

The Ledgeview Town Board held a meeting on **Monday, October 7, 2019 at 6:00 PM** in the Community Room located at Ledgeview Community Center, 3700 Dickinson Road, De Pere, WI 54115.

CALL TO ORDER

The meeting was called to order by Chairman Philip J. Danen at 6:00 PM.

ROLL CALL

Members present were Chairman P. Danen, Supervisors Cullen Peltier, Renee Van Rossum, Mark Danen, and Al Cheslock.

Staff present were Administrator Sarah Burdette, Engineer Scott Brosteau, Treasurer Renae Peters, Public Works Director Dave Strelcheck, Public Works Crew Superintendent Andy Tenor, Parks & Recreation Director Stephanie Schlag, and Clerk Charlotte Nagel.

AGENDA APPROVAL

Staff advised there were no changes to the agenda.

MOTION by M. Danen/Van Rossum 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. ~~August 20~~ September 17, 2019 Town Board Meeting.
2. Routine Reports:
3. Committee/Commission Reports: None.
4. Operator's Licenses: September 18 – October 4, 2019
5. Other Committee Minutes. Accept and place on file:
 - a. July 15, 2019 Parks & Recreation Committee Meeting Minutes
 - b. June 12, 2019 Beautification Sub-Committee Meeting Minutes
 - c. July 13, 2019 Beautification Sub-Committee Meeting Minutes
6. Pay Requests:
 - a. Approve Change Order #1 for Contract H-2018, TIF #1 Filling, for \$7,400
 - b. Approve Change Order #1 for Contract C-2019, Monroe Road – Brayden Ln Connection for a credit of \$16,148.50
 - c. Approve Change Order #1 for Contract F-2018, Arcadian Lane Resurfacing for \$1500
 - d. Approve Change Order #2 for Contract G-2018, Crossing 2nd addition for \$20,306.50
 - e. Approve Pay Request #6 for Contract H-2018, TIF #1 Filling to Advance Construction for \$113,330.30
 - f. Approve Pay Request #1 for Contract C-2019, Monroe Road – Brayden Ln Connection to Advance Construction for \$422,116.07
 - g. Approve Pay Request #1 for Contract F-2018, Arcadian Lane Resurfacing to Northeast Asphalt for \$110,113.60
 - h. Approve Pay Request #10 for Contract G-2018, Crossing 2nd Addition to Jossart Brothers for \$108,828.86.
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.

Approved at the October 22, 2019 Town Board Meeting.

Chairman P. Danen advised that the Town Board Minutes under Consent Agenda 1a should read September 17, 2019 vs. August 20, 2019.

MOTION by Peltier/Van Rossum to approve the Consent Agenda as amended. No further discussion. Motion carried in a voice vote, 5-0.

PUBLIC COMMENT:

Dan Kerkhoff, 3848 Dickinson Road – Wanted to know how come the Community Center didn't have an electronic monitoring center (EMC) sign? With it being Fire Prevention Week, it would be nice to advertise on an EMC sign to show support for the Fire Department.

The Board responded with it was a Board Decision not to include one in the building signage.

Carolyn RuKamp, 1825 Dallas Lane – Ms. RuKamp spoke about the mandatory municipal water and sanitary sewer hook-up for her home that she can't afford. The proposed assessment is \$151,000 which is unaffordable. Wanted to know if there was something the Town could do.

Ms. RuKamp was instructed to attend the Public Information Meeting on October 15, 2019 where she could address the Sanitary District Board with her concerns. The Town's assessment policy was also talked about.

Dan Hendricks, 3675 Bower Creek – Spoke of overgrown trees and shrubs at Ledgeview Golf Course at the corner of Dickinson and Bower Creek.

Staff answered the growth is scheduled to be cut down this winter to avoid potential damage to the golf course.

After three calls, none were heard. Public Comment was closed at 4:13 PM.

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

1. **Original Alcohol Beverage License Application for Grey Ghost Hospitality, LLC, Russell Petrouske (2926 Jauquet Drive, Green Bay, WI 54311), agent, for a Class B Liquor and Class B Beer Combination License doing business as Toast and Company, 2200 Dickinson Road Unit 5 (Olde School Square), De Pere, WI, 54115.**

Staff explained that The Creamery has surrendered their license to Grey Ghost Hospitality, LLC d/b/a Toast and Company. This is the original liquor license for Grey Ghost Hospitality, LLC. This transaction was made known to the Town in June when all Liquor Licenses are due for renewal. The Town went ahead and named Mr. Petrouske as the agent for The Creamery so he could do all the ordering of the liquor until such time and the ownership transaction was complete. The ownership transaction is now complete and The Creamery surrendered the license to Grey Ghost Hospitality, LLC d/b/a Toast and Company. As with all liquor licenses, a public hearing is required.

