

LEDGEVIEW TOWN BOARD AGENDA
Tuesday, September 21, 2021 at 4:30 p.m.
or as soon thereafter as possible
Ledgeview Community Center
Community Room
3700 Dickinson Road, De Pere, WI 54115

CALL TO ORDER

The meeting was called to order by Chairman P. Danen at 4:30 p.m.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited by all in attendance.

ROLL CALL

Present was Chairman Phil Danen, Supervisors Renee Van Rossum, Mark Danen and Alan Matzke. Supervisor Sachin Shivaram was excused.

Staff present was Administrator Sarah Burdette, Clerk Jennifer Broich, Treasurer Renae Peters, Zoning Administrator Dan Teaters, Engineer Scott Brosteau, Public Works Director Greg Potts and Park & Recreation Director Stephanie Schlag.

AGENDA APPROVAL

Chairman P. Danen confirmed with staff asking that item 3 of New Business should be removed from the agenda as it was not ready. Chairman P. Danen noticed Mr. Radue was in the audience and asked if he would like to discuss that item in which he did. Item 3 of New Business was to stay on the agenda.

Motion by M. Danen to approve the agenda, seconded by A. Matzke. No further discussion. Motion carried in a voice vote, 4-0.

CONSENT AGENDA

1. Regular Board Meeting Minutes:
 - a. August 17, 2021 Town Board Meeting Minutes
 - b. September 7, 2021 Town Board Meeting Minutes
2. Routine Reports:
3. Committee/Commission Reports:
4. Operator's Licenses: September 4, 2021 – September 17, 2021
5. Other Committee Minutes:
6. Pay Requests: Approve final pay request for Scray Hill Road – Contract B-2020
7. Special Event & Street Closure Permits: None

Motion by R. Van Rossum to approve Consent Agenda, seconded by A. Matzke. No further discussion. Motion carried in a voice vote, 4-0.

PUBLIC COMMENT:

Chairman P. Danen opened public comment at 4:32 p.m.

Ryan Radue – 2585 S Broadway, Green Bay

Wanted to speak about the Town's policy with regards to public infrastructure. Is not necessarily against it but has a concern about one of the requirements that have to do with the developer and having to provide two letters from banks denying financing. His take on it is that there is development assistance available but is not always advantageous to the developer in getting that; or a developer could go to two different banks that they don't do business with to get the denial

letters but that would be disingenuous. Hopes the Town would reconsider that policy at some point in the future or at least how it is implemented.

Chairman P. Danen asked for that to be noted and put up for future discussion with staff.

After a call for additional comments, public comment was closed at 4:33 p.m.

PUBLIC HEARING:

None.

ZONING & PLANNING:

1. **Discuss and act on** recommendation from Zoning and Planning on the request by Greg and La Ree Runnoe (owners) to make minor amendments to the PDD for the August Hills development.

The Town and petitioner are requesting an amendment to the Planned Development for Augusta Hills. The original development was approved by the Board in December 2018 concurrent with the Eventyr Heights Planned Development. The existing Augusta Hills development is currently zoned R-1 Residential with Planned Development District overlay.

During building application review, several items have continued to be contentious because they were not completely clear in the PDD narrative following the 2018 approval. Namely a tree planting plan and building design.

The proposed amendment aims to rectify the issues left unaddressed following the 2018 approval and clarify the PDD documentation so development can continue as efficiently as possible.

The following Amendments to the PDD Narrative are proposed:

Permitted & Accessory Uses

Single and two-family condominium dwellings are the only permitted uses. Town structures or other governmental facilities and parks/trails/playgrounds was removed from the original PDD.

Home occupations, hot tubs, pools, and temporary structures for construction are permitted accessory uses.

Man-made bodies of water (e.g., ponds) was moved from permitted uses to conditional uses as those would require Town, County and potentially state review. No additional ponds beyond those already designed are expected.

Building Design

1. All principal structures will have a minimum floor area of 1,400 SF. This is a change from the original PDD which allowed 1,500 SF.
2. The range of roof pitches is proposed to change. The original PDD allowed 5, 6, or 8/12. The proposed PDD will allow a range of roof pitches (inclusive of principal structure, porch roofs, dormers, etc.) from 0:12 (flat roof) to a maximum of 12:12.
3. Building height is proposed to increase 2 feet from 24 feet (original) to 26 feet.

Landscaping (aka, tree preservation and planting)

The tree species list was removed. The list previously included identified several ornamental and fruit trees as street trees along the backs of curb. It has been found that owners prefer options for other types of trees including traditional deciduous like oak, elm, maples, etc. Species proposed are expected to match the Town's Urban Specifications Manual which outlines appropriate and prohibited (invasive) species.

A new Tree Planting Plan was provided which shows that each lot will contain at least 1 street tree and several trees will be planted in Common Elements throughout the development.

Chairman P. Danen requested a motion to the amendment.

Motion made by M. Danen, seconded by A. Matzke to approve. No further discussion. Motion carried unanimously.

2. **Discuss and act on** recommendation from Zoning and Planning on the request by Greg and La Ree Runnoe (owners) to make minor amendments to the PDD for PDD for Eventyr Development.

