



TOWN BOARD MINUTES
Tuesday, July 18, 2023 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 Karie Kellam.

Staff present was Administrator Sarah Burdette, Clerk Jennifer Broich, Planner Dustin Wolff (virtually), Interim Fire Chief Chris Hohol, Treasurer Renae Peters, 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 R. Van Rossum to approve agenda as written, **seconded by** Supervisor M. Danen. No further discussion. Motion carried unanimously 5-0.

CONSENT AGENDA

1. Regular Board Meeting Minutes:
 - a. June 20, 2023 – Town Board Minutes
2. Routine Reports:
3. Committee/Commission Reports:
4. Operator’s Licenses: June 18, 2023, thru July 15, 2023
5. Other Committee Minutes.
 - a. June 14, 2023 – Zoning and Planning Commission
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 unanimously 5-0.

PUBLIC COMMENT:

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

Chad Allen – 3801 Creamery Road, De Pere:

Wanted to know how he could get the plans and permits for the area where Shopko was, as well as the pond with a drainage ditch around 2005.

Staff advised that would be an open records request and that can be submitted via application online or emailed.

Mr. Allen also asked if the Town had “rules” in place that they had to follow and reference, and stated that he was going to be subpoenaing the board members with regards to a current issue he is having with regards to a citation he received.

Staff advised that the Municipal Code of Ordinances are online and available to all.

After a third call for comment, none were heard. Public comment was closed at 4:34 p.m.

PUBLIC HEARING:

None

ZONING & PLANNING:

1. Review and make recommendation on Retracement Certified Survey Map request by Troy Hewitt (agent) for Feldspar Investments, LLC (owner) to replat parcels D-2385 and D-2386 located on Monroe Road.

The petitioner is requesting the approval of a retracement CSM to turn two outlots into buildable lots to sell for commercial development. The Feldspar Place final plat was approved in 2020 with these as outlots because the flood study was still in progress for this area. With the completion of the study, they can now be re-platted as buildable area.

The ZPC recommended approval of the proposed development to the Board with conditions.

Motion by Supervisor R. Van Rossum to Approve the Retracement Certified Survey Map to replat parcels D-2385 and D-2386 located on Monroe Road, with the following conditions as recommended by ZPC:

- a. Illustrate the required building setbacks on the CSM, including ESA setbacks and setbacks from the OHWM.
- b. Add notations specifying:
 - i. “Future multi-use path may be installed in the Monroe Road (CTH GV) right-of-way.”
 - ii. “No urban driveway shall be located within 75-feet of any intersection.”
 - iii. ESA notation required by Brown County.
- c. Utility easements will be required on Lot 2 for any utilities serving Lot 1. An access easement benefiting Lot 1 will be required on Lot 2.
- d. Any technical corrections required by the Town Engineer and Brown County.

Motion seconded by Supervisor A. Matzke. No further discussion. Motion carried unanimously 5-0.

2. Discussion and approval regarding a proposed single-family development by TCD Homes, Mike Selner (agent) for Thomas and Lynne Svetnicka (owners) located at 1427 Eventyr Heights Drive Unit 10, Parcel D-2254 located within the Eventyr Condominium development.

The developer did not have plans or elevations for the custom-built homes to be constructed on each individual lot at the time of the PDD approval, so they are specifically requesting individual approval.

Driveway access will be from Eventyr Heights Drive (south) rather than Everson Court (north). While there is hard surface access on four sides, the Fire Department has determined that the use of the driveway as proposed will be necessary for a potential turnaround in the event of an emergency per State and NFPA access requirements. This will require a signed and recorded easement document acknowledging this access requirement.

Additionally, the driveway will need to be constructed to support an 80,000-pound vehicle, meaning the concrete must be 6" rather than the standard 4". Building plans will need to be revised to clearly indicate this specification for the driveway. The Owner has agreed to these stipulations.

The ZPC recommended approval of the proposed development to the Board with conditions.

