

The Ledgeview Town Board held a meeting on **Tuesday, May 20, 2014, at 4:30 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 Chairman Danen at 4:30 p.m.

B. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited by all in attendance.

C. ROLL CALL

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

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

D. AGENDA APPROVAL

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

Motion carried in a voice vote, 4-0.

CONSENT AGENDA

1. Regular Board meeting minutes:
 - a. May 5, 2014 Town Board Minutes
2. Routine Reports: None.
3. Committee/Commission Reports:
 - a. April 17, 2014 Park & Recreation Committee Report.
4. Operator's Licenses:
 - a. May 1, 2014 - May 15, 2014
5. Other Committee minutes. Accept and place on file.
 - a. April 16, 2014 Zoning & Planning Minutes
 - b. May 7, 2014 Sanitary District Meeting Minutes.
 - c. May 14, 2014 Zoning & Planning Minutes.

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 Huxford/Van Rossum to approve the consent agenda. No further discussion. Motion carried in a voice vote, 4-0.

PUBLIC COMMENT: None.

PUBLIC HEARINGS/ACTION:

1. **Public Hearing on the application from 21 Gun Roadhouse for a Temporary Class "B" Retailer's License for the sale of fermented malt beverages at the Rolling Coal Truck & Tractor Pull to be held on Saturday, May 31, 2014 from 4:00 p.m. to 9:00 p.m. at Corrigan's Pulling Track located at 4451 Dickinson Road (parcel number D-257-1), De Pere, WI 54115.**

The Truck & Tractor Pull has been an annual event in the past; however, this year 21 Gun Roadhouse is sponsoring the event. Twenty-One Gun Roadhouse is located on the corner of Lime Kiln Road and Dickinson Road, across the street to the east of Corrigan's Pulling Track. The temporary license will be to sell fermented malt beverages on the grounds of the Corrigan's Pulling Track, not the bar. Alcohol sold in the bar would fall underneath the bar's liquor license meaning consumption would take place inside the bar. Patrons will not be able to walk back and forth across the street with alcohol in their possession. All applicable fees have been paid to the town. The board approved the Public

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Amusement & Shows Permit at their May 5, 2014 Town Board Meeting. Discussion ensued regarding an impromptu tractor pull that occurred over the past weekend. Todd Weisling of 21 Guns Roadhouse was present and answered the board's questions. The board heard comments from a neighbor, Judy Siudzinski, 4398 Lime Kiln Road. Ms. Siudzinski didn't appreciate the spontaneous event, but has no problems with the annual truck & tractor pull or with 21 Gun Roadhouse. The board warned Mr. Weisling that any mishaps with the May 31st Truck & Tractor Pull could affect the renewal of the bar's liquor license. Mr. Weisling indicated that he understood. **MOTION** by Schlag/Van Rossum to approve the Temporary Class "B" Retailer's License for 21 Gun Roadhouse for the sale of fermented malt beverages at the Rolling Coal Truck & Tractor Pull to be held on Saturday, May 31, 2014 from 4:00 p.m. to 9:00 p.m. at Corrigan's Pulling Track located at 4451 Dickinson Road (parcel number D-257-1), De Pere, WI 54115. No further discussion. Motion carried in a voice vote, 4-0.

COMMUNICATIONS: None

ZONING AND PLANNING COMMISSION ITEMS:

1. **The request by Jeff Bahling of Rettler Corp., agent for the Unified School District of De Pere, owner, for a site plan for a soccer field complex located behind De Pere Middle School, 700 Swan Road.**

Petitioner is proposing a series of improvements for the Athletic Campus, which includes the Middle School property. This property is located within the Town of Ledgeview. The improvements include:

- A new soccer field with lighting, irrigation, bleacher seating for 500, fencing and a scorer's booth.
- A newly developed youth football field
- Turf & drainage improvements to the existing softball fields
- Planning for future restrooms & concessions which includes sanitary piping for future sanitary grinder pump needs

Improvements are in conformance with the regulations outlined in the zoning code. Both Zoning & Planning and Planner Dustin Wolff recommend approval of the site plan subject to the following materials being provided:

- Landscape plan to provide street trees along Lone Oak Road, and screening along the southern lot line adjacent to the residences
- Better understanding of the summer use of the lighted fields

