



SUAMICO VILLAGE BOARD MEETING MINUTES
Municipal Services Center, 12781 Velp Avenue, Suamico WI
MONDAY, July 17, 2017 @ 7 PM

VILLAGE BOARD MEMBERS

President: Laura Nelson

Trustees: Steve Andrews, Michelle Eckert, Dan Roddan, Mike Schneider, Sky VanRossum, Jason Ward

1) CALL MEETING TO ORDER

The meeting was called to order at 7:00 PM by President Nelson.

Board members present: President Nelson, Trustee Eckert, Trustee Roddan, Trustee Schneider, Trustee VanRossum and Trustee Ward. Trustee Andrews excused.

Staff present: Steve Kubacki, Administrator; Steve Dunks, Zoning Administrator/BI; Dan Drewery, Director of Public Works; Andy Smits, Deputy Director of Public Works; Jessica Legois, Director of Administrative Services; Troy Noe, Fire Chief, Direct Enforcement Officer's Kowalkowski and Pasoni; and Bonnie Swan, Clerk.

2) APPROVE AGENDA

(Note: Approval of the agenda does not prohibit items being taken out of order via motion)

Motion by Roddan to approve the agenda with the following changes; moving item 7. F. Room Tax Agreement item up to 7(a) and the F.D. Review Committee/Space Needs Analysis for Fire Station 1/Request to Proceed/Request for Proposals to 7(b) followed by the Wetland Mitigation Bank Project, second by Schneider, motion carried 6-0.

3) PLEDGE OF ALLEGIANCE

4) CITIZEN COMMENTS ON AGENDA ITEMS

No one spoke.

5) PUBLIC FORUM

Issues brought before the Board for which no decision shall be made
No one spoke.

6) CONSENT AGENDA

- a) Previous Minutes of the Village Board meetings: May 23, June 15 & June 19, 2017.
- b) Treasurer's Report
- c) Parks & Recreation Updates
- d) Fire Department Report – May and June
- e) Licenses as recommended by Officers Kowalkowski, Raska and Pisani:
 - i) Operator approvals: Cheryl A. Kubiak, Tracy L. Burkel, Haley J Hanson, Theresa M Hogan, Patrick S. Moder, Emily V. Dennis, Alana Marie Kozloski, Amy Lynn Seitzer, Kali Marie Vespalec, Jacqueline Marie Clark, Kristine Lu Stanz and Stephany Leigh Bouchea.
 - ii) Operator denials: None

iii) Picnic Licenses: Suamico Fire Fighters Volunteer Association for the “Fireman’s Festival” on August 6, 2017.

Motion by Eckert to approve the consent agenda as presented, second by Ward, motion carried 6-0.

7) ADMINISTRATIVE ITEMS

a) Room Tax Agreement

i) Approval of Second Amended and Restated Pledge and Security Agreement
 Administrator Kubacki introduced Brown County Executive Troy Streckenbach and Allison Swanson, Ashwaubenon Village Manager and Brad Toll, President of Greater Green Bay Convention and Visitor Bureau. They were present at the meeting to explain the agreements presented tonight and to answer any questions. Discussions were held.

Motion by Roddan to approve the Second Amended and Restated Pledge and Security Agreement with a strongly urging to the City of Green Bay Redevelopment Authority to reconsider their position and to stop political posturing and to move forward on this proactive progressive proposal to fund a new Expo Center that will benefit all of Brown County, not only Green Bay, but all other Brown County municipalities, second by VanRossum, motion carried 5-0-1, abstention. Eckert: I am for what they are proposing but the position of Green Bay is not necessary.

Trustee Andrews told Administrator Kubacki his position on this agenda item as he was not at the meeting. He has a concern with some of the sales tax being used for the library and museum improvements. They should be budgeted as capital items on an annual basis.

ii) Approval of Amended and Restated Cooperation Agreement

Motion by VanRossum to approve the Amended and Restated Cooperation Agreement with a strongly urging to the City of Green Bay Redevelopment Authority to reconsider their position on this proactive and progressive proposal to fund a new Expo Center that will benefit all of Brown County, not only Green Bay, but all other Brown County municipalities, second by Roddan, motion carried 5-0-1, abstention by Eckert Eckert: I am for what they are proposing but the position of Green Bay is not necessary.

b) Fire Department Review Committee/Space Needs Analysis for Fire Station 1/Request to Proceed/Request for Proposals

Staff Report:

The Suamico Fire Station #1 Review Committee has been diligently reviewing the needs for a new Fire Station #1. They have looked at the following: location, Facility participants, preliminary initial space needs of all parties, facility costs/options, sources of funding-Revenue options and tentative timetable.

