

REGULAR MEETING OF THE KIMBERLY VILLAGE BOARD

JUNE 3, 2019

President Kuen called the meeting to order at 6:00 p.m. Members present for roll call were Trustees Gaffney, Hammen, Hietpas, Hruzek, Trentlage and Weber. Also present were Director of Operations Dannhoff, Library Director Thiry, Police Chief Meister, Community Enrichment Director Femal, McMahan Engineer Werner, seven residents and a member of the media.

Trustee Hammen moved, Weber seconded the motion to approve the minutes of the May 6, 13 and 20, 2019 Village Board meetings. The motion carried by unanimous vote of the Board.

Trustee Weber moved, Hammen seconded the motion to approve the bills and claims for the month of May 2019. The motion carried by unanimous vote of the Board.

Trustee Hammen moved, Trentlage seconded the motion to approve the financial statements for the month of May 2019. The motion carried by unanimous vote of the Board.

Trustee Trentlage moved, Hammen seconded the motion to approve the minutes of the various Boards and Commission as presented. The motion carried by unanimous vote of the Board.

Board of Appeals	June 18, 2018 & May 13, 2019
Board of Review	May 20, 2019
Plan Commission	May 21, 2019
Library Board	April 16, 2019
Water Commission	May 7, 2019

Trustee Hammen moved, Trentlage seconded the motion to convene into a Public Hearing on the proposal for a Year Round Outdoor Alcoholic Beverage Permit for Mr. Taco located at 700 Schelfhout Lane, Suite A. The motion carried unanimously and the Board convened into a Public Hearing.

Comments were received during the Public Hearing from Mr. Tom Asman. He questioned whether Mr. Taco was in compliance with §308.14(F) which states that a "Class B" licensed premise cannot be within 300 feet of a church. The Village Community Church is located in the mall less than 300' away from Mr. Taco. Mr. Asman also questioned whether Mr. Taco has the required number of parking spaces and if they are permitted to have amplified music. He also questioned whether the police department had inspected the premises. Administrator Block confirmed that the premise has been inspected and has the required number of spaces, but will verify. President Kuen indicated that Mr. Taco is not permitted to have amplified music and has not requested it. Administrator Block also confirmed that property owners within 150 feet of the proposed outdoor patio area were notified by first-class mail. A resident expressed concerns about young children living near a bar and being exposed to drinking and smoking. Mr. Tony Nackers expressed concern about indoor amplified music with the doors open. Mr. Taco does not have amplified music. A request for amplified music would need to come before the Board but there would not be a mailing to neighboring property owners if such a request was made. The intent of the request for an outdoor

alcohol beverage permit is to allow the restaurant patrons to take their drinks with them when they eat outside. Mr. Mark Kubnay does not have an issue with the outdoor patio but with the level of noise from employees taking a break or hanging out in the back alley after hours, and with the karaoke music which continues after the 10:00 pm closure time.

After all comments were received, Trustee Weber moved, Hammen seconded the motion to reconvene into the Regular Meeting of the Kimberly Village Board. The motion carried by unanimous vote of the Board.

Trustee Weber moved, Trentlage seconded the motion to approve the Combination "Class A" Licenses - Fermented Malt Beverage & Liquor License applications for the term of July 1, 2019 to June 30, 2020 as presented, contingent upon all inspections and checks passed. The motion carried by unanimous vote of the Board.

Combination "Class A" Licenses - Fermented Malt Beverage & Liquor License

Kwik Trip, Inc. Toua Lee, Agent	Kwik Trip 405 710 Schelfhout Ln
Kimberly Mini Mart, LLC Prabhu Dhungana, Agent	Kimberly BP 730 W Kimberly Ave

Trustee Hammen moved, Weber seconded the motion to approve the Class "B" Beer License & Class "C" Wine License applications for the term of July 1, 2019 to June 30, 2020 as presented, contingent upon all inspections and checks passed. The motion carried by unanimous vote of the Board.

Class "B" Beer License & Class "C" Wine License

Butch's Pizza, Inc. Michelle Verhagen, Agent	Butch's Pizza of Kimberly 510 W Kimberly Ave
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Trustee Trentlage moved, Gaffney seconded the motion to approve the Reserve "Class B" - Fermented Malt Beverage & Liquor License applications for the term of July 1, 2019 to June 30, 2020 as presented, contingent upon all inspections and checks passed, with the exception of Mr. Taco, whose Reserve "Class B" license is tabled pending further investigation. The motion carried by unanimous vote of the Board.

