

The Ledgeview Town Board held a meeting on **Monday, April 7, 2014, at 6:00 p.m.** at the Municipal Building located at 3700 Dickinson Road, De Pere, WI 54115.

A. CALL TO ORDER

The meeting was called to order by Supervisor Danen at 6:00 p.m.

B. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited by all in attendance.

C. ROLL CALL

Members present were Supervisors Philip J. Danen, Richard Huxford and Renee Van Rossum. Chairman Marc Hess and Supervisor Andy Schlag were excused.

Staff present were Sarah Burdette, Clerk/Administrator, Scott Brosteau, Engineer, Luann Pansier, Treasurer, and Charlotte Nelson, Deputy Clerk.

D. AGENDA APPROVAL

MOTION by Danen/Van Rossum to approve the agenda. No further discussion.

Motion carried in a voice vote, 3-0.

CONSENT AGENDA

1. Regular Board meeting minutes:
 - a. March 18, 2014 Town Board Meeting
2. Routine Reports:
 - a. None.
3. Committee/Commission Reports:
 - a. March 4, 2014 Personnel Committee
4. Operator's Licenses:
 - a. March 13, 2014 - April 3 2014.
5. Other Committee minutes. Accept and place on file.
 - a. November 11, 2013 Length of Service Award Minutes.
 - b. February 3, 2014 Park & Recreation Committee Minutes.
 - c. February 26, 2014 Central Brown County Water Authority Minutes.
 - d. March 4, 2014 Personnel Committee Minutes.
 - e. March 18, 2014 Special Meeting of the Electors.
 - f. April 2, 2014 Sanitary District Meeting.

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 Van Rossum/Huxford to approve the consent agenda. No further discussion. Motion carried in a voice vote, 3-0.

PUBLIC COMMENT:

John Fiddelke, 3800 Dickinson Road - Mr. Fiddelke expressed his concern with the disclaimer on this agenda which stated, "Public comments must be limited to items NOT on the agenda; Comments will be limited to five minutes in length. Commentators must state name and address for the record. The Board's role is to listen and not discuss/debate comments nor take action on those comments at the meeting." Mr. Fiddelke felt it infringed on his right to free speech and was wondering where it came from and how it got on the agenda. Danen advised Mr. Fiddelke that the board would address the disclaimer later on in the meeting.

Approved at the April 22, 2014 Town Board Meeting.

PUBLIC HEARINGS/ACTION:

The public hearings was opened by Danen at 6:04 PM.

John Fiddelke, 3800 Dickinson Road - Mr. Fiddelke questioned why these ordinances were up for a public hearing if they weren't make available for the public viewing. Mr. Fiddelke was shown via the internet using the big screen TV where the ordinances were posted on the website.

1. Public Hearing on ordinance 2014-005 titled Ordinance to Amend Telecommunications Ordinance.

Burdette explained that Wisconsin State Statute 66.0404 was enacted requiring new and significant limits on the manner and extent to which the siting and modification of mobile services facilities may be regulated. This ordinance amendment brings the Town into compliance with that statute.

No public comments were heard reference to this ordinance.

2. Public Hearing on a proposed amendment 2014-006 titled Ordinance to Amend the Keeping of Chickens.

Burdette explained this proposed ordinance will permit the keeping of up to four chickens on single-family residential property, specifically R-1 and R-R districts on a lots less than 2-acres in size. There has been a lot of inquiries about the keeping of chickens in residential areas for the Town. Zoning and Planning has also worked for several months on writing this amendment.

No public comments were heard reference to this ordinance.

3. Public Hearing on 2014-007 to amend Farmland Preservation Ordinance.

Burdette explained that according to the Wisconsin Working Lands Initiative and the recently revised Brown County Farmland Preservation Plan, the proposed ordinance is to replace the existing Exclusive Agricultural (A-1) District with the Agricultural-Farmland Preservation (AG-FP) District ensuring that landowners covered by the ordinance are eligible to claim farmland preservation tax credits. There was a current zoning map on display for everyone to see, the dark brown color depicted those parcels included in the Exclusive Ag (A-1).

