

The Ledgeview Town Board held a meeting on **Monday, January 7, 2019 at 6:00 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 6:00 p.m.

B. ROLL CALL

Members present were Chairman Danen, Supervisors Renee Van Rossum, Cullen Peltier, and Mark Danen. Supervisor Ken Guerts appeared by phone.

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 advised there were not changes to the agenda.

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

CONSENT AGENDA

1. Regular Board Meeting Minutes:
 - a. December 11, 2018 Town Board Public Hearing.
 - b. December 18, 2018 Town Board Meeting.
2. Routine Reports: None
3. Committee/Commission Reports: None
4. Operator's Licenses: December 17, 2018 – January 4, 2019
5. Other Committee Minutes: None.
6. Pay Requests:
 - a. Pay Request #2, Crossing at Dollar Creek 2nd Addition, Contract G-2018, to Jossart Brothers for \$683,754.66
 - b. Pay Request #3, TID #1 Filling, Contract H-2018, to Advance Construction for \$490,175.77
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 Peltier/Van Rossum to approve the Consent Agenda as written. No further discussion. Motion carried in a voice vote, 5-0.

RECOGNITION:

The Town Board will recognize and thank Yolanda Hernandez for her years of leadership, support, and contributions to both LedgeFest and Beautification Committees as she steps down

Town Chairman Phill Danen recognized Ms. Hernandez for her hard work, dedication, and passion for both LedgeFest and Beautification Committee. The Town Board thanked Ms. Hernandez, advised she is welcome to return in the future if she so desires, and wished her luck in her endeavors.

PUBLIC COMMENT:

Approved at the January 22, 2019 Town Board Meeting.

Jason Pansier, 3888 Dickinson Road – Mr. Pansier spoke on Old Business Item #1, rezoning 11 parcels to Rural Residential Zoning calling it illegal, indicating that Ledgeview Farms would bring suit against the Town, and that the Town isn't going to be protected.

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

- 1. Zoning and Planning recommendation on the request by Steve Bieda of Mau & Associates, agent for owners Ron Van Straten of Van Straten Farms of Ledgeview, LLC, for a Rezone Application on parcels D-448-1, D-449, D-449-1, D-450-1, D-451, and D-449-2 located on or near Wayne Lane from A-2-Agriculture and RR-Rural Residential to R-1-Residential to accommodate a future subdivision known as Grand Ridge Estates Second Addition.**

The petitioner is requesting to rezone the properties from A-2, Agriculture and R-R, Rural Residential to R-1, Residential District in association with a previously approved (approx. December 2016) Area Development Plan known as Van Straten Farms.

Based on an evaluation of the key “findings of fact” addressed in the prepared resolution, Zoning and Planning recommend approval this rezoning petition to the Town Board for the following reasons:

- The proposed rezoning to the R-1 district is consistent with the development trends in the area.
- The lands are suitable for low- to medium-density single-family residential development.
- The proposed zoning district conforms to the goals expressed in Chapter 2 of the Comprehensive Plan and Map 4: Future Land Use.

The public hearing was opened by Chairman P. Danen at 6:05 PM.

Rebecca Ashar, 4437 Heritage Heights – Wanted to know what the implications were to Heritage Heights.

Staff advised The Board made it clear with the approval of Grande Ridge Estates Plat, that the second addition would have to connect to Heritage Road. The Area Development Map was displayed which showed the connection of the second addition to Heritage Road through the reconfiguration of Wayne Lane. The second addition is a three-acre development with single family R-1 Residential lots. Residential lots are 12,000 square feet, all serviced by municipal sewer and water.

Jeffrey Rosner, 4592 Scenic Way – Inquired on a connection through Scenic Way. Staff advised that there is no plan to force that connection at this time.

Carl Kuehne, 4479 Heritage Heights – Concerned that the development is going to use Heritage Heights for access. Mr. Kuehne states the road is narrow and would have to be widened just like Oak Ridge Circle. If the road is widened, it would be detrimental to the property and the neighborhood. Mr. Kuehne doesn't believe that Heritage Heights residents should have to pay for the widening of the road should it be necessary.

Mr. Kuehne asked if there would be further public considerations. Staff advised this is the only required public hearing; there is no requirement for public input in the platting process. Residents may address The Board under public comment on the plats if desired.

Dave Wauters, 4600 Heritage Heights – Mr. Wauters is concerned with stormwater management. The topography of the land is rolling and because of where the development is located, stormwater could have an impact on this property. Mr. Wauters would also like to see the tree line preserved.

