



TOWN BOARD MINUTES
Monday, November 7, 2022 at 5:00 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 5:00 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, Sachin Shivaram and Alan Matzke.

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 the need to remove item 1b under the Consent Agenda and item number 4 under New Business as they were not ready.

Motion by Chairman P. Danen to approve agenda with the removal of the October 18, 2022 Town Board Minutes and Resolution R-2022-053 relating to the Ending Participation in the Wisconsin Service Award Program, **seconded by** Supervisor R. Van Rossum. No further discussion. Motion carried unanimously 5-0.

CONSENT AGENDA

1. Regular Board Meeting Minutes:
 - a. October 3, 2022 Town Board Minutes
 - ~~b. October 18, 2022 Town Board Minutes~~
2. Routine Reports:
3. Committee/Commission Reports:
4. Operator’s Licenses: October 16, 2022 thru November 5, 2022
5. Other Committee Minutes.
 - a. September 28, 2022 - CBCWA Committee Minutes
 - b. October 5, 2022 – Sanitary District Minutes
 - c. July 13, 2022 – Zoning & Planning Commission Minutes
 - d. August 10, 2022 – Zoning & Planning Commission Minutes
 - e. September 14, 2022 – Zoning & Planning Commission Minutes
 - f. August 29, 2022 – Park, Recreation and Forestry Committee Minutes
6. Pay Requests:
 - a. Final Pay Request from City of De Pere for Lone Oak Road and Ledgeview Road Resurfacing.
7. Special Event & Street Closure Permits: None.

Staff recommended to Town Board to deny one of the operator’s licenses due to several alcohol related convictions with the most recent being in 2019, being convicted in 2021. A part of her probation is abstain and not be around alcohol with

the exception of employment. By denying this operator license, it does not forbid her to work at the establishment, she just needs to have a manager on site at all times.

Motion made by Chairman P. Danen to approve everything on the Consent Agenda with the exception of the denial of one operator's license for Kimberly M Klister due to Alcohol Related Convictions. **Motion seconded by** Supervisor S. Shivaram. No further discussion. Motion carried unanimously 5-0.

PUBLIC COMMENT:

Chairman P. Danen opened public comment at 5:05 p.m.

After three calls for comments, none were heard. Public comment was closed at 5:06 p.m.

PUBLIC HEARING:

1. O-2022-032: An Ordinance on a Text Amendment to Chapter 129-3 Hunting Overlay Zones Pertaining to Weapons and Firearms.

Staff explained the need to update Chapter 129 to make sure we are still in compliance with State Law with regards to hunting in the Town of Ledgeview and the discharge of firearms and weapons.

The public hearing was opened at 5:06 p.m. by Chairman P. Danen. After three calls for comments, none were heard and public hearing was closed at 5:11 p.m.

Motion by Supervisor S. Shivaram to approve O-2022-032, Text Amendment to Chapter 129-3 Hunting Overlay Zones Pertaining to Weapons and Firearms, **seconded by** Supervisor R. Van Rossum. No further discussion. Motion carried unanimously 5-0.

ZONING & PLANNING: None.

OLD BUSINESS: None.

NEW BUSINESS:

1. Request to Approve Agreement Relating to Site Improvements for Dedicated Real Estate Family, LLC Development and the Town of Ledgeview.

Dedicated Systems, a long-time Ledgeview business located at the CTH MM/I-43 interchange, provides over-the-road trucking services, truck repair as well as truck and trailer storage/parking. Their facilities were destroyed by fire in Fall 2021. Previously, a diner on the property burned in around 2015. There are currently operations on multiple sites in Ledgeview. They have applied for—and received approval from the Town to construct a 22,252 sq.ft. repair shop with a 6,848 sq.ft. office space. Significant site improvements for access drives, parking, lighting, and signage were also approved.

Due to the size of the improvements, their typical operations, and the storage of materials and chemicals/liquids in the building, public water is needed to comply with plumbing and fire suppression codes. The Town will be responsible for the installation of water main to serve the property. The plans have been designed which include a 12-inch main extending north along the west side of CTH MM from Shadow Lane to the site.

Construction of the new facility is already underway. The Town and the State approved an “early start” for footing and foundations. The remaining construction is underway, with the intent for occupancy in Spring 2023. The Town is required to have the main installed no later than January 18.

The RDA reviewed the agreement and recommended approval to the Board with a series of edits.

Motion made by Supervisor R. Van Rossum to approve the Agreement Relating to Site Improvements for Dedicated Real Estate Family, LLC Development, as recommended by the RDA. **Motion seconded by** Supervisor M. Danen. No further discussion. Motion carried unanimously, 5-0.

2. Request to Award Contract A-2022, Dedicated System Water Extension, to Kruczek Construction, Inc. for \$194,444.44.

Staff stated the project was bid out and we received bids ranging from \$194,000 to \$352,000. Recommendation is for bid to be awarded to lowest bidder which was Kruczek Construction.

Motion made by Supervisor S. Shivaram to Award Contract A-2022, Dedicated System Water Extension, to Kruczek Construction, Inc. for \$194,444.44. **Motion seconded by** Supervisor R. Van Rossum. No further discussion. Motion carried unanimously, 5-0.

3. Request to Approve Election Inspectors for the November 8th General Election.

Per State Statute, the Town Board must appoint all poll workers during an election cycle. These are the list of NEW names to be added to the master list started first approved on December 21, 2021.

Motion made by Supervisor S. Shivaram to Approve Election Inspectors for the November 8th General Election, **seconded by** Supervisor R. Van Rossum. No further discussion. Motion carried unanimously, 5-0.

