

The Ledgeview Town Board held a meeting on **Monday, June 2, 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 Chairman Danen at 6:00 p.m.

B. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited by all in attendance.

C. SWEAR IN NEWLY APPOINTED SUPERVISOR KEN GEURTS TO SERVE THE REMAINDER OF SUPERVISOR DANEN'S TERM EXPIRING APRIL 21, 2015.

Ken Geurts took the oath of office for Town Board Supervisor and joined the remaining board as a full fledged member. The oath of office is on file with the Town Clerk.

D. ROLL CALL

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

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

E. AGENDA APPROVAL

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

Motion carried in a voice vote, 5-0.

CONSENT AGENDA

1. Regular Board meeting minutes:
 - a. May 20, 2014 Town Board Minutes
2. Routine Reports: None.
3. Committee/Commission Reports: None.
4. Operator's Licenses:
 - a. May 16, 2014 - May 29, 2014
5. Other Committee minutes. Accept and place on file.
 - a. April 23, 2014 Central Brown County Water Authority.
6. Public Amusements & Shows Applications
 - a. Chicago Street Pub, Friday, June 20, 2014 4:00 p.m. to 11:00 p.m. outside social gathering in Pub parking lot.
 - b. Terry's Wall Street Pub, Saturday, June 21, 2014 from noon to 11:00 p.m. 20th Annual Party to be held outside on the bar premises.
 - c. Chicago Street Pub, Friday, July 18, 2014 4:00 p.m. to 11:00 p.m. outside social gathering in Pub parking lot.
7. Pay Requests
 - a. Approval of pay request #2 for contract B-2013 (CTH GV-9 Lighting) to Bodart Electric Service in the amount of \$9,971.77.
 - b. Approval of pay request #1 for the Town Hall Addition to Alliance Construction & Design in the amount of \$21,800.

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 Schlag/Huxford to approve the consent agenda. There was discussion on the Public Amusement and Shows Applications, specifically with Terry's Wall Street Pub. This is an annual event for Terry's Wall Street Pub, its 20th. There have been no past incidents with this event. Sponsors liquor license will be amended to include the portion of the premises where the event will be held. The Code Enforcement Officer, the Fire Chief, and Public Works have no issues with this permit. The Building Inspector has one condition on the approval which is for the outside smoking structure to be removed from the premises. The sponsor is aware that this structure is not in compliance with building codes and regulations. All applicable fees and requirements have been satisfied.

In regards to Chicago Street Pub, this is also an annual event. There have been no past incidents with the event. Event sponsors have been responsible hosts with providing adequate security. Sponsors liquor license will be amended to include the portion of the premises where this event is to be held. The Code Enforcement Officer, the Building Inspector, the Fire Chief, and Public Works have no issues with issue this permit. All applicable fees and requirements have been satisfied.

No further discussion. Motion carried in a voice vote, 5-0.

PUBLIC COMMENT:

Laurie Junion, 4021 S. Three Penny Court - Ms. Junion is concerned with the amount of damage being done on to Dollar Road as a result of Ledgeview Farms hauling manure to the back of the fields. Ms. Junion took 22 pictures which were passed around by the board and ultimately given to the custody of the Clerk/Administrator. It was decided that both the Public Works Systems Operator and the Town Engineer would investigate the situation to see what options are available to rectify the problem. Ms. Junion believes Ledgeview Farms should be responsible for repairing the road.

Tom Kraft, 4346 Scray Hill Road - Mr. Kraft is concerned with the dump truck traffic coming to and from the quarry. Mr. Kraft believes this is a safety hazard due to the fact that there are no weight limits on Scray Hill Road and the speed limit on both Cty. Highway G and Scray Hill Road are both 45 mph. Mr. Kraft is highly uneasy with the speed in which the trucks take the corner as well as their ability to stop at the stop sign at the bottom of the hill. The board was receptive to the idea that perhaps the trucks weren't speeding; it very well could be a perception that they were speeding. There was discussion on both the history of Scray Hill Road being used as access to the quarry for decades, as well as a twenty year agreement between the quarry and the town for the building and maintaining of the roadway. The agreement is about half way completed. There is a buyout option of approximately \$10,000 which the board doesn't feel is justified. There was talk amongst the board and Mr. Kraft about factual evidence that a safety problem exists at this intersection; accidents, speed limits, traffic citations issued, etc. This would help build the reasons for the county to take a look at Cty. Hy. G and implicating some traffic changes. The residents of Scray Hill need to realize the environment in which they decided to move into. Scray Hill Road has been the designated truck route for decades for the quarry, and the quarry hasn't moved. The Clerk/Administrator will research this issue and will work with Public Works and the Town Engineer as well.

