

The Ledgeview Town Board held a meeting on **Monday, May 4, 2015, 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. ROLL CALL**

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

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

**D. AGENDA APPROVAL**

Danen explained that Item 1a under Ordinances was requested to be removed from the agenda. There were no other changes. **MOTION** by Danen/Geurts to approve the agenda as amended. No further discussion. Motion carried in a voice vote, 5-0.

**CONSENT AGENDA**

1. Regular Board meeting minutes:
  - a. April 21, 2015 Town Board Meeting.
2. Routine Reports:
  - a. None.
3. Committee/Commission Reports:
  - a. None.
4. Operator's Licenses:
  - a. April 18, 2015 to May 1, 2015.
5. Other Committee minutes. Accept and place on file.
  - a. March 11, 2015 Zoning & Planning Commission Meeting Minutes.
  - b. March 23, 2015 Park Committee Meeting Minutes.
  - c. March 26, 2015 Beautification Meeting Minutes.
  - d. April 1, 2015 Sanitary District Meeting Minutes.
  - e. April 7, 2015 Sanitary District Meeting Minutes.
  - f. April 10, 2015 Sanitary District Meeting Minutes.
6. Public Amusements & Shows Application
  - a. 21 Gun Roadhouse Truck & Tractor Pull May 30, 2015 from 4 p.m. - 10 p.m.
  - b. Chicago Street Pub Social Gathering in Pub Parking Lot, Friday, July 17, 2015, 4 p.m. to 11 p.m..
7. Special Event Street Closure Application for Cellcom Green Bay Marathon, May 17, 2015, 7:00 a.m. to 2:00 p.m.
8. Pay Request and Change Order
  - a. Approve Change order #1 for contract A-2014, Belle Isle Meadows Subdivision, in the amount of \$32,522.73

- b. Approve pay request #5 for contract A-2014, Belle Isle Meadows Subdivision, in the amount of \$13,002.47 to Jossart Construction Inc.

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 to approve the consent agenda. Discussion ensued regarding Item 6a the Public Amusement & Shows Application for 21 Gun Roadhouse Truck & Tractor Pull on May 30th. Since there were issues last year with the practice trails held two weeks before the actual Truck & Tractor Pull, the board was apprehensive to approve the permit this year. Staff explained that liquor license holder acknowledges the wrong doing that occurred last year and will not participate, or have anything to do with, the trials to be held on May 16th. However, 21 Gun Roadhouse did meet all the requirements to sponsor the event this year. The property owner (who is sponsoring the trail pulls on the 16th) was advised that a permit was needed for the trials as well, but chose ignore this requirement. Discussion continued. Some board members didn't think it was right to punish the sponsor because the property owner wasn't cooperating with town ordinances. Others felt that since there is no cooperation, it's an indication there will be issues with both events. Further discussion took place as there was a heavy sense that since there wasn't applications for both events, that neither permit should be approved. It was determined that since there was heavy discussion just one item on the Consent Agenda that it would make sense to amend the original motion. **AMENDED MOTION** by Van Rossum to make Item 6a a separate agenda item for voting purposes, and to approve the remainder of the Consent Agenda. The amended motion was seconded by Schlag. No further discussion. Amended motion carried in a voice vote, 5-0.

## 6. Public Amusements & Shows Application

### a. 21 Gun Roadhouse Truck & Tractor Pull May 30, 2015 from 4 p.m. - 10 p.m.

**MOTION** by Schlag/Geurts to approve 21 Gun Roadhouse Truck & Tractor Pull May 30, 2015 from 4 p.m. - 10 p.m. with town staff contacting the sponsor of the event advising them that the property owner needs to obtain a permit for the practice to be held two weeks prior to the actual Truck & Tractor Pull on the 30th. No further discussion. Motion carried in a voice vote, 3-2 with Danen and Van Rossum voting nay.

### **PUBLIC COMMENT:**

Bill Lindmark, 449 S. Huron Road, Green Bay – Mr. Lindmark thought the board had a good discussion on the Annual Truck and Tractor Pull and Practice Event. He feels that if there's not permit, there's no practice.

### **PUBLIC HEARING:**

#### 1. On the application from Littlemore Twigs, LLC, Michelle Whittemore, Owner/Agent, for a Class "B" Beer License doing business as Littlemore Twigs, 3706 Creamery Road, De Pere, WI, 54115.

Littlemore Twigs is a new business in Ledgeview, located in the schoolhouse of the Old School Square. The business plan is to sell locally made products. One of those products is locally crafted beer in its original package. Ms. Whittemore would also like the ability to host local bands on the deck in back and be able to have customers consume the craft beer while enjoying the band, making this a Class "B" license for fermented malt beverages to be purchased in its original package to be consumed on or off premises. There is no quota for Class "B" licenses.

At 6:25 p.m., the public hearing was opened for any comments. After three calls for comments, none was made. The public hearing was closed at 6:26 p.m.

MOTION by Geurts/Schlag to approve the liquor license for Littlemore Twigs. No further discussion. Motion carried in a voice vote, 5-0.

