

The Ledgeview Town Board held a meeting on **Tuesday, October 21, 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, Ken Geurts, Andy Schlag, and Renee Van Rossum.

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

D. AGENDA APPROVAL

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

Motion carried in a voice vote, 5-0.

CONSENT AGENDA

1. Regular Board meeting minutes:
 - a. October 6, 2014 Town Board Minutes.
2. Committee/Commission Reports: None.
3. Operator's License Issued October 3, 2014 - October 17, 2014
4. Other Committee minutes. Accept and place on file.
 - a. September 24, 2014 Central Brown County Water Authority Minutes.
5. Amend 21 Gun Roadhouse Liquor License naming Timothy R. Czarneski as the new agent.

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/Schlag to approve the consent agenda. No further discussion. Motion carried in a voice vote, 5-0.

PUBLIC COMMENT:

Jean Bonacci, 3800 Dickinson Road - Commented that she liked the Agenda Review Sheet and found it helpful.

Pat Schillinger, 714 Iron Horse Way - Representative of the Eagle Bluff Home Owners Association is in support of the subdivision sign that's on the agenda, and asks the board to support it as well.

Eric Allen, 4377 Scray Hill Road - Mr. Allen questioned when the speed limit signs were going to be posted on Scray Hill Road. The signs are ordered, but have not arrived yet. Mr. Allen informed the board that trucks are still driving across his apron in order to avoid accidents because the road is not wide enough when two vehicles have to pass each other going in opposite directions. Mr. Allen wants something done to slow down the traffic.

Scott Janssen of Danen Janssen Quarry - Spoke about the trucks on Scray Hill Road. Trucks come from both Brown County and Calumet County to quarry. The driver's are upset about the speed limit change that's about

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to occur, however, they have no control over that. He's reminded the drivers to be prudent, safe, and aware of the surroundings on Scray Hill Road. Mr. Janssen would like the situation to be addressed with everyone in order to make it safe for all who uses Scray Hill Road.

COMMUNICATIONS: None.

ZONING AND PLANNING COMMISSION ITEMS:

1. Recommendation on the request by Patrick Schillinger, owner, for a sign review for Eagle Bluff Estates located on the corner of Marble Rock Cr. and Weatherwood Ln./ Copper Ln.

The Eagle Bluff Estates Homeowners Association would like to illuminate the existing subdivision sign located at the intersection of Marble Rock Circle and Weatherwood/ Copper Lanes. Staff found the original sign didn't have the proper approval at the time of installation; however, it does meet the required setback, location, size, and landscaping criteria. The proposed lighting will be focused on the sign and will be less than the 60 foot candle code requirement. Lighting is restricted from 11:00 pm until sunrise and the petitioner must give notice during the permit process that this will be met. The Homeowners Association wanted light near the mouth of the subdivision for safety and easy identification. Illumination of the entrance sign will not "spill" into the property across the street to the south and shouldn't cause any reflection on the roadway. The Zoning and Planning Commission voted unanimously to recommend approval of both the sign and the proposed lighting. MOTION by Schlag/Van Rossum to approve the sign and the lighting for the Eagle Bluff Estates Subdivision with conditions set forth by the Zoning and Planning Commission. No further discussion. Motion carried in a voice vote, 4-0-1, with Geurts abstaining.

2. Recommendation on the request by the Unified School District of De Pere for a sign located at the De Pere Middle School, D-373, 700 Swan Rd.

De Pere Middle School lost a sign due to weather. The sign meets height, location, message twirl times, and ambient lighting requirements. The commission recommends approval with the following contingencies:

1. Electronic message board hours of operation be limited to between 6 a.m. and 9 p.m., considering the adjacent residential district.
2. Landscaping plan illustrating appropriate plantings at the base of the sign.
3. Certification from the manufacturer that the light intensity has been factory preset not to exceed the levels specified in Chapter 79 of the Town Code and the intensity level is protected from end-user manipulation.

MOTION by Danen/Geurts to approve the sign for the Unified School District of DePere for De Pere Middle School with the recommended contingencies from the Zoning & Planning Commission. No further discussion. Motion carried in a voice vote, 5-0.

3. Recommendation on the request by Walter's Excavating, agent for Jossart Bros. Construction, for a Certified Survey Map to create Lot 1 from parcel D-56-3 and a portion of D-56 and dedicate a road cul-de-sac to the north of parcel D-56-3.

