

TOWN BOARD MINUTES
Tuesday, April 19, 2022 at 4:30 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, Mark Danen, Alan Matzke and Sachin Shivaram.

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

AGENDA APPROVAL

Staff advised there were no changes to the agenda.

Motion by Supervisor A. Matzke **to approve agenda** as written **seconded by** Supervisor R. Van Rossum. No further discussion. Motion carried in a voice vote, 5-0.

CONSENT AGENDA

1. Regular Board Meeting Minutes:
 - a. March 7, 2022 Town Board Minutes
 - b. March 22, 2022 Town Board Minutes
 - c. April 7, 2022 Special Town Board Minutes - LVFD
2. Routine Reports:
3. Committee/Commission Reports:
4. Operator's Licenses: April 3, 2022 thru April 16, 2022
5. Other Committee Minutes. Accept and place on file:
 - a. March 2, 2022 Sanitary District Committee Minutes
 - b. March 16, 2022 Zoning and Planning Commission Minutes
 - c. April 8, 2022 Municipal Board of Canvassers' Minutes
6. Pay Requests: None.
7. Special Event & Street Closure Permits: None.

Motion made by Supervisor R. Van Rossum **to approve the Consent Agenda** as written, **seconded by** Supervisor A. Matzke. No further discussion. Motion carried in a voice vote, 5-0.

PUBLIC COMMENT:

Chairman P. Danen opened public comment at 4:31 p.m.

After three calls for comments, none were heard. Public comment was closed at 4:32 p.m.

PUBLIC HEARING:

1. Public Hearing and approval on a Conditional Use Permit (CUP) and Building, Site and Operation Plan (BSO) request by Adam Stein (agent) on behalf of Conitantinos Bournantianis (owner), to construct a coffee shop with drive through located on parcel D-470-3-66-3, o Silverstone Trail by approving Ordinance O-2022-006.

Staff presented stating the petitioner is requesting approval of a Conditional Use Permit and Building, Site, and Operation Plan for a Starbucks Café and Drive-Thru. The parcel is currently zoned B-2. A Conditional Use permit is required for the Café and Drive-Thru uses in the B-2 zone district.

There are vehicle two accesses to the parcel; one on Broadway Street (CTH PP) and one on Silverstone Trail. Two-way circulation is proposed throughout the site except for the drive-thru area to the west and north of the building. The Silverstone Trail access drive is located directly across from 1371 Silverstone Trail. It appears that headlights will shine directly into the living space of the residence. The petitioner is attempting to coordinate with the neighbor regarding off-site screening improvements via landscaping.

Pedestrian access from the Broadway Street sidewalk is provided with a striped pedestrian connection path through the parking lot to the proposed six (6) foot wide sidewalk between the building and the parking lot. A sidewalk is required along Silverstone Trail [per Town policy for all development along an urbanized road] with a pedestrian connection path to the interior sidewalk.

The proposed building is 2,500 SF +/- and the required parking is one (1) space per 75 to 50 square week of Gross Floor Area (GFA). A total of 48 parking spaces are proposed with three (3) ADA accessible spaces. Bicycle parking is also provided.

The ZPC approved this CUP request and BSO Plan for the coffee shop and drive-thru operations with the following conditions:

1. Revise the sign package to show:
 - A. Wall signs
 - a. The primary sign is located on facing Broadway Street (west façade) as it is nearest the main entrance.
 - b. The secondary sign on the east façade a maximum of 60% of the size of the west façade sign.
 - c. The area of the total wall signage not greater than 52 SF.
 - B. Ground Signs
 - a. Add the building address to the sign per Code.
 - C. Menu Boards
 - a. Revise the site plan and sign package to illustrate not more than one menu board / ordering station station with a display area not to exceed 40 SF
 - D. Directional Sign
 - a. The incidental (directional) sign changed to a maximum of 3-feet in height.

The public hearing was opened by Chairman P. Danen at 4:35 p.m.

Carl Thyges – 1390 Weatherstone Trail:

Resident was unaware of the details on this development as he just got the letter/public hearing notice in the mail today and had general questions about the plan, the lighting and the traffic flow. Mr. Thyges also mentioned he owns two pieces of property in which one parcel is unbuilt at this time, and stated it would become an issue if he were to build on that property, as the headlights would be directly impacting that parcel.

