

**Minutes of the Village Board Meeting
May 28, 2008 at 6:30 p.m.
Village Hall Board Room**

Call to Order

B. McIntyre called the meeting to order at 6:30 p.m.

Closed Session

B. McIntyre stated that at the end of the meeting the Board may go into closed session pursuant to Wis. Stats. 19.85(1)(e).

Roll Call

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

Also (staff): J. Smith, D. Duffy, C. Haltom, R. Bartelt, J. O'Connor, D. Wiese, M. Pigeon, G. Shephardson, and A. Helms

The Board recited the Pledge of Allegiance.

Approve Agenda

G. Speaker moved to approve the agenda. C. Hughes seconded the motion. B. McIntyre requested that item 12n (Howard Suamico Historical Society Lease Agreement) be removed from the agenda per the request of the Historical society. **The motion carried unanimously.**

Public Appearances

B. McIntyre opened the public hearing.

M. DeCostser of 2934 Glendale Avenue addressed the Board and requested to speak after the staff report is presented for item 12j (Glendale Avenue Road Reconstruction Contract Award).

B. McIntyre closed the public hearing.

**Public Hearing
Glendale Ave
Special
Assessments**

B. McIntyre opened the public hearing.

There were no comments from the public.

B. McIntyre closed the public hearing.

Resolution 2008-23

G. Speaker moved to approve **Resolution 2008-23**, "Final Resolution Authorizing Levying of Special Assessments on Glendale Avenue, Chatsworth Drive and Evergreen Avenue." J. Lemorande seconded the motion. The Board discussed the motion. **The motion carried unanimously.**

Consent Agenda

B. McIntyre requested to pull item #9h(iv). K. Crouch moved to approve.
D. Steffen seconded the motion. **The motion carried unanimously.**

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

- a. Approve Village Board Minutes
 - i. May 10, 2008 Village Board Minutes
 - ii. May 12, 2008 Village Board Minutes
- b. Accept Community Development Authority Minutes
 - i. May 13, 2008 CDA Minutes
- c. Accept Plan Commission Minutes
 - i. May 19, 2008 Plan Commission Minutes
- d. Approve Operator's Licenses
 - i. Susan Magnuson, 514 Lacona Court, Green Bay
 - ii. Jamie Kuemmel, 1064 Velsen Road, Green Bay
 - iii. Chlorissa Kramer, DePere
 - iv. James Fuller, 1448 Day Street, Green Bay
 - v. Andrew Cote, 1497 Snow Shoe Trail, Suamico
 - vi. Kristina Coppo, 1929 Pheasant Run, DePere
 - vii. Josh Johnson, 1540 N. Mennen Ct, Green Bay
 - viii. Leo Delvoe, 2746 Shade Tree Ln., Green Bay
 - ix. Roxann Holda, 518 Vroman St, Green Bay
 - x. Gerald Delvoe, 1682 Velp Ave, Green Bay
 - xi. Jerome Polarek, 2811 Sunray, Green Bay
 - xii. George Heck, 532 LaPlant St, Green Bay
 - xiii. Mark Vanderkelen, 407 Lynch Ave, Denmark
 - xiv. Patricia Hyde, 1704 Velp Ave, Green Bay
 - xv. Charles Shiner, 1719 Harold St, Green Bay
 - xvi. Gregg Canniff, 2117 Skyview, Green Bay
 - xvii. Hillaria Hawk, 1235 Chief Hill Drive, Green Bay
- e. Municipal Invoices
 - i. May 9, 2008 to May 22, 2008 utilizing checks #205247-205341 in the amount of \$562,923.08.
- f. Village President Appointments
 - i. Russ Roland – Historic Preservation Commission (Three Year Term)
 - ii. Brian Maloney – Plan Commission (Three Year Term)
 - iii. Dan Murphy – Small Business Partnership (Indefinite Term)

- g. Change Order
 - i. Woodfield Village Mixed Use Development Roadway Construction Change Order #4 - \$5,056.81 Addition

- e. Plan Commission Items
 - i. Approve Ordinance 2008-17, “Rezone Lot #2, CSM 559, VH-2 Located at 4006 Nature Court from Rural Estate (R-5) to Single-Family Residential (R-1)”

 - ii. Deny a Request from Arnold & Joan Moder to Rezone Parcel VH-194-1 Located at 3439 Lineville Road from Rural Estate (R-5) to Business (B-1)

