

The Ledgeview Town Board held a meeting on **Monday, May 4, 2020 at 6:00 PM** in the Community Room located at Ledgeview Community Center, 3700 Dickinson Road, De Pere, WI 54115.

It should be noted that in light of current public health concerns regarding COVID-19, this meeting was a telephone/video conference meeting for Board members. Members of the public were able to monitor in the meeting through telephone access. Comments under the Public Input agenda item were accepted in written format prior to the meeting and distributed to the Board members prior to the meeting for acknowledgement under the Public Comment section of the agenda.

CALL TO ORDER

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

PLEDGE OF ALLEGIANCE

Pledge of Allegiance was dispensed of.

ROLL CALL

Members present were Chairman Phil Danen along with Supervisor Mark Danen attended in-person, Supervisor Cullen Peltier via video conference, and Supervisors Renee Van Rossum and Al Cheslock via phone.

Staff present in-person Administrator Sarah Burdette, Treasurer Renae Peters, and Clerk Charlotte Nagel. Present via video conferencing were Planner Dustin Wolff, Parks & Recreation Director Stephanie Schlag, Public Works Superintendent Andy Tenor, and Fire Chief Todd Hendricks. Present via phone was Engineer Scott Brosteau.

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. April 21, 2020 Town Board Meeting
2. Routine Reports: None
3. Committee/Commission Reports:
 - a. Recommendation from Park and Recreation Committee on a Community Center Rental Fee Waiver Request from the U.S. Census Bureau.
4. Operator's Licenses: April 20, 2020 – May 1, 2020.
5. Other Committee Minutes:
 - a. February 18, 2020 Park and Recreation Committee Minutes.
 - b. November 25, 2019 Beautification Sub-Committee Minutes.
 - c. December 18, 2019 Beautification Sub-Committee Minutes.
6. Pay Requests:
 - a. Approve Pay Request #5 for Contract D-2019, Red Hawk Subdivision, for \$318,121.20 to Jossart Brothers
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 May 19, 2020 Town Board Meeting.

There was a question as to whether the draft April 21, 2020 Town Board Minutes were accurate regarding the three residents who asked for the meeting access code but were not able to connect. The Board determined that the minutes were accurate as it was after the meeting had adjourned that it was discovered that there were technical difficulties with residents connecting to the meeting.

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

PUBLIC COMMENT:

Per COVID-19 Open Meeting Procedures provided by the Wisconsin Legislature, the Wisconsin Department of Justice, and the Wisconsin Town Associations, public comments were accepted in written format submitted to the Clerk prior to the meeting and distributed to the Board Members for recognition at the meeting.

Sue Grohusky, 1775 Hawthorne Heights – Wanted answers to her questions regarding the Scray Hill Road Urbanization Project.

Referenced were the many complaints received by Town Board Members and staff regarding vehicles parking on Gemstone Trail, Amethyst Court, Garnet Court, and Hidden Valley Lane. Public Works will be installing temporary no parking signs.

PUBLIC HEARING: Town Board may discuss and act on these items after the public hearing.

Per COVID-19 Open Meeting Procedures provided by the Wisconsin Legislature, the Wisconsin Department of Justice, and the Wisconsin Town Associations, public hearing comments were accepted in written format submitted to the Clerk prior to the meeting and distributed to the Board Members for recognition at the meeting.

1. Amendment to Zoning Code Chapter 135-11 (W) : Zoning relating to Canopy regulations for Automobile Fueling stations, Service Stations, and Convenient Stores Including Automotive Repair Facilities and Fueling Stations with Automotive Repair Facilities.

Back in 2018, Kwik Trip redeveloped the former BP gas station at Broadway (CTH PP) and O'Keefe. At that time, Zoning & Planning wanted some specific design elements for the site improvements due to its location surrounded by residences. These included residential architectural elements for the canopy, limited canopy height, controlled site lighting, and limiting curb cuts, among others. As the Town Code did not specifically require these elements, Kwik Trip would not include them in their design. The proposed Code language was developed by Zoning & Planning to ensure the expectations for such development in the Town was clearly outlined.