Burdette explained that Rettler did submit updated landscape plans for the board to consider. There was discussion on the site plan in which Jeff Bahling, of Retter Corporation, and Pet Meyer of the Unified School District of De Pere were present to field any questions. There was a question with the planting of trees along the resident side of the facility. Wolff recognized planting trees along the resident side would create conflicts with the existing utilities, therefore, removing this requirement is acceptable. Construction will begin this summer. **MOTION** by Danen/Huxford to approve site plan, including the updated landscape plan, for a soccer field complex located behind De Pere Middle School, 700 Swan Road. No further discussion. Motion carried in a voice vote, 4-0.

OLD BUSINESS:

1. **Review, discuss, and appoint Town Board Supervisor Applications received for the remainder of Supervisor Philip J. Danen's term, expiring April 21, 2015, as a result of Chairman Hess stepping down.** The board was impressed at the number of qualified candidates who submitted an application to fill the remainder of Supervisor Danen's term. Danen reminded everyone that the discussion and decision to appoint is made by the remainder of the Town Board Members along with the Town Clerk. Discussion was had regarding the narrowing of the pool of candidates. It was decided to open up the meeting for those applicants present to address the board with some comments and why they would like to serve as Supervisor. **MOTION** by Danen/Huxford to open the meeting for applicants to comment to the board as to why they applied for the position. No further discussion. Motion carried in a voice vote, 5-0. Comments were heard from five applicants who were in attendance; Chet Lamers,

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Ken Geurts, Cullen Peltier, Larry Carter, and Vince Cisler. **MOTION** by Danen/Schlag to close the meeting to applicant comments and bring the discussion back to the board. No further discussion. Motion carried in a voice vote, 4-0.

Discussion continued regarding the selections process. It was the consensus of the board to appoint someone who had some prior experience along with knowledge of the town's current events. **MOTION** by Danen/Huxford to vote via closed ballot based on the applications that were received and the applicant with 2/3 vote would be considered the top applicant. No further discussion. **MOTION** carried in a voice vote, 5-0. Deputy Clerk Nelson handed out the secret ballots and collected them after the votes were cast. The votes were read allowed by Deputy Clerk Nelson with 3 vote for Ken Geurts, 1 vote for Vince Cisler, and 1 vote for Chet Lamers. Danen confirmed with Mr. Geurts that he would accept the appointment. **MOTION** by Danen/Van Rossum to accept the secret ballots as cast, to appoint Ken Geurts as Town Board Supervisor for the remainder if Supervisor Danen term expiring April 21, 2015, and to have Mr. Geurts sworn in and begin his term at the June 2, 2014 meeting. No further discussion. Motion carried in a voice vote, 5-0.

NEW BUSINESS:

1. Resolution approving the Sixth Amendment to Central Brown County Water Authority Water Purchase and Sale Contract.

Burdette explained that there was a lengthy memo from Central Brown County Water Authority explaining the reasons behind of the amendment. The memo highlighted some important changes which are:

- Upon refunding of the 2005 and 2013 bonds, the Authority would no longer be required to accumulate bond payments a full year ahead of the due date.
- A new section 6.3.7 of the contract will require that revenue from fixed cost charges as defined in the contract to be applied to:
 - Principal, premium and interest on bonds
 - An adequate depreciation fund
 - Compliance with covenants of any Bond Resolution
 - Contribution to the Authority's maintenance, repair and replacement fund
 - Capital costs
- Removes the requirement to get approval of 70% of bondholders to modify the contract
- Creates a new Exhibit B-1 to the Water Purchase and Sale Agreement upon refunding of the 2005 and 2013 bonds.

There was discussion on how the minimum usage was determined. Minimum usage was determined by consumption data taken over several years. The Sanitary District unanimously approved the Sixth Amendment at their last meeting. **MOTION** by Van Rossum/Schlag to approve the Sixth Amendment to Central Brown County Water Authority Water Purchase and Sale Contract. No further discussion. Motion carried in a voice vote, 4-0.

2. Discussion on advisory motions from the April 15th, 2014 Annual Meeting.

Danen lead the discussion regarding the advisory motions. Motions that related to one another were grouped together for discussion purposes.

