

TOWN BOARD MINUTES
Tuesday, May 17, 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, and Alan Matzke. Supervisor Sachin Shivaram was excused.

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, 4-0.

CONSENT AGENDA

1. Regular Board Meeting Minutes:
 - a. May 2, 2022 Town Board Minutes
2. Routine Reports:
3. Committee/Commission Reports:
4. Operator's Licenses: May 1, 2022 thru May 14, 2022
5. Other Committee Minutes. Accept and place on file:
 - a. February 3, 2022 Personnel & Finance Committee Minutes
6. Pay Requests:
 - a. Approve pay request #2 Final for Contract A-2022, Tributary D Dredging, to KCG Excavating LLC for \$7,652.05.
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 unanimous voice vote, 4-0.

PUBLIC COMMENT:

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

1. Presentation / update on the East River Drive Resilience Cleanup Project from Julie Noordyk and Kayla Wandsnider.

Kayla Wandsnider gave the Board an update on the Resilience Cleanup Project and some of the top concerns from the Town of Ledgeview.

The top priority concerns and action items identified were:

Flow Path and Flood Storage Modeling.

A series of suggestions centered on near-term watershed scale actions associated with generating better data and maps.

Development Restrictions and Ordinances.

Possibility of limiting development in the floodplain in areas experiencing increased flood risk, or areas that would be valuable for flood storage.

Outreach and Flood Preparedness Planning.

Another near-term community level priority is to create outreach materials and assist residents directly in preparing for flood events or emergencies, as well as building flood preparedness considerations into existing emergency planning measures.

Ms. Wandsnider ended by summarizing the priorities going forward that the Town could do to help with the watershed and the above concerns.

After three calls for additional comments, none were heard. Public comment was closed at 4:45 p.m.

PUBLIC HEARING:

1. **Approval of Ordinance O-2022-010** – Adoption of Various Amendments to the Town Code of Ordinances, Specifically Covering Several Sections of the Zoning Code Pertaining to Chapters 79, 96, 121 and 135 for the Town of Ledgeview.

Staff summarized the changes that would occur in Chapters 79, 96, 121 and 135 pertaining to the Zoning Code.

At 4:50: p.m, Chairman P. Danen opened the public hearing for comments. No comments were heard. At 4:51 p.m. Chairman P. Danen closed the public hearing for comments.

Motion by Chairman P. Danen to **approve Ordinance O-2022-010** with the additional language pertaining to the zero lot line maintenance and requiring it to be recorded with all of the statutorily met requirements at the Register of Deeds. **Seconded by** Supervisor M. Danen. No further discussion. Motion carried in a voice vote, 4-0.

ZONING & PLANNING:

1. **Discuss and act on** recommendation from the Zoning and Planning Commission on the request by Eric Reiner's (agent) on behalf of ALFIE, LLC to approve a **Certified Survey Map (CSM)** to combine D-557 and D-558 at 310-320 East Riverside Drive via **Resolution R-2022-022**.

The petitioner is requesting the approval of a combination CSM to construct a dental office. A BSO Plan submittal has been provided as a separate approval. In July 2021 the lands were rezoned from B-1, Business District to B-2, Business District.

The minimum required building setbacks for B-2 are: Front Yard 30-feet; Side Yard 10-feet; Rear Yard: 25-feet and Corner Side Yard: 35 feet. These setbacks are indicated on the CSM, as required by Code. The lot has a 12-foot-wide utility easement along the ROWs as required. A WPS utility easement is also illustrated.

ZPC recommend approval to Town Board with conditions on addressing technical corrections required by the Town Engineer or Brown County. Revised plans have been submitted that address all of the conditions.

Motion made by Supervisor R. Van Rossum to approve the **Certified Survey Map (CSM)** to combine D-557 and D-558 at 310-320 East Riverside Drive via **Resolution R-2022-022**, with the revised plans addressing the technical corrections that were requested by ZPC.

Motion seconded by Supervisor A. Matzke. No further discussion. Motion carried in a voice vote, 4-0.

2. **Discussion and act on** Recommendation from the Zoning and Planning Commission on the request by Eric Reiner’s (agent) on behalf of ALFIE, LLC to approve a **Building Site Operations Plan (BSO)** to construct and operate a dental clinic on D-557 and D-558 at 310-320 East Riverside Drive.

