

**A. CALL TO ORDER**

The Ledgeview Town Board held a meeting on **Monday, October 7, 2013, at 6:00 p.m.** at the Municipal Building located at 3700 Dickinson Road, De Pere, WI 54115.

The meeting was called to order at 6:00 p.m. by Chairman Marc D. Hess.

**B. PLEDGE OF ALLEGIANCE**

All members present recited the Pledge of Allegiance.

**C. ROLL CALL**

Members present were Marc Hess, Renee Van Rossum, Richard Huxford, Phil Danen was excused at 6:45 p.m., and Andy Schlag arrived at 6:25 p.m.

Staff present were Sarah Burdette, Clerk/Administrator, Scott Brosteau, Town Engineer, Mark Pansier, Public works System Operator, Luann Pansier, Town Treasurer, and Charlotte Nelson, Deputy Clerk

**D. AGENDA APPROVAL**

**MOTION** by Huxford, seconded by Danen to approve the agenda. No further discussion. Motion carried in a voice vote, 4-0.

**CONSENT AGENDA**

1. Regular Board meeting minutes: September 17, 2013.
2. Routine Reports:
  - a. Brown County Sheriff's Dept. September 2013 Simple Incident List
3. Committee/Commission Reports:
  - a.
4. Operator's Licenses:
  - a. September 17, 2013 –October 7, 2013
5. Other Committee minutes. Accept and place on file.
  - a. Joint Town Board and Sanitary District No. 2, September 17, 2013.
  - b. Park and Recreation Committee Meeting, August 22, 2013

All items listed under "Consent Agenda" are considered to be routine and non-controversial by the Town Board and will be approved by one motion. There will be no separate discussion. If discussion is desired by members, that item will be removed from the consent agenda and discussed separately immediately after consent agenda is approved.

**MOTION** by Hess, seconded by Danen to approve the consent agenda. No further discussion. Motion carried in a voice vote, 4-0.

**PUBLIC COMMENT:**

Steve Malvitz, 4210 Monroe Road: Commented on the lack of crossovers on Monroe Road (GV). Would like to see more crossover access to residential driveways.

Chris Handrick, 1406 Bingham Drive: Is concerned for the safety of the children with regards to increased traffic with the development of the Belle Isle Meadows Subdivision north of Bingham Drive. Mr. Handrick questioned the benefits the development will bring to the existing subdivision. State statute §236.13 was mentioned along with circulating a petition against the development.

Kristi Elms, 1389 Kuyper Lane: Ms. Elms explained that she is the resident representative for the Dickinson Heights subdivision and submitted a petition titled "Dickinson Heights Petition in Opposition to Proposed Belle Isle Meadows Subdivision, Town of Ledgeview". This petition contains 116 signatures. Ms. Elms echoes Mr. Handrick's comments regarding the safety of the children with the development of Belle Isle Meadows Subdivision.

John Van Dyck, Brown County Supervisor for District 17: Informed the board of structural damage of the bridge on CTH. MM causing the weight of the bridge to be decreased to 25 tons. The bridge is eligible for a federal grant to make the necessary repairs, however, the next deadline for the grant is in 2014. If federal funding is approved, construction is anticipated to begin in 2015.

**PUBLIC HEARINGS/ACTION:**

**6:00 pm or as soon thereafter:**

1. Hear comment on the request by Steven E. Zeitler, agent for Laack Cold Storage, owner, for a rezone from Rural Residential (R-R) to Residential (R-1) and approval of a three (3) lot Certified Survey Map (CSM) for parent Parcel D-401, located at 3100 Heritage Road, south of Heritage Road (CTH X) at the Wayne Lane intersection.

The public hearing was opened at 6:13 p.m.

Clayton Bildings, 5041 Sportsman Drive: Expressed his concern about future access from CTH X to the Gilson property.

Three calls for public comment were made by Chairman Hess. No other public comments were heard.

The public hearing was closed at 6:15 p.m.

2. Hear comment on the request by Tom Kaminski, owner, for a Conditional Use Permit (CUP) to construct a man made body of water on his property, Parcel D-96 located at 3661 Caboose Lane.

The public hearing was opened at 6:15 p.m.

Three calls for public comment were made by Chairman Hess. No public comments were heard.

The public hearing was closed at 6:17 p.m.

3. Hear comment on the request from 21 Gun Roadhouse, LLC, Timothy R. Czarneski, for a Class "B" Beer and a "Class B" Liquor License for the 21 Gun Roadhouse, 4344 Lime Kiln Road, Green Bay, WI 54311.

The public hearing was opened at 6:17 p.m.

Steve Corrigan, 4344 Lime Kiln Road: Mr. Corrigan is the owner of the building at 4344 Lime Kiln Road. The previous tenant, Coaches Corner/Kolb's Corner, surrendered their liquor license in September. This liquor license is for the new tenant 21 Gun Roadhouse who also have a business in Little Suamico. Mr. Corrigan made contact with the Little Suamico Police Chief who indicated there has no problems with these business owners. Mr. Corrigan indicated that 21 Gun Roadhouse is experienced with a good track record and should be a good fit for the building.