Staff advised they have encouraged the petitioners to make contact with the property owners that might be impacted with headlights to see if they can provide some landscaping in their front yards in an attempt to

mitigate those issues. Staff clarified for the Board, specifically Mr. Thyes and Mr. Mommaerts' properties because of the way the access driveway is located, there is no place to put landscaping there.

Staff advised the Town has a restrictive lighting code and there will be zero-light-trespass at the property lines, the lighting fixtures won't be taller than 18 ft. per code; and the maximum of 14 candles, which is plenty of light for safety and usage but won't glow. Stated it would be less than McDonalds lighting.

David Mommaerts - 1371 Silverstone Trail:

Resident concerned about the landscaping stating he doesn't really want it, and wants to see if there actually is a problem once the business opens and takes occupancy once the traffic is there. Wanted in writing something stating that if there is an issue once open, that he could get landscaping at that time.

Staff advised they could add that as a condition as something to review at the time of occupancy as landscaping will be the last item to go in; and asked Mr. Mommaerts what he was exactly looking for.

Staff verified with Mr. Mommaerts as well as the architect if that was something they would be in agreement with.

Adam Stein / Architect & Representative for owner – 802 N 109th St, Milwaukee:

Mr. Stein spoke on behalf of the owner who was very committed to working with the nearby residents and stated they want a high quality development. Stated they were willing to accommodate Mr. Mommaerts and can work with him at that time if needed. Mr. Stein stated that this was the back entrance and the hope was that most of the traffic would come thru the front but understands that you really don't know until once it's up and operating. Would be willing to give a small choice of approximately fifteen (15) different landscaping options to choose from.

Mr. Thyes spoke up stating he wanted to be included in the event that he should develop his second vacant lot. Further discussion was had and was determined what Mr. Thyes was looking for was not the landscaping they were talking about regarding Mr. Mommaerts property. Mr. Thyes currently has fencing on his lot line and landscaping would not be possible on that parcel. Staff pointed out that they would first have to determine where that driveway would be on that unbuilt parcel, so landscaping at this time would be inappropriate and not needed.

The public hearing was closed by Chairman P. Danen at 4:51 p.m.

Further discussion ensued and clarification was made regarding the landscaping with the condition that at the time of occupancy they discuss with Mr. Mommaerts about adding some landscaping at the expense of the owner of the development.

Mr. Stein questioned if there would be limitations assigned with regards to the extent of landscaping. Staff clarified that if the owner felt the request was unreasonable, that would be something that can be brought back to the Town Board, but to do their best with working it out amongst themselves.

Motion by Supervisor S. Shivaram to approve the CUP as well as the BSO plan for Starbucks on parcel D-470-3-66-3, located at 1347 S. Broadway, by approve Ordinance O-2022-006 and with the conditions:

1. Revise the sign package to show:
 - A. Wall signs
 - a. The primary sign is located on facing Broadway Street (west façade) as it is nearest the main entrance.
 - b. The secondary sign on the east façade a maximum of 60% of the size of the west façade sign.
 - c. The area of the total wall signage not greater than 52 SF.
 - B. Ground Signs
 - a. Add the building address to the sign per Code.

- C. Menu Boards
 - a. Revise the site plan and sign package to illustrate not more than one menu board / ordering station with a display area not to exceed 40 SF
- D. Directional Sign
 - a. The incidental (directional) sign changed to a maximum of 3-feet in height.

- 2. At the time of occupancy the petitioner discuss with Mr. Mommaerts about adding some landscaping at the expense of the owner of the development.

Motion seconded by Supervisor M. Danen. No further discussion. Motion carried in a voice vote, 5-0.

- 2. Public Hearing and approval on a **Conditional Use Permit (CUP)** request by Joseph Lotto (owner) to allow for a **greenhouse** on parcel D-303 at 4057 Glenmore Road by approving Ordinance O-2022-007.

Staff presented stating the petitioner is requesting approval of a Conditional Use Permit (CUP) to build a greenhouse, which is only permitted by conditional use in A-2. The greenhouse building is proposed to be 96-feet long, 30-feet wide, and 15-feet in height and constructed with piping covered with clear plastic.

The petitioner was awarded a USDA Natural Resources Conservation Service (NRCS) grant for this high hoop tunnel (greenhouse) to maximize farmable property for agricultural practices.