 - iii. Approve a Request for a Conditional Use Permit from Steve Barton Representing John & Bonnie McMahon to Permit the Construction of a 3,040 Square Foot Agricultural Building in the 4000 Block of Shawano Avenue, VH 57-3

 - iv. Deny a Request from Steve Bieda of Mau & Associates Representing David Toonen to Approve a Preliminary Planned Development District for Parcels VH-31330, VH-3131, VH-3124, VH-3125, the Vacated Hidden Winds Lane, and a Portion of VH-646-2-4

- i. Liquor License Applications

The Village of Howard Board of Trustees has received the following 2008-2009 Class A beer license applications:

Establishment

Mills Gas-Mart, 213 N Taylor St.
Packerland Shell, 2275 Shawano Ave.
Taylor Street BP 130 S. Taylor St.
Velp Avenue Shell, 2401 Velp Ave.

Applicant

Paul Holbrook-Agent, 213 N Taylor St.
Anthony Wied, 514 Ronall, DePere WI
Randy John Zidel, 1346 Ken Dr
Tammy Thompson-Agent, 2401 Velp Ave.

The Village of Howard Board of Trustees has received the following 2008-2009 Class A beer and liquor license applications:

Establishment

CVS Pharmacy, 2400 Velp Ave.
Express Convenience Centers, 1618 Velp Ave.
Express Pantry, 2522 Glendale Ave.
Harley Davidson of Green Bay, Inc.,
Central Station BP, 2002 Velp Ave.
WI
Lineville Travel Mart, 1575 Lineville Rd.
Maplewood Shell, 4720 Milltown Rd.
Olsen’s Piggly Wiggly, 2465 Lineville Rd. #1

Applicant

Paul E. Collison-Agnet, 3060 Jaguar Ln.
Gerald G. Smith-Agent, 1827 N Racine St.
Bhagvat R. Patel, 911 Harwood Ave.
Ken McCoy, 2425 St. Pats Dr 727 Memorial
Dan Pamperin-Agent, 396 Talus Ct. DePere

Mary Barlament-Agent, 706 Frederick Ct.
Pam Bellow,-Agent, 1509 Greenfield Ave
Charles W. Olsen-Agent, 947 Oakdale Ave., DePere

Shopko Express #502, 2585 Lineville Rd.
Townline Citgo, 1773 Cardinal Ln.
Velp Mobil Mart, 1855 Velp Ave.
Woodman's Food Market, 2400 Dousman St.

Michael Grant-Agent, 1480 Belle Plane Cir.
Harold C. Peterson, 2565 St. Pats Dr.
Thomas E. Matuszak, 2944 Sheffield Ct.
John R. Iotte, 1801 Maplewood Dr., Little Chute

The Village of Howard Board of Trustees has received the following 2008-2009 Class A beer and liquor license applications:

Establishment

**Maplewood Packing Inc., 4663 Milltown Rd.
Ct.**

Applicant

Lisa A. Schulze-Agent, 3136 Squire

The Village of Howard Board of Trustees has received the following 2008-2009 Class B beer license applications:

Establishment

**Bamboo Garden Buffet, 2450 Velp Ave.
Brown Co. Sportsmen's Club, 1711 W Deerfield Ave.
WI
Duck Creek Softball Assoc. Clubhouse, 775 Riverview Dr.
Stonefield Tr.
Nickolai Sporting Goods, Inc, 969 N. Military Ave.
St. Marys Blvd.
Taco Burrito Express, 2436 Glendale Ave.**

Applicant

**Jie Lieng-Agent, 2450 Velp Ave.
Mike May, 4939 Sampson, Abrams
Wayne Gilson-Agent, 3086
William James Nickolai, 190
Ricardo Nunez 2436 Glendale Ave.**

The Village of Howard Board of Trustees has received the following 2008-2009 Class B beer and liquor license applications:

Establishment

**Avenue Bar, 1745 Velp Ave.
Barley's Deerfield Diner, 1780 E Deerfield Ave.
Black Forest Dining & Spirits, 1966 Velp Ave.
Boehmer's II, 2318 Velp Ave.
Boondocks, 1642 Velp Ave.
Box Car Billy's, 2525 Velp Ave.
BS's Bar & Grill, 4054 Shawano Ave.
CB's Tap, 1674 Velp Ave.
Doubles, 740 N. Memorial