There calls for public comment were made by Chairman Hess. No further comments were heard.

The public hearing was closed at 6:19 p.m.

**COMMUNICATIONS:**

1. Receive petition from residents requesting stop signs to be placed on Dollar Road at the intersections of Three Penny Court and Half Crown Run.  
The petition was received by all Town Board members. Through mutual consent, the board would like this petition to be forwarded to the Public Works Department for their review and consideration.

**ZONING AND PLANNING COMMISSION ITEMS FROM SEPTEMBER 11, 2013 MEETING:**

1. Recommendation on the request by Tom & Tina Kaminski, owner, for a conditional use permit for a man-made body of water located at 3661 Caboose Ln.  
**MOTION** by Danen, seconded by Van Rossum to approve with any contingencies from Zoning & Planning and the DNR. There was comment from both Supervisor Huxford and Clerk/Administrator Burdette on the cooperative efforts between the Kaminskis and the DNR in seeing this project become a reality. No further discussion. Motion carried in a voice vote, 4-0.
2. Recommendation on the request by Steven Zeitler, agent for Mark Laack, owner, for a Certified Survey Map to split parcel D-401 into 3 lots.  
**MOTION** by Danen, seconded Van Rossum to approve the Certified Survey Map. No further discussion. Motion carried in a voice vote, 4-0.
3. Recommendation on the request by Steven Zeitler, agent for Mark Laack, owner, to rezone parcel D-401 from RR Rural Residential to R-1 Residential.  
**MOTION** by Van Rossum, seconded by Huxford to approve the re-zoning contingent upon any conditions from Zoning & Planning along with access to County Hy. X. No further discussion. Motion carried in a voice vote, 4-0-1 with Schlag abstaining because he did not hear the discussion in the Public Hearing.

**OLD BUSINESS:**

1. Recommendation and discussion to award contract for construction management services in consideration of an addition to existing Town Hall.  
Discussion was held regarding the cost differences between the three submitted bids. Alliance submitted the lowest estimate. **MOTION** by Schlag, seconded by Van Rossum, to accept the Alliance Bid. No further discussion. Motion carried in a voice vote, 5-0.

**NEW BUSINESS:**

1. Discussion/possible action:
  - a. Final Pay request to NE Asphalt contract A-2013 Swan Road Resurfacing in the amount of \$11,617.92.  
It was clarified that this final pay was also the release of the retainer for Swan Road and Ledgeview Road. **MOTION** by Danen, seconded by Huxford to approve the Final Pay request to the NE Asphalt Contract A-2013 Swan Road Resurfacing. No further discussion. Motion carried in a voice vote, 5-0.
  - b. Recommendation from Public Works to award crack seal contract to Asphalt Seal & Repair in the amount of \$34,200.  
Discussion was had regarding the only bid received. The bid was from Asphalt Seal & Repair. The price quoted is below the going rate of \$1.20-\$1.25 per pound. Bids were advertised in the newspaper along with posting in the town's three required posting locations. The time of year could be a factor in the town only receiving one bid as work schedules are completed for this year. M. Pansier, Public Works Systems Operator, is recommending approval of the Asphalt Seal & Repair bid. **MOTION** by Hess, seconded by Danen to approve. No further discussion. Motion carried in a voice vote, 5-0.

c. Discussion and review of CTH GV-10 (from CTH G to CTH X) design and related resident concerns on limited access points.

Discussion ensued with Chairman Hess giving a brief history on the CTH GV-10 project. The board allowed the public to comment at this time.

Janet Trembl, 4250 Monroe Rd, owner of Seacrets Salon: Ms. Trembl is concerned with the number of crossovers access point on CTH GV-10 limiting access to her business. Ms. Trembl is specifically concerned with her elderly clients having difficulty getting in and out of her parking lot.

Steve Corrigan, 4344 Lime Kiln Road: Mr. Corrigan is concerned with the number of crossover access points. The agreement between the town and the county is that the town is going to split the costs of the project, then the town should have some say in how many the crossover access points there are and where they are located. Mr. Corrigan would like the Area Development Maps reviewed.

Steve Malvitz, 4210 Monroe Road: Mr. Malvitz echoed his concern from the Public Comment section that he would like to see more crossover access to residential driveways.