2. **On the request by Steve Bieda of Mau & Associates, agent for Ryan Radue of Seville Properties, LLC, applicant, to rezone parcels D-184, 2057 Dollar Road, and D-184-3, Dallas Lane, from A-2, Agriculture to R-1, Residential.**

Chairman Danen clarified the only item on tonight's agenda is the zoning change. There is no discussion or action being taken on the plat itself. Status of the plat is that it is in a conceptual stage at this time; the developer met with the Zoning & Planning Commission just to get feedback on the conceptual plan. The developer must submit a preliminary plat first to Zoning & Planning, and if they recommend approval, it will forward on to the Town Board for final approval. This has not yet taken place.

At 6:28 p.m. the public hearing was opened for comments.

Pat Lindmark, 449 S. Huron Road, Green Bay – Ms. Lindmark wanted to know at what point is the plat up for public input. She was advised that tonight's agenda was on the zoning issue only, and to watch future agendas on the website, specifically the Zoning & Planning Commission and the Town Board, for any future action on the plat.

Darryl Novotny, 3968 Three Penny Court – Mr. Novotny is concerned with the traffic and the roads that are in the concept plan. Advised that the plat is not finalized nor are the roads at this point. Mr. Novotny also asked about a wetland delineation.

At this point, Town Planner, Dustin Wolff, explained the statutory process of a plat. First there is a rezoning of the property, then a development of a preliminary plat per Wis. Stats. 236 which spells out the requirements of the plat, and then the final plat which must reasonably resemble the preliminary plat. The final plat is recorded and this creates the subdivision. There is no public hearing requirement for plats. The area where the plat is located agrees with the comprehensive plan for residential use.

Jean Boncci, 3800 Dickinson Road – Ms. Boncci was curious about the amount of homes being proposed, if the zoning could be rural residential instead of residential single family, and if the plat was consistent with Sanitary District plan. Ms. Boncci was advised that the developer is proposing a residential, single family home, with sanitary/sewer. The infrastructure would have to be sufficient to meet these requirements, and the plat is in agreement with the Sanitary District area.

After three calls, no further comments were heard. The public hearing was closed at 6:40 p.m.

**MOTION** by Schlag/Peltier to approve the rezone of parcels D-184, 2057 Dollar Road, and D-184-3, Dallas Lane, to R-1, Residential. No further discussion. Motion carried in a voice vote, 5-0.

**COMMUNICATIONS:** None.

**ZONING AND PLANNING COMMISSION ITEMS:** None.

**OLD BUSINESS:** None.

Approved at the May 19, 2015 Town Board Meeting.

**NEW BUSINESS:****1. Discussion and possible action designating proposed boundaries and approving a Project Plan for Tax Increment District No. 1, Town of Ledgeview, Brown County, Wisconsin.**

Planner Dustin Wolff explained that action tonight would define the boundaries for TID #1 as well as the Project Plan. There've been discussions since August of 2014 on creating a TID with the focal point being community development. Staff looked at two specific areas; one being an industrial area near I-43 and the other being Old School Square area. Staff recommends the Old School Square Area for several reasons, a couple of them being it functions as a downtown area for the town, the reconstruction of CTY GV allows good access which is attractive to developers, and the area has the potential to become a successful TID with mixed, residential and commercial, use. Staff met with landowners in the recommended TID area who embraced the TID concept. There are some flood plan concerns to overcome, but the area is conducive to doing so. Agreements will be in place with developers indicating their intent to build once the infrastructure is in place.

The taxing jurisdictions have to approve this deferment incremental for development to occur. The market has been successful. There is a Joint Review Board consisting of a representative from the Town, the County, the Technical College, the School District, and a Citizen Representative who make certain decisions regarding the TID and how it operates. The IDP approved the resolution, the same resolution in front of the Board. If the resolution is approved tonight, the Joint Review Board will meeting May 19<sup>th</sup> for final approval. Fiscal financing authority remains at the discretion of the Joint Review Board. However, the Town Board has the final authority of any funding. The property owners continues to pay taxes under the mil rate established on January 1, 2015. That tax amount is frozen to increase subject to special funding within the TID boundaries. The Town's Financial Consultants are amenable to the TID.

**MOTION** by Geurts/Van Rossum to approve the proposed boundaries and approving a Project Plan for Tax Increment District No. 1. No further discussion. Motion carried in a voice vote, 5-0.

**2. Confirm Town Chair's appointment of members to the Redevelopment Authority.**

The Redevelopment Authority consists of six (6) citizen members and one (1) Town Board Member appointed by the Town Chair and confirmed by the Town Board. The length of the term is 5 years. Recommendation is to appoint Ryan Van Straten and Phil Danen as Town Board Member. **MOTION** by Geurts/Van Rossum to confirm the chair's appointments to the Redevelopment Authority. No further discussion. Motion carried in a voice vote, 5-0.

**3. Confirm Town Chair's appointment of members to the Personnel & Finance Committee.**

The Personnel & Finance Committee consists of six (6) members; 4 citizens, 1 Town Board member, 1 staff member (non-voting), all appointed by the Town Chair with approval by the Town Board for a two year staggering term. Recommendation is to appoint Ken Geurts as Town Board Member, Tim Beno and Joe Schlag to a two-year term, and Robert Voss to a one year term, leaving one open spot for recruitment. **MOTION** by Geurts/Schlag to confirm the Chair's appointments to the Personnel & Finance Committee. No further discussion. Motion carried in a voice vote, 5-0.