Reserve "Class B" - Fermented Malt Beverage & Liquor License

*Anduzzi's of Kimberly, LLC Anthony J. Szymanski, Agent	Anduzzi's Sports Club 800 S Washington St
*Two Bucks Only, LLC Bruce Hawley, Agent	Two Bucks 759 Truman St

** Liquor License Includes Application for an Outdoor Alcohol Permit.*

Trustee Hammen moved, Gaffney seconded the motion to approve the Combination “Class B” - Fermented Malt Beverage & Liquor License applications for the term of July 1, 2019 to June 30, 2020 as presented, contingent upon all inspections and checks passed. The motion carried by unanimous vote of the Board.

Combination “Class B” - Fermented Malt Beverage & Liquor License

Beechwood Plaza Hotel of Appleton LLC Teresa L. Ringelstetter, Agent	Hilton Garden Inn 720 Eisenhower Dr.
*Incredible Edibles, Inc. Justin S. Nagen, Agent	Liberty Hall 800 Eisenhower Dr.
Kimberly Riverfront, LLC Race Noeldner, Agent	Kimberly Riverfront 100 W Papermill Run
Biese Enterprises, LLC Duane Biese, Agent	Marty’s Place 210 N Main St
Peerenboom’s Bar James W. Peerenboom, Proprietor	Peerenboom’s Bar 150 N Main St
Rusch’s Kimberly Bowl, Inc. Timothy N. Rusch, Agent	Rusch’s Bowl 724 S Railroad St
*Railroad Inn, Inc. Bruce A. Hawley, Agent	Tanner’s Grill & Bar 730 S Railroad St
*Tiger’s Tavern, LLC Gerald L. Schumann, Agent	Tiger’s Tavern 116 W Kimberly Ave

** Liquor License Includes Application for an Outdoor Alcohol Permit.*

Trustee Trentlage moved, Hammen seconded the motion to approve the cigarette licenses for the term of July 1, 2019 to June 30, 2020 as presented, contingent upon all inspections and checks passed. The motion carried by unanimous vote of the Board.

Kwik Trip, Inc. Toua Lee, Agent	Kwik Trip 405 710 Schelfhout Ln
Kimberly Mini Mart, LLC Prabhu Dhungana, Agent	Kimberly BP 730 W Kimberly Ave

Trustee Hammen moved, Weber seconded the motion to approve the amusement device owner licenses as presented, contingent upon all inspections and checks passed. The motion carried by unanimous vote of the Board.

Amusement Device Owner License

Amusement Devices, Inc.
Kurt Jacobsen

Amusement Devices, Inc.
1219 Appleton Rd
Menasha, WI 54952

East Central Coin
Bob Cullen

East Central Coin
PO Box 318
Chilton, WI 53014

S & H Holdings
Steve Harrison

S & H Holdings
1240 Folkestone Dr.
Green Bay, WI 54313

Trustee Hammen moved, Gaffney seconded the motion to approve the amusement device operator licenses as presented, contingent upon all inspections and checks passed. The motion carried by unanimous vote of the Board.

Amusement Device Operator License

Anduzzi's of Kimberly, LLC
Anthony J. Szymanski, Agent

Anduzzi's Sports Club
800 S Washington St.

Biese Enterprises, LLC
725 Windflower Way, Kimberly

Marty's Place
210 N Main St.

Kimberly Mini Mart, LLC
Prabhu Dhungana, Agent

Kimberly BP
730 W Kimberly Ave

Peerenboom's Bar
James W. Peerenboom

Peerenboom's Bar
150 N Main St.

Railroad Inn, Inc
Bruce A Hawley, Agent

Tanner's Grill & Bar
730 S Railroad St.

Ruschs Kimberly Bowl, Inc.
Timothy N Rusch, Agent

Ruschs Bowl
724 S Railroad St.

Skate City of Kimberly, Inc.
Troy Thiel

Skate City
708 S Railroad St.

Tiger's Tavern, Inc
Gerald L Schumann, Agent

Tiger's Tavern
116 W Kimberly Ave.

Two Bucks Only, LLC
William Harrison

Two Bucks
759 Truman St.