The ZPC recommended approval of the conditional use permit, conditioned on providing the Town the site preparation details and the required supporting practices for erosion control, runoff, and vegetative cover according to the requirements of the USDA conservation practice standard included with the USDA application

At 4:55 p.m., Chairman P. Danen opened the public hearing for comments.

Bernard Lotto -- 3955 Glenmore Road

Wanted to speak in favor of it. Property owner is his nephew and thinks would really help and benefit him as a mid-sized farmer.

Chairman P. Danen made a call two more times asking if anyone wanted to speak on this public hearing. No responses. Closed public hearing at 4:57 p.m.

Motion by Supervisor A. Matzke moved to approve the Conditional Use Permit for the Greenhouse with conditions of site preparation pertaining to the runoff, **seconded by** R. Van Rossum. No further discussion. Motion carried in a voice vote, 5-0.

ZONING & PLANNING:

- 1. **Discuss and act on** recommendation from the Zoning and Planning Commission on the request by Steve Bieda of Mau & Associates (agent) on behalf of Ron Van Straten (owner) to approve a Certified Survey Map (CSM) to create three lots from parcels D-449-1 and D-450, located at 3550 and 3551 Wayne Lane.

Staff stated the petitioners are part of the family that sold land for the Grand Ridge Estates development. To accommodate the new roadway for the development, they are requesting approval of three (3) lot CSM that includes the dedication of a realigned Wayne Lane. A condition of this vacation approval will be for the Van Straten / Cuene CSM to be approved so that both lots will have frontage and access onto the vacated and dedicated Wayne Lane.

The ZPC approved the CSM and recommended the same to the Town Board at this time, with conditions.

Motion made by Supervisor R. Van Rossum to approve the Certified Survey Map to create three lots from parcels D-449-1 and D-450 located at 3550 and 3551 Wayne Lane with the following conditions:

1. ZPC conditions:
 - a. Final vacation of the partial ROW for Wayne Lane.
 - b. Recording of the CSM to be simultaneous to the Grande Ridge Estates 1st Addition Final Plat.
 - c. The following notations added to the CSM:
 - i. "Future bicycle and pedestrian facilities will be installed within the public ROW when the roadway is constructed."
 - ii. "All lots are required to connect to public utilities within one year of availability."
 - d. Any technical corrections required by the Town Engineer or Brown County prior to Town signatures.

Motion seconded by Supervisor M. Danen. No further discussion. Motion carried in a voice vote, 5-0.

2. **Discussion and act on** a recommendation from the Zoning and planning Commission on the request by Steve Bieda of Mau & Associates (agent) on behalf of Tom Ebert (owner) to approve a Certified Survey Map (CSM) to create two lots from parcel D-1991, located at 2206-2208 Blue Stem Lane.

Staff stated the petitioner is requesting the approval of a two (2) lot CSM created from the existing 0.4-acre parent parcel which is Lot 40 of the Heritage Heights Subdivision. The property currently contains a side-by-side duplex on one lot zoned R-2 and fronting along Trellis Drive. The CSM will create two lots each with a zero lot line. Splitting the lot will convert the property from a two-family dwelling to two zero lot line, single-family (attached) dwellings

All utilities (water and sewer) are separate for each unit. The Engineer stated that storm sewer is not separate for the units, and an easement will be required.

The ZPC recommend approval of the CSM to the Board, with conditions.

Motion made by Supervisor S. Shivaram to approve the Certified Survey Map (CSM) to create two lots from parcel D-1991, located at 2206-2208 Blue Stem Lane following conditions set forth by Zoning and Planning Commission

1. ZPC conditions as follows:
 - a. Illustrate easements where necessary for utility services.
 - b. Any technical corrections required by the Town Engineer or Brown County.

Motion seconded by Supervisor A. Matzke. No further discussion. Motion carried in a voice vote, 5--0.

OLD BUSINESS:

1. **Continued discussion** and recommendation on Town Constable.

Staff met with the current Town Constable to review year one in the role as well as to get an understanding of his desire to continue in the roll. Mr. Lauder has intentions to serve as long as the board is willing to have the position. Current call volume was reviewed, as was the related budget. The annual budget for the services provided by the Constable range from \$3000-\$4000 and at this point in the year, the expenses in those categories are running below average. Additionally, discussion took place as to what further public education could be done to inform residents on the animal-related services that the Constable assists with.

