

The Ledgeview Town Board held a meeting on **Tuesday, November 18, 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, Andy Schlag and Ken Geurts.

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

**D. AGENDA APPROVAL**

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

**CONSENT AGENDA**

1. Regular Board meeting minutes:
  - a. November 3, 2014 Town Board Minutes.
2. Committee/Commission Reports: None.
3. Operator's License Issued: None.
4. Other Committee minutes. Accept and place on file.
  - a. July 28, 2014 Length of Service Award Program (LOSAP) Committee Meeting Minutes.
  - b. September 18, 2014 Park & Recreation Committee Meeting Minutes.
  - c. October 15, 2014 Zoning & Planning Commission Meeting Minutes.
  - d. October 29, 2014 Sanitary District Commission Meeting Minutes.
5. Pay Request
  - a. Pay request #6 from Dorner Inc for Reserve at Meadow Ridge Contract C-2013 for \$144,960.40

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, 5-0.

**PUBLIC COMMENT:** None.

**COMMUNICATIONS:**

Chairman Danen received some correspondence just yesterday regarding the Fire Department's election procedures. This will be a future agenda item.

**NEW BUSINESS:**

1. **Resolution to affirm the David A. Wouters Survivor's Trust request to withdraw rezoning request and site plan review request for part of parcel D-446-1, Resolution 2014-015.**

After considerable thought and reflection, Mr. Wouters and the Trust wish to withdraw the rezoning request and site plan review request for part of parcel D-446-1 to operate a caregiver center. This

Approved at the December 1, 2014 Town Board Meeting.

resolution solidifies this request. Mr. Wouters and the Trust reserves the right to later approach the Town to rezone any parcel(s) of their property and/or construct any buildings consistent with operative town ordinances. MOTION by Schlag/Huxford to approve the resolution. No further discussion. Motion carried in a voice vote, 5-0.

**2. Recommendation to confirm settlement terms regarding the matter between Robert Gerbers and the Town of Ledgeview .**

Mediation took place on November 13, 2014 in which Town Chairman Danen and Clerk/Administrator Burdette participated in. A mutual settlement agreement was achieved subject to confirmation by the board. This is not a confidential agreement and there is no admission of liability of the town. The settlement is for \$19,000 to be paid in 2015 to Mr. Gerbers in the manner of his choosing which is within the board authorized perimeters. Accepting this settlement would close this matter, thus keeping costs to the town at a minimum. MOTION by Geurts/Huxford to accept the settlement under those terms. No further discussion. Motion carried in a voice vote, 5-0.

**REPORTS:**

**Clerk/Administrator:**

- The General Election went very well thanks to a team effort by poll workers and town staff and was very well attended with 67% of eligible voters casted a ballot.
- The 2015 Annual Budget is in final form and will be presented later today with the Public Hearing, Special Meeting of Electors, and Special Town Board Meeting.
- Zoning & Planning Commission are holding workshops on the Comprehensive Plan separate from their monthly meeting to speed the process up. They are looking for some feedback in the form a survey that was given to staff earlier this month.
- Bel Gioioso Cheese is expanding, their site plan will be on the next agenda.
- Tax bill preparation is underway, December 12<sup>th</sup> is the estimated date to be mailed out.
- Parks Committee is working on the Park & Recreation Plan.
- Public Hearing to adopt the Official Map is scheduled for December.
- Annual Quarry and Blasting Permits are due in December.
- Public Hearing on the GV-10 Special Assessments is scheduled for December.
- The revitalized Beautification Committee will hold its first meeting in December.

**Engineer:**

- Bell Isle is paved. The first building permit was issued. There are some punch list items to complete.
- GV-10 held a preconstruction meeting today for sewer and water. Utility work will begin December 1<sup>st</sup>.

**Treasurer:**

- GV-10 Special Assessment Public Hearing will be held December 1<sup>st</sup> for roads and December 3<sup>rd</sup> for sewer and water. Required publication, posting, and mailing notifications have been completed.
- October Cash Flow Report was included in the packets.

