

The Ledgeview Town Board held a meeting on **Tuesday, January 19, 2016, 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, Supervisors Andy Schlag, Renee Van Rossum, and Cullen Peltier. Supervisor Geurts was excused.

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

D. AGENDA APPROVAL

MOTION by Peltier/Van Rossum to approve the agenda as amended. No further discussion.

Motion carried in a voice vote, 4-0.

CONSENT AGENDA

1. Regular Board Meeting Minutes:
 - a. December 22, 2015 Meeting Minutes.
 - b. September 1, 2015 Special Town Board Meeting Minutes.
2. Routine Reports: None.
3. Committee/Commission Reports: None.
4. Operator's Licenses:
 - a. January 1, 2016 through January 14, 2016.
5. Other Committee minutes. Accept and place on file:
 - a. December 7, 2015 Park Committee Meeting Minutes.
 - b. December 16, 2015 Zoning & Planning Meeting Minutes.
 - c. January 4, 2016 Sanitary District Commission Meeting Minutes.
6. Pay Requests: None.

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/Van Rossum to approve the consent agenda. No further discussion. Motion carried in a voice vote, 4-0.

PUBLIC COMMENT: None

PUBLIC HEARING MEETING:

1. Pursuant to the requirements of §66.1001(2)(i) of the Wisconsin Statutes, regarding proposed ordinance 2015-015 amending Section 135-73 of the Town of Ledgeview Zoning Code regarding Rural Residential Setbacks.

Approved February 1, 2016 Town Board Meeting.

Staff explained that the ordinance is clarifying an amendment from 2007 regarding the side and rear yard setbacks for properties zoned Rural Residential without curb and gutter. No changes were recommended since the first reading. Due to the fact the ordinance is changing the zoning code, a public hearing is required.

The public hearing was opened at 4:32 p.m. After three calls for public comments, none were heard. At 4:33 p.m. the public hearing was closed.

MOTION by Van Rossum/Schlag to approve ordinance 2015-015 amending Section 135-73 of the Town of Ledgeview Code regarding Rural Residential Setbacks. No further discussion. Motion carried in a voice vote, 4-0.

ZONING AND PLANNING COMMISSION ITEMS:

Recommendation from Zoning & Planning Commission the request from Tom Ferry of Central States Tower for a site plan for a telecommunications tower located at 3681 Monroe Road, parcel D-361-5

Zoning and Planning Commission reviewed the request and recommends approval of the new 125 foot tower which can accommodate 4 users. The tower west of Willems is at capacity. State regulations have recently changed limiting the Town's ability to regulate location, height, or landscaping of new towers. The proposed tower is compliant with state regulations.

Discussion ensued regarding the location of the tower. The concern was that the town recently spent a large amount of money upgrading Monroe Road to attract businesses to this area, and a cell tower, at this location, is unattractive. It was explained that staff worked with the developer, and based on the parameters given to meet the company's needs, the location of the tower is near the intersection of Monroe and Dickinson Roads. It is the board's understanding that the tower on the WPS property is going to be removed. The new tower will have the capacity to accommodate 4 carriers which will benefit future carriers. In working with staff, it was decided that the recommended location, although not aesthetically pleasing, is the best, and with the current law changes, municipalities no longer have the ability to regulate location, height, or landscaping of cell towers.

MOTION by Peltier/Van Rossum to approve the request from Tom Ferry of Central States Tower for a site plan for a telecommunications tower located at 3681 Monroe Road, parcel D-361-5. No further discussion. Motion carried in a voice vote, 3-1 with Schlag opposed.

COMMUNICATIONS:

1. Wellens letter dated January 6, 2016 regarding traffic on Creamery Road.

This letter was received and placed on file. Traffic concerns on Creamery Road were discussed at the December 22, 2016, meeting in which it was decided to reevaluate the traffic patterns this summer since CTH GV is open. The response will be forwarded to the Wellens.

OLD BUSINESS:

1. Review and consider Non-Exclusive Right of Way Use Agreement between Town of Ledgeview and L. Nifong and C. Nifong.

It was explained that the Town's attorney responded to the Nifong's comments on the proposed agreement. Per the attorney, the requested changes were not advantageous to the town.