The petitioner is requesting BSO Plan approval for the construction of a 7,100 sq.ft. dental office. The proposed principal structure has a proposed height of about 26 feet, which complies with the code. The building design has a “prairie-ish” appearance and will complement the appearance of adjacent residences. The proposed materials are reddish-brown brick veneer with blended ledgerstone masonry. Metal composite panels are used as an accent material, with a charcoal-gray metal roof. The building complies with the code requirement for materials.

Per code, dental clinics require a minimum of 1 (one) parking space per 400 sq.ft. (17) and a maximum 1 (one) per 100 sq.ft. (70). A total of 48 parking spaces are proposed with two (2) ADA accessible spaces. The ZPC inquired if the stalls highlighted in Figure 3 were absolutely necessary for the operation. They felt removal of the stalls would enable more screening to the rear yard of the adjacent residence.

The ZPC recommended approval of the CSM to the Board with the several conditions that needed to be addressed.

Motion made by Chairman P. Danen to approve the **Building Site Operations Plan (BSO)** to construct and operate a dental clinic on D-557 and D-558 at 310-320 East Riverside Drive with the following conditions set forth by Zoning and Planning Commission:

1. Determination if the stalls between the building and refuse enclosure are needed.
2. Revise the landscape plan to show:
 - a. Perennials and/or shrubs at the base of any ground mechanical equipment. Hostas are shown to buffer the mechanicals from the residence to the east. These are generally low ground cover and should be replaced with evergreen shrubs that grow to a minimum height of 3 feet.
 - b. Street trees must be installed in compliance with Town Policy for Dickinson Road and East River Drive rights-of-way. Trees are illustrated on private property along the back of sidewalk.
Parks Director should determine if these are compliant with the Town Policy or need to be moved to the public ROW.
 - c. Planting for buffering. Additional plantings are shown and are acceptable. ZPC recommended the removal of parking stalls in this area was going to be explored by the petitioner.

As well as lowering the parking space requirement down to forty (40) unless the applicant shows the need for more spaces, to the satisfaction to the staff.

Motion seconded by Supervisor M. Danen. No further discussion. Motion carried in a voice vote, 4--0.

3. **Discussion and act on** Recommendation from the Zoning and Planning Commission on the request by Steve Bieda (agent) on behalf of Jon May (owner), to approve a **Certified Survey Map (CSM)** to combine parcels D-208-2 and D-208-3, located at 4400 Scray Hill Road via **Resolution R-2022-028**.

The petitioner is requesting the approval of a combination CSM. See Figure 4. The parcels were platted in 2017 with the Trinity Ridge development

The side and rear setbacks are not indicated on the CSM, which is required. The ESA setbacks required by Brown County for the steep slope is illustrated on the CSM. The lot has a 12-foot-wide front yard utility easement, which is noted on the CSM.

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

Motion made by Supervisor M. Danen to approve the **Certified Survey Map (CSM)** to combine parcels D-208-2 and D-208-3, located at 4400 Scray Hill Road via **Resolution R-2022-028** with the following conditions set forth by Zoning and Planning Commission:

1. Revise the CSM to illustrate the side and rear building setbacks on the lot.
2. Determination by the Public Works Director of the unused sanitary and water laterals must be removed/abandoned.
3. The Public Works Director and Town Engineer will coordinate with surveyor if other easements are needed.
4. Address technical corrections required by the Town Engineer or Brown County.

Motion seconded by Supervisor R. Van Rossum. No further discussion. Motion carried in a voice vote, 4-0.

1.

OLD BUSINESS: None.

NEW BUSINESS:

1. Request to Confirm Town Chair's Committee Appointments:

- a. Beautification Subcommittee
 - i. Jill Gerwing
 - ii. Nicole Van Helden
- b. Park, Recreation and Forestry Committee * NEW Chair to be Appointed *
 - i. Chris Culotta = 3-year term; expiring May 1, 2025
 - ii. Sachin Shivaram = 1-year term; expiring May 1, 2024
 - iii. Nicole Van Helden = 3-year term; expiring May 1, 2025** Cullen Peltier appointed to Chair
- c. Personnel & Finance Committee
 - i. Al Cheslock = 2-year term; expiring May 1, 2024
- d. Redevelopment Authority
 - i. Carl Thiem = 5-year term; expiring April 1, 2027
- e. Zoning Board of Appeals
 - i. Andy Schlag = 3-year term; expiring May 1, 2025
 - ii. Mark Danen = 3-year term; expiring May 1, 2025
- f. Zoning & Planning Commission
 - i. Renee Van Rossum = 3-year term; expiring June 1, 2025

Staff presented the renewals of the appointments to the above committees listed.