Jerome Kaster, 2803 Pine Grove Road - Mr. Kaster questioned why his parcels weren't marked as exclusive ag, indicating that they should be.

Joseph Lotto, 4057 Glenmore Road - Mr. Lotto is concerned with the ordinance's definition of exclusive ag having a requirement to have a 35 acres parcel. Mr. Lotto believes that is not part of the state statute nor Brown County's definition of exclusive ag and would like the requirement removed from the town ordinance. Van Rossum replied that the 35 acres has been a requirement for Ledgeview under exclusive ag for a long time, but would have Zoning and Planning look into it.

Jason Pansier, 3874 Dickinson Road - Mr. Pansier would like to have all the Ag-2 parcels verified that they are zoned correctly. In 2009, property owners had the option of opting in or out of exclusive ag zoning and Mr. Pansier would like the current zoning verified it was done correctly.

Joan Pansier, 3870 Dickinson Road - Ms. Pansier wanted a definition of contiguous. Both Burdette and L. Pansier replied that it is when two parcels, owned by the same person, are adjacent to one another. Ms. Pansier would like the ordinance reviewed regarding contiguous parcels because the Pansiers own several parcels of farmland, but only a few are adjacent to one another.

Denis Lotto, 4176 Dutchman Road - Mr. Lotto doesn't agree with the ordinance using the word parcel; Farmland not a parcel. Mr. Lotto would like a better understanding of the difference between Ag-1 (exclusive ag) vs. Ag-2. Mr. Lotto is not in favor of the 35 acre language in the town ordinance.

Frank Kiley, 2757 Dutchman Road - Mr. Kiley doesn't believe anything should be done with Farmland Preservation Ordinance until the map and the paperwork is straightened out. Mr. Kiley also agrees that farmland is farmland, not a parcel of land.

Randy Edinger, 4315 Heritage Road - Mr. Edinger doesn't agree with the 35 acre language in the town ordinance. Would like to see that requirement removed.

John Fiddelke, 3800 Dickinson Road - Mr. Fiddelke inquired on the difference in the zoning code when it comes to multiple family or specifically duplexes. Mr. Fiddelke was informed that duplexes are R-2 zoning; one parcel two dwelling units. R-1 zoning is a single parcel with a single dwelling unit, or single family home.

After three calls for any further comments, none were heard on any of the three ordinances up for public hearing. The public hearings were closed at 6:35 p.m. by Danen.

MOTIONS:

1. **Public Hearing on ordinance 2014-005 titled Ordinance to Amend Telecommunications Ordinance.**
MOTION by Van Rossum/Huxford to approve ordinance 2014-005 titled Ordinance to Amend Telecommunications Ordinance. No further discussion. Motion carried in a voice vote, 3-0.
2. **Public Hearing on a proposed amendment 2014-006 titled Ordinance to Amend the Keeping of Chickens.**
MOTION by Van Rossum/Danen to approve the proposed amendment 2014-006 titled Ordinance to Amend the Keeping of Chickens. Clarification was given that the amendment allows up to four chickens on residential zoning parcels, and no slaughtering can occur in the town. The chickens would have to be taken to a meat processing facility to be slaughtered. No further discussion. Motion carried in a voice vote, 3-0.
3. **Public Hearing on 2014-007 to amend Farmland Preservation Ordinance.**
MOTION by Danen/Huxford to table the amendment to the Farmland Preservation Ordinance until the 35 acre requirement is reviewed. No further discussion. Motion carried in a voice vote, 3-0.

COMMUNICATIONS: None

ZONING AND PLANNING COMMISSION ITEMS:

1. **Recommendation to approve the official zoning map which reflects zoning changes from 2009 to the present.**
MOTION by Danen/Huxford to table the approval of the official zoning map which reflects zoning changes from 2009 to the present until there's a determination on which parcels are included/excluded from the exclusive ag zoning designation. No further discussion. Motion carried in a voice vote, 3-0.