Trustee Hammen moved, Trentlage seconded the motion to approve the Operators' licenses as presented. The motion carried by unanimous vote of the Board.

Operator's Licenses – 1 Year Regular License Applicants

July 1, 2019 – June 30, 2020

FIRST	LAST	ADDRESS	CITY	EMPLOYER
Hayley E.	Shrestha	18 Eastwood Ct., #18	Appleton	Kimberly BP
Kellie A.	Johnson	2205 S. Fountain Ave.	Appleton	Tiger's Tavern
Abigail M.	Grinna	401 Taylor St., Apt. 4	Kimberly	Tanners Grill & Bar

Operator's Licenses – 2 Year Regular License Applicants - Renewals

July 1, 2019 – June 30, 2021

FIRST	LAST	ADDRESS	CITY	EMPLOYER
Magen E.	Lindberg	1005 S. East St. Apt. 206	Appleton	Hilton
Colynn A.	Behling	W5673 Roberts Rd.	Tomahawk	Tanners Grill & Bar
Brittany L.	Neisen	2664 Morrow Rd.	Oshkosh	Tanners Grill & Bar
Sagar	Shrestha	18 Eastwood Ct. #8	Appleton	Kimberly BP
Rylie J.	Biese	121 S. Walter Ave.	Appleton	Marty's Place

Trustee Hammen moved, Trentlage seconded the motion to approve the purchase of accounting software MiViewPoint Accounts Payable Workflow and miBudget for a total cost of \$14,200.00, to be paid from the Data Processing Trust Fund. A roll call vote was taken with 7 ayes, and 0 nays.

Trustee Trentlage moved, Hammen seconded the motion to approve the Emons Road Reconstruction Intergovernmental Agreement with the Town of Buchanan. The motion carried by unanimous vote of the Board.

Chief Meister from Fox Valley Metro Police Department reported that there was a significant increase in trespassing complaints, mainly in the Cedars Redevelopment site. The police department is working with the Village and developer on educating the public on which areas are off-limits to the public. Chief Meister recently participated in the Stuff the Squad event at Pick N Save, filling the back of the squad with groceries purchased by the public for the Fox Valley Christian Fellowship Food Pantry. The police department is gearing up for the Paperfest event in July and planning activities for National Night Out in Kimberly.

Director of Operations Dannhoff reported that the Street Department has planted 42 trees and will receive the second shipment of trees this week for planting. Final design estimates have been received for the Yard Waste Drop-Off site and Director Dannhoff will meet with Administrator

Block to draft the rules and scope of services for the site prior to presenting to the Board. Director Danhoff also noted that permit activity has increased in the redevelopment area.

In addition to the written report submitted by Community Enrichment Director Femal, she informed the Board that a concession stand was created in Roosevelt Park with a \$250 start-up grant. It is hoped that \$600 worth of concession items will be sold and the proceeds reinvested in the Park & Rec program.

Library Director Thiry had no additional comments to make on his report regarding library activities.

Administrator Block spoke on Community Development Activities and reported that the closing of the sale of the Rivers Edge Subdivision to Rivers Edge of Kimberly, Inc. occurred on May 31, 2019. In addition, a Development Agreement was signed-off on and it is expected that in five years the subdivision will add \$21 million in value. Property lots are still available for sale and the Village's website will be updated to provide information to people who are interested in purchasing a lot. The Wisconsin Economic Development Corporation notified the Village that it has been awarded the Community Development Investment grant in the amount of \$250,000, which will be used on the overlook and restaurant sites at the riverfront.

Administrator Block reported that she received an estimate from MK Electrical Services for installing Treaty Park path lighting and they will be starting work shortly.

There was no Old Business.

There was no New Business.

Trustee Hammen moved, Weber seconded the motion to adjourn into Closed Session pursuant to Wis. Stat. 19.85(1)(e) to negotiate the purchase of public property. The motion carried by a unanimous vote and the Board went into Closed Session at 6:46 pm.

Trustee Hammen moved, Weber seconded the motion to reconvene into Open Session. The motion carried by unanimous vote and the Board reconvened.

No action was taken on Item 23.

Trustee Hammen moved, Trentlage seconded the motion to adjourn. The motion carried by unanimous vote and the Board adjourned.


Danielle E. Block
Administrator/Clerk