No change be made to the elected position of Town Constable. It is suggested to review the service level needs two years from now, particularly if it is known as to whether or not there is a candidate interested in running for the office at the ensuing election.

Town Constable, Chris Lauder spoke to the Board summarizing his first year and stating the Town is meeting the needs of this position and arming him with anything he may need.

NEW BUSINESS:

1. **Request for approval** on a Consultant to Conduct the Town of Ledgeview Vision 2022 and Beyond Strategic Plan.

Staff presented to the Board the need for seeking a consultant that could assist the staff in going through the process of developing a ten-year strategic plan. The Town desires an inclusive process involving input from the Chairman, Supervisors, Staff, and Citizens.

The Town anticipates the following activities to be a part of this assignment:

- a. Interviews with Town Chairman and Town Supervisors
- b. Interviews with the Town Administrator and Department Heads
- c. Facilitation of Strategic Planning workshops with the Town Chairman, Town Supervisors, Town Administrator, and Department Heads
- d. Preparation of a draft report and draft findings.
- e. Preparation of a final report and presentation to Town Board.

The Town desires the following deliverables in the strategic planning process and document:

- a. **Mission Statement:** Review of current mission statement to ensure it continues to be relevant to the community it serves.
- b. **Vision Statement:** Review of the current vision statement to ensure it still meets what the Town Board Supervisors and other community stakeholders perceive the Town will look like in the future.
- c. **Statement of Values:** A statement of the values that are important for the fulfillment of the Town's mission.
- d. **Environmental Scan:** A review of the Town's external environment including an assessment of local, state, and national trends that may impact the Town; local, state, and national best practices, innovations of similar cities, as well as, opportunities for collaboration.
- e. **SWOT Analysis:** A review of the Town's strengths, weaknesses, opportunities, and threats.
- f. **Legislative and Organizational Restructure:** Provide a recommendation on committee structure and also an organization structure for the staff to include a redrawn organization chart.
- g. **Goals, Objectives & Strategies:** An outline of what the Town hopes to achieve over the next 3-5 years.
- h. **Timeline, Responsible Parties & Costs:** An overview of when the Town's strategies are to be started and completed; a listing of individuals who take responsibility for making sure each strategy is addressed and estimated financial costs of implementation.
- i. **Monitoring Success and Key Performance Indicators:** A strategy for identifying key performance indicators used regularly to monitor progress on the strategic plan.
- j. **Considerations for the Next Strategic Planning Process:** An overview of the successes and challenges of the strategic planning process. This section should include advice on linking strategic plans to budget priorities and capital/operational plan

Staff advised they received a lot of great proposals, but one firm did stand out which was Redevelopment Resources and Allyson Brunette Consulting.

Board made mention that they are impressed by proposal and are familiar with some of their work and are happy with them.

Motion made by Supervisor S. Shivaram to approve seeking a Consultant to Conduct the Town of Ledgeview Vision 2022 and Beyond Strategic Plan. **Motion seconded by** Supervisor M. Danen. No further discussion. Motion carried a voice vote, 5-0.

2. **Request for approval and award** of bid for Miscellaneous Curb & Gutter & Concrete Flatwork Replacement.

Staff presented the need for the approval of the 2022 Miscellaneous Curb and Gutter and Concrete Flatwork Replacement bid so we would have them ready when the repairs need to be made.

Motion made by Supervisor R. Van Rossum to approve awarding the bid to Green Bay Concrete **Motion seconded by** Supervisor S. Shivaram. No further discussion. Motion carried in a voice vote, 5-0.

3. **Request for approval and award** of bid for Pavement Crack Sealing Services.

The Town of Ledgeview is budgeted to complete \$40,000 dollars in crack sealing road maintenance for the 2022 year. The roads that are scheduled to be crack sealed are Euro Lane, Wood Violet Ct., Wood Duck Ct., Ravine Road, Ridge Haven Ct., Old Valley Road, Viking Lane, Weatherstone Trail, Graystone Ct, Crystal Rock Ct, Castle Rock Ct., River Point Ct, Edge Point Ct., Cavil Way and Redbird Circle. Staff is recommending the approval of the Bid from Asphalt Seal and Repair.