Chairman P. Danen opened the public hearing at 6:07 PM.

After three calls for public comments, none were heard. The Public Hearing was closed at 6:08 PM.

MOTION by M. Danen/Cheslock to approve the Liquor License for Grey Ghost Hospitality, LLC Russell Petrouske agent. No further discussion. Motion carried in a voice vote, 5-0.

2. Ordinance 2019-18 amending Chapter 135 related to permitted uses and conditional uses in zoning districts for breweries, wineries, and distilleries.

Town Zoning Code does not clearly identify Breweries, Manufacturers and Rectifiers (Distilleries), and Wineries and Brewpubs uses/operations. The proposed code language is introduced to clarify how the different types of alcohol manufacturers are allowed and in what regulated in the zoning code. Due to the fact the language is added to the Zoning Code a public hearing is required. Zoning & Planning Commission recommended approval of the proposed amendment as written.

The public hearing was opened by Chairman P. Danen at 6:10 PM. After three calls for comments none were heard. The public hearing was closed at 6:12 PM by Chairman P. Danen.

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

3. Ordinance 2019-19 amending Chapter 135-Zoning, Article XXI Off-Street Parking Requirements, Section 207 Off Street Parking Requirements for Commercial Vehicles, Recreational Vehicles, Boats, and Motor Homes in reference to temporary residential dumpsters and storage units.

The Town has received several complaints concerning residents who keep commercial dumpsters and PODS in their driveways for an excessive time. The intent of the amendment is to give guidelines for the storage and length of stay for temporary residential dumpsters and storage units, a/k/a Pods. Due to the fact the language is amending to the Zoning Code a public hearing is required. Zoning & Planning Commission recommended approval of the proposed amendment as written.

The public hearing was opened by Chairman P. Danen at 6:13 PM.

Andy Tenor, 3851 Dickinson Road – Spoke against the proposed language. Mr. Tenor parks his trailer in his yard on April 1st in order to prepare it for the camping season which begins at the end of May. Mr. Tenor would have to move his trailer off his property for a day, then haul it back to in property to finish the task before taking it camping. The same process happens in the fall to prepare the camper for winter storage. Mr. Tenor is not in favor of the amendment.

After two additional calls for public comments none were heard. The public hearing was closed by Chairman P. Danen at 6:15 PM.

The Board had discussion regarding the proposed language. It was felt that the ordinance was arbitrary with the enforcement dates of April 1st to November 1st and it would be hard to enforce. Due to this, the Board thought it should be tabled for further consideration.

MOTION by Van Rossum/M. Danen to table the ordinance for further consideration. No further discussion. Motion carried in a voice vote, 4-1 with Peltier voting dissenting.

4. Zoning & Planning recommendation on Rezone Application by Steve Bieda of Mau & Associates, agent for owner Janette McVey, on parcel D-189 located on Dallas Lane from RR – Rural Residential to R-1 – Residential District to accommodate a subdivision plat to be known as Mystery Ridge.

The petitioner is requesting to rezone the property from R-R, Rural Residential District to R-1, Residential District for a future subdivision. This rezone accompanies a preliminary plat for 19 single-family units and one outlot. The Plan Commission recommends approval of this rezoning petition to the Town Board for the following reasons:

1. The proposed rezoning to R-R is consistent with development trends in the area including the conversion of agricultural land to residential land within the sewer service area.
2. The lands are suitable for low- to medium-density single-family residential development.
3. The proposed zoning district conforms to the goals and the land use illustrated on the Future Land Use Map of the adopted Comprehensive Plan.

At 6:18 PM, Chairman P. Danen opened the up the public hearing for comments.

Keith RuKamp, 1825 Dallas Road – Mr. RuKamp again reiterated that he and his wife can not afford the special assessments to hook up to municipal sewer and water. The RuKamps have the largest frontage which is causing the costs to increase.

Staff did explain the Town's special assessment policy of the Town paying for 70 percent of the costs and the residents pay for 30 percent. Due to the large amount of road frontage of the RuKamp's property the cost of the 30 percent resident portion is driving up.