**Board Comments:** None.

**ZONING AND PLANNING COMMISSION ITEMS:**

**1. Review and approve recommendation on the request by Walter's Excavating, agent for Jossart Bros. Construction, for a site plan for mini-storage buildings located on Swan Rd, parcel D-56-3.**

The Zoning & Planning Commission reviewed the request by Jossart Brothers Construction for a site plan for 10 mini storage buildings located on Storage Court & Swan Road, Parcel D-56-3. The site plan shows nine 8,000 sq. ft. and one 6,000 sq. ft. units to be built in five phases consisting of two buildings per year. The property will be asphalted as each phase is finished; no gravel will be used. The site plan meets

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greenspace, setback, dumpster, & lighting requirements. Discussion was had regarding the site plan. The ZPC is recommending approval with conditions of:

- Reallocating some plantings from adjacent sides to the north side
- Safety bollards at the corners of each building be labeled for future consideration & per the approval of the Fire Department
- The wall sign square footage be redesigned to fit within code size requirements  
Building façade colors be accepted & noted on the submitted building plans (gray, with dark gray edges & white doors)

Discussion ensued regarding the completion of the new road which gives access to the proposed site. There were DNR related issues with the road, which have now been cleared. The CSM has been approved by the board. The developer wanted to pour concrete this year, but with the weather, probably won't happen. The concern was with access and possible damage to road and vehicles. MOTION by Huxford/Schlag to approved subject to the road being built and no occupancy permit issued until the asphaltic binder on the roadway is completed. No further discussion. Motion carried in a voice vote, 5-0.

**OLD BUSINESS:** None.

**TOWN ORDINANCES:**

**1. First Reading**

**a. Referral from Zoning & Planning Commission, Ordinance 2014-022 to Amend Chapter 135 Zoning, Section 16 Swimming Pools, Hot Tubs, and Spas.**

Code Enforcement Officer Mark Roberts has had several complaints about inadequate swimming pool safety barriers to prevent entry into the pool by unsupervised persons. The code currently requires "no less than 48 inches from the water's edge", which complies with the International Code Council who sets regulations concerning pool barriers. However, that doesn't mean the town couldn't require a higher barrier. Roberts suggests changing the barrier requirement to "no less than 60 inches (5 ft) from the water's edge"

**b. Referral from Zoning & Planning Commission, Ordinance 2014-023 to amend Chapter 121 Vehicle Regulation, Section 4 Parking Prohibited.**

This is a housekeeping issue regarding parking vehicles. The Commission reviewed the original draft and made a few language changes including prohibiting the parking vehicles over sidewalks & crosswalks, and prohibiting the parking of leaky vehicles on public or private property. The Commission unanimously voted in favor of the amendment.

**c. Referral from Zoning & Planning Commission, Ordinance 2014-024 to amend Chapter 135 Zoning, Section 15 Fences.**

Code Enforcement Officer Mark Roberts has had several complaints about inadequate swimming pool safety barriers to prevent entry into the pool by unsupervised persons. The code currently requires "shall be completely enclosed by a fence or wall that measures not less than 52 inches in height". The issue is that fences are not manufactured in 52 inch heights, only 48, 60, & 72. Therefore, Roberts is recommending the 52 inch height requirement be amended to 60 inches.

**d. Referral from Zoning & Planning Commission, Ordinance 2014-025 to amend Chapter 41, Peace and Good Order, Section 7 Unreasonable Noise.**

Another housekeeping issue which was reviewed by the ZPC. The current ordinance is very basic and difficult to enforce. Staff recommended placing time restrictions when noise is

prohibited and language for exceptions to the time constraints. The Commission recommends approval of the amendment.

There was discussion on the ordinances as a whole. The main reason for these ordinance changes is so there is consistency within these ordinances for enforcement purposes. The board decided to move all ordinances on for a second reading. No action taken.

**APPROVAL OF THE VOUCHERS:**

**MOTION** by Van Rossum/Geurts to approve the vouchers. No further discussion. Motion carried in a voice vote, 5-0.

**ADJOURNMENT:**

**MOTION** by Danen/Van Rossum to adjourn. No further discussion. Motion carried in a voice vote, 5-0. Meeting adjourned at 5:06 p.m.

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