

TOWN BOARD MINUTES
Monday, February 22, 2022 at 6:00 p.m.
or as soon thereafter as possible
Ledgeview Community Center
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 were Chairman Phil Danen, Supervisors Renee Van Rossum, Alan Matzke, Mark Danen upon start of the meeting. Supervisor Sachin Shivaram arrived at 4:37 p.m.

Staff present was Administrator Sarah Burdette, Clerk Jennifer Broich, Planner Dustin Wolff (remotely), Zoning Administrator Dan Teaters, Treasurer Renae Peters, and Engineer Scott Brosteau.

AGENDA APPROVAL

Staff advised to strike and remove the Town Board minutes from February 7, 2022 and the Personnel and Finance minutes from July 23, 2021 as they are not ready and in the packet.

Motion by Supervisor R. Van Rossum to approve agenda with those changes, **seconded by** Supervisor A. Matzke. No further discussion. Motion carried in a voice vote, 4-0.

CONSENT AGENDA

1. Regular Board Meeting Minutes:
 - a. ~~February 7, 2022 Town Board Minutes~~
2. Routine Reports:
3. Committee/Commission Reports:
4. Operator's Licenses: February 6, 2022 thru February 19, 2022
5. Other Committee Minutes. Accept and place on file:
 - a. March 13, 2020 Personnel & Finance Committee Minutes
 - b. ~~June 23, 2020 Personnel & Finance Committee Minutes~~
 - c. May 12, 2021 Personnel & Finance Committee Minutes
 - d. July 23, 2021 Personnel & Finance Committee Minutes
 - e. January 24, 2022 Park, Recreation and Forestry Committee Minutes
6. Pay Requests: None.
7. Special Event & Street Closure Permits: None.

Motion made by Supervisor R. Van Rossum to approve the Consent Agenda with above changes, **seconded by** Supervisor A. Matzke. No further discussion. Motion carried in a voice vote, 4-0.

PUBLIC COMMENT:

Chairman P. Danen opened public comment at 4:33 p.m.

Tim Smith wanted to speak about the vacation of Wayne Lane. Advised he would be able to speak during that agenda item.

After three calls for comments, non were heard. Public comment was closed at 4:35 p.m.

PUBLIC HEARING: None.

ZONING & PLANNING:

1. **Recommendation** from the Zoning and Planning Commission on the request by Steve Bieda, Mau & Associates, to vacate the northern most portion of Wayne Lane for the purpose of future development.

Staff stated the petitioner is requesting that the Town vacate a 1.35-acre portion of Wayne Lane. The portion of Wayne Lane proposed to be vacated. It has never operated as more than an access drive to the Van Straten and Cuene properties. This vacation request corresponds with the street reconfiguration proposed in the Grande Ridge Estates First Addition Final Plat, which will be reviewed at the March ZPC meeting.

The portion of Wayne Lane not proposed to be vacated will be renamed to Big Sky Pass, and Wayne Lane will become a secondary street to provide access to the two residences, along with future lots. Lots D-449-1 and D-450, the Van Straten and Cuene properties, will require a retracement CSM for access to the stubs of Wayne Lane to the north and south. New sanitary sewer and water main will be added to the new road segments within the development.

The ZPC unanimously recommended approval of the vacation to the Board, conditioned on the approval of a retracement CSM for parcels D-449-1 and D-450.

Motion to open floor by Supervisor M. Danen, seconded by Supervisor R. Van Rossum at 4:37 p.m. Motion passed unanimously in a voice vote.

Tim Smith – 3351 Heritage Road

Resident has been communicating with developer who isn't sure which way the road is going to go when it comes out to CTH X and is concerned about runoff. Is being told there may be some storm water management that is needed. Resident states with the runoff and the grade change in elevation that this may all end up in his yard. Has a lot of concern as Mr. Radue is telling him that he doesn't know what the plan is down the road. Wants everything to be transparent as it will affect his property down the road.

Closed public comment and brought it back to the Board at 4:45 p.m.

Staff explained the length of the process which is about a three-month process and this is the first step in that process. Chairman P. Danen stated Mr. Smith should follow along with the step and the timeline with regards to future meetings and changes to get his answers. The next public hearing will be on April 4th in which part of the road would be officially vacated then filed with the Register of Deeds.

Motion made by Supervisor S. Shivaram to approve preliminary vacation of Wayne Lane conditioned on the approval of a retracement of a CSM for parcels D-449-1 and D-450. **Motion seconded by** Supervisor M. Danen. No further discussion. Motion carried a voice vote, 5-0.

2. **Recommendation** from the Zoning and Planning Commission on the request by Joe Goldshlack (agent) on behalf of Dish Wireless to co-locate additional equipment on an existing cell tower located on parcel D-361-1, 2171 Dickinson Road.

Staff presented The petitioner is requesting approval to install a new Dish Wireless antennae array on an existing monopole tower (116') and fenced compound area. Dish will lease a 150 SF area within the existing fenced compound area at the base of the tower to accommodate their equipment platform and an ice bridge connecting to the tower ground ring. Antennas and other equipment would be mounted on the existing tower.