Discussion ensued regarding how the situation came to be, and how this would be precedent setting for the future. Ordinances have been established prohibiting non-break away permanent structures to be placed in road right of ways, and accepting the agreement would be going against said ordinances. The town has the ability to compel removal of the mailbox. MOTION by Schlag/Danen to authorize staff to

contact the Nifongs advising they have until April 30th to replace the existing mailbox with one that complies with town ordinances, and to let them know that they are liable should there be property damage or injury because of the mailbox. No further discussion. Motion carried in a voice vote, 4-0.

NEW BUSINESS:

1. Resolution authorizing the Town of Ledgeview to apply for and accept a WisDOT Transportation Alternatives Program (TAP) Grant for the Ledgeview Road Bicycle and Pedestrian Improvements over the East River.

The TAP Grant replaces the Safe Routes to School Program in which the Town Board had authorized the Engineer to prepare and application for a bike/pedestrian trail Ledgeview Road and pedestrian trail over the East River for connectivity to Ledgeview Park and subsequently the schools. This is an 80/20 grant, where the town pays the money up front is reimbursed 80 percent by WDOT. There have been past discussions in applying for the same grant for a trail along the east side of Monroe Road, however, DOT recommended splitting the project in two for grant purposes. Construction for this grant would begin in 2018. MOTION by Schlag/Peltier to approve resolution authorizing the Town of Ledgeview to apply for and accept a WisDOT Transportation Alternatives Program (TAP) Grant for the Ledgeview Road Bicycle and Pedestrian Improvements over the East River. No further discussion. Motion carried in a voice vote, 4-0.

2. Recommendation to approve 2016 rates for work completed by Mead & Hunt.

Discussion ensued regarding the proposed 2016 rate increase from Mead & Hunt, however, it was determined to be more cost effective to have these services contracted than performed in-house. MOTION by Schlag/Van Rossum to approve the 2016 rates for Mead & Hunt. No further discussion. Motion carried in a voice vote, 4-0.

3. Recommendation from the Fire Department to amend the Fire Department Pay Scale.

There was discussion regarding the current Fire Department pay scale and what it all included. It was determined that this was talked about in general at a department business meeting, however, it's unknown if this was brought to the general membership that this system was going to be implemented. For that reason, MOTION by Schlag/Van Rossum to send the amended pay scale back to the Fire Department general membership for their review and recommendation. No further discussion. Motion carried in a voice vote, 4-0.

4. Discussion and possible establishment of a priority list relating to the Public Works Study.

As a result of the Public Works Study, the Town Board wishes to establish a priority list for the future. This discussion was tabled until the February 1st meeting. No action taken.

5. Appointment of additional Election Inspectors to a two-year term beginning January 1, 2016 through December 31, 2017.

State statute dictates that Election Inspectors are appointed by the Town Board. There were a few additional inspectors recently recruited in need of appointment. MOTION by Schlag/Danen to appoint the additional Election Inspectors to a two-year term beginning January 1, 2016 through December 31, 2017. No further discussion. Motion carried in a voice vote, 4-0.

6. Establish a date to host the Annual Appreciation Event recognizing town volunteers.

The Town hosts an Annual Appreciation Event in appreciation for those who volunteer their time and talent for the betterment of our community. The National Volunteer Appreciation Week is the week of April 11th. The board chose to host the Annual Appreciation Event on either the 11th or the 14th which ever works best for scheduling purposes.

7. Reschedule the February 16th Town Board Meeting due to the Spring Primary Election.

It was explained that there is going to be a Sprint Primary Election on February 16th, the same date and time as the regular Town Board Meeting. Staff is requesting a reschedule this meeting. After looking at calendar availability, the meeting was rescheduled for Monday, February 15, 2016 at 4:30 p.m.

ORDINANCES:

1. First Reading

a. 2016-001 – Amending Chapter 79 Signs, Section 13(C)(1)(h) Outdoor Menu Boards.

Stemming out of McDonald's request to expand to a double drive-thru, the consensus of the Zoning & Planning Commission is to amend the current Outdoor Menu Boards ordinance bring it to the current standards. No changes were recommended. Move forward to second reading.

b. 2016-002 – Amending Chapter 68 Public Nuisances Prohibited, Section 2(C) Public Nuisances Affecting Peace and Safety relating to use or maintenance of building exteriors or surrounding premises.