Farr's Grove, 2443 Shawano Ave.
Josephines Pizza & Pastaria, 2560 Glendale Ave.
Kim's Place, 1985 Velp Ave.
Kropp's Supper Club, 4570 Shawano Ave.
Legends Brewhouse & Eatery, 2840 Shawano Ave.
No Name Bar/Holton's Pizza, 2027 Velp Ave.
Rite View LTD, 2130 Velp Ave.
River St. Pier, 1984 Velp Ave.
Rivers Bend Supper Club, 792 Riverview Dr.**

Applicant

**Steven J Van Straten, 744 Riverside Dr. (Suamico)
Sue Marie Mier, 3519 Cty J, Abrams
Todd Kaczrowski-Agent, 2568 Wyndrush (Suamico)
Eric Boehm, 3157 Burtons Riverside Trail
Linda K. Robinson-Agent, 2612 Woodridge Ln.
Bill L. VanRossum, 2913 Northwood
Sheila J. Derpinghaus, 1853 Glenview Ave.
Harold J. Heuvelmans, 1243 Western Ave.
Michael Schoen 1857 Horseshoe Ct., DePere-
Michael Doyle 4647 Gravel Pit Rd., Franken
Gerald Farr, 2769 S. Memorial Dr.
Frank R. Marshall, 3134 Trenton Ln
Kim Marie Hill, 1446 Pilgrim St
Sharon K. Sheedy, 3483 Mardon Ln.
Jay Gosser-Agent, 2840 Shawano Ave
Christian L. Swaab, 1374 Dousman St.
Nancy Van Rite-Agent, 2110 Velp Ave.
Barbara D. Magers-Agent, 491 Crest Haven Ct.
Rock
Jess Senn, 1627 Gasentfield Ct.**

Symba's Bar and Grill, 2334 Velp Ave.	Benjamin Carl Symes, 1595 Meadow Wood Ct.
Townline Cafe, 1773 Cardinal Ln.	Jeff J. Luedke, 1241 Tilkens St
VFW Post Home 7534, 754 Riverview Dr.	Thomas Kazik Sr., 976 Hollzer St.
Village Green Golf Course, 302 Riverdale Dr.	Joel Piontek-Agent, 2812 Ichabod Ln.
Village Lanes, 3798 Velp Ave.	Linda Carriveau-Agent, 3427 Pine Forest
Wallabys, 2244 Shawano Ave.	Michael Stange-Agent, 1261 Gerhardt
Watering Hole, 2107 Velp Ave.	Timothy A. Brunette, 999 Riverview Dr.
J.R.'s Saloon, 1673 Velp Ave.	Bonnie L. Darrow, 1737 Velp Ave., #6

The Village of Howard Board of Trustees has received the following 2008-2009 "Class B" liquor license application:

Establishment

Wine Time & Gourmet, 445 Cardinal Lane Ste 104

Applicant

Terrie Rosin, 2879 Crosshaven Ave

The Village of Howard Board of Trustees has received the following 2007-2008 "Class C" Wine license application:

Establishment

Down to Earth Nutrition & Massage, 2331 Velp Ste M

Applicant

Bernadette Goodine, 3821 Flintville Rd

j. Temporary Class "B" Liquor Licenes

- i. HYSA, June 20 -22 at Akzo Nobel Sports Complex
- ii. Townline Pub & Grill, June 13-15 at Memorial Park

#9h(v)

Doubles Bar

CUP

J. Smith reported on a conditional use permit for Doubles Bar to permit an outdoor beer garden with live entertainment at 740 N. Memorial Drive, VH-527. The Board discussed the conditions of the conditional use permit.

D. Steffen moved to table the conditional use permit. J. Lemorande seconded the motion. **The motion carried on an 8 to 1 vote with C. Hughes dissenting.**

Reports of Village Officials

Administrator

Report

J. Smith reported on the Village of Howard's citizen request management system. He stated that requests may be filed over the phone.

J. Smith reported on potentially creating a Wi-Fi hotspot in the clubhouse at Village Green Golf Course. The intent is to lure employees from businesses in the business park to the golf course for lunch and improve foot traffic.

Parks & Rec Report M. Pigeon reported on the progress of the Meadowbrook Park Shelter project. M. Pigeon stated that the park shelter should be completed by June 23, 2008.

DPW Report R. Bartelt reported on possibly creating a master grading plan for addressing issues relating to road construction and storm water drainage in new homes/subdivisions in the Village of Howard.