Questions and comments:

- Site locations
- Why spend \$25,000 knowing a new Fire Station is necessary?

- A significant amount of work needs to be done taking into account our needs and future needs.
- Architectural designs will follow
- Understand how to design the building space to accommodate the space that is needed now and into the future.
- To use the funds from the Stadium District Dollars or somewhere else

Motion by Roddan to direct staff to put RFP's for a Space Needs Study for the new Fire Station 1 as presented not to exceed \$25,000.00, second by Schneider, motion carried 6-0.

c) Wetland Mitigation Bank Project Update with Mach IV

Staff Report:

Chad from Mach IV presented an update. The IRT, ACOE and WDNR have taken substantially longer to review the draft prospective/prospectus. Now we are in the process of drafting the Mitigation Bank Instrument. It is expected that the costs of drafting, preparation, submittal and approval of the MBI will be higher than originally estimated. However the value of the wetland credits has risen dramatically as well.

Motion by Schneider to proceed with the MBI preparation and submittal to the IRT, WDNR and ACOE not to exceed \$50,000, Trustee Andrews would like this to move speedily, second by Roddan, motion carried 5-1, nay by Eckert. Eckert, still against mandating the usage for this property for future generations.

d) Combination Reserve "Class B" Intoxicating Liquor and Class "B" Beer License application for Bark & Brew LLC, 1621 Greenfield Avenue, Green Bay, WI 54313 for use at Bark & Brew, 2310 Lineville Road, Suite 100, Suamico, WI 54313, Tara Brunette agent.

Staff Report:

Bark & Brew LLC, 1621 Greenfield Avenue, Green Bay, WI 54313 has applied for a Combination Reserve "Class B" Intoxicating Liquor and Class "B" Beer License for use at Bark & Brew, 2310 Lineville Road, Suite 100, Suamico, WI 54313, Tara Brunette agent.

Motion by Roddan to approve the liquor and malt beverage license for **Bark & Brew LLC** subject to the following conditions:

1. That the applicant has supplied proof of a valid WI Sellers Permit.
2. Approval is granted for areas as specified on licenses only. Any exceptions or additions must come to Village Board for approval of an amendment to the liquor license.
3. That any or all outstanding fees, charges, utility bills or taxes are paid in full prior to the issuance of the new license per Chapter 5.02(13) of the Suamico Village Code of Ordinances.
4. That any Fire Code violations are corrected as specified by the Suamico Fire Department and are re-inspected prior to issuance of license.

5. That any or all outstanding beer and/or liquor bills have been paid per WI State Statutes.

6. Approval of the Brown County Health and Human Services Department.

Second by Schneider, motion carried 6-0.

e) Committee Appointments:

i) Amanda Pasco-Planning and Zoning Commission

ii) Kevin Suddick-Historical Preservation Committee

iii) Jason Ward, Trustee-Health & Safety Committee

iv) Tom Michel-Board of Appeals Alternate member

v) Jason A. Yaeso, Sr- Harbor Commission

vi) Bill Bourbonnais-Public Works & Utility Commission

Motion by Roddan to approve the committee appointments as presented, second by Ward, motion carried 6-0.

f) Proposed 2018 Budget Schedule

Set Budget Review day for Monday, September 25, 2017.

8) PUBLIC SAFETY ITEMS

a) Request for Active Shooter Equipment: Village Squads

Staff Report:

Occurrences of incidents where Police encounter firearms have been a growing issue. Our Officers currently have Personal Body Armor capable of protection against handguns. We have no personal protection from rifles. The Brown County Sheriff's Office is currently in the process of supplying similar equipment in each County Squad. Other agencies, including the City of Green Bay, the Village of Howard, and the City of De Pere, have already supplied such equipment. It is being requested the Village of Suamico approve funds to supply each Village of Suamico Squad car with Vests and Helmets to better protect Suamico Officers while serving the Village during these high risk incidents.

Discussions were held.

Motion by Roddan to approve the one time purchase of active shooter protective gear for four squads to include upgrading helmet that will stop rifle fire, second by Schneider, motion carried 6-0.

b) Proposed Amendments and Changes to Chapter 4 Public Safety,

i) Amendment to 4.10 Controlled Receptacles, Ordinance 2017-06

Staff Report:

Chapter 4.10 Controlled Receptacles of the Village code is amended as follows:

Burning of wood and/or paper products in controlled receptacles will be allowed without a permit, provided such wood and/or paper products are placed within a barrel, trash can, or other enclosed burner, and that such barrel, trash can, or burner is covered and prevents burning material or embers from escaping. Standards for such burners may be

specified by the Board and inspected by the Chief and/or Police Department or the Chief's designee. No fire shall be started in any wood and/or yard waste paper product burner unless the same is at least twenty-five feet (25') from the nearest building or pile of combustible material and such fire shall remain under constant reasonable supervision and control until they are extinguished.