PUBLIC HEARINGS/ACTION:

- 1. Review and approve application from St. Mary Catholic Church for a Temporary Class "B" / "Class B" Retailer's License for the sale of fermented malt beverages and wine at the St. Mary Church Picnic to be held on Sunday, June 29, 2014 in the Social Hall, Gathering Area, and outdoor tents of the church located at 4805 Sportsman Drive, De Pere, WI 54115.**
The St. Mary's Church Picnic is a fundraising event held annually. This temporary retailer's license is for the sale of fermented malt beverages and wine only, no hard liquor will be permitted to be sold. The license is strictly for June 29th, and terminates at the conclusion of the picnic. After three calls for public comment, none was heard. The public hearing was closed. **MOTION** by Huxford/Danen to approve the temporary retailer's license for St. Mary's Church Picnic to be held June 29th, 2014. No further discussion. Motion carried in a voice vote, 5-0.

2. Review and approve the renewal applications for Class A and Class B Liquor Licenses, and Cigarette Licenses for the following:

RENEWAL APPLICATIONS		
Name & Address of Applicant	Type of License	Location of Premises
Vanderheyden Enterprises, LLC Todd Vanderheyden, 300 Arrowhead Drive, Green Bay, WI 54301	Class "A" Beer Cigarette	City Limit Express 1328 O'Keefe Road De Pere, WI 54115
Grand Central Station Ledgeview, LLC Daniel J. Pamperin, 396 Talus Ct, De Pere, WI 54115 Lori A. Pamperin, 396 Talus Ct, De Pere, WI 54115	Class "A" Beer Cigarette	GCS Ledgeview Shell 3691 Monroe Road De Pere, WI 54115
Nicson, Inc. David J. Bailey, 863 Hickory Valley Ct, De Pere, WI 54115 Warren M. Wanezek, 2365 Donarski Court, Green Bay, WI 54302 Richard W. Johnson, 3027 Autumn Leaves Circle, Green Bay, WI 54313	Class "A" Beer "Class A" Liquor Cigarette	Redbird BP 1850 Dickinson Road De Pere, WI 54115
I-43 Shell, Inc. Anthony Wied, 514 Randall Ave, De Pere, WI 54115	Class "A" Beer Class "A" Liquor Cigarette	I-43 Shell 3285 Cedar Hedge Lane Green Bay, WI 54311
Larry's Markets, NEW, LLC d/b/a Piggly Wiggly Thomas P. Verhagen, N1664 River Forest Dr. Kaukauna, WI 54130 Joseph L. Verhagen, W5062 Cherrywood Dr. Sherwood, WI 54169 Paul F. Knapp, W148 Sunset View Circle, Kaukauna, WI 54130 Mary L. Knapp, W148 Sunset View Circle, Kaukauna, WI 54130 David Verhagen, 1180 Midway Road, De Pere, WI 54115	Class "A" Beer "Class A" Liquor Cigarette	Piggly Wiggly 575 Swan Road De Pere, WI 54115
ShopKo Stores Operating Co., LLC Peter K. McMahon/CEO, 700 Pilgrim Way, Green Bay, WI 54304 Michael J. Bettiga/COO, 700 Pilgrim Way, Green Bay, WI 54304 Jill A. Soltau/President, 700 Pilgrim Way, Green Bay, WI 54304	Class "A" Beer "Class A" Liquor Cigarette	Shopko Express #501 3705 Monroe Road De Pere, WI 54115
Dillweed, Inc. Ronald Schoenfeld, 2315 Cathedral Forrest, Green Bay, WI 54313	Class "B" Beer "Class B" Liquor	Bleu Restaurant & Lounge Granary Building 2200 Dickinson Road De Pere, WI 54115
DeCleene-Mettner, LLC Greg DeCleene, 236 Crestview Lane, De Pere, WI 54115 John Mettner, 1428 O'Keefe Road Lane, De Pere, WI 54115 Ann DeCleene, 236 Crestview Lane, De Pere, WI 54115	Class "B" Beer "Class B" Liquor	Chicago Street Pub & Grill 1950 Dickinson Road De Pere, WI 54115
PRH Enterprise, LLC Patrick R. Hoffman/Owner, 1565 Red Maple Road, De Pere, WI 54115	Class "B" Beer "Class B" Liquor	The Creamery 2200 Dickinson Road Unit 5 De Pere WI 54115
Graystone Ale House, Inc. Jess Miller, 2263 Meadow Ridge Drive, De Pere, WI 54115 Mark Miller, 2119 W. Capitol Dr., Appleton, WI 54914 Dan Timmers, 2352 Bay Beach Ct., Green Bay, WI 54302	Class "B" Beer "Class B" Liquor	Graystone Ale House 3711 Monroe Road De Pere, WI 54115
MHGC, Inc. Mark A. Giardino, 1800 Noblemen Court, Green Bay, WI 54311 Julie A. Giardino, 1800 Noblemen Court, Green Bay, WI 54311	Class "B" Beer "Class B" Liquor	Ledgeview Golf Course 3149 Dickinson Road De Pere, WI 54115
John F. Smits, 3441 Shadow Court, Green Bay, WI 54311	Class "B" Beer	Redwood Inn

