

### **CLOSED SESSION**

C. Hughes 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.**

### **RETURN TO OPEN SESSION**

C. Hughes moved to return to open session. G. Speaker seconded the motion. **The motion carried unanimously.**

### **ADJOURNMENT**

G. Speaker moved to adjourn. R. Bredael seconded the motion. **The motion carried unanimously and the meeting was adjourned at 10:42 p.m.**

Respectfully Submitted,

Adam Helms  
Assistant to Administrator