

The Ledgeview Town Board held a meeting on **Tuesday, December 18, 2018 at 4:30 p.m.** in the Community Room located at Ledgeview Community Center, 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. ROLL CALL

Members present were Chairman Danen, Supervisors Renee Van Rossum, Ken Geurts, Cullen Peltier, and Mark Danen.

Staff present were Administrator Sarah Burdette, Engineer Scott Brosteau, Planner Dustin Wolff, Treasurer Renae Peters, Public Works Director Dave Strelcheck, and Clerk Charlotte Nagel.

C. AGENDA APPROVAL

P. Danen asked that the agenda be approved removing Old Business Item 2, and New Business Item 4, those items are not ready for discussion or action.

MOTION by Van Rossum/M. Danen to approve the agenda minus the two items. No further discussion. Motion carried in a voice vote, 5-0.

CONSENT AGENDA

1. Regular Board Meeting Minutes:

a. December 3, 2018 Town Board Meeting

2. Routine Reports: None

3. Committee/Commission Reports: None

4. Operator's Licenses: December 3, 2018 – December 14, 2018

5. Other Committee Minutes:

a. November 14, 2018 Zoning & Planning Commission Meeting.

b. December 5, 2018 Zoning & Planning Commission Meeting.

c. November 7, 2018 Sanitary District Commission Meeting.

6. Pay Requests:

a. Boldt Invoice 16200-014, \$79,637.07, Community Center/Fire Station No. 1

b. Change Order #1 for contract C-2018, Hawthorne Heights and OSS for an increase of \$6,122.94

c. Change Order #1 for contract B-2018, Zelten and Dollar Parks for a credit of \$32,501.17

d. Pay request #2, contract D-2018, Scray Hill Road Sewer and water for \$62,048.41 to DeGroot Inc

e. Pay request #3 Final for contract A-2018, Creamery Road Bridge for \$3,952.52 to KCG Excavating Inc

f. Pay request #5, contract B-2018, Zelten and Dollar Parks for \$57,043.66 to Duame Sand and Gravel

g. Pay request #5, contract C-2018, Hawthorne Heights and OSS for \$6,122.94 to Duame Sand and Gravel

7. Special Event & Street Closure Permits: 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 Geurts/Van Rossum to approve the Consent Agenda as written. No further discussion. Motion carried in a voice vote, 5-0,

PUBLIC COMMENT:

Steve Rohr, 2663 Pine Grove Road – The Fire Department wanted to express their appreciation to the Town Board for the speedy action in allowing the Fire Department to meet in the Community Road.

Approved at the January 7, 2019 Town Board Meeting.

Joan Pansier, 3870 Dickinson Road – Changing to Chapter 135 Ordinances by indicating the following:

- The farm is not secure that the Town won't make any zoning changes to their farm;
- Not exactly sure for the change from Man-Made Bodies of Water to Artificial Lakes;
- The Town needs to work with all residents of the town.

Jason Pansier, 3888 Dickinson Road – Spoke on Ledgeview Farms, LLC Conditional Use Permit indicating that the town is trying to shut them down. The Board informed Mr. Pansier that they are not trying to shut anyone down.

PUBLIC HEARING: The Board will hear comments and may take action on any of the following items:

1. **The purpose of the public hearing is to hear comment on the Original Alcohol Beverage License Application for Ledgeview Golf Course, LLC, Steven Payant, Agent, for a Class B Liquor and Class B Beer Combination License doing business as Ledgeview Golf Course, 3149 Dickinson Road, De Pere, WI, 54115.** Staff explained this is the previous liquor license has been surrendered by MHGC, Inc. the previous owners of Ledgeview Golf Course. The license is for both Class B Beer and Class B Liquor which is anything other than fermented malt beverages. The license falls within the quota of the Town, so there is no deposit that is required, and it is for the operation of the business of the golf course.

Chairman Danen opened the public hearing at 4:38 PM. After three calls for comments none were heard. Chairman Danen closed the public hearing at 4:39 PM.

MOTION by to approve the liquor license for Ledgeview Golf Course, LLC, upon entering into an agreed upon lease with the Town of Ledgeview. No further discussion. Motion carried in a voice vote, 5-0.