Larry Vandey Avond, 1903 Dollar Road – Feels the developer should pay for the residents portion to hook up to municipal sewer and water because it's not right to force property owners to hook up.

After two more calls for public comment none were heard. At 6:26 PM, Chairman P. Danen closed the public hearing.

It above stated reasons to approve the rezone were reiterated to the Board.

MOTION by Van Rossum/Peltier to approve the rezone of parcel D-189 located on Dallas Lane from RR – Rural Residential to R-1 – Residential District. No further discussion. Motion carried in a voice vote, 5-0.

ZONING & PLANNING:

1. **Discuss and act Zoning & Planning recommendation on the request by Steve Bieda of Mau & Associates, agent for owner Janette McVey, for a 19-lot Preliminary Plat on parcel D-189 located on Dallas Lane to accommodate a subdivision known as Mystery Ridge.**

The petitioner is requesting the review of a 19 lot and 2 outlot preliminary plat on approximately 14.6 acres. The parcel is proposed to be rezoned from R-R to R-1. The ZPC recommended approval of the proposed Preliminary Plat with the following conditions:

1. Completed of a wetland delineation and flood study for the development.
2. Revise Plat to remove ESA areas from Lots 5 – 10 and adding to Outlot 2.
3. Add the following notations to the Plat:
 - a. Future sidewalks and/or recreation trail will be installed along Dallas Lane, Mystery Ridge, and Dollar Road in the public ROW.
 - b. Driveway access is prohibited 75-foot from the intersection for Lots 1, 5, 13 – 15, and 17. This prohibition will also be illustrated directly onto these lots.
4. Illustrate the required parcel setbacks on the plat.
5. Revise Dollar Lane name to Dollar Road.
6. Any technical corrections required by the Town Engineer and Brown County.

Discussion ensued regarding road connectivity and the fact that Dollar Road will not connect to Dallas Lane with this plat, there is still a piece missing. There was also concern regarding the special assessments and how that was going to affect the property owners. The consensus of the Board was to table this item for further consideration.

MOTION by Peltier/M. Danen to Table this item for further consideration at the next meeting. No further discussion. Motion carried in a voice vote, 5-0.

OLD BUSINESS: None.

NEW BUSINESS:

1. Southern Bridge Project update and discussion/action on Environmental Impact Study (EIS) Funding Proposal.

Cole Runge addressed the Board about a proposal from the Wisconsin Department of Transportation's (WDOT) proposal to conduct the environmental study for the Southern Bridge as part of the I-41 Expansion Project if funding could be committed to by the three impacted municipalities. Mr. Runge distributed a fact sheet with proposed cost estimates for the three municipalities as:

Community share of Tier I EIS and Draft IAJR Completion Project: Half (\$550,000) of \$1.1 Million

Total Project Cost

Town of Lawrence Share:	\$76,285
City of De Pere Share:	\$377,355
Town of Ledgeview Share:	\$96,360

Mr. Runge informed the Board that the City of De Pere will take up the item at their meeting on Tuesday, but seem to be committed to the concept. Mr. Runge is also in talks with the Town of Lawrence who will take the matter up at a later date.

The reason for expediting the Environmental Impact Study is because WDOT would include the construction of the Southern Bridge Interchange with I-41 with their I-41 Expansion Project, lowering the construction price tag for the Southern Bridge Corridor Project. Brown County pledged their commitment to the Southern Bridge Project, now it's time for the three municipalities to pledge the same.

There was discussion on the finances. Town Staff did confirm that funds are available for the Town's portion of \$96,360.

MOTION by Peltier/M. Danen to approve the funding of the Environmental Impact Study as it relates to the Southern Bridge Expansion Project together with Town of Lawrence, City of De Pere, and Brown County based on the project numbers. No further discussion. Motion carried in a voice vote, 5-0.

2. Act on Resolution 2019-07 Approving the use of Sixty Foot Road Right-of-Ways in the Crossing at Dollar Creek Second Addition Subdivision.

Staff advised that state statute calls for sixty-six-foot road right-of-ways for a typical roadway. However, Ledgeview typically uses sixty-foot right-of-way on town roads. Because of this, the Department of Transportation requires a resolution approving the use of sixty-foot road right-of-ways for road certification which determines the amount of state funding that's available.

MOTION by Van Rossum/Cheslock to approve the resolution as presented. No further discussion. Motion carried in a voice vote, 5-0.