A review of conceptual mini-storage site plans was done in July and the owners wish to move forward. The lot and road dedication will provide access for the storage buildings. There is an environmentally sensitive area (ESA) on the property that is not noted on the CSM. The petitioner should resolve this issue with Brown County before Town Board approval. The Town Engineer will be involved with the road dedication. The Commission recommends approval with the following conditions that the ESA issue be resolved with Brown County before the Town Board takes action on final approval and any corrections required by the Town Engineer and Brown County are addressed. There was discussion regarding the DNR showing there's a navigable waterway on the property which has to be removed prior to permitting. MOTION by Huxford/Geurts to approve CSM with the recommended contingencies from the Zoning & Planning Commission. No further discussion. Motion carried in a voice vote, 5-0.

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4. Recommendation on the request by Dave Wouters, owner, for a Certified Survey Map creating Lot 1 on parcel D-446-1.

This CSM was previously approved by the Commission, however, due to litigation, the CSM was never recorded. A considerable time has elapsed since approval, thus the CSM has to go through the approval process again. Lot 1 is zoned Institutional and meets the lot size requirements. A previously approved Area Development Plan is void so future roads marked on the CSM should be removed. The Commission recommends approval. MOTION by Schlag/Van Rossum to approve the CSM with the recommended contingencies from the Zoning & Planning Commission. No further discussion. Motion carried in a voice vote, 5-0.

5. Recommendation on the request by Dave Wouters, owner, for a site plan for a care-for-caregivers facility located on parcel D-446-1.

The petitioner is requesting to build a 5120 square foot facility which is smaller than the original proposed and approved site plan prior to litigation. The plan was revised based on discussions Mr. Wouters has with various town boards and commissions and as a result of the mediation process. The Commission had discussions on some building design modifications that were noted as conditions of approval. The following are the conditions recommend by Zoning & Planning and are eligible to be submitted upon building permit approval:

1. Revise the proposed signage to comply with the regulation of Chapter 79, Signs.
2. Revise the landscape plan to include additional planting groups at the perimeter of parking areas, size of landscape materials at the time of planting, replace proposed ash trees and landscape plantings for trash enclosure.
3. Provide greater detail on how trash will be handled for the site by revising the plan to illustrate area for trash enclosure and provide elevations, dimensions and materials for enclosure.
4. Revise the building elevations to indicate the material colors.

There was much discussion on the Institutional Zoning requirement to have municipal water and sewer hook up to the property prior to any building. The property currently does not meet this requirement; however the site plan can still be acted on. The site plan and zoning requirements are two separate issues. Approval of the site plan does not guarantee a building permit. Prior to a building permit being issued, all zoning requirements must be satisfied or a variance granted. The issue of municipal sewer and water connection was discussed at the time of the zoning change, and staff understands that there are still conditions of institutional zoning that need to be completed prior to the issuance of a building permit. MOTION by Huxford/Danen to approve the site plan with the understanding that this approval in no way guarantees the issuance of a building permit, that sewer and water hook up is necessary or a variance given prior to the approval of a building permit. No further discussion. Motion carried in a voice vote, 5-0.

Later in the meeting, the Town Engineer noticed that the site plan included an onsite water system. Being the plan was dated 2012, staff requested to have an opportunity to review the onsite system prior to board approval. Therefore, MOTION by Huxford/Danen to rescind the motion for approval of the Wouters Site Plan, and table the item until the next meeting for staff to review. No further discussion. Motion carried in a voice vote, 5-0.

OLD BUSINESS: None.

NEW BUSINESS:

1. **Recommendation from Park & Recreation Committee to install temporary ice skating rink at Ledgeview Park for 2014/2015 Winter Season.**

At their June, 2014 meeting, the Park & Rec Committee had a discussion on both short and long term park projects. One of the short term items the Committee viewed as a simple, quick, and inexpensive project is to install a temporary ice skating rink at Ledgeview Park. The group viewed this as a way to be productive even though their efforts are focused on updating the Town's Comprehensive Outdoor & Recreation Plan. There was discussion on a warming shack, restroom availability, and lighting. There wasn't going to be any amenities, rather it was meant to be pilot program to see if the rink would be used and to what extent at this point. The Board thought this was a great idea, however, would like to see some cost estimates prior to approval. This item was tabled until the next meeting.