Discussions were held. This will be brought back for approval on the August 6, 2017 Village Board Meeting.

ii) Creating Chapter 4.25 Nuisance Smoke/Fires, Ordinance 2017-07

Staff Report:

Chapter 4.25 NUISANCE SMOKE/FIRES of the Village code is created as follows:

To ensure such fires do not compromise safety or annoy neighbors, at no time shall smoke created by burning be an annoyance or cause discomfort to the neighborhood or the traveling public. The fire shall be ordered extinguished upon any complaint to the fire department or police department.

Discussions were held. This will be brought back for approval on the August 6, 2017 Village Board Meeting.

c) Proposed Amendment to Chapter 5 Licenses and Permits,

i) Amendment to 5.03(9) Regulation and Licensing of Direct Sellers and Solicitors, Revocation of License, Ordinance 2017-08

Staff Report:

Chapter 5.03 Licenses and Permits, Regulation and Licensing of Direct Sellers and Solicitors of the Village code is amended as follows:

(9) Revocation of License.

(a) Any license issued under this section may be revoked by the ~~Board~~ Village Clerk after notice ~~and hearing~~ if the registrant made any material omission or materially inaccurate statement in the application for a license, made any fraudulent, false, deceptive or misleading statement or representation in the course of engaging in direct sales, violated any provision of this section or was convicted of any crime or ordinance or statutory violation which is directly related to the registrant's fitness to engage in direct selling.

(b) The Clerk shall notify the licensee in writing of the revocation of license and provide the licensee with an opportunity for an appeal hearing. Written notice of the revocation ~~hearing~~ shall be mailed to the permanent address shown on the registration form ~~at least fifteen (15) days, or shall be served personally on the registrant at least seventy-two (72) hours prior to the time set for the hearing; such notice shall contain the time and place of the hearing and a statement of the facts upon which the hearing will be based.~~ The licensee can appeal such revocation to the Village Board upon written request within 30 days of such revocation. Upon receipt of a written request for an appeal hearing, the licensee shall be given notice of such hearing, which shall be not more than twenty (20)

nor less than five (5) business days after receipt of the written appeal request, except as otherwise agreed between the parties. If the licensee does not request a hearing within the time provided, the license shall remain revoked.

Discussions were held. This will be brought back for approval on the August 6, 2017 Village Board Meeting.

- d) Proposed Amendments to Chapter 5 Licenses and Permits, Ordinance 2017-09
i) Amendment to 5.04(10)(h)3.b.3. Patios and Decks

Staff Report:

Chapter 5.04 Licenses and Permits, Alcoholic Beverages, Regulation of Licenses Premises and Licensees, Patios and Decks of the municipal code is amended as follows:
5.04 (10)(h)3.b.3. All service shall be discontinued by 10 p.m. and premises vacated by 10:30 p.m. (discontinued by 10:30 p.m. and premises vacated by 11:00 p.m. on Friday and Saturday only) except for the owner and regular employees of the licensed premises for the purpose of cleaning up.

- ii) Amendment to 5.04(10)(h)3.b.4. Patios and Decks

Staff Report:

Chapter 5.04 Licenses and Permits, Alcoholic Beverages, Regulation of Licenses Premises and Licensees, Patios and Decks of the municipal code is amended as follows:
5.04(10)(h)3.b.4. Music may be broadcast directly into the outdoor area by means of outdoor speakers, jukeboxes, or other devices at a reasonable level until 10 p.m., (until 11 p.m. on Friday and Saturday). ~~No live music shall be permitted except by special permit of the Board.~~

- iii) Amendment to 5.04(10)(h)7.c.2. Noise

Staff Report:

Chapter 5.04 Licenses and Permits, Alcoholic Beverages, Regulation of Licenses Premises and Licensees, Patios and Decks of the municipal code is amended as follows:
5.04(10)(h)7.c.2. Noise. No musical instruments, radios, juke boxes, or other means of electric sound amplification may be used or operated in a licensed outdoor area after 10 p.m., (11 p.m. on Friday and Saturday), unless an exception has been granted pursuant to Suamico Village Ordinances. ~~or Section 39.01 Brown County Code.~~

Discussions were held. This will be brought back for approval on the August 6, 2017 Village Board Meeting.