ZONING & PLANNING:

1. **Recommendation by Zoning & Planning on the request by Steve Bieda of Mau & Associates, agent for owner La Ree Runnoe of Creative Element Builders, LLC, for a Rezone Application on parcels part of D-197, D-198-2, D-209-1-1, and D-198, Hawthorne Heights Drive from RR-Rural Residential to PDD Planned Development District for final condominium plat known as Augusta Hills.**

In September 2018, Town Board approved the rezone of these lands from R-R to R-1 with PDD overlay for the development of 36 single-family residential condominium units and 8 zero lot-line units (44 total Developable Units). At that time, preliminary plat approval was also granted with conditions. This request is for final plat approval. In October 2018, a Comprehensive Plan Future Land Use Map Amendment from Parks/Public Open Space to Single-Family was also approved for these parcels. A Certified Survey Map was also conditionally approved in November 2018.

The petitioner is requesting the approval of a Final Plat and PDD overlay (on R-1) for the development of a 17-unit single-family condominium (including "twindo" side-by-side units).

Zoning & Planning recommends approval of the Final Plat and PDD to the Board, subject to the following conditions prior to Town signatures:

1. Revise the "Unit Specifics" document per comments provided in the document by staff, specifically related to uses (permitted, conditional, accessory, etc.)
2. Work with the Town Engineer to indicate all required utility easements on Final Plat or in separate documentation.
 - a. Utility easements.
 - b. Public ingress/egress easements.

- c. Public easement between Outlots 1 and 2 (at Grace Gardens) for potential future public access to Outlot 2.
3. Work with staff to revise the Landscape Plan to include additional deciduous and evergreen trees and identify significant trees to be retained and the barrier fence used to protect them.
4. Provide revision to the condominium documents including:
 - a. Each individual unit be required to receive Zoning and Planning Commission approval before a building permit is issued.
 - b. Remove reference to the Association's ability to grant variances.
5. Revise the CSM as follows:
 - a. A notation be added to the CSM indicating Lots will be required to connect to public sanitary sewer and water when available.
 - b. Revise the CSM to change the Town Clerk name on signature page to Charlotte Nagel.
6. Technical corrections required by the Town Engineer or Brown County must be addressed prior to Town signature of the CSM.

MOTION by Geurts/Van Rossum to approve the final condominium plat known as Augusta Hills with the conditions set forth by Zoning & Planning. Please note that in the past Chairman P. Danen has done work for these developers, however, the developer has new representation and Chairman Danen is no longer involved with this project. Therefore, there is no conflict of interest, however Chairman Danen will continue to abstain from this voting on this item. No further discussion. Motion carried in a voice vote, 4-0-1 with P. Danen abstaining.

2. Recommendation by Zoning & Planning on the request by Steve Bieda of Mau & Associates, agent for owner La Ree Runnoe of Creative Element Builders, LLC, for a Rezone Application on parcels part of D-197, D-198-2, D-209-1-1, and D-198, Hawthorne Heights Drive from RR-Rural Residential to PDD Planned Development District for final condominium plat known as Eventyr Heights.

In August 2018, the ZPC approved the rezone of the subject property from R-R to R-1 with PDD for the development of a 17-unit condominium consisting of 13 single-family townhouse units and two "twindo" townhouse units (4 Developable Units). This development is proposed in conjunction with Augusta Hills to the north, which is heard as a separate item.

The petitioner is requesting the approval of a Final Plat and PDD overlay (on R-1) for the development of a 44-unit single-family condominium (including "twindo" side-by-side units).

Zoning & Planning recommends approval of the Final Plat and PDD to the Board, subject to the following conditions prior to Town signatures:

1. Revise the "Unit Specifics" document per comments provided in the document by staff, specifically related to uses (permitted, conditional, accessory, etc.)
2. Work with the Town Engineer to indicate all required utility easements on Final Plat or in separate documentation.
 - a. Utility easements.
 - b. Public ingress/egress easements.
 - c. Public easement between Outlots 1 and 2 (at Grace Gardens) for potential future public access to Outlot 2.
3. Revise the Condominium Plat to indicate "public" access allowed on main road and in 12' foot utility easement in center of development (to cross at Golf Course Club House/parking lot)
4. Provide revision to the condominium documents to remove reference of the Association's ability to grant variances.
5. Provide revision to the condominium documents to remove reference of the Association's ability to grant variances.