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Patricia L. Smits, 3090 Great Oak Lane, Green Bay, WI 54311	“Class B” Liquor	3230 Main Street Green Bay, WI 54311
Theresa L. Smits 3449 Shadow Court, Green Bay, WI 54311	Class “B” Beer “Class B” Liquor	Terry’s Wall Street Pub 3361 Main Street Green Bay, WI 54311
21 Gun Roadhouse, LLC. Timothy R. Czarneski, 595 Woodrow Street, Denmark, WI 54208 Todd M. Welsing, 3547 CRT, Denmark, WI 54208 Rachel A. Mathis, 209 McKenzie Lane, Green Bay, WI 54311	Class “B” Beer “Class B” Liquor	21 Gun Roadhouse 4344 Lime Kiln Road Green Bay, WI 54311
Ali Afshar, 4437 Heritage Heights, De Pere, WI 54115 Rebecca Afshar, 4437 Heritage Heights, De Pere, WI 54115	Class “B” Beer “Class C” Wine	Oley’s Pepperoni Cannoli 586 Redbird Circle De Pere, WI 54115
Glauco R. Brandini 2690 Dollar Road, Green Bay, WI 54311	Class “B” Beer	Dollar Hills Equestrian Center 2690 Dollar Road Green Bay, WI 54311

These are annual renewals of businesses that currently hold liquor licenses. The following should be noted upon approval:

- Redbird BP has also applied for a “Class A” Liquor License which would allow them to hard liquor. They have typically only held a Class “A” Beer License in the past. The owner would like to expand his business to include the sale of liquor as well. This does not fall underneath the quota requirements; quota requirements pertain to “Class B” Liquor.
- Dillweed, Inc. (Bleu Restaurant) - There are delinquent real estate taxes on the building that Bleu rents from. If the town and the owner of the building can come to a mutually agreed upon payment schedule, the liquor license can be approved. However, if there isn’t a mutually agreed upon payment schedule, then the liquor license should either be:
 - contingently approved, or
 - not approved at all, or
 - table until the June 17, 2014 Town Board Meeting to allow talks to continue.
 It would be unfortunate for Bleu to lose its license all together because of circumstances out of their control. It’s understood that there has been talks between both parties in an effort to come to some sort of a understanding. The Building Inspector recommends a contingency to remove any obstructions in the egress pathway including any tables and chairs upon approval of the license.
- Terry’s Wall Street Pub - Building Inspector recommends a contingency to permanently remove the outdoor smoking structure from the premises upon approval of the licenses. The structure is not complaint with building codes and regulations.

After three calls for public comments, none were heard. The public hearing was then closed.