Motion made by Supervisor M. Danen to approve awarding the bid to Asphalt Seal and Repair for Pavement Crack Sealing Services in 2022. **Motion seconded by** Supervisor A. Matzke. No further discussion. Motion carried in a voice vote, 5-0.

4. **Request for approval and award** of bid for Pavement Chip Sealing Services.

Staff presented the need for approval of the 2022 contract needed for Pavement Chip Sealing Services. Staff did make note that they are really impressed Fahrner Asphalt Sealers as they took care to tape off residents' driveways, and only received two complaints in 2021 which is down a large amount from 2020. This year the areas to be sealed are Ravine Road, Stone Vista Lane, Quarry View Ct., Euro Lane, Wood Violet Ct., Wood Duck Ct., Ridge Haven Ct., Scray Hill Road (Intersection of Whisper Ln. West 1130'), Peso Place, North and South Hidden Falls Ct. Every roadway will be fog sealed but Ravine Road which is more of a rural setting. Staff recommends awarding the 2022 chip sealing with fog seal project to Fahrner Asphalt Sealers for \$114,580.02.

Motion made by Supervisor R. Van Rossum to approve awarding the bid Fahrner Asphalt Sealers for 2022 Pavement Chip Sealing Services. **Motion seconded by** Supervisor M. Danen. No further discussion. Motion carried in a voice vote, 5-0.

5. **Request for approval** of resolution R-2022-021 for DNR Grant.

Staff presented to the Board the wish for approval of the accompanying resolution, as staff will be submitting a grant application to the WI DNR for funding of restroom/trailhead facility and walking trail at Scray Hill Park. If the Town was awarded the grant in its entirety, we would receive up to 50% or 80% of the funding for the project.

There are two funding sources being requested at the same time that would cover different portions of the project (hence 50% or 80% reimbursement).

The grant application requires a signed authorizing resolution as part of the application documents. The resolution names the appropriate staff that would be responsible for project reporting and documentation and confirms the Town will commit the necessary funds to complete the project.

Staff also has several letters of support from local businesses and residents with regards to these possible improvements.

Discussion was had asking if any of the ARPA funds are able to be used and allocated to which approx. \$ If we used more than \$750,000 of federal funds in one calendar year, the Town would have to have a separate audit which may be pricy.

Motion made by Supervisor M. Danen to approve Resolution R-2022-021 pertaining to the DNR Grant. **Motion seconded by** Supervisor A. Matzke. No further discussion. Motion carried in a voice vote, 5-0.

COMMUNICATIONS: None.

ORDINANCES:

1. First Reading
 - a. O-2022-009 – An Ordinance to Amend Chapter 96 – Subdivision and Platting Regulations, Section 96-10 Design Standards Streets and Sidewalks.

Amendment had it match our current design standards that we currently have.
Updates info of sidewalks stating all need to be completed upon construction.

Chairman P. Danen makes a motion to dispense further readings and move this to Final Approval of this above ordinance as they are technical changes that should be in effect as soon as possible.

Motion made by Chairman P. Danen to approve Ordinance O-2022-009 Amending Chapter 96 – Subdivision and Platting Regulations, Section 96-10 Design Standards Streets and Sidewalks . **Motion seconded by** Supervisor A. Matzke. No further discussion. Motion carried in a voice vote, 5-0.

REPORTS:

Administrator:

- Written report as submitted.
- Pointed out that this week is Municipal Treasurer’s Week.
- Senator Baldwin funds for southern bridge monies are for creating the plans for this project.

Planner: None

Zoning Administrator:

- Written report as submitted.
- 26 new building permits thus far.
- Working hard in working with the Public Works Director, Engineer to catch things in the early stages.

Treasurer:

- Written report as submitted.
- Brief market adjustment – main work done in July and BOR in September.

Clerk:

- Written report as submitted.
- Elaborated on the election.

None

Engineer: None

Public Works Director:

- Written report as submitted
- Updated Board on most recent boiler system.

Park & Recreation Director:

- Written report as submitted
- Wanted Boards opinion on ‘No-Mow-May’ and suspend the noxious weeds portion of our ordinance for the month of May, which would be put on the agenda for May 2’s agenda

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 A. Matzke. No further discussion. Motion carried in a voice vote, 5-0.

CLOSED SESSION: None

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 5:55 p.m.

Respectfully submitted,
Jennifer L. Broich
Clerk

Approved at the May 2, 2022 Town Board Meeting.