**4. Confirm Town Chair's appointment of members to the Zoning and Planning Commission.**

Zoning & Planning Commission consists of seven (7) members; 1 Town Board Member, 6 citizen members, & 2 alternates, all appointed by the Town Chair with confirmation by the Town Board for a 2 year term. Recommendation is to reappoint Jane Tenor as Commission Chair, Mark Handeland, and Mark Chambers. **MOTION** by Geurts/Schlag to confirm the Chair's appointments to the Zoning & Planning Commission. No further discussion. Motion carried in a voice vote, 5-0.

**5. Confirm Town Chair's appointment of members to the Park & Recreation Committee.**

Park & Recreation Committee consists of five (5) members; 1 Town Board Member, 4 citizens appointed by the Town Chair with confirmation by the Town Board to a 3 year term, except for the Town Board member which is a 1 year term. Recommendation to appoint Larry Sidman, Joe Widi, and Cullen Peltier as Town Board Member. MOTION by Geurts/Van Rossum to confirm the Chair's appointments to the Park & Recreation Committee. No further discussion. Motion carried in a voice vote, 5-0.

**6. Resolution 2015-006 Oppose Reduction of Recycling Grant Funding and Elimination of SHWEC and UW System Solid Waste Research Program Funding.**

This resolution is being circulated by Winnebago County. There is language in the state budget to reduce the funding to the recycling grant and to eliminate SHWEC & UW System Solid Waste Research Program Funding. This will have a huge financial impact on the town's budget as well as potential environmental impacts as research to provide sustainability will be compromised. MOTION by Geurts/Peltier to approve the resolution. No further discussion. Motion carried in a voice vote, 5-0.

**7. Advisory motions approved at the Annual Town Meeting held April 21, 2015.**

Chairman Danen explained there were two motions that were approved at the Annual Meeting; 1- to put all advisory motions on the agenda for the first meeting in May, 2-All Ledgeview Committees/Commissions have a public comment section on their agenda. Discussion ensued with the overall consensus that Chapter 2 of the town ordinances allots Chairpersons the discretion to manage the committees/commissions as they deem necessary.

There was discussion on reflective vests that were talked about at the Annual Meeting. Staff will look into getting some type of reflective outer clothing piece that will provide protection at a reasonable cost.

**ORDINANCES:**

**1. First Reading**

**a. Ordinance 2015-002 Amending Chapter 15, Building Construction.**

Removed from the agenda earlier in the meeting. Refer to Item D.

**b. Ordinance 2015-005 Amending Chapter 1 – General Provisions, Article II Fees and Penalties, Section 1-16 Forfeiture Schedules.**

The forfeiture schedule will be used by the Brown County Sheriff's Department for enforcement of weight limits on roadways. The proposed schedule is consistent with neighboring municipalities. Proceed to the second reading with no changes.

**2. Second Reading**

**a. Ordinance 2015-004 Amending Chapter 135, Article XIII - Institutional District of the Ledgeview Code by creating an Institutional Overlay District.**

Wolff advised that not all institutional overlay require public utilities, typically the most restrictive zoning governs the property, and the overlay will add rights to the property's underlying zoning. Overlays are typically processed on a case by case basis. Proceed to the third and final reading with no changes.

**REPORTS:**

**Clerk/Administrator:**

- The Code Enforcement Officer needs guidance in reference to hunting from the shoreland into the water. The Board agreed that regular DNR hunting regulations apply and would rather not get involved.
- Applicants for the Conditional Use Permits were advised of the contingencies of approval.
- Littlemore Twigs sign will be on a future agenda.
- The Crossing at Dollar Creek Preliminary Plat is expected to be submitted in time for the next Zoning & Planning Meeting.
- Zoning & Planning are targeting July for the Comprehensive Plan to have board action.
- An application to the Board of Appeals has been made, and they will meet later this month.
- Board of Review will be held Tuesday, May 19<sup>th</sup> from 6:00 p.m. to 8:00 p.m. in conjunction with the Tuesday Town Board Meeting. Open Book is Wednesday, May 6<sup>th</sup> from 3:00 p.m. to 5:00 p.m.
- Southern Bridge Coalition Meeting will meeting Tuesday, May 12<sup>th</sup> 7:30 a.m. to 9:30 a.m. in the Community Room at De Pere City Hall.
- The two interns graduate next week. We thank them for their work and wish them well.

**Engineer:**

- GV-10 Project is starting curb and gutter at CTH X
- The Reserve at Meadow Ridge is starting curb and gutter in the second half.
- Working on the culvert inventory and bridge structure evaluations. The culvert on Dollar Road east of Half Crown may be eligible for bridge funds should it need replacing.

**Treasurer:**

- Advised the board of an installment agreement that is currently being negotiated for payment of back taxes and personal property in reference to the liquor license renewal.

**APPROVAL OF THE VOUCHERS:**

**MOTION** by Schlag/Geurts 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