Motion made by Supervisor R. Van Rossum to approve the recommendations to the above Committee Appointments. **Motion seconded by** Supervisor M. Danen, no further discussion. Motion carried 4-0.

2. Review and take action on Request to approve **Resolution R-2022-026** – Changing Town Notice Posting Locations. (to go along with **Ordinance O-2022-011** Amending Town Code.)

Staff explained the changes in Wis. State Statutes in addition to the 2019 Wisconsin Act 140 which approved an amendment to Wis. Stat. §985.02 (2), expanding on “governmental bodies” in towns and villages to include all committees, commissions and boards, and allowing them to continue to have the option to post in one public location and on the municipal maintained internet website. Going forward the Town will post all notices, agenda and public hearings in the vestibule and our website.

Motion made by Supervisor A. Matzke to approve Resolution R-2022-026 – Changing Town Notice Posting Locations. **Motion seconded by** Supervisor M. Danen. No further discussion. Motion carried in a voice vote, 4-0.

COMMUNICATIONS:

Acknowledging “National Public Works Week” May 15-21, 2022.

ORDINANCES:

1. Ordinance O-2022-011 – To Amend Chapter 2, Section 19 (C)(3) Posting Locations of Agendas.

Motion made by Supervisor R. Van Rossum to approve **Ordinance O-2022-011 – To Amend Chapter 2, Section 19 (C)(3) Posting Locations of Agendas.** **Motion seconded by** Supervisor M. Danen. No further discussion. Motion carried in a voice vote, 4-0.

REPORTS:

Administrator:

- Written report as submitted.
- Fire Department related updates.
- Human Resources LLC update.
- Strategic Planning process is underway.
- Welcoming Denmark on to the Central Brown County Water Authority.

Planner: None

Zoning Administrator:

- Written report as submitted.
- Received complaint on the Old Chicago Street lot, and the building / shed did fail it's fire inspection.

Treasurer:

- Written report as submitted.

Clerk:

- Written report as submitted.
- Looking for more volunteers for our vacancies.

Engineer: None

Public Works Director:

- Written report as submitted.

Park & Recreation Director:

- Written report as submitted.
- Town entrance sign was just finished at CTH MM and CTH R.
- Will be working with neighboring communities with regards to the East River Resiliency regarding funds to clean up trees near the river and encourage kayaking.

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, 4-0.

CLOSED SESSION:

Motion made by Chairman P. Danen, **motion seconded by** Supervisor M. Danen to go into closed session at 5:13 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 review and discuss the recommendation from the Personnel & Finance Committee related to an employment **offer for the Public Works / Utility Crew position.**

Motion made by Chairman P. Danen, **motion seconded by** Supervisor R. Van Rossum to go out of closed session at 5:15 p.m. Roll call vote. Motion carried unanimously.

Motion made by Chairman P. Danen, **motion seconded by** Supervisor R. Van Rossum to go into closed session at 5:17 p.m. Roll call vote. Motion carried unanimously.

2. The Town Board may convene into closed session pursuant to WI State Statute §19.85 (1) (e) 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 **reviewing the Preliminary Agreement Relating to Site Improvements for Grande Ridge Estates, First Addition, J&A Lakeside Properties, LLC and the Town of Ledgeview.**

Motion made by Chairman P. Danen, **motion seconded by** Supervisor R. Van Rossum to go out of closed session at 5:44 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. **Motion made by** Chairman P. Danen to go back into open session, **seconded by** Supervisor R. Van Rossum. Motion carried unanimously.

Motion made by Chairman P. Danen, **seconded by** R. Van Rossum to approve the recommendation from the Personnel & Finance Committee giving authorization to staff to **offer employment for the Public Works / Utility Crew position** per the range and rates as discussed in closed session. Additional authorization given to staff allowing offers to the runner up candidates if needed. Motion carried unanimously by a voice vote.

For the record, **no action taken** on Closed Session Item No. 2 pertaining to the **Preliminary Agreement and Site Improvements for Grande Ridge Estates First Addition.**

ADJOURNMENT:

Motion made by Chairman P. Danen to adjourn, **seconded by** Supervisor A. Matzke. No further discussion. Motion carried in a voice vote, 4-0. Meeting adjourned at 5:46 p.m.

Respectfully submitted,

Jennifer L. Broich
Clerk

Approved at the June 6, 2022 Town Board Meeting.