Key priorities of the proposed Code include the following:

1. Number and Location. Separation of stations such that there is not one on every corner of an intersection.
2. Lot Coverage. Percentage of buildings and canopy to green space (permeability).
3. Vehicle Access. Limit the number of curb cuts to any station.
4. Pedestrian Access. Clearly demarcate pedestrian access from adjacent sidewalk across vehicular ways.
5. Architecture. Provide similar design to surrounding uses, or particular concern is compatibility with residential districts (pitched roofs to match residences). Applicable to both the building and canopy.
6. Canopy. Limit height in both auto vs. semi-trailer fueling areas.
7. Signs. Canopy and quantity of various types of signs like banners, inflatables, changeable copy related to residential districts. Be consistent with Chapter 79. Signs.
8. Lighting. Limit pole height to reduce spill over.

Approved at the May 19, 2020 Town Board Meeting.

9. Landscaping. Require wide landscaping terraces near the road and planter boxes near the building.
10. Noise. Limit the hours of operation for pump island or canopy speakers and car wash air dryers (as would be done with restaurant or patio noise).

The public hearing was opened by Chairman P. Danen at 6:06 PM. After three calls for comments, none were received. Staff advised that no written public comments were received regarding the ordinance amendment. The public hearing was closed at 6:07 PM.

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

2. Amendment to Zoning Code Chapter 135-170 Zoning relating to Outdoor Storage in Commercial Districts.

Zoning & Planning wanted to clarify where outdoor storage and sales will occur when non-residential development is proposed. Specifically, the Commission expressed concerns about merchandise being displayed in various places on a site such that the appearance was cluttered. There was also concern about merchandise stored on grass eventually turning to mud.

Key priorities for Zoning & Planning in rectifying the current Code to reflect these concerns include the following:

1. Location. Outdoor storage and display areas may only occur within five feet of a building, or in an approved location – not in multiple locations all over a site.
2. Area. Restrictions on amount of area permitted for outdoor storage (SF and/or percentage of site)
3. Bulk and screening requirements in code still apply (e.g. maximum height, percent lot coverage, screening opacity)
4. Operation. If outdoor storage or display is away from a building, its location and operation of it (i.e. loading, bringing something in nightly) needs to be spelled out and shown on a site plan and communicated with Zoning & Planning Commission at the time of application.
5. Site. Outdoor storage and display areas should require a hard surface.
6. Code Application. Individual district requirements are okay (for instance to further regulate industrial activities, but clearly spell out requirements in a section of the code.

The public hearing was opened by Chairman P. Danen at 6:08 PM. After three calls for comments, none were received. Staff advised that no written public comments were received regarding the ordinance amendment. The public hearing was closed at 6:09 PM.

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

3. Rezone Request Application by Steve Bieda of Mau & Associates, LLP, agent for Matthew and Vicki Swan, owner, on parcel D-183-4 and D-183-4-2, 1900 block of Dallas Lane, from RR-Rural Residential to R1-Residential Single Family to adjust the lot line between two existing lots to accommodate the existing driveway.

The petitioner is requesting to rezone lands from R-R, Rural Residential District to R-1, Residential District for a future land division. This rezone accompanies a two (2) parcel redivision Certified Survey Map (CSM) and a right-of-way vacation on Dallas Lane. The Comprehensive Plan and Future Land Use Map depicts the property for single-family development served by public utilities. The rezone is consistent with the development pattern for the neighborhood and is suitable for low-density residential uses. No Environmental Sensitive Areas (ESA) areas are found on the property.

Zoning & Planning recommend approval to the Town Board for the following reasons:

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

The public hearing was opened by Chairman P. Danen at 6:10 PM. After three calls for comments, none were received. Staff advised that no written public comments were received regarding the rezoning. The public hearing was closed at 6:11 PM.

MOTION by M. Danen/Peltier to approve the rezoning as recommended by Zoning & Planning. No further discussion. Motion carried in a voice vote, 5-0.

4. Rezoning Request Application by Paul Fontecchio, Brown County Director of Public Works, on lands adjacent to the 4300 Block of Monroe Road, to NCD, Neighborhood Center District.

Brown County is requesting the approval of a Certified Survey Map (CSM) to create an Outlot that contains the stormwater pond that was constructed a part of the Monroe Road improvements. The pond is managed by the Town, and the CSM would enable the pond to be on land owned by the Town. The Outlot will be 0.65 acres in area and have 245-feet of frontage along Monroe Road.

