

The Ledgeview Town Board held a meeting on **Tuesday, December 16, 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. Supervisor Ken Geurts was excused.

Staff present were Clerk/Administrator Sarah Burdette, Engineer Scott Brosteau, Planner Dustin Wolf, 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, 4-0.

CONSENT AGENDA

1. Regular Board meeting minutes:
 - a. December 1, 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. November 12, 2014 Zoning & Planning Commission Minutes.
5. Pay Request: None.
6. Approve the amendment to Ledgeview's Emergency Operations Plan.

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, 4-0.

PUBLIC HEARING:

The purpose of the public hearing is to solicit and consider comments on the proposed official map, titled Town of Ledgeview Official Map, in accordance with Wis. Stats. §62.23(6)(b) to conserve and promote the public health, safety, convenience or general welfare by designating land for expanded and future highways, parkways, waterways, and other public facilities. All persons interested are invited to be heard.

The public hearing was opened by Chairman Danen at 4:32 p.m.

Bill VandeYacht, 4151 Ledgecrest Road - Questioned what B1 General Zoning was. General Zoning for B1 is business.

After three calls for public comment, none were heard. The public hearing was closed at 4:34 p.m.

MOTION by Danen/Huxford to adopt the Official Map. No further discussion. Motion carried in a voice vote, 4-0. The official map will need to be recorded at the Register of Deeds Office.

Approved at the January 5, 2015 Town Board Meeting.

PUBLIC COMMENT:

Bill VandeYacht, 4151 Ledgecrest Road - Wanted a status update on the GV-10 project. Currently sewer and water are being installed. The round-about at GV and X will start next spring and the project will continue to the north. Mr. VandeYacht also requested deer crossing signs to be put on CTH G at Dollar Road to warn travelers of high deer population due to a high volume of the car vs. deer accidents at that location. CTH G is county highway, in which this needs to be addressed with Brown County Highway Department.

COMMUNICATIONS:**1. VanderKinter e-mail regarding items in yard.**

Danen explained that all board members received this e-mail and it should be forwarded to code enforcement for options for the board to consider in the future.

ZONING AND PLANNING COMMISSION ITEMS:**1. Recommendation to confirm the updated zoning map to include previously approved zoning changes.**

Planner Dustin Wolff gave an overview of the updated zoning map. The current Zoning Map was last updated in 2009 along with the Official Map, and this map will also include any approved changes since that time. There is no state requirement to keep an updated zoning map, however it is a useful tool to have. The map is a living document, which means it will change as zoning requests occur. MOTION by Huxford/Schlag to accept the updated zoning map. No further discussion. Motion carried in a voice vote, 4-0.

2. Recommendation to approve the request by Steve Bieda of Mau & Assoc., agent for Joel & Rose Ament, owners, for a Certified Survey Map (CSM) to create Lot 2 from parcel D-663.

Planner Dustin Wolff explained Zoning and Planning Commission (ZPC) reviewed the request for a CSM creating Lot 2 from parcel D-663, located between Hawthorne Heights Dr. and CTH G/ Dickinson Rd. There is an existing residence on the southern portion of the parcel, and the parcel is unique in that the Niagara Escarpment runs east/ west through the property. The Commission identified the Escarpment as a natural feature to be protected during their Comprehensive Plan Update process. ZPC recommends approval of the CSM with the following conditions:

1. Notation specifying that connection to municipal sewer and water service within one (1) year of the availability of public utilities as required by the sanitary district regardless of the age of the existing onsite systems.
2. Illustrate the topography of the property on the CSM.
3. Illustrate required setbacks for the parcels on the CSM.
4. Notation or easement prohibiting construction within the escarpment included on the CSM.
5. Obtain County approval for access to Dickinson Road.

Bill VandeYacht is concerned with preserving the beauty of the escarpment and the need to keep the restricted conveniences in mind.

There were questions regarding the location of the driveway, and whether or not Brown County would allow a driveway on the curve. There were also questions regarding the steepness of the escarpment and location of the house to the escarpment. It was determined that there wasn't enough information regarding these issues to make an informed decision. MOTION by Danen/Huxford to table this item until the next meeting. No further discussion. Motion carried in a voice vote, 4-0.

3. Recommendation to approve the request by Bel Gioioso Cheese Inc., owner, for a site plan for an addition to the existing cheese plant located at 4200 Main St., parcel D-328.

Planner Dustin Wolff explained Zoning and Planning Commission (ZPC) reviewed the request by Bel Gioioso Cheese Inc. for a site plan for an addition to their existing plant located at 4200 Main St., parcel D-328. The addition meets all site and setback requirements and the façade will match the existing building. The site has ample parking and there are no access changes at this time. Recognizing constraints due to Brown County's reconstruction of CTH R in 2015, landscape plans cannot be submitted at this time. Bel

Gioioso is also working with the Town's engineer on stormwater and public works on an improved sanitary sewer trap. ZPC unanimously recommended approval with the following conditions:

1. A landscape plan should be provided before occupancy is permitted that illustrates planting on the BelGioioso property, along the CTH R right-of-way.
2. Highlight the specific lamps selected for wall pack lighting and ensure the fixtures will be down-cast prior to the building permit being issued.
3. Provide a photometric plan for review prior to the building permit being issued.

There was discussion on bi-product between Public Works Operator Mark Pansier and Bel Gioioso. The concern is that additional cleaning is needed in the floor traps. Both parties are working together to resolve the issue. Bel Gioioso has an early start permit. MOTION by Van Rossum/Schlag to approve with the conditions set forth by the Zoning and Planning Commission. No further discussion. Motion carried in a voice vote, 4-0.

