



Meeting: Village Board
Meeting Date: 7/11/11
Agenda Item: 6a-6b

Mission Statement

Delivering quality services in a courteous, cost-effective and efficient manner.

VILLAGE BOARD MEETING STAFF REPORT

REPORT TO: Burt R. McIntyre, President
Village Board of Trustees

REPORT FROM: Bob Bartelt, Village Administrator
Ed Janke, Public Safety Director

AGENDA ITEM: Public Hearing and Action regarding the Outdoor Concert Application for Boehmer's Bar / Symba's Bar

ACTION: ___Ordinance ___Resolution xxMotion

POLICY ISSUE

Should the Village Board approve a joint Outdoor Concert Permit for Boehmer's Bar and Symba's Bar for an event July 30, 2011?

BACKGROUND INFORMATION

The applicants held an outdoor concert in 2010 that resulted in a number of complaints to Village officials both during and after the event. Additionally, the Brown County Communications Center received a number of phone calls in complaint of the noise at these venues during the concert. Sheriff's Department officers responded to the noise complaints and verified that, in fact, an outdoor concert permit was issued. All subsequent complaints did not receive a response by the Sheriff's Department due to the existence of a permit that allowed this outdoor activity.

PROS:

- Revenue generating event for the licensed establishments

CONS:

- Traffic congestion due to volume of traffic on Velp Avenue
- Parking for venue – Part of existing parking between the businesses is utilized for concert
 - Patrons to have to cross Velp or Glendale Avenues for overflow parking
- Adjacent residential neighborhood
 - More than a dozen homes are located within 500 feet of the proposed location.
- Numerous complaints regarding noise in 2010
- Creates precedent regarding outdoor concerts in residential areas

FISCAL IMPACT:

- | | |
|------------------------------|-----------|
| 1. Is There A Fiscal Impact? | <u>No</u> |
| 2. Is it Currently Budgeted? | <u>No</u> |
| 3. If Budgeted, Which Line? | <u>No</u> |

RECOMMENDED ACTION

It is recommended the Village Board open the public hearing and ask the applicant to explain his request in detail. Subsequently, the board should invite comments from the public and then close the public hearing. After the public hearing is closed, the board should review the applicant's request. If satisfied with the proposal, the Village Board should recommend with any specific conditions as may be necessary to address concerns voiced by the public, staff or board members.

If the Village Board were in favor of this action, the following motion could be made, "***Motion to approve the outdoor concert permit for Boehmer's Bar and Symba's Bar for an event July 30 (with any applicable conditions)...***"

If the Village Board were not in favor of this action, the following motion could be made, "***Motion to deny the outdoor concert permit for Boehmer's Bar and Symba's Bar.***"

POLICY ALTERNATIVE(S)

The Village Board could take the following actions:

- The Village Board could table the item and request more information

ATTACHED INFORMATION

- I. Attachment I – Howard Village Ordinance, Chapter 6, Article 8
- II. Attachment II - Joint Outdoor Concert Permit for Boehmer's / Symba's Bar
- III. Attachment III - Map of area around Boehmer's / Symba's Bar

ATTACHMENT I

Chapter 6 BUSINESSES

ARTICLE VIII. OUTDOOR CONCERTS - Howard, Wisconsin - Code of Ordinances

Sec. 6-351. - License required.

No person shall hold an outdoor concert without first securing a license from the village clerk.
(Comp. Ords. 2000, § 12.14(1); Ord. No. 1988-4)

Sec. 6-352. - License requirements.

The license application shall be filed with the village clerk and shall contain:

- (1) Time and duration of concert.
- (2) Location of concert.
- (3) Proximity of neighbors to proposed site of concert.

(Comp. Ords. 2000, § 12.14(2); Ord. No. 1988-4)

Sec. 6-353. - Public hearing.

If the proposed concert may bother neighbors, a public hearing must be held with notice given to the neighbors.

(Comp. Ords. 2000, § 12.14(3); Ord. No. 1988-4)

Sec. 6-354. - Fee.

The license fee shall be \$5.00. If a public hearing is required, the fee shall be \$50.00
(Comp. Ords. 2000, § 12.14(4); Ord. No. 1988-4)

Sec. 6-355. - License application.

The village clerk shall provide an application for a permit.

(Comp. Ords. 2000, § 12.14(5); Ord. No. 1988-4)

Sec. 6-356. - Performance time.

No outdoor concert may last beyond 11:00 p.m.

(Comp. Ords. 2000, § 12.14(6); Ord. No. 1988-4)

Sec. 6-357. - Application.

The application must be made 45 days prior to the event.

(Comp. Ords. 2000, § 12.14(7); Ord. No. 1988-4)

Sec. 6-358. - Exceptions.

This article shall not apply to church picnics or nonprofit events held by local nonprofit charities.

(Comp. Ords. 2000, § 12.14(8); Ord. No. 1988-4)

Secs. 6-359—6-389. - Reserved.

Attachment II



2456 Glendale Ave
Green Bay, WI 54313

OUTDOOR CONCERT PERMIT APPLICATION

See Following Pages
for Materials to be
submitted with this
application

Application Fee: \$50.00
Date: _____
Initials: _____
Application #: _____

Applicant

Name: Eric Boehm + Ben Symes
Address: 3157 Burtons-Riverside Tel. GB WI 54313
Phone: (720)-265-6397 Email: Boehmer552000@yahoo.com
Business Name: 720-860-7984

Event

Location of Event: 2318 Glendale Ave GB WI 54303
Owner of Property: William Symes
Phone: (720)-621-5495 Email: _____
Date and Time of Event: 4pm - 10:30pm 7-30-11
(Concerts may not last beyond 11:00 p.m.)
Proximity of neighbors to proposed site of concert: Next door

Describe Specifically the Nature of the Request:

Want to have a community gathering and bring new people to the Howard community for some live outdoor music.

HOWARD, WI VILLAGE

2456 GLENDALE AVE
PO BOX 12207
GREEN BAY WI 54313
920-434-4640
Transaction: 3159
14-Jun 11 01 15pm

Other Permits & Fees	\$50.00
Outdoor Concert Permit for Boehm & Symes	
Liquor License	\$10.00
Picnic Permit for Boehm & Symes	
Subtotal	\$60.00
Cash	\$60.00

Attachment III

The property in the outdoor concert application, 2317 Glendale Ave., is highlighted in yellow. Boehmer's Bar, 2318 Velp Ave., and Symba's Bar, 2334 Velp Ave., are outlined in pink.

The parcels within the blue outline are all within 1,000 feet of the proposed event.