A *Class 2 Co-Location* is the placement of antennae on an existing support structure such that the owner of the facility does not need to construct a freestanding support structure for the facility or engage in substantial modification.

ZPC recommended approval to Town Board of the Building Site and Operation Plan for a Class 2 Co-Location without conditions.

Motion made by Supervisor R. Van Rossum to approve the co-locate additional equipment on an existing cell tower located on 2171 Dickinson Road, parcel D-361-1 with no conditions. **Motion seconded by** Supervisor A. Matzke. No further discussion. Motion carried a voice vote, 5-0.

3. **Recommendation** from Zoning and Planning Commission on the request by Steve Zeitler (agent) on behalf of Joe Lotto (owner) to vacate a portion of Caboose Lane.

Staff presented stating the petitioner is requesting that the Town vacate the portion of Caboose Lane that provides frontage to parcel D-97-1 to resolve a bank issue. A CSM was approved by the Town Board in September 2021 that established an outlot (D-97-3) and dedicated the ROW along parcel D-97-1.

The ROW dedication resulted the existing residence and accessory building being partially located in the public ROW. The buildings are still privately owned; however, the lienholder (the bank) was not aware of this issue and they were not made a signatory to the CSM. They are objecting to this dedication and the impact to the residence.

The property owner and the bank have requested that the entire CSM be vacated. Staff has evaluated that option and is recommending that only Caboose Lane ROW adjacent Lot 3 that was dedicated as part of CSM be vacated. The ROW dedication for Shadow Court was needed as part of the CSM, and does not the issues associated with Lot 3.

The ZPC unanimously recommended approval of the partial ROW vacation of Caboose Lane along D-97-1 to the Board, consistent with the land area dedicated with the recent CSM approval.

Motion made by Supervisor R. Van Rossum to approve the vacation of Caboose Lane with no conditions. **Motion seconded by** Supervisor M. Danen. No further discussion. Motion carried a voice vote, 5-0.

OLD BUSINESS: None.

NEW BUSINESS:

1. **Request** for approval of Resolution R-2022-07 – 2021 Budget Adjustment.

Staff presented a resolution is needed because at the end of each year, each fund (General, Fire Dept., Park etc.) is reviewed for accounts with overages, meaning accounts where more was spent than budgeted. When the overage is too large, fund balance must be used to cover the amount of overage as the budget must always at least be balanced at the end of the year.

Motion made by Chairman P. Danen to approve resolution R-2022-07 pertaining to the 2021 Budget Adjustment, **seconded by** Supervisor S. Shivaram. No further discussion. Motion carried a voice vote, 5-0.

COMMUNICATIONS: None.

ORDINANCES: None.

REPORTS:

Administrator:

- Written report as submitted
- Updated matrix for Fire Department study
- Admin Assistant starting on Monday
- Will be scheduling a Special meeting of the Town Board – geared towards Fire Department Services
- RFP sent out on Feb 9th and has heard some feedback from consultants which is encouraging

Planner: None.

Zoning Administrator:

- Written report as submitted
- Advised it's going to be a busy spring as there have been a lot of permits coming in for new homes, accessory structures, pools, etc.
- Code updates will be coming up for approval

Treasurer:

- Written report as submitted
- Advised the audit went smoothly and were no problems

Clerk:

- Brief update on the internal projects
- Setting up schedule for poll workers and the election

Engineer:

- Update on dredging project

Public Works Director:

- Written report as submitted

Park & Recreation Director:

- Written report as submitted

Fire Department: None.

Board Comments: None.

APPROVAL OF THE VOUCHERS:

Motion made by Supervisor R. Van Rossum to approve the vouchers. **Motion seconded by** Supervisor M. Danen. No further discussion. Motion carried in a voice vote, 5-0.

CLOSED SESSION:

Motion made by Chairman P. Danen, **motion seconded by** Supervisor S. Shivaram to go into closed session at 5:04 p.m. by a roll call vote. Motion carried unanimously.

1. The Town Board may convene into closed session pursuant to WI State Statute §19.85(1)(e) for 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 discussing Fund 200-The Fire Department Fundraising Account Funds. The Town Board will then reconvene into open session to take action on items discussed in closed session, specifically **Resolution R-2022-01** related to the transfer of town funds from the Fire Department Fundraising Account to the Ledgeview Fire Fighters Association.

Motion made by Chairman P. Danen, **motion seconded by** Supervisor Van Rossum to go out of closed session at 5:36 p.m. Roll call vote. Motion carried unanimously.

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

No action taken in closed session.

ADJOURNMENT:

Motion made by Chairman P. Danen to adjourn, **seconded by** Supervisor A. Matzke. No further discussion. Motion carried in a voice vote, 5-0. Meeting adjourned at 5:37 p.m.

Respectfully submitted,

Jennifer L. Broich
Town Clerk

Approved at the March 7, 2022 Town Board Meeting.