Both Chairman Hess and Supervisor Schlag commented that have received numerous citizen contacts regarding the number of crossover access points on CTH. GV-10, all advocating for an increase. Both agree that there should be more crossovers, however, not at every driveway. Additional crossovers should be spaced out evenly along the corridor to limit the impact on existing business. There was also discussion on the lack of additional conversations with the county about the possibility of adding additional crossovers. **MOTION** by Hess, seconded by Schlag to have staff to look at the Area Development Maps, to identify 2-3 possible locations for additional crossovers, and to coordinate additional meetings with the county. There was additional discussion on the actual agreement with the county. The agreement speaks to sharing the cost of the project, not the actual roadway of design. No further discussion. Motion carried in a voice vote, 5-0.

d. Recommendation to approve Planning Services Agreement between Town of Ledgeview and Community Planning and Consulting, LLC for professional services to aid in reviewing and amending the Ledgeview Comprehensive Plan and the Ledgeview Park and Recreation Plan. **MOTION** by Hess, seconded by Van Rossum to approve. No further discussion. Motion carried in a voice vote, 5-0.

e. Recommendation to approve Final Developers Agreement between Town of Ledgeview, Ledgeview Sanitary District and Radue Homes, Inc.  
Point of clarification from Town Clerk/Administrator Burdette that this agreement is the final version of the draft the Town Board and Sanitary District received at the September 17, 2013, Joint Meeting. The developer also concurs with the final document. **MOTION** by Van Rossum, seconded by Schlag to approve. No further discussion. Motion carried in a voice vote, 5-0.

f. Recommendation to approve action to procure General Obligation Note from Greenleaf Wayside Bank in the amount of \$760,000 to assist the Radue development known as "Reserve at Meadow Ridge".

Treasurer L. Pansier coordinated terms of the note with Greenleaf Wayside Bank for a 5 year fixed repayment with annual installments. **MOTION** by Hess, seconded by Huxford to approve with a 5 year fixed repayment plan with annual installments. No further discussion. Motion carried in a voice vote, 4-0.

g. Review of Appraisal and related authorization to proceed with negotiations between Radue Homes, Inc. for the purchase of a portion of Outlot #6, parcel D-751.

**MOTION** by Schlag, seconded by Hess to authorize Clerk/Administrator Burdette to proceed with the negotiations with Radue Homes, Inc. in order to finalize the purchase offer for consideration by the Town Board at a future date. No further discussion. Motion carried in a voice vote, 4-0.

2. Closed Session

The Town Board may go into closed session to discuss the status of the claim pending between the Town of Ledgeview and Robert Gerbers pursuant to 19.85(1)(g) for the purpose of conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved. The Board will reconvene into open session.

a. Other recommendations resulting from closed session.

**MOTION** by Hess, seconded by Schlag for the Town Board to convene into closed session to discuss the status of the claim pending between the Town of Ledgeview and Robert Gerbers pursuant to 19.85(1)(g) for the purpose of conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved. The Board will reconvene into open session. No further discussion. Roll call vote: Schlag - Aye, Huxford - Aye, Hess - Aye, Van Rossum - Aye. No further discussion. Motion carried in a roll call vote, 4-0.

At 7:43 p.m., the Town Board convened into closed session.

**MOTION** by Hess, seconded by Schlag to go back into open session. No further discussion. Roll call vote; Schlag - aye, Huxford - aye, Hess - aye, Van Rossum - aye. Motion carried in a roll call vote, 4-0.

At 7:49 p.m., the Town Board reconvened into open session.

**MOTION** by Hess, seconded by Schlag to authorize legal counsel to schedule a hearing date on the matter. No further discussion. Motion carried in a voice vote, 4-0.

**REPORTS:**

A. Clerk/Administrator

1. Board of Appeals is scheduled to meet Wednesday, October 9, 2013 at 7:00 p.m. regarding a variance for a swimming pool to be located at 3469 Meadow Sound Drive.
2. Park Committee will meet this week.
3. Zoning & Planning Commission will meet next week.
4. Please review updated annual budget calendar for future meeting dates and times.

NOTE: Budget Workshop - October 22, 2013 at 6 p.m.

Budget Public Hearing & Special Meeting of the Electors - November 19, 2013 at approximately 6 p.m. after the Regular Town Board Meeting.

5. Attended meeting with City of De Pere and Town of Lawrence to review and discuss future joint park and recreation opportunities.
6. Annual insurance renewal completed.
7. Town-wide Community Survey was distributed for the Town Board's review and comment. The Park Committee and Zoning & Planning Commission will finalize the survey at their respective meetings with the final version going to print and mail October 21, 2013.

NOTE: There will be a community-wide citizen engagement meeting as part of the Town Comprehensive Plan & Park Plan update. The meeting will be held on November 12, 2013, at 6:30 p.m. at the De Pere Middle School.

B. Engineer

CTH GV lighting is waiting on materials to arrive, however, the County paved the trail in the meantime. Surface Transportation Program Grant Funding (STP) should be decided by WDOT in November.

C. Fire Chief

The radio project deadline is October 15, 2013, for all of Brown County Fire Departments to be on the new radio system. The Fire Department will be burning the house at 1903 Sunnyview Road as a departmental training exercise in November.

D. Board Comments

None.

**APPROVAL OF THE VOUCHERS:**

**MOTION** by Schlag, seconded by Van Rossum to approve the vouchers. No further discussion. Motion carried in a voice vote, 4-0.

**ADJOURNMENT:**

**MOTION** by Hess, seconded by Schlag to adjourn. No further discussion. Motion carried in a voice vote, 4-0. Meeting adjourned at 7:50 p.m.

Charlotte K. Nelson, Deputy Clerk  
Town of Ledgeview, Brown County, Wisconsin