OLD BUSINESS: None.

NEW BUSINESS:

1. **Resolution 2014-005 - Preliminary resolution declaring intent to exercise special assessment powers under section 66.0703, Wisconsin Statutes, for street and drainage improvements including intersection of Pheasant Run Trail and Tordeur Lane and ending at the limits between Village of Bellevue and the Town of Ledgeview in the Town of Ledgeview, Brown County, Wisconsin.**
Brosteau explained that state law required a preliminary resolution for special assessments needs to be passed declaring the intent to exercise the Town's Assessment powers under section 66.0703. This resolution is for special assessment on Tordeur Lane from approximately north of Pheasant Run to the north Town line. This special assessment only includes one parcel in the town. The Village of Bellevue

Approved at the April 22, 2014 Town Board Meeting.

will be re-grading the roadway, replacing culvert pipes, and placing an asphaltic surface on the roadway to CTH V. The Village of Bellevue is receiving a LRIP Grant on this project. The estimated costs for the one parcel is approximately \$12,000. **MOTION** by Huxford/Van Rossum to approve the preliminary resolution. No further discussion. Motion carried in a voice vote, 3-0.

2. **Resolution 2014-006 - Preliminary resolution declaring intent to exercise special assessment powers under section 66.0703, Wisconsin statues, for road reconstruction and installation of curb, gutter, trail and storm sewer, including engineering and administration, beginning approximately 400 feet south of the intersection of CTH G and CTH GV and ending at the intersection with CTH X and along Oakridge Circle and Ledgeview Road from the intersection of Parker Way to Creamery Road in the Town of Ledgeview, Brown County, Wisconsin.**

Brosteau explained that state law required a preliminary resolution for special assessments needs to be passed declaring the intent to exercise the Town's Assessment powers under section 66.0703. This resolution is for special assessments on CTH GV from CTH G to CTH X. This includes the section of Oakridge Circle from CTH GV to Parker Way and along Ledgeview Road from CTH GV to Creamery Road. The assessment process will be used to cover the costs of the sidewalk, storm sewer, trail, and curb and gutter. This also includes the engineering and administration fees. The estimated cost is \$30-\$35 / linear foot which is consistent with the last year's estimated costs. **MOTION** by Danen/Van Rossum to approve the preliminary resolution. No further discussion. Motion carried in a voice vote, 3-0.

3. **Resolution 2014-007 - Preliminary resolution declaring intent to exercise special assessment powers under section 66.0703, Wisconsin statues, for road reconstruction and installation of curb, gutter, sidewalk and storm sewer, including engineering and administration along CTH PP beginning at O'Keefe Road and the intersection of CTH PP and ending at the intersection with Viking Lane and CTH PP in the Town of Ledgeview, Brown County, Wisconsin.**

Brosteau explained that state law required a preliminary resolution for special assessments needs to be passed declaring the intent to exercise the Town's Assessment powers under section 66.0703. This resolution is for special assessments for road reconstruction and installation of curb, gutter, sidewalk and storm sewer, including engineering and administration along CTH PP beginning at O'Keefe Road and the intersection of CTH PP and ending at the intersection with Viking Lane and CTH PP. The CTH PP project is a joint project with Brown County and the City of De Pere. **MOTION** by Van Rossum/Huxford to approve the Preliminary resolution. No further discussion. Motion carried in a voice vote, 3-0.