The Town Chair and Treasurer have been working with Reedsville Grainery on a payment schedule for delinquent property taxes. Danen handed out a draft agreement and explained it to the board. No action could be taken on this agreement due to the fact this item is not on tonight’s agenda. Danen also explained that prior to this agreement being approved text amendments to chapters 1 and 5 of the town ordinances would have to be complete allowing for a payment schedule to be in place prior to the issuance of any licenses or permits. Once the text amendments have been approved, the board can approve the payment agreement. With the approval of the payment agreement, Dillweed can then draft an agreement with Reedsville Grainery to put backup measures in place should Reedsville default on the agreement with the town in order to protect

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their liquor license. With that said, **MOTION** by Danen/Van Rossum to table the approval of the liquor license renewal for Dillweed Inc. (Bleu Restaurant & Lounge) until the next meeting. No further discussion. Motion carried in a voice vote, 5-0. **MOTION** by Geurts/Schlag to approve the remaining renewal liquor licenses with the requested contingencies. No further discussion. Motion carried in a voice vote, 5-0.

COMMUNICATIONS: None

ZONING AND PLANNING COMMISSION ITEMS: None

OLD BUSINESS:

1. **Confirm Town Chair's appointment of members to the Zoning Board of Appeals to a three-year term ending March 27, 2017.**

The Zoning Board of Appeals consists of five citizen members plus alternates appointed by the Town Chairperson and subject to confirmation by the Town Board. Term length is three (3) years.

Contact was made with members inquiring whether they would like to be considered for re-appoint. All members and alternates expressed interest in serving another three-year term ending March 27, 2017 with the exception of Dennis Pansier. There were several residents who expressed interest in being appointed to the Zoning Board of Appeals. With that said, the Chair appoints the following:

- Gene Colwitz, Chairperson, term expires 3/27/17
- John Fiddelke, Member, term expires 3/27/17
- Steve Rohr, Alternate, term expires 3/27/17
- Steve Corrigan, Alternate, term expires 3/27/17

Comments were heard from Vince Cisler, 3706 Hidden Valley Lane. Mr. Cisler was the Chairperson of the Zoning Board of Appeals. Mr. Cisler was apprehensive to give up his seat on the Zoning Board of Appeals as he felt it wasn't justified. Discussion ensued. Danen remained firm in his recommendations for board confirmation. **MOTION** by Van Rossum/Geurts to confirm the Chair's appointments for Zoning Board of Appeals. No further discussion. Motion carried in a voice vote, 5-0.

NEW BUSINESS:

1. **Confirm Town Chair's appointment of members to the Redevelopment Authority to a five-year term. Confirm Town Chair's appointment of a Town Board Member to the Redevelopment Authority to a one-year term.**

The Redevelopment Authority consists of six (6) citizen members and one (1) Town Board Member appointed by the Town Chairperson and subject to confirmation by the Town Board. Term length is five (5) years.

Contact was made with members inquiring whether they would like to be considered for re-appoint. All members expressed interest in serving another five-year term with the exception of Max Frost. There needs to be a Town Board Member appointed to the authority as well. With that said, the Chair appoints the following:

- Tim Beno, term expiring 04/01/18
- Greg Runnoe, term expiring 04/01/18
- Carl Thiem, term expiring 04/01/17
- Town Board Member, term expiring upon Town Board term expiration

There was discussion regarding the reactivation of the Redevelopment Authority now that new legislation has given authority for towns to establish TIFF districts. Danen also volunteered to be appointed to the Authority if no other board member wished to do so. Hearing none, Danen was the candidate for Town Board Member. **MOTION** by Schlag/Huxford to approve the Redevelopment

Authority appointments along with Danen as the Town Board Member. No further discussion. Motion carried in a voice vote, 4-0 with Danen abstaining.

2. Confirm Town Chair's appointment of members to the Personnel Committee for a one year term ending June 2, 2014.

The Personnel Committee is made of four (4) citizens and one (1) Town Board member who are appointed by the Town Chairperson and subject to confirmation by the Town Board. Term length is one (1) year.

Contact was made with members inquiring whether they would like to be considered for re-appoint. All members expressed interest in serving another one year term with the exception of Dave Tellock. One resident expressed his willingness to be appointed. With that said, the Chair appoints the following:

- Ken Geurts, Chairman, Town Board Member, term expires 6/2/15
- Robert Voss Member, term expires 6/2/15
- One open spot for recruitment

MOTION by Van Rossum/Schlag to approve the Chair's appointments. No further discussion. Motion carried in a voice vote, 4-0 with Geurts abstaining.