- e) Proposed Amendment to Chapter 11 Public Nuisances, Peace and Order,
i) Amendment to 11.34 (19) Sound Amplifiers, Ordinance 2017-10

Staff Report:

Chapter 11.34 Public Nuisances Affecting Peace and Safety, Sound Amplifiers is amended as follows:

11.34 (19) Sound Amplifiers. (a) The use of sound amplifiers outside buildings within the Village is prohibited without a permit from the Village. A sound amplifier shall not be operated after 10 p.m. or before 7 a.m. (after 11p.m. Friday and Saturday or before 7 a.m. on Saturday and Sunday), or in the vicinity of churches while services are being conducted, or near schools that are in session. The Village may order a reduction in the volume of an amplifier on complaint being made by a citizen or when such loudspeaker is a nuisance because of volume, the method in which it is being used, at the location in which it is being operated.

(b) Between the hours of 10 p.m. and 7 a.m.,(between 11 p.m. Friday and Saturday and 7 a.m. on Saturday and Sunday), no person may operate a radio, juke box, or other electric sound amplification device emitting sound from any business premises within the Village that is audible on residentially-zoned property under normal conditions from a distance of seventy-five feet (75') or more beyond the lot line of any business premises described which emits a sound, unless the electric sound amplification device is being used to request assistance or warn against unsafe conditions.

Discussions were held. This will be brought back for approval on the August 6, 2017 Village Board Meeting.

9) ADMINISTRATOR'S REPORT

i) TIF Summaries/Synopsis

Staff Report:

Administrator Kubacki gave a summary of TIF #1, TIF #2 and TIF #4.

10) UTILITY & PUBLIC WORKS ITEMS

a) Yard Waste Site Discussions

Staff Report:

The Village Board had decided in 2010 to begin operating a yard waste site for the residents of the Village of Suamico. Land was obtained from Scenic View Landscaping thru a lease agreement dated March 10th 2010, naming Ronald J. Williams, Joan C. Williams and son John Williams as (Lessor), Village of Suamico as (tenant).

Within parcel number SU-170 approximately 2 acres were set aside as per lease agreement and was designated as leased premises.

The term of the Lease began on April 1st 2010, for a term of 25 years, terminating in April 1st 2035. Rent to be on or before the 1st of April of current year and will increase annually based on the Consumer Price Index. 2017 lease payment was \$3374.84

The Yard Waste Site is licensed by the Wisconsin Department of Natural Resources to collect (wood or brush) and (yard waste). We visit the Yard Waste Site from mid-April to mid-November on Friday and Monday mornings for the purpose of pushing up waste material with a village loader and 1 DPW employee and once per month on off peak seasons. Approximately 56 visits per year at an annual cost of \$5734.40

We load compost into Scenic View trucks with a village loader and 1 DPW employee in late October or early November for field disposal. (about 4 days, 32 hours) annual cost of \$2185.00. Wood and brush has been ground twice per year starting in 2016, prices have ranged from \$8500.00 to \$9700.00 per grinding, which includes the removal of ground up material from yard waste site. Annual cost of \$18200.00

Staffing Yard Waste Site with LTE's 3 days per week, from 8am to 6pm at \$8.50/hr. at a cost of approximately \$13,260.00 per year. Yearly employee cost would be dictated by the number of days the Village would wish to have the yard waste site open. Gates to be locked when site not open to public. Entrance card would be a driver's license with residents address. Entrance signs to be moved to a more visible location. The installation of a live camera feed from the yard waste site back to MSC would be an option at a cost of around \$1500.00 to \$3500.00. Cameras and digital storage on site would run around \$2000.00 to \$3000.00 depending on amount of data storage required.

Points of Discussions

- To close it or keep it open
- Permit fee for those that use it
- Employees, how many
- Hours of operation
- How are we going to manage it
- We keep talking about this, we need to do something
- Give recommendations and bring update

b) Pressure Reducing Value Update

Staff Report:

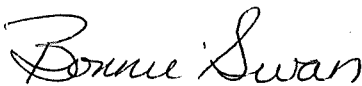
Staff gave an update.

11) DISCUSSION ON FUTURE AGENDA ITEM(S)

12) MEETING ADJOURNMENT

Motion by Schneider to adjourn at 10:27 PM, second by Roddan, motion carried 6-0.

Respectfully submitted,



Bonnie Swan, Village Clerk