The current ordinance does include enough substance to make the ordinance enforceable because it can be circumvented. The recommended amendment gives the ordinance more substance, making it more enforceable. Discussion was had on wood stockpiles. The board recommended changes deleting the language on wood stockpiles. Move forward to the second reading.

c. 2016-003 – Amending Chapter 41, Section 5 – Other Offenses relating to trash, debris, and junk.

The current ordinance does include enough substance to make the ordinance enforceable because it can be circumvented. The recommended amendment gives the ordinance more substance, making it more enforceable. There was discussion on the definition of trash, which was taken straight out of the dictionary. No changes were suggested. Move forward to the second reading.

d. 2016-004 – Amending Chapter 94, Section 15 Depositing Snow, Debris or Any Injurious Substance on Public Streets relating to placement of collectible waste containers.

Stemming from Public Works, placement of garbage/recycling containers in the roadway had made it difficult to plow. There have also been some where the place of collectible containers have prohibited mail delivery. Discussion was had on getting this information out to the public. It is on the website, and staff will include it in the e-newsletter, and the town's Facebook and Twitter pages. No changes. Move forward to the second reading.

2. Third & Final Reading

a. 2015-014 – Amending Chapter 79 Signs, Section 13, Signs Allowed by Permit.

Clarification was given that the amendment only prohibits electronic messaging boards that are on buildings; it does not prohibit free standing electronic messaging boards. With that clarification, MOTION by Schlag/Van Rossum to approve ordinance 2015-014 – Amending Chapter 79 Signs, Section 13, Signs Allowed by Permit.

b. 2015-015 – An Ordinance Amending Section 135-73 the Town of Ledgeview Zoning Code Regarding Rural Residential Building Setback Requirements.

The ordinance is clarifying an amendment from 2007 regarding the side and rear yard setbacks for properties zoned Rural Residential. No changes were recommended at the first reading. Approved with the public hearing above.

c. 2015-016 – An Ordinance Amending the Town of Ledgeview Chapter 90 Stormwater Management Ordinance.

This amendment is a requirement of the UNPS Planning Grant the town is applied for. Minor changes were recommended since the first reading. The Engineer explained the changes to the board. MOTION

by Schlag/Peltier to approve ordinance 2016-016. No further discussion. Motion carried in a voice vote, 4-0.

d. 2015-017 – An Ordinance Amending the Town of Ledgeview Chapter 36 Construction Site Erosion Control Ordinance.

This amendment is a requirement of the UNPS Planning Grant the town applied for. Minor changes were recommended since the first reading. The Engineer explained the changes to the board. MOTION by Peltier/Van Rossum to approve ordinance 2016-017. No further discussion. Motion carried in a voice vote, 4-0.

REPORTS:

Clerk/Administrator:

- A written report was received by the board.

Deputy Clerk:

- WTA meeting is scheduled for January 28th at the Marq. Those wishing to attend please let us know so we can get you signed up.
- Ledgeview is to host the Thursday, April 28th Brown County Unit Meeting for Wisconsin Towns Association. The Board needs to decide on a location and possible speaker for the event.
- Urban Towns Committee Correspondence – Spoke with Town Clerk/Administrator about the value of participating in the Urban Towns Committee. We're of opinion, as well as other towns, that the costs does not outweigh the benefits.
- The public hearing for Glenmore's Comprehensive Plan is February 1st at 7:30. Let us know if you plan to attend so that we can post the appropriate notices.
- The town's litigation law firm changed names to One Law Group, S.C. as of January 1st.
- Working on poll worker training and scheduling for the upcoming Primary and Spring Elections.
- Government Accountability Board has come out with new software program called WisVote in an effort to do away with SVRS which is outdated. Getting acclimated to the new software.
- The logo and the ledge appliques have been ordered for the meeting room as well as additional directional signage indicating where the office door is located.

Engineer:

- Work began on Dollar Road and Dollar Lane. It was delayed a week due to cold weather. It's expected to be completed in 2-3 weeks. Work on Dollar Lane will require the road to be closed to traffic.

Treasurer:

- December 2015 Cash Balance Report was received by the board.
- Per the board's request, a letter has been drafted Town representatives in an effort to solicit support for collection of personal property taxes.

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 5:46 p.m.

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