6. Revise the CSM as follows:
 - a. A notation be added to the CSM indicating Lots will be required to connect to public sanitary sewer and water when available.
 - b. Revise the CSM to change the Town Clerk name on signature page to Charlotte Nagel.
7. Technical corrections required by the Town Engineer or Brown County must be addressed prior to Town signature of the CSM.

MOTION by Geurts/Van Rossum to approve the final condominium plat known as Eventyr Heights with the conditions set forth by Zoning & Planning. Please note that in the past Chairman P. Danen has done work for these developers, however, the developer has new representation and Chairman Danen is no longer involved with this project. Therefore, there is no conflict of interest, however Chairman Danen will continue to abstain from this voting on this item. No further discussion. Motion carried in a voice vote, 4-0-1 with P. Danen abstaining.

OLD BUSINESS:

1. Discussion and potential action on the request by the Town of Ledgeview to make certain amendments to Chapter 135 Zoning Code.

There was a public hearing held on December 11, 2018 regarding the changes in Chapter 135 Zoning Code. There were questions that were brought up during the public hearing that have been addressed and were not part of recommendation by the Town's legal counsel as part of the recommendation made by the Livestock Siting Board. However, there comments relating to the AG-FP Zoning and animal units and changes were made in version in front at Board at this time.

It should be noted that there was a letter received from Jeff Pansier dated December 12, 2018 that was given to The Board as well.

MOTION by Van Rossum/M. Danen to approve the changes to Chapter 135 Zoning Code as written. No further discussion. Motion carried in a voice vote, 5-0.

2. Recommendation from Park & Rec Committee Professional Design Services for Scray Hill Park Baseball Fields Master Plan Development between Town of Ledgeview and Rettler Corporation.

Struck from the agenda, see Agenda Approval for further information.

NEW BUSINESS:

1. Review and take action on Annual Quarry and Blasting Permits Renewals.

Staff advised these are annual quarry and blasting permits required by ordinance and are the same companies as last year. There are four quarry permits and one blasting permit. The required paperwork has been submitted and meet the requirements.

MOTION by Geurts/M. Danen to approve the permits. No further discussion. Motion carried in a voice vote, 5-0.

2. Recommendation from Ledgeview Volunteer Fire Department to award bid contract for Self-Contained Breathing Apparatus (SCBA) and Related Components.

The Fire Department has been budgeting dollars in the sinking fund for the last few years. There is approximately \$135,000 set aside for this equipment. The Town Board approved a Request for Proposal in November, and two bids were received, with one meeting the specified criteria. There were adjustments made to the bid in order to meet the budget requirement. There was discussion on the adjustments, specifically the voice amplifier in the face masks. It was determined by the Fire Department that those could be added later.

MOTION by Peltier/M. Danen to approve the Fire Department's recommendation for the purchase of the SCBA equipment in the amount of \$150,000. No further discussion. Motion carried in a voice vote, 5-0.

3. Recommendation from Ledgeview Volunteer Fire Department to confirm the 2019 Election results.

Election results are the following:

Chief – Todd Hendricks
Captain – Jason Pansier
Lieutenant – Jon Baroun
President – Jason Pansier
Vice President – Pat Van Rite
Secretary – Paul Schlag
Treasurer – Mike Van Deurzen

All to serve a two-year term ending in December 2020.

MOTION by P. Danen/Van Rossum to confirm the Fire Department Election Results. No further discussion. Motion carried in a voice vote, 5-0.

4. Review and take action on Ledgeview Golf Course Agreement between Town of Ledgeview and Ledgeview Golf Course, LLC.

Struck from the agenda, see Agenda Approval for further information.