The Comprehensive Plan document and Future Land Use Map does not depict any land use category for the proposed parcel as it is currently considered part of the CTH GV right-of-way. Lands in the area are illustrated for Planned Business along the CTH GV corridor. Staff is recommending that the Future Land Use category for the parcel be Planned Business. The proposed rezoning to Neighborhood Center District (NCD) will be consistent with the Plan.

Lands in the area are illustrated for NCD to the west of CTH GV, and Agriculture-Farmland Preservation for the lands to the east of CTH GV. Future development of the area will not be as AG-FP, and as such, staff is recommending that the parcel be rezoned to NCD, similar to the lands across the street.

The Zoning & Planning Commission recommend approval to the Town Board the rezoning of the future parcel to NCD, Neighborhood Center District for the following reasons and with the specific conditions:

1. The proposed rezoning from to NCD is consistent with the current zoning in the area.
2. The land for the parcel is suitable for non-residential and mixed-use development consistent with the Neighborhood Center District.
3. The rezoning is conditioned on recording of the CSM creating the proposed parcel.

The public hearing was opened by Chairman P. Danen at 6:13 PM. After three calls for comments, none were received. Staff advised that no written public comments were received regarding the rezoning as recommended by Zoning & Planning. The public hearing was closed at 6:14 PM.

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

It should be noted that on Tuesday, May 5, 2020 a letter from Joyce Drewiecki was received in the Community Center Dropbox regarding concerns of the corresponding Certified Survey Map. Ms.

Drewiecki doesn't want to sell more land for the pond or the outlot, and doesn't want the zoning of her land to change from exclusive ag-farmland preservation.

ZONING & PLANNING:

- 1. Recommendation by Zoning & Planning on the request by Steve Bieda of Mau & Associates, LLP, agent for Matthew and Vicki Swan, owner, for a Certified Survey Map Application on parcels D-183-4 and D-183-4-2, 1900 block of Dallas Lane, to adjust the lot line between two existing lots to accommodate the existing driveway.**

The petitioner is requesting the approval of a Certified Survey Map (CSM) for the reconfiguration of the lot line between two adjacent lots currently totaling 2.9 acres. A 0.19 acre "stub" portion of the Dallas Lane right-of-way will need to be vacated as part of this approval process and will be incorporated as part of the CSM bringing the acreage total to 3.09 acres. Lot 1 will have 2.17 acres and Lot 2 will have 0.92 acres. The land is currently zoned R-R, Rural Residential, but a rezone petition for parcel D-183-4-2 from RR to R-1 accompanies the CSM and right-of-way vacation. The lots will access to Dallas Lane.

Zoning & Planning recommend approval of the CSM with the following conditions:

1. Approval and completion of the right-of-way vacation prior to Town signature
2. Approval of the rezone petition for parcel D-183-4 and D-183-4-2.
3. Revise CSM to illustrate the following:
 - a. Illustrate the appropriate building setbacks on the CSM.
 - b. Illustrate the boundary of the temporary road easement on the CSM
 - c. Illustrate the locations and boundary of required sanitary easements on the CSM
4. Any technical corrections required by the Town Engineer or Brown County prior to Town signatures

MOTION by Van Rossum/Peltier to approve with the recommended Zoning & Planning conditions. No further discussion. Motion carried in a voice vote, 5-0.

- 2. Recommendation by Zoning & Planning on the request by Paul Fontecchio, Brown County Director of Public Works, agent for Brown County, for a Certified Survey Map Application on lands adjacent to the 4300 Block of Monroe Road, to transfer ownership of a stormwater management pond.**

The County is requesting the approval of a Certified Survey Map (CSM) to create an Outlot that contains the stormwater pond that was constructed a part of the Monroe Road improvements. The pond is managed by the Town, and the CSM would enable the pond to be on land owned by the Town. The Outlot will be 0.65 acres in area and have 245-feet of frontage along Monroe Road. A rezoning petition for the property to Neighborhood Center District accompany this CSM. Zoning & Planning recommend approval without conditions.

MOTION by M. Danen/Cheslock to approve per the recommendation of Zoning & Planning. No further discussion. Motion carried in a voice vote, 5-0.

OLD BUSINESS: None.