OLD BUSINESS: None.

NEW BUSINESS:

1. Recommendation to approve Revision #1 to the State/Municipal Agreement for STH 32/57 and CTH X Roundabout Project.

Engineer Scott Brosteau explained that the Town Board signed the original project agreement on March 3, 2014. Since that time, WDOT has finished the plans and is updating the cost prior to going to bid. The new costs have increased due to more stamped/colored concrete on a splitter island than first estimated. Ledgeview has one quarter of the roadway, and the state and City of De Pere are to pay for the lighting. The costs were included in the 2015 budget. There was discussion regarding the plans and the fact that the Board didn't see the plans prior to acting on the agreement. The plans will be provided in the next board packet. MOTION by Huxford/Danen to approve Revision #1 to the State/Municipal Agreement for STH 32/57 and CTH X Roundabout Project. No further discussion. Motion carried in a voice vote, 3-1 with Schlag voting no because the plans were not included for the board to review prior to approval.

2. Recommendation to affirm WI Statute Section 349.16 referring to local jurisdiction's ability to post special or seasonal postings on highways or portion of highways under their jurisdiction (2013 Wisconsin Act 377).

The Town Engineer Scott Brosteau presented the new Implements of Husbandry, or farm equipment statue, that was recently updated by the State under Act 377. The Act changed the definition, size, and weight limits, and includes local options with a no fee permit for farm equipment to be operated on public roadways. There were six different options given by the Act, and the Town must adopt one of these options to be in compliance by January 15, 2015. Brosteau's recommendation is Option F, however, Danen thought that perhaps Option B would be a better fit. Discussion was had with impacted audience members. The discussion led to an inquiry of what surrounding communities are doing and how it would be enforced by the sheriff's department with some consistency. This does not affect the ability to enact seasonal weight restrictions. MOTION by Danen/Schlag to table this issue until the next meeting in order to get more information. No further discussion. Motion carried in a voice vote, 4-0.

3. Recommendation to approve Annual Municipal On-Line Access Agreement with Brown County Register of Deeds.

Deputy Clerk Nelson explained that this is an annual agreement with Brown County that allows the town to have electronic access (read-only) the Register of Deeds records. This information is used for a variety of reasons within the office such as land records. MOTION by Van Rossum/Huxford to approve the agreement. No further discussion. Motion carried in a voice vote, 4-0.

4. Re-appointment of Town Clerk and Town Treasurer to each serve a three-year term commencing January 1, 2015 pursuant to Wisconsin Statute §60.30(1)(e).

Approved at the January 5, 2015 Town Board Meeting.

MOTION by Danen/Schlag to reappoint the Town Clerk and Town Treasurer to each serve a three-year term commencing January 1, 2015 pursuant to Wisconsin Statute §60.30(1)(e) and town ordinance 108. No further discussion. Motion carried in a voice vote, 3-1 with Huxford voting no.

5. Recommendation to confirm 2014 Fire Department Chief and Officer Election results.

Clerk/Administrator Burdette re-capped the Fire Department Election Results from the night before. Ordinance calls for the Board to confirm the results which are as follows:

Chief – Tom Guns
Captain – Jason Pansier
Lieutenant – Jon Baroun
President – Jason Pansier
Vice President – Pat Van Rite
Secretary – Paul Schlag
Treasurer – Mike VanDeurzen
Membership Chairperson – Jason Benzschawel

MOTION by Schlag/Van Rossum to receive and confirm the election results from the Fire Department. No further discussion. Motion carried in a voice vote, 4-0.

TOWN ORDINANCES:

1. THIRD & FINAL READING:

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

This is the third reading for this ordinance; there were no changes from the second reading. 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. The Board made one minor language change to the original, which was to take the work “unreasonably” out of paragraph D. No other changes were made. MOTION by Schlag/Huxford to approve with the change as noted. No further discussion. Motion carried in a voice vote, 4-0.

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

This is the third reading for this ordinance; there were no changes from the first reading. Another housekeeping issue which was reviewed by the Zoning and Planning Commission. 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 board would like to see different options that available, i.e. putting restrictions on the building permits. The discussion regarding this ordinance was to deny, due to the diverse resident population and occupations, didn't want to handcuff anyone with time restrictions. MOTION by Danen/Huxford to deny approval of this ordinance. No further discussion. Motion carried in a voice vote, 4-0.

REPORTS:

Clerk/Administrator:

- Stipulation and order to dismiss for the Kuehne matter was included in the packets.
- Tax bills are completed and being mailed out.
- Zoning and Planning are continuing to work on the Comprehensive Plan Update.
- There will be a public hearing on the January 5th meeting for the two zoning code ordinances.
- Brown County Highway Department held a meeting on Lime Kiln Road development near Costco. There won't be any impact on Ledgeview and CTH V will be detoured this summer.

Engineer:

- There was a question to Ledgeview's portion of the GV-10 sewer and water special assessments, Ledgeview's percent of that work is 17-18%.

Treasurer:

- November Cash Flow Report was included in the board packets.
- Working on GV-10 bonds; paperwork should be ready for signature on January 20th.

Fire Department:

- Fire Department received five new members that will be starting January 1, 2015.

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/Schlag to adjourn. No further discussion. Motion carried in a voice vote, 4-0. Meeting adjourned at 5:32 p.m.

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