NEW TOWN FACILITIES:

1. Award bid for Town of Ledgeview Interior and Exterior Signage to include design, construction, and installation.

Earlier this year, the Town Board approved a bid for the signage for the new building with the exception of the monument sign for the Community Center. The Board had requested several changes to the design of the Community Center's monument sign. A few meetings back, this rendition of the monument sign was approved. Costs were added to the current design which required Town Board approval. The costs are all inclusive for a total of \$20,800 with installation to occur this summer by ColorTech.

MOTION by M. Danen/Peltier to approve with the summer installation. No further discussion. Motion carried in a voice vote, 5-0.

COMMUNICATIONS: None.

ORDINANCES: None.

REPORTS:

Administrator:

- Working on the Ledgeview Golf Course related items that will be addressed in closed session.

Clerk:

- Working on year-end closeout and transition.
- Draft Community Center Rental Agreement.
- Proposed Fee Schedule.

Approved at the January 7, 2019 Town Board Meeting.

Engineer:

- Status update was given on the infrastructure for the Grande Ridge Subdivision.
- Status update was given on the stormwater pond in Heritage Heights.
- Status update on TID #1 Fill Project.
- Awarded a grant for two bioretention ponds.
- Oak Ridge Circle ditch where the storm sewer drains.

Treasurer:

- Tax bills were mailed.
- Utility bills going out this week.
- Bond funds were received, and money is being distributed.

Public Works:

- Additional information was provided to the DNR for 2018 Sanitary Survey.
- Oak Ridge Circle drainage basin, culverts on Reginald Hill were cleaned out and fully opened.
- Pond maintenance and storm sewer maintenance has started this week.
- Maintenance on guardrails.
- Revised utility ordinance is delayed due to the cellular changes made at the state. Legal is working on it.
- Final water meter reading has been completed for 2018. Meter change out are being done on a daily basis.

Board Comments: None.

APPROVAL OF THE VOUCHERS:

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

CLOSED SESSION:

1. **The Town Board may enter into closed session pursuant to WI State Statute 19.85 (1)(e) Deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session for the purpose of purchasing Ledgeview Golf Course.**

MOTION by P. Danen/Van Rossum to convene into closed session pursuant to WI State Statute 19.85 (1)(e) Deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session for the purpose of purchasing Ledgeview Golf Course. No further discussion. Roll call vote: M. Danen – Aye, Van Rossum – Aye, P. Danen – Aye, Peltier – Aye, Geurts – Aye. Motion carried in a roll call vote 5-0.

At 5:10 PM, the Town Board convened into closed session.

MOTION by Van Rossum/P. Danen for the Town Board to reconvene into open session. No further discussion. Roll call vote: M. Danen – Aye, Van Rossum – Aye, P. Danen – Aye, Peltier – Aye, Geurts – Aye. Motion carried in a roll call vote 5-0.

At 5:26 PM the Town Board reconvened into open session.

2. **The Town Board may remain in closed session pursuant to WI State Statute 19.85 (1)(g) conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved.**

MOTION by Van Rossum/Peltier for the Town Board to convene into closed session pursuant to WI State Statute 19.85 (1)(g) conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved. No further discussion. Roll call vote: M. Danen – Aye, Van Rossum – Aye, P. Danen – Aye, Peltier – Aye, Geurts – Aye. Motion carried in a roll call vote 5-0.

At 5:27 PM, the Town Board convened into closed session.

MOTION by Van Rossum/Peltier for the Town Board to reconvene into open session. No further discussion. Roll call vote: M. Danen – Aye, Van Rossum – Aye, P. Danen – Aye, Peltier – Aye, Geurts – Aye. Motion carried in a roll call vote 5-0.

At 5:44 PM the Town Board reconvened into open session.

3. **The Town Board may reconvene into open session to take action on the matters discussed in closed session.**

MOTION by Peltier/M. Danen to authorize the Town Administrator to sign any and all paperwork related to the purchasing of Ledgeview Golf Course and the lease of the associated house. No further discussion. Motion carried in a voice vote, 5-0.

ADJOURNMENT:

MOTION by Danen/Geurts to adjourn. No further discussion. Motion carried in a voice vote, 5-0. Meeting adjourned at 5:44 p.m.

Charlotte Nagel, Clerk
Town of Ledgeview, Brown County, WI