- ~~4. Approving Resolution R-2022-053 related to Consideration to End Participation in the Wisconsin Service Award Program.~~

5. Request to Install Goose Deterrent Fencing on Town owned parcel D-73-2.

Mr. Jeff Metzler, property owner of parcel D-75-4 and Mr. Jon Bechle with Brown County Land and Water Conservation have approached the Town requesting that a four foot high plastic fencing be placed around Ledgeview’s parcel D-73-2 to deter geese from entering Mr. Metzler’s property and the surrounding properties. The parcels are located between CTH PP and Swan Road along Olivia’s Way.

This year alone the geese have destroyed four out of five acres of beans planted on Mr. Metzler’s property. Mr. Metzler reported the crop damage, which then prompted the response from Brown County Land and Water Conservation. Mr. Bechle with Brown County inspected the site and found that not only was Mr. Metzler’s field being compromised but also all the surrounding fields had some sort of damage present.

Brown County along with the WDNR are suggesting that a black four-foot plastic fencing (similar to snow fence) be placed around the perimeter of the Town’s property to deter the geese from entering the surrounding farm fields. The WDNR are willing to pay for the materials to install the fence through their Wildlife Damage Abatement and Claims Program but require the fencing be installed by the property owner.

Staff is recommending installing the supplied fencing to the property. The fencing will benefit all the surrounding property owners from crop damage and if it deters the amount of geese at the pond, it will help with overall storm water quality of the pond by removing bacteria, phosphorus and nitrogen.

Motion made by Supervisor A. Matzke to Install Goose Deterrent Fencing on Town owned parcel D-73-2, **seconded by** Supervisor M. Danen. No further discussion. Motion carried unanimously, 5-0.

6. Recommendation from Park, Recreation and Forestry Committee for Allocation of In-Kind Services to Support East River Water Trail Grant.

A request from the Brown County Land and Water Conservation Department regarding funding for a grant request through the US Fish and Wildlife Service for work on the East River for a proposed East River Water Trail to commence at Ledgeview Park and traverse via the East River north to Green Bay. The request from Brown County is a commitment from affected municipalities (Allouez, Green Bay, Bellevue, De Pere, and Ledgeview) of in-kind services (staff, equipment, and supplies) of 40-100 hours for 2023, 2024, and 2025.

Grant funding may also be an acceptable in-kind match if the work can be justifiably associated as benefiting the project. Future grant funds could include the northern pike spawning habitat at Ledgeview Park and the streambank / pollinator funds from The Wisconsin Coastal Management Program.

Motion made by Supervisor S. Shivaram to approve In-Kind Services to Support the East River Water Trail Grant, **seconded by** Supervisor A. Matzke. No further discussion. Motion carried unanimously, 5-0.

7. Recommendation from Park, Recreation and Forestry Committee to Solicit Interest for Future Park Land Opportunities.

Staff is seeking direction on if, and how to best approach land owners in Ledgeview in the general area of identified future community and neighborhood parks on the east end of Town.

The approved 2022 Work Plan for the PRF Committee indicates, “Seek out potential parcel(s) for community park on east end of Ledgeview.” Discussions included utilization of a realtor to seek out interest and potential availability, use of an RFP, and sending interest letters to landowners. Staff sought out input and insight from Brown and Outagamie County Land and Water Conservation Departments, various park agencies, and commercial and residential realtors and provided the information to the PRF Committee. The committee has indicated their desire for staff to send an interest letter to home owners as a way to “break the ice” about what the town is looking to do.

Motion made by Supervisor S. Shivaram to approve the solicitation of Future Park Land Opportunities as recommended by the Park, Recreation and Forestry Committee. **Motion seconded by** Supervisor M. Danen. No further discussion. Motion carried unanimously, 5-0.

8. Recommendation from the Zoning and Planning Commission on the consideration of approval for an easement agreement to allow for a fence in a utility/berm.

The property owner of parcel D-427-62 has requested to place a fence in the utility and berm easement located on the south side of the property. The fence is proposed to follow the side and rear property lines

Motion made by Supervisor R. Van Rossum to approve an easement agreement to allow for a fence in a utility/berm. **Motion seconded by** Supervisor A. Matzke. No further discussion. Motion carried unanimously, 5-0.

COMMUNICATIONS:

1. Notice of Public Hearing from Town of Glenmore –Several Excavation and Zoning Code Changes. [an FYI]

ORDINANCES: None.

REPORTS: 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 unanimously, 5-0.

CLOSED SESSION:

Motion made by Chairman P. Danen, **seconded by** Supervisor R. Van Rossum to go into closed session at 5:46 p.m. Roll call vote, Supervisors Van Rossum, Danen, Matzke and Shivaram all ‘ayes’. Motion carried unanimously.

1. 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. The purpose will be to review and discuss concepts related to economic development in TID #3. The Town Board may then reconvene into open session to take action on items discussed in closed session.

Motion made by Chairman P. Danen, **seconded by** Supervisor R. Van Rossum to go out of closed session at 6:17 p.m. Roll call vote, Supervisors Van Rossum, Danen, Matzke and Shivaram all ‘ayes’. Motion carried unanimously.

No action taken by the Town Board on closed session items.

ADJOURNMENT:

Motion made by Chairman P. Danen to adjourn, **seconded by** Supervisor R. Van Rossum. No further discussion. Motion carried unanimously, 5-0. Meeting adjourned at 6:18 p.m.

Respectfully submitted,
Jennifer L. Broich
Clerk

Approved at the December 20, 2022 Town Board Meeting.