2. Request of town staff to change the November 3, 2014 Town Board Meeting to 4:30 p.m. for Election Day Setup.

With a high voter turnout expected, staff is requesting that the Monday, November 3, 2014 Town Board Meeting be moved to 4:30 p.m. instead of 6:00 p.m. to give staff time to properly set-up for Election Day. Polls are open from 7:00 a.m. to 8:00 p.m. The Board thought this was a reasonable request, however would like to move the final approval of Ordinance 2014-008 Chapter 2 Codify Various Duties, Responsibilities and Procedures of Town Government to the Monday, December 1, 2014 6:00 PM meeting. MOTION by Huxford/Van Rossum to move the time for the November 3, 2014 meeting to 4:30 PM. The time should be highlighted on the posted agenda to give public notice of the time change. No further discussion. Motion carried in a voice vote, 5-0.

2015 PROPOSED BUDGET WORK SESSION:

1. The Town Board will be conducting a work session with town staff to review the 2015 proposed budget and the final 2015-2019 Capital Improvement Plan. Budget items reviewed are for discussion only.

Burdette presented the proposed 2015 Budget and the final Capital Improvement Plan for 2015-2019. The proposed budget sets the levy amount at \$1,812,102 which is within the allowable maximum levy limit, and puts the mil rate at \$2.6473 per thousand which is down a fraction of a penny. The debit service is down from 2014 and the median house value is at \$253,700. The Board was pleased with proposed budget and set the public hearing for November 18th at 6:00 PM. No action taken.

TOWN ORDINANCES

1. SECOND READING:

a. Ordinance 2014-008, An ordinance to Codify Various Duties, Responsibilities and Procedures of Town Government.

The first reading of the ordinance was done at the April 7, 2014 Town Board Meeting. Per the Annual Meeting, each article has been reviewed, discussed, and analyzed by the Board through a series of meetings. Modifications have been made, and the ordinance, as a whole, is up for a second reading. This was the second official reading of this ordinance. With the change of the November 3, 2014 Meeting to 4:30 PM, the third and final reading was moved to December 1, 2014 at 6:00 PM with no changes. A redlined version depicting the changes will be put on the website and e-mailed to all the board members.

REPORTS:

Clerk/Administrator:

- Department of Administration finalized the town's population at 7337.
- Zoning & Planning reviewed all the drafts of the Comprehensive Plan update. They've scheduled individual workshop session outside of their regular meeting to fine tune and get a better understanding of the drafts. Look for a final version in Spring.
- Parks Committee reviewed the draft of the updated Park Plan and continue to work it. Look for a final version in the Spring.
- Water Authority will hold their budget meeting tomorrow and a meeting with Manitowoc Public Utility on rates for next year's budget will take place next week.

- Staff is wrapping up the Town's budget. There will be a public hearing on the budget, Special Meeting of the Electors, and Special Town Board Meeting on November 18th at 6:00 PM, in conjunction with the regular Town Board Meeting for approve the 2015 Budget.
- The speed limit on GV has been posted at 40 mph; any feedback is welcomed.
- Independent Inspections assigned another inspector to back-up Dave Enigl. This inspector is currently getting acclimated to Ledgeview.

Engineer:

- Bell Isle curb and gutter is being staked. Contractor will be in to pour soon depending on the weather.
- Meadow Ridge second phase is pushing ahead; may have curb, gutter, and apron installed this year yet, weather depending.
- GV-10 utility contract was awarded to PTS, with a start date of mid-late November. Should be operational by January 1, 2015.

Treasurer:

- Bell Isle reported that they are going to be closing soon on their first lot, and have a total of seven lots spoken for.
- The Sanitary District had their AA rating reconfirmed from Standard & Poors on September 30, 2014. The Town will have to be rerated next year for bonding.
- The municipal bond market has lowered their interest rates, so it looks good for financing. The goal is to be ready to close early in January to get the best interest rate.
- Cash Flow Report was included in the packets.

Board:

Huxford:

- Received complaints about unsightfulness of the Knaus property. Now that the litigation has been closed, an abatement plan can be crafted.
- The Golson family is wondering about the future status of their property. Zoning & Planning is just starting to review the land use language as part of the Comprehensive Plan update, so that discussion isn't completed at this time.

APPROVAL OF THE VOUCHERS:

MOTION by Schlag/Van Rossum 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 5:48 PM.

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