OLD BUSINESS None

NEW BUSINESS

#12a

**Zepnick Machine
Site Plan**

D. Wiese reported on a proposed site plan for Zepnick Machine located at 1270 Russet Court.

C. Hughes moved to approve with the following recommendations:

- Garbage Recycling Area must be screened with a 6 foot high opaque fence.
- Any additional lighting added needs to meet current regulations. (Only recessed lighting or 90 degree cutoff will be allowed)

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

#12b

**Akzo Nobel
Access Easements**

J. Smith reported on potentially constructing sidewalks on existing easements to provide pedestrian access to Akzo Nobel Sports Complex. J. Smith further stated that area residents have submitted a petition urging the Board to construct the sidewalks.

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

Mike Mako of 3013 Marble Mountain Way addressed the Board regarding the easements to Akzo Nobel Sports Complex.

Jenny Vanesse of 1711 Snow Mass Court addressed the Board regarding the easements to provide pedestrian access to Akzo Nobel Sports Complex. She is opposed to improving the easements because it would be approximately 25 feet from the edge of her house.

Lou Anne Sopko of 3016 Lepak Lane addressed the Board regarding the easements to provide pedestrian access to Akzo Nobel Sports Complex. She

stated that she would like to see the easements improved to provide access to the park for all area residents.

Mike Latredel of 3007 Marble Mountain Way addressed the Board regarding the easements providing access to Akzo Nobel park. He stated that the easements lead to stormwater ponds and that kids would be playing in the pond.

Mike Mako addressed the Board regarding the easements. He reiterated that the storm water ponds are a safety issues and is concerned about the grade of the sidewalk.

Tim Van Gompel of 3000 Marble Mountain Way addressed the Board regarding the easements. He stated that there are safety concerns relating to riding a bike to the entrance of the sports complex from Marble Mountain Way. He further stated that a majority of the homeowners in the neighborhood bought their lot because they thought they would have pedestrian access to the sports complex.

Jody Mernick of 2942 Marble Mountain Way addressed the Board regarding the easements to the park. She stated that she is in favor of improving the easements in some fashion to make pedestrian traffic to the park easier. She further stated that she bought her home because she thought that she would have pedestrian access to the sports complex.

Eric Willems of 1517 Belle Plane Circle addressed the Board regarding the easements to the park. He stated that improving the easements would be an invasion of privacy on the homeowners that live next to the easements.

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

K. Crouch moved to leave the public access as is. The motion failed due to a lack of second.

G. Speaker moved to direct staff to investigate the feasibility of improving the easements to Akzo Nobel Sports Complex and to prepare a report to the Village Board. 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 K. Crouch dissenting.**

#12c
Dog Park

R. Bredael reported on possibly creating a dog park in the Village of Howard. Currently, there is not a dog park in the Village of Howard. He touched on issues such as dog waste cleanup, control of dogs in the park, water for the dogs, and possibly implementing a fee to use the park.

M. Pigeon reported on a concept plan for a dog park that would be similar to a dog park in Dane County. M. Pigeon stated that there may be issues with noise from dogs barking and that should be considered when determining the operating hours for the park.

The Board discussed issues related to creating a village-owned dog park. D. Steffen moved to approve a feasibility study for the dog park. K. Crouch seconded the motion. The Board discussed the motion. **The motion carried unanimously.**

#12d

Ordinance 2008-14

C. Haltom reported on ordinance 2008-14, "Creating section 3.11 of the Municipal Code of the Village of Howard relating to fees for industrial development revenue bonds issued."

J. Widiger moved to approve ordinance 2008-14. R. Bredael seconded the motion. The Board discussed the motion. **The motion carried unanimously.**

#12e

**Glendale Ave
State/Municipal
Agreement**

R. Bartelt reported on the state/municipal agreement for highway improvement project for Glendale Avenue. This agreement allocates approximately \$900,000 to the Village for road projects.

C. Hughes moved to approve. D. Steffen seconded the motion. **The motion carried unanimously.**

#12f

**Resolution 2008-24
CMAR**

R. Bartelt reported on Resolution 2008-24, "Acknowledging compliance maintenance annual report (CMAR)."

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

#12g

**AMS Turf Grass
Maintenance
Agreement**

M. Pigeon reported on the turf grass agreement with American Medical Security Life Insurance. G. Speaker moved to approve. J. Widiger seconded the motion. **The motion carried unanimously.**

#12h

**Raivu Special Event
Application**

M. Pigeon reported that Raivu for Kids is requesting to use Meadowbrook Park for a special event.

C. Hughes moved to suspend the rules. J. Lemorande seconded the motion. **The motion carried unanimously.**

Scott Erricson of 2095 Elvira Lane representing Raivu for Kids addressed the Board regarding an application to hold a special event at Meadowbrook Park. The event would be held August 23rd from noon to five p.m. He stated that a Christian radio station would be playing music at the event.