On the advisory motion to have anything that is officially posted to be put on the website, and all non-confidential information be posted on the website via dropbox software. There was discussion on which items should be posted on the website. The website is for convenience purposes only; its intent is not to be the official record. Both the staff and the board understands that there is a balancing act between technology and public access to information. The tough part is determining what qualifies as confidential information, and who makes that determination.

MOTION by Danen/Schlag that all official postings (those that are posted in the three required posting places) be posted on the website. No further discussion. Motion carried in a voice vote, 4-0.

MOTION by Schlag/Danen to post all the ordinances on the website prior to the 1st reading with a disclaimer indicating these ordinances are under review. No further discussion. Motion carried in a voice vote, 4-0.

In regards to changing the clerk's position back to elected from appointed, creating a selection committee to hire a new town clerk, and to not have a town administrator until Ledgeview becomes a village or reaches a population of 14,000 were lumped together for discussion purposes. Employees are given a yearly performance evaluation by either their superiors or by the Town Board. If there are any issues that arise, they are discussed at that time. The complaints about staff heard at the annual meeting were more opinion rather than factual. There are other avenues to take should there be a question with an employee. No board action taken.

Ordinance 2014-008 to Codify Town Government Procedures and Ordinance 2014-009 Ordinance to Create Public Records Procedures will be tabled until August 4, 2014 meeting at 6:00 p.m, but should be posted on the website so people can comment on them. No board action taken

The advisory motion to hold all Town Board meetings at 7:00 p.m. is just not fiscally responsible. There are cost savings benefits to holding a 4:30 p.m. meeting and a 6:00 p.m. meeting with regard to consultants and staff. The board is also able to get more general business done as there are fewer interruptions. No board action taken.

Finally, the motion to remove the 35 acres minimum requirement from Exclusive Ag zoning is being reviewed by staff with the Department of Agriculture, Trade, and Consumer Protection (DATCP). Town Planner Dustin Wolff is working with DATCP and as soon as a response is given, a meeting will be held and landowners will be notified of said meeting.

TOWN ORDINANCES

1. SECOND READING:

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

Keeping consistent with the new procedures just approved, **MOTION** by Danen/Huxford to table this ordinance until the next meeting and post it on the website along with the Hunting Overlay Map for public viewing. No further discussion. Motion carried in a voice vote, 4-0.

REPORTS:

Clerk/Administrator:

- Brown County Planning Commission Board of Directors Committee Reorganization Memo.
- ADA Complaint from the U.S. Department of Justice regarding the lack of a sound system and font size of the meeting notices. The board is willing to mediate.
- 2014-2015 Liquor license renewals will be on the next agenda.
- The building addition is underway. No air conditioning in the meeting room until the project is complete.
- A Cognitive Mapping Forum was held May 8th as part of the Comprehensive Plan Update.
- The Park & Recreation Committee will be receiving a draft copy of the Update Park Plan at their next meeting.
- Zoning & Planning Committee reviewed the housing chapter of the Comprehensive Plan Update.

Engineer:

- Cty. Hwy. PP construction will be starting May 27th. Traffic will be detoured around Cty. Hwy. PP via Heritage Road.

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- Belle Isle Meadows bid opening will be June 3rd at 11:00 a.m.
- A request was made with Brown County Public Works Highway Department to increase the speed limit for the GV-10 project. Paul Fontecchio, Public Works Director, advised the GV corridor has a maximum speed limit of 40 mph, and would like to keep GV-10 consistent with GV-9, therefore the request was denied.

Treasurer:

- Working with White Pillars who is interested in taking some of the historical items in the old safe. They will take film of the original documents for public use and preserve the originals.
- Cash Flow Report was in the packet.

Board Comments:

- Huxford inquired Creamery Road water main break.
- Huxford would like a culvert inventory.
- Huxford asked if the bridge fund was applicable to any of the current studies being done, specifically the Creamery Road culvert replacement.

APPROVAL OF THE VOUCHERS:

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

ADJOURNMENT:

MOTION by Danen/Huxford to adjourn. No further discussion. Motion carried in a voice vote, 4-0. Meeting adjourned at 6:23 p.m.

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