4. **Recommendation to approve contract with Alliance Construction & Design Inc. for the Storage Addition to the Ledgeview Town Hall.**

Brosteau gave a brief history on the storage addition and the events that took place. On February 5, 2014, the town received bids for the construction of the approximate 950 SF storage addition to the existing town hall, which includes remodeling the bathrooms, conversion of the existing storage room to an office, and the removal of the fire department office in the apparatus room. Alliance Construction and Design Inc. was the low bid at \$124,980. On March 18th, 2014, a Special Meeting of the Electors was held that approved the town to move forward with the proposed project. This contract is a standard AIA contract. Brosteau recommends approval on the contract. **MOTION** by Danen/Van Rossum to approve the contract with Alliance Construction & Design Inc. for the Storage Addition to the Ledgeview Town Hall. No further discussion. Motion carried in a voice vote, 3-0.

5. **Recommendation to re-appointment of members to the Zoning Board of Appeals to a three-year term ending March 27, 2017.**

Nelson explained that member's terms of the Zoning Board of Appeals expired on March 27, 2014. Contact was made with each of these members inquiring if they would be interested in serving another three-year term ending March 27, 2017. Members contacted were Vince Cisler and Gene Colwitz are interested in serving another three-year term, as well as Dennis Pansier and Steve Rohr as

alternates. Discussion ensued regarding how the members are appointed to these terms and if recruitment for potential newcomers was done and if any new applications were submitted from the recruitment process. Nelson explained that recruitment is done on a regular basis through the quarterly newsletters, the weekly e-newsletter, and on the website with very little result. Since there were no other applications submitted, the contact was made with the current members to see if they were interested in being re-appointed. **MOTION** by Danen/Van Rossum to table to the next town board meeting for further research. No further discussion. Motion carried in a voice vote, 3-0.

6. Recommendation to renew agreement between Town of Ledgeview & Mead & Hunt, Inc. for planning services.

Burdette explained that at the September 3, 2013 Town Board Meeting, the board approved a Letter Agreement between the Town of Ledgeview and Mead & Hunt for consultant services relating to planning, zoning administration, and economic development. The agreement, along with the selecting sub-committee's recommendation, included a 6-month preliminary work period and work plan review, which upon successful completion, would then allow consideration of a 12-month extension. This renewal agreement is the 12-month extension of the original approval of the Agreement Letter. **MOTION** by Danen/Huxford to approve the renewal agreement between the Town of Ledgeview and Mead & Hunt, Inc. for planning services. The board members commented on the positive feedback they have received from residents regarding the planning services received from Mead & Hunt. No further discussion. Motion carried in a voice vote, 3-0.

TOWN ORDINANCES

1. FIRST READING:

a. Ordinance 2014-008 Ordinance to Codify Town Government Procedures.

This ordinance is forwarded from the Personnel Committee. In reviewing the Town's current organizational structure with respect to elected officers, appointed officers, and committees/boards and related meeting rules and procedures, it was noted that Town Ordinances currently does not include language that provides the framework of Town operations. Additionally, there is no ordinance language in the Town Ordinances that provides the framework of public records procedures. This ordinance along with the ordinance 2014-009 provides the procedures in which the Town Government currently operates and will continue to operate. There was discussion on when and how Ms. Burdette obtained the title of Clerk/Administrator. Burdette explained that she was given the title in 2006 and wouldn't go by any title that wasn't given to her. This ordinance is on the agenda for a first reading, therefore staff seeking commentary and/ or feedback from the board at the next board meeting.

b. Ordinance 2014-009 Ordinance to create Public Records Procedures.

This ordinance was forwarded from the Personnel Committee who noted that there wasn't any written language in the Town Ordinance regulating the public records procedures. This ordinance outlines the procedures staff is currently following. This ordinance is on the agenda for a first reading, therefore staff is seeking any commentary and/or feedback from the board at the next board meeting.

c. Ordinance 2014-010 Ordinance to adopt State Statute 29.038 Local Regulation of Wild Animals.