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

D. Deppeler moved to approve. D. Steffen seconded the motion. **The motion carried unanimously.**

#12i

**Glendale Ave
Utility Construction
Contract Award**

G. Farr reported on the Glendale Avenue utility construction contract award. G. Farr stated that Dorner, Inc. was the low bidder for the project at \$611,272.00.

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

Marge DeCoster of 2934 Glendale Avenue addressed the Board regarding the construction of a roundabout at the intersection of Glendale Avenue and Hillcrest Heights. She stated that she is not opposed to the roundabout, she is more concerned about the consistency of information presented to the public interested in public projects.

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

J. Lemorande moved to approve the Glendale Avenue utility construction contract to Dorner, Inc. in the amount of \$611,272.00 contingent upon the receipt of permits. D. Steffen seconded the motion. The Board discussed the motion. **The motion carried on a 7 to 2 vote with C. Hughes and G. Speaker dissenting.**

#12j

**Glendale Ave
Road Construction
Contract Award**

K. Crouch moved to award the Glendale Avenue utility construction project contract to RC Excavating in the amount of \$866,506.00 contingent upon receipt of permits. D. Deppeler seconded the motion. **The motion carried unanimously.**

#12k

**Strategic Planning
Facilitator**

J. Smith reported on hiring a strategic planning session facilitator for the scheduled strategic planning session on June 7th.

D. Steffen moved to secure a facilitator with the date of the planning session to be determined. C. Hughes seconded the motion. **The motion carried unanimously.**

#12l

Resolution 2008-25

G. Farr reported on Resolution 2008-25, "Amended Woodale sidewalk relocation order." The resolution is being reconsidered due to federal mandates as a condition of a federal grant program for the construction of sidewalks.

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

#12m

**Cumulus
Broadcasting
Special Event
Application**

M. Pigeon reported on a request from Cumulus Broadcasting to host an outdoor concert at Akzo Nobel Sports Complex on August 23, 2008.

K. Crouch moved to suspend the rules. J. Widiger seconded the motion. **The motion carried unanimously.**

Brian Stenzel of 810 Victoria Street representing Cumulus Broadcasting addressed the Board regarding a special event application to hold an outdoor concert at Akzo Nobel Sports Complex.

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

J. Lemorande moved to deny the special event application for Cumulus Broadcasting to hold an outdoor concert at Akzo Nobel Sports Complex. K. Crouch seconded the motion. The Board discussed the motion. A roll call vote was taken. **The motion failed on a 4 to 5 vote with K. Crouch, D. Steffen, D. Deppeler, J. Widiger, and B. McIntyre dissenting.**

K. Crouch moved to approve the event on August 23rd with the concert ending at 9:30 p.m. D. Steffen seconded the motion. The Board discussed the motion. A roll call vote was taken. **The motion carried on a 7 to 2 vote with G. Speaker and C. Hughes dissenting.**

#12o

**Brown County Fire
Investigation Task
Force Agreement**

J. O'Connor reported on the services provided by the Brown County Fire Investigation Task Force. C. Hughes moved to approve a contract with the Brown County Fire Investigation Task Force. D. Steffen seconded the motion. **The motion carried unanimously.**

CLOSED SESSION

D. Steffen moved to convene to closed session. J. Widiger seconded the motion. **The motion carried unanimously and the Board convened into closed session at 9:57 p.m.**

OPEN SESSION

D. Steffen moved to return to open session. J. Lemorande seconded the motion. **The motion carried unanimously.**

#14a

**Action on Offer
To Purchase
2940 Glendale
Ave from Jeremy
Garcia**

D. Steffen moved to counter the offer with the condition that the Village agree to grant a \$5,000 concession to Mr. Garcia in addition to Mr. Garcia's listed contingencies, and that the adequate amount of property be deeded to the Village at the time of closing for the Glendale Avenue roundabout for right-of-way purposes which is to be determined by the engineering staff. K. Crouch seconded the motion. **The motion carried unanimously.**

ADJOURNMENT

R. Bredael moved to adjourn. J. Lemorande seconded the motion. **The motion carried unanimously and the meeting was adjourned at 10:05 p.m.**

Respectfully Submitted,

Adam Helms
Assistant to Administrator