NEW BUSINESS:

- 1. Discuss and act on the possibility of a town wide Market Assessment Adjustment of assessed values.**

The Wisconsin Department of Revenue (DOR) requires the assessed value of a municipality to be within +/- 10% of 100% market value. If values are higher than 110% or lower than 90%, the DOR will notify the municipality of non-compliance. If values are not brought into compliance within 4 years of the notice, the DOR will perform its own revaluation. This is generally not in the municipality's best interest. The Town's 2020 assessed value is expected to be less than 90% of market value.

Approved at the May 19, 2020 Town Board Meeting.

Options were discussed such as:

- Waiting for the economy to reopen from the COVID-19 Pandemic to see how the market reacts.
- A rolling adjustment where the assessments are adjusted with market fluctuations.
- Getting the Town on a maintenance program.

The economic atmosphere being what it is today, the consensus of the Board is to take the wait and see approach.

MOTION by P. Danen/M. Danen to take no action at this time and to wait and see how the market bounces back from the COVID-19 Pandemic. No further discussion. Motion carried in a voice vote, 5-0.

2. Approve 2021 County Bridge Aid Petition for 3 culverts on Bower Creek Road.

Typically done as part of the Annual Town Meeting, which was delayed this year due to COVID-19 Pandemic, this County Bridge Aid Petition is for three culverts on Bower Creek Road in conjunction with the Urbanization Project.

MOTION by Van Rossum/Peltier to approve the 2021 County Bridge Aid Petition. No further discussion. Motion carried in a voice vote, 5-0.

3. Recommendation by Park, Recreation, & Forestry Committee to appoint David Purnell to the committee for the remainder of Joe Widi's term ending May 1st, 2021.

With the notification of resignation of Joe Widi from the Park, Recreation & Forestry Committee on 4/21/2020 a vacancy now exists on the committee. Provided for Town Board consideration is the application from David Purnell for the Park, Recreation & Forestry Committee.

MOTION by Peltier/M. Danen to approve the appointment of David Purnell to the Park, Recreation & Forestry Committee. No further discussion. Motion carried in a voice vote, 5-0.

COMMUNICATIONS:

1. Proclamation of Municipal Clerks Appreciation Week May 3rd – 9th, 2020.

The Board recognized Clerk Nagel for her service.

2. Recognition of Firefighters Appreciation Day May 4th, 2020.

The Board recognized Chief Hendricks and all the firefighters who serve the Town of Ledgeview.

COMMUNICATIONS: None.

ORDINANCES: None.

REPORTS:

Administrator:

- Golf Course Lease was discussed.
- Brown County Monthly Data Report was received.
- Parking problems at Fonferek's Glen County Park

Clerk:

- Received request from Ledgeview businesses requesting a reduction in Class B Combination Liquor Licenses.
- Board of Review will be held in conjunction with May 19th Town Board Meeting.

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- Working on printed version of the Town Newsletter.

Planner:

- Nothing to add.

Treasurer:

- Working on an amendment to Red Hawk Landing Developer's Agreement.
- Did a Ride-Along with Public Works as they checked the pump houses; very educational.
- Financial impacts of COVID-19.

Engineer:

- Town Road Improvement Discretionary Program (TRIP-D) Awards.
- Local Roads Improvement Program (LRIP) Report.
- Still Meadow Circle Sidewalk installation to begin.
- Backyard drainage issue on S. Secret Garden.
- Public Information Meeting/Precon Meeting for Scray Hill Road/Bower Creek Road/Dickinson Road Urbanization Project.

Fire Chief:

- COVID-19 personal protective equipment.
- Weekly COVID-19 updates with local officials

Parks & Recreations:

- Working on Scray Hill Park – De Pere Baseball Fields Project.
- Ledgestone stack west side of Zelten Park installed.
- Signage for Roller Coaster Loop.
- Working on Resident Tree Planting Program.

Public Works:

- Clayton started with Public Works Crew today.
- Water and sewer usage is up.
- Hydro leak detection.

Board Comments: None.

APPROVAL OF THE VOUCHERS:

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

ADJOURNMENT:

MOTION by P. Danen/Van Rossum to adjourn. No further discussion. Motion carried in a voice vote, 5-0. Meeting adjourned at 6:56PM.

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

Approved at the May 19, 2020 Town Board Meeting.