The Town and petitioner are requesting an amendment to the Planned Development for Eventyr Heights. The original development was approved by the Board in December 2018 concurrent with the Augusta Hills Planned Development. This PDD has been amended several times since its original approval which has resulted in confusion during building application review due to incomplete documentation regarding significant tree inventorying, proposed tree planting, and building design.

The proposed amendment aims to rectify the issues left unaddressed following the 2018 approval and clarify the PDD documentation so development can continue as efficiently as possible.

The existing Eventyr Heights development is currently zoned R-1 Residential with Planned Development District overlay. As a condition of the December 2018 PDD approval, each individual unit within Eventyr Heights is required to have ZPC review and approval before a building permit is issued. ZPC review is specifically for architectural building design and a tree planting plan. This condition remains.

The following Amendments to the PDD Narrative are proposed:

Permitted & Accessory Uses

Only single and two-family condominium dwellings and town structures or other governmental facilities are permitted. Home occupations, gardens sheds (only in Grace Gardens), hot tubs, pools, and temporary structures for construction are permitted accessory uses.

Man-made bodies of water were removed as this refers to “ponds” which don’t fit within the landscape of the development.

Building Design

1. All principal structures will have a minimum floor area of 1,500 SF. This is a change from the original PDD which allowed a range of 1,500 to 1,900 SF.
2. The maximum deck/porch size for individual units is increased from 600 SF to 800 SF from the original PDD.
3. The range of roof pitches is proposed to change. The original PDD allowed 5, 6, or 8/12 roof pitches which was later amended to allowed 10/12. The proposed PDD will allow a range of roof pitches (inclusive of principal structure, porch roofs, dormers, etc.) from 0:12 (flat roof) to a maximum of 12:12. As mentioned above, ZPC will retain individual unit architecture review for Eventyr Heights only.
4. Building height is proposed to increase 4 feet. The original PDD allowed a building height of 24 feet. The proposed PDD will allow a maximum building height of 28 feet from finished first floor to top of roof peak.

Landscaping (aka, tree preservation and planting)

The petitioner has worked with staff extensively on this and is proposing more landscaping with this amendment than the original PDD proposed. This is being done to rectify what is being lost – while not considered “significant” (meaning 12” caliper trees or larger), the density of smaller trees to be removed is significant.

1. Previously, each unit to be developed was required to submit an individual tree survey. The individual tree survey was to identify any significant trees on the unit. As all significant trees have now been identified (as denoted on the planting plans and below) the requirement for a significant tree inventory is being removed. Efforts to retain significant trees on the property must still be made and should be shown on site and building plans, as applicable.
 - a. Where those identified significant trees cannot be saved, they must be replaced at a ratio of 3:1. Replacement should be prioritized first on the unit from which they are removed, then on

adjacent units, then in common elements within Eventyr Heights, then within common elements within Augusta Hills – in that order.

2. Tree Planting Plan. A Tree Planting Plan must be provided for each lot in Eventyr. At a minimum, one tree is required to be planted along the street edge of each lot. This is separate from replacement of any “significant trees” lost.
3. Tree species list. The species list was removed as it attempted to separate ornamental/fruited trees from deciduous from evergreens and was overly complicated. Proposed tree species will be reviewed with individual unit proposals and evergreen and ornamental species are required for “replacement trees”.
4. A new tree planting plan was provided which indicates the information above.

Chairman P. Danen requested a motion to the amendment.

Motion made by R. Van Rossum, seconded by M. Danen to approve. No further discussion. Motion carried unanimously.

OLD BUSINESS:

1. Request for Approval for CliftonLarsenAllen (CLA) Audit Services Contract.

Staff included previous report from Town Board’s September 7th meeting for those supervisors not in attendance and added updated information that was gathered from current senior partners at

Reason why 5 yr. contract was coming in a little more than expected, is because when previous extension was put in place it didn’t include the fact that the Town has added two TIDs, had an increase in Developer Fund activity with new subdivisions and three new GASB standards in the original extension that we signed in 2016. Throughout the past five years, 2016-2020, they added those items that we weren’t being charged for.

In response to Supervisor Shivaram’s concern with having new eyes on the audit being beneficial, staff explained that our previous senior accountant, Dave Maccoux has since been promoted away from Government Audits, allowing Scott Sternhagen to take on that role with new eyes. Mr. Sternhagen explained that the audits are now being done by junior accounts from CLA that change every year, so there are new eyes working on different parts of our audit, while still maintaining the good relationship the Town has with CLA.

If approved, the entire cost of the services would be split between the two TIDs, as well as splitting it evenly between the water and sewer funds.

Chairman P. Danen inquired about getting a one-year quote and if that was able to happen. Staff explained that our current quote with what CLA was proposing, we would be getting a discount for multiple years, and if we went down to anything less than three years, they would have to redo the entire proposal and it would be more expensive. Staff also looked into other audit services from municipalities in our area; Hobart is fairly close to our size, but have more TIDs than we do, and are paying upwards to \$25,000 per year; with Bellevue also paying \$25,000 per year.