3. Discuss and act on Memorandum of Understanding regarding Truck Traffic on Scray Hill Road.

Staff has been working with both Daanen & Janssen Inc. and Northeast Asphalt Inc., on an agreement to reroute truck traffic off Scray Hill Road to Morrison Road, to CTH X for safety reasons. The Memorandum of Understanding (MOU) was drafted based on discussions with the quarries. The quarries have not

reviewed the MOU yet, staff wanted to get feedback from the Board prior to reviewing it with the quarries. If the MOU is agreed upon, the Town will need to make a reimbursement to Daanen & Janssen for their contributions for road improvements per the agreement.

MOTION by M. Danen/Peltier to approve the MOU as written and proposed. No further discussion. Motion carried in a voice vote, 5-0.

4. Review and approve 2020 Annual Snow Plowing Contract.

Staff explained this was the annual snow plowing contract with Dave Kittell Trucking LLC. The contract allows for rates to be updated on an annual basis. The rates increased \$5/hour this year, which is the first rate increase since 2017.

Discussion ensued regarding the contract itself. The Board felt the contract was skewed towards benefitting the contractor more than an equal partnership. Due to this, the Board would like the entire contract re-negotiated and re-written next year.

MOTION by P. Danen/Van Rossum to enter into the contract for winter 2019-2020 with the proposed rates and terms and to renegotiate, rewrite the contract for winter 2020-2021. No further discussion. Motion carried in a voice vote, 5-0.

COMMUNICATIONS:

1. Chairman P. Danen received an e-mail from a resident concerned about Ledgeview Loops signs on Dickinson Road. Some feel that it's a hazard to encourage the road to be used as a bike route. Staff is to review and give options.

ORDINANCES: None.

REPORTS:

Administrator:

- Working on lease options for Ledgeview Golf Course for 2020
- Working on 2020 Town Budget. Budget Workshop will be held in conjunction with the next meeting

Clerk:

- Starting year-end review work
- Analyzing electronic poll books for the upcoming election year.

Engineer:

- Drainage issues in Red Hawk Landing
- Construction update on Oak Ridge Circle. Paving is complete.
- Working on Red Hawk Landing DNR permitting.

Treasurer:

- Bond funds transaction went very well
- Finish Sanitary Districts Budget is complete, budget hearing is scheduled
- Town Budget is nearing completion

Parks & Recreation:

- Working on winter programming for Ledgeview Golf Course

Approved at the October 22, 2019 Town Board Meeting.

- Playground equipment repairs needed at Scray Hill Park and Ledgeview Park
- Working with De Pere Baseball on the new ball diamonds at Scray Hill Park

Public Works:

- Monitoring the flooding on Ledgeview Road. The road is open for now.

Board Comments:

- There was great discussion regarding the deadly accident on Dickinson Road near Scray Hill Road/Bower Creek involving construction equipment and a pick-up truck. The Board felt the accident was evidence that there needs to be some sort of a controlled intersection at that location, and justifies the proposed round-about. The Board is encouraging residents to contact Brown County Public Works with their concerns regarding the safety of Dickinson Road because it is a county highway and falls under the county's jurisdiction. However, the Town does have the county's authorization to install a round-about at this location in 2020 at the total cost to the Town.

APPROVAL OF THE VOUCHERS:

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

CLOSED SESSION:

1. **The Town Board may convene into closed session pursuant to WI State Statute 19.85(1)(c) considering employment, promotion, compensation, or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises authority. Recommendation from the Personnel & Finance Committee on 2020 employee salary and wages.**

MOTION by M. Danen/Van Rossum for the Town Board to reconvene into closed session pursuant to WI State Statute 19.85(1)(c) considering employment, promotion, compensation, or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises authority. Recommendation from the Personnel & Finance Committee on 2020 employee salary and wages. No further discussion. Roll call vote: M. Danen – Aye, Peltier – Aye, P. Danen – Aye, Van Rossum – Aye, Cheslock Aye. Motion carried in a roll call vote, 5-0.

At 7:23 PM, the Town Board convened into closed session.

At 8:06 PM, MOTION by P. Danen/Cheslock to reconvene into open session.

MOTION by P. Danen/Van Rossum to approve the 2020 wages and benefits with changes discussed in closed session. No further discussion. Motion carried in a voice vote, 5-0.

2. **The Town Board may then reconvene into open session to take action on items discussed in closed session.**

See above agenda items for Town Board action.

ADJOURNMENT:

MOTION by P. Danen/M. Danen to adjourn. No further discussion. Motion carried in a voice vote, 5-0. Meeting adjourned at 8:10 PM.

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