3. Confirm Town Chair's appointment of members to the Zoning and Planning Commission for a two year term ending June 2, 2016.

The Zoning & Planning Commission shall consist of one (1) Town Board member, six (6) citizen members, and two (2) alternates appointed by the Town Chairperson and subject to confirmation by the Town Board. Term length is two (2) years.

Contact was made with members inquiring whether they would like to be considered for re-appoint. All members expressed interest in serving another two-year term with the exception of Alan Case and Dennis Rukamp (Alternate). Several residents express their willingness to be appointed. With that said, the Chair appoints the following:

- Rebecca Afshar, Member, term expires 6/2/16
- Taurino Garcia, Member, term expires 6/2/16
- Chet Lamers, Member, term expires 6/2/16
- Renee Van Rossum, Town Board Member, term expires 6/2/16
- Greg Muehl, Alternate, term expires 6/2/16
- Nedd Niedermeyer, Alternate, term expires 6/2/16

MOTION by Geurts/Huxford to approve the Chair's appointments for Zoning & Planning Committee. No further discussion. Motion carried in a voice vote, 4-0 with Van Rossum abstaining.

4. Confirm Town Chair's appointment of members to the Park & Recreation Committee for a three year term. Confirm Town Chair's appointment of a Town Board Member to the Park & Recreation Committee for a one year term.

The Park & Recreation Committee consists of five (5) citizen members and one (1) Town Board Member appointed by the Town Chairperson and subject to confirmation by the Town Board. Term length is three (3) years for all members except the Town Board member which shall have a term on one (1) year.

Contact was made with the member inquiring whether he would like to be considered for re-appoint. Jason Shanda expressed interest in serving another three-year term ending May 1, 2017. There were several residents who expressed interest in being appointed to the committee. Danen would also like

to continue to serve on the Park & Rec Committee as the Town Board member. With that said, the Chair appoints the following:

- Jason Shanda, Member, term expires 5/1/17
- Philip J. Danen, Town Board Representative, term expires 5/1/15

MOTION by Geurts/Van Rossum to approve the Chair's appointments for Park & Recreation Committee. No further discussion. Motion carried in a voice vote, 4-0 with Danen abstaining.

TOWN ORDINANCES

1. SECOND READING:

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

This is the second reading. No change recommendations were heard. No action taken.

REPORTS:

Clerk/Administrator:

- There will be a listening session held June 11, 2014 at 5:00 p.m. hosted by Town Planner Dustin Wolff regarding public input on Ag-2 General Ag Zoning restrictions.
- The Exclusive Ag - Working Lands Initiative ordinance is being reviewed by the Department of Agriculture, Trade, and Consumer Protection.
- Brown County Planning Commission Board of Directors Committee needs board feedback on the reorganization. The consensus of the board is option 3.
- Depositions have been taken on the Gerbers matter. Hearing is scheduled for September 3 and 4.
- Building addition is underway. The IT equipment is all moved to the new location, and demo work is starting soon.

Engineer:

- Public Hearing on the road assessments will need to be scheduled for July 7th.
- Belle Isle Meadow bid opening is scheduled for June 3, 2014 at 11:00 am.

Treasurer:

- 2009 Resolution for Public Depository will be on the next agenda.
- Future RFP for Banking Services in an effort to confirm we're getting the best check banking rates available.
- Communications with De Pere School District for crediting rating information on behalf of the school district.

Board Comments:

- Brought to Schlag's attention that Bowers Creek and Winding Waters have some major road damage that needs repair. Public Works did their annual road damage inventory and is working on getting repair estimates.
- No new information on the Creamery Road box culvert.

APPROVAL OF THE VOUCHERS:

MOTION by Schlag/Huxford to approve the vouchers. No further discussion. Motion carried in a voice vote, 5-0.

ADJOURNMENT:

MOTION by Danen/Schlag to adjourn. No further discussion. Motion carried in a voice vote, 5-0. Meeting adjourned at 7:28 p.m.

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