This ordinance is recommended by Town Code Enforcement Officer in response to the new hunting regulation that went into effect in November, 2013. This ordinance would apply to the Hunting Overlay Zones. The ordinance state: "No discharge of any weapon that launches a projectile of any kind shall be allowed." This ordinance applies to the areas designated District 3 or D-3. These new regulations restrict the Town from preventing the use of bows and crossbows in this area, but do place restrictions on the use of the weapons. Again, this

ordinance is on the agenda for a first reading, therefore staff would be seeking any commentary and/ or feedback from the board at the next board meeting.

THIRD AND FINAL READING:

a. Ordinance 2014-002, Amend Chapter § 94 - Streets and Sidewalks, Snow Removal.

This is the third and final reading on this ordinance. There have been no language changes. **MOTION** by Danen/Van Rossum to approve Ordinance 2014-002. No further discussion. Motion carried in a voice vote, 3-0.

b. Ordinance 2014-003, Amend Chapter 48 Fire Prevention, Suppression and Hazard Management.

This is the third and final reading on this ordinance. There has been no language change. **MOTION** by Van Rossum/Huxford to approve Ordinance 2014-003. No further discussion. Motion carried in a voice vote, 3-0.

c. Ordinance 2014-004, Amend Chapter 5, Alcoholic Beverages.

This is the third and final reading on this ordinance. There have been no language changes. **MOTION** by Danen/Van Rossum to approve Ordinance 2014-004. No further discussion. Motion carried in a voice vote, 3-0.

REPORTS:

Clerk/Administrator:

- Election results were 214 voters out of 4453 registered voters. Schlag and Van Rossum were running unopposed for another two year term and will be sworn in at the Annual Meeting.
- Town Board received correspondence on the Knaus matter.
- Work continues on the Comprehensive Plan Update. The resident feedback is positive.
- TIF district legislation was signed into law and went into effect April 5, 2014.
- Zoning & Planning Committee is requesting the use of I-Pads and electronic packets. Staff will be looking into costs.
- Town Board received the Brown County Sheriff's Call Data report. No real significant impact from the sign changes.
- Town received upwards of \$17,000 in recycling grants for 2013. Thanks to the Deputy Treasurer Renae Peters for her work on submitting the grant.
- Positive feedback is being heard regarding the Appreciation Event that took place on March 27th at the Graystone.
- Zoning & Planning Committee along with the Parks Committee meet next week.
- Annual Town Meeting will be held Tuesday, April 15th at 7:00 PM at the Town Hall. The Town Board is encouraged to attend.

Engineer:

- Street lighting on CTH PP Project sidewalk from O'Keefe to CTH X is underway. Public Service is working with the City of De Pere to get some costs.
- Brown County is doing an aerial flight for impervious service mapping. The cost to the town of approximately \$2,500. The money for this expense is in the storm water utility budget.
- Brown County Highway Department and Brown County Planning is rethinking the GV-10 Project. The appraisals for right of way acquisitions are coming in higher than expected with the right in/right out plan. With that said, Brown County is looking into an open median much like that of GV-9. They are also looking into asphalt pavement vs. concrete pavement, which would be less expensive due to the county establishing their own asphalt manufacturing plant. More information will be forthcoming as a new Municipal Agreement will have to be signed.

Treasurer:

Approved at the April 22, 2014 Town Board Meeting.

- Town Board received the draft of the Annual Report. Changes to the report can still be made, however, if it's found that no changes are need, the Town Board Supervisors are asked to sign off on the approval sheet prior to the Annual Meeting on April 15th.

Board Comments:

- Discussion was held on the public comment disclaimer. Burdette explained the disclaimer came from a neighboring municipality and was simply meant to offer guidance to everyone on the proper procedures of the public comment section. However, the board felt it was too restrictive, and advised to remove the disclaimer.

APPROVAL OF THE VOUCHERS:

MOTION by Danen/Van Rossum to approve the vouchers. No further discussion. Motion carried in a voice vote, 3-0.

ADJOURNMENT:

MOTION by Danen/Van Rossum to adjourn. No further discussion. Motion carried in a voice vote, 3-0. Meeting adjourned at 7:06 p.m.

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