Motion made by A. Matzke to approve the 5-year Audit Services Contract with CliftonLarsenAllen (CLA), seconded by M. Danen. Motion carried in a voice vote, 4-0.

NEW BUSINESS:

1. Recommendation from Town Chair to appoint Dan Kerkhoff to the Zoning Board of Appeals (ZBA)

Ordinance permits that the Town Chair makes appointments to Committees and Commissions which are confirmed by the Town Board. Would like to confirm Town Chair’s appointment of Dan Kerkhoff to the Zoning Board of Appeals for a three-year term ending September 21, 2024.

Motion made by R. Van Rossum, seconded by A. Matzke to approve to appoint Dan Kerkhoff to the Zoning Board of Appeals. Motion carried in a voice vote, 4-0.

2. Request for Approval for a town wide market adjustment from Fair Market Assessments.

Joe Denor with Fair Market Assessments spoke and explained that the Department of Revenue sent out their new equalized values for 2021 and the Town is currently out of compliance on the assessments. Right now our assessments are at 84% of market value. It will be our first year out of compliance, as we had a six-point drop from 2020. Proposing to have our market adjustment in 2022.

Staff stated we would like to start setting aside money each year, that will specifically go towards either a revaluation or market adjustment so we don't have a large expense all at once. Similarly, to what we did in 2017 with the complete revaluation.

Joe Denor explained that what will happen next year will be at a much less smaller scale in that they won't have to go into each house like they did for the revaluation. Would be starting reviewing sales in fall, then closer to the first of the year look at the maintenance work viewing new construction and then starting back up in June. Would end up being effective for the 2022 tax year, and hope to have it complete by July's Board of Review. Also stated several municipalities in the area are on a continuous three-year schedule to keep up with everything.

Motion by A. Matzke, seconded by R. Van Rossum to approve the proposed contract with Fair Market Assessment for a 2022 market adjustment. Motion carried in a voice vote, 4-0.

3. Request for Approval on the Development Agreement – Amendment #1 (Final Agreement) to Agreement Relating to Site Improvements for Crossing at Dollar Creek 2nd Addition Subdivision, Seville Properties LLC and the Town of Ledgeview, Brown County, Wisconsin.

Staff explained that originally this agenda item was a place holder and was unintentionally left on and wasn't to go on the final agenda. Staff has been working with Mr. Radue to finalize any questions or clarifications on the Agreement.

Mr. Radue has a disagreement on the accounting portions pertaining to the Crossing at Dollar Creek 2nd Addition which has been done for a while but there are some outstanding balances. Some of it stems from multiple projects all tied together and the different ways to interpret it. There was land dedicated to a trail which was a requirement that Mr. Radue didn't necessarily want, but was in the Agreement; that bill for wood chips was for \$19,212.50. Mr. Radue mentioned several other line items in which he was questioning costs for specific things that in the end he feels as though he is underwater.

Mr. Radue believes a lot of interpretation has to be done. He has come to an impasse with staff as to what the actual bill should be and doesn't have a problem paying for what he owes but would like to resolve it. Mr. Radue believes he has already paid the majority and would like to know what the next step is to just resolve it.

Chairman P. Danen suggested that staff put together the numbers as a part of a future agenda item, and asked that Mr. Radue also submit his information as to what he believes the differences are.

No further discussion.

COMMUNICATIONS:

Administrator:

The Town did send flowers on behalf of The Town to Chief Guns with regards to his wife passing.

Public Works Director:

Staff and Chairman P. Danen briefly went over previous discussions pertaining Bulky Item Pick up as Supervisor M. Danen was not in attendance at September 7th meeting. Supervisor M. Danen had concerns and requested a trial of sorts in possibly having weekly drop off for a month to see how much residents utilize this service. Requested numbers for next meeting.

Treasurer:

Budget work shop is the second meeting in October.

ORDINANCES:

None

REPORTS:

Administrator:

- Written report as submitted
 - The CBCWA meeting from September 15, 2021 regarding adoption of the 2022 Annual Budget
 - Met with the City of De Pere to review an agreement from 1998 regarding limited policies services provided to De Pere School District facilities
 - Pointed out some work anniversaries
 - Updates on meetings and trainings for the month

Treasurer:

- Written report as submitted

Park and Recreation:

- Written report as submitted

Public Works:

- Written report as submitted

APPROVAL OF THE VOUCHERS:

Motion made by R. Van Rossum, seconded by A. Matzke to approve. No further discussion. Motion carried, 4-0.

CLOSED SESSION:

Motion made by P. Danen, seconded by M. Matzke to go into closed session at 5:26 p.m. Roll call vote. Motion carried unanimously.

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. The purpose is to make recommendation on the 2022 employee salary and wages. The Town Board may then reconvene into open session to take action on items discussed in closed session.

Motion made by P. Danen, seconded by A. Matzke to approve the recommendation as provided by the Personnel & Finance Committee. Motion carried unanimously.

ADJOURNMENT:

Motion made by P. Danen, seconded by M. Danen to adjourn Town Board. Motion carried 4-0. Meeting adjourned at 5:30 p.m.

Respectfully submitted,

Jennifer Broich
Town Clerk

Approved at the October 4, 2021 Town Board Meeting