Staff advised stormwater management is addressed during the platting process. A detailed survey of the land is completed prior to the platting process which depicts where the property lines are. Depending on that the property lines are will determine how much of the tree line would be preserved.

After three calls for comments, none were heard. Chairman P. Danen closed the public hearing at 6:21 PM.

The Board discussed how the second addition was in correlation with first addition, and that the developer did meet the requirement of connecting to Heritage Road through Wayne Lane.

MOTION by Guerts/M. Danen to approve the rezone of parcels D-448-1, D-449, D-449-1, D-450-1, D-451, and D-449-2 to R-1-Residential to accommodate a future subdivision known as Grand Ridge Estates Second Addition. No further discussion. Motion carried in a vote, 5-0.

2. Zoning and Planning recommendation on the Request by Steve Bieda of Mau & Associates, agent for owners Robert and Gail Cuene for a Rezone Application on parcel D-450 to accommodate a future subdivision known as Grand Ridge Estates Second Addition.

This item ties in with the previous items. See the previous item for explanation and discussion.

Chairman P. Danen opened the public hearing at 6:22 PM.

After three calls for public comments, none were heard. Chairman P. Danen closed the public hearing at 6:23 PM.

MOTION by Van Rossum/Peltier to approve the rezone of parcel D-450 to 2 to R-1-Residential to accommodate a future subdivision known as Grand Ridge Estates Second Addition. No further discussion. Motion carried in a vote, 5-0.

ZONING & PLANNING: None.

OLD BUSINESS:

1. Discussion and potential action on the request by the Town of Ledgeview to the Town of Ledgeview for 11 parcels to be rezoned to Rural Residential. Parcels included in the rezoning process are:

D-168-1 D-168 D-169 D-185 D-188 D-188-1 D-188-2 D-214 D-220 D-249 D-254

The town does have a legal right to rezone the parcels per reasons discussed in closed session.

MOTION by M. Danen/Van Rossum to approve the rezone of the 11 parcels to Rural Residential. No further discussion. Motion carried in a vote, 5-0.

NEW BUSINESS:

1. Discuss and act on culvert replacement on tributary at 4300 Oak Ridge Circle.

Staff advised that the replacement of a culvert to allow for better stormwater facilities, however, there need to be permission given by the landowners to perform the work on their property as well as a waiver of claim filed. There still need to be a determine that the replacement of the culvert, although it be a fix for the immediate big picture, doesn't cause an issue further downstream. Direction was given to staff in terms of next steps. No action taken.

2. Recommendation to approve 2019 rates for work completed by Mead & Hunt.

Approved at the January 22, 2019 Town Board Meeting.

Approval of the 2019 rates for work completed by Mead & Hunt on behalf of the Town. Staff recommends approval of the rates.

MOTION by Peltier/M. Danen to approve the 2019 Mead & Hunt rates. No further discussion. Motion carried in a voice vote, 5-0.

COMMUNICATIONS:

1. Receipt of the United States District Court Decision regarding John C. Knaus vs. Town of Ledgeview & Mark S. Roberts.

This communication was to advise The Town that the US District Court Threw out the case due to lack of jurisdiction and lack of subject matter. Information only; no action taken.

ORDINANCES: None.

REPORTS:

Administrator:

- Working on the Ledgeview Golf Course LLC lease along with the lease to the home located on the golf course.
- Redevelopment Authority is met earlier on the Eventyr/Augusta Hills Developments
- Sash & Bow changed architects and will be coming back with a different building design
- De Leers is submitting will be submitting a Tax Increment Financing application
- Request for CellCom Marathon to relocate its route to include more of Ledgeview. Park Committee to weigh in.

Clerk:

- Working on year-end closeout and transition.
- Drafting Community Center Rental Agreement.
- Proposed Fee Schedule will be on next agenda.

Engineer:

- Status update was given on the infrastructure for the Grande Ridge Subdivision.
- Status update was given on the stormwater pond in Heritage Heights.
- Oak Ridge Circle ditch where the storm sewer drains.

Treasurer:

- Preliminary audit is scheduled for next week.

Public Works:

- Working on developing the Public Works website
- Researching an alternative to Christmas tree disposal for next year

Board Comments: None.

APPROVAL OF THE VOUCHERS:

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

CLOSED SESSION:

- 1. 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 P. Danen/Van Rossum 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 6:41 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 7:01 PM the Town Board reconvened into open session.

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

There was no action taken by the Town Board in open session.

ADJOURNMENT:

MOTION by Danen/M. Danen to adjourn. No further discussion. Motion carried in a voice vote, 5-0. Meeting adjourned at 7:02 p.m.

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