Motion by Supervisor M. Danen to Approve the single-family development located at 1427 Eventyr Heights Drive, Unit 10, Parcel D-2254 located within the Eventyr Condominium development, with the following conditions as recommended by ZPC:

- a) Revised site and landscape plan that illustrate:
 - i) Details on the size (diameter) and species of existing trees on the property.
 - ii) Significant trees must be protected by barrier fence and shown on the site plan and/or plat of survey. If significant trees are to be removed, they must be replaced on a diameter inches for diameter inches basis.
 - iii) c. Landscaping plan to clearly show the planting sizes of all trees and shrubs. All new trees planted must be 2.5" caliper.
- b) Elevation plans revised to clearly list the proposed building materials and colors to be used.
- c) Ledgeview will require compliance with emergency site access requirements WI Administrative Code SPS 314, specifically:
 - i) The driveway as proposed will need to be constructed to support an 80,000 pound vehicle—the concrete must be 6" thick rather than the standard 4" thickness. Building plans will need to be revised to clearly indicate this specification for the driveway.
 - ii) A signed and recorded easement document between the Owner and the Town acknowledging this access requirement.

Motion seconded by Supervisor R. Van Rossum. No further discussion. Motion carried by a vote of 4-1 with Supervisor A. Matzke opposed.

Supervisor A. Matzke asked about hydrant location and watermain size within the development.

OLD BUSINESS:

1. Kaftan Road No Parking and Sidewalk Discussion.

Kaftan Road was constructed to Town specifications which allows for parking on both sides of the street. Staff have been monitoring the amount of traffic congestion in the area and since the opening of Cocoon Brewery, with patrons parking on both sides of Kaftan Road from GV to Creamery Road. While the Town promotes businesses to utilize the roadways for parking if properly designed, consideration should be taken for access of emergency vehicles and pedestrian safety.

Staff are recommending that areas of no parking be placed on Kaftan Road. No parking would be enforced from GV to the Cocoon Brewery driveway on both sides of the street, from Creamery Road to Prevea's first

driveway on the south side of Kaftan Road and 10 feet on each side of all the driveways that access Kaftan Road.

Staff are also recommending placing sidewalks in the near future on both sides of Kaftan Road. Cost to install sidewalks is estimated at \$124,000.

The Board was concerned about approving and recommending sidewalk without a timeline. This project would be put in the CIP in 2025.

Supervisor M. Danen made a statement for the record stating he received a call from Jesse Jossart, who was inquiring about a timeline and any expectations the Town had related to the addition of parking at Cocoon Brewing. Mr. Jossart also wanted to add the sentiment that Cocoon is very interested in moving on with that next phase.

Motion made by Supervisor K. Kellam to approve the addition of the no parking area as presented, with the sidewalk issue to be addressed at a later date. **Motion seconded by** Supervisor A. Matzke. No further discussion. Motion carried unanimously, 5-0.

NEW BUSINESS:

1. Recommendation from Parks, Recreation and Forestry Committee to Modify the Community Center Rental Policy.

Town Staff have reviewed the rental policy and the available hours of the facility and feel that the Community Center could feasibly accommodate rental requests during the week during office hours. Currently, the rental options are 4 hours or an “entire day”. An “entire day” rental would not be feasible during office hours, therefore staff is recommending:

- a) keeping the minimum 4 hour rental block,
- b) deleting the “entire day” option, and
- c) adding a per hour rental fee.

Staff is also recommending an increase in the rental rates to stay in line with the comparable room rates of our neighboring facilities.

These changes will take place for November 1, 2023, as that is the first date that the room is able to rented out for the following calendar year.

Motion made by Supervisor A. Matzke to Modify the Community Center Rental Policy. **Motion seconded by** Supervisor K. Kellam. No further discussion. Motion carried unanimously, 5-0.

2. Request for Reappointment and Oath of Renae Peters as Treasurer for a three-year term.

Per Municipal Code 2-5, the Treasurer shall be filled by appointment of the majority of the members-elect of the Town Board, to serve a term of three years pursuant to Wis. Statute 60.30(1)(e). It has been an oversight as last appointment was June of 2019.

Oath was administered by the Chair.

COMMUNICATIONS:

1. Agenda for the next Brown County Unit WTA Meeting on Thursday, July 27, 2023, hosted by Morrison.
2. Acknowledging National Parks and Recreation Professionals Day on July 21, 2023.

ORDINANCES:

None

REPORTS:

Administrator:

- Monthly Sheriff’s Department Reports for both traffic and regular enforcement.
- Written report as submitted.

Planner:

- None

Zoning Administrator:

- None

Treasurer:

- Update on the check washer - he has not been assigned another public defender.
- Updated the Board on the General transportation aids that towns were hoping to receive. The Town is expected to receive the standard 2% raise.
- Written report as submitted.

Clerk:

- Written report as submitted.

Engineer:

- None

Public Works Director:

- Updated the Board on the Transportation Utility court hearing with the Town of Buchanan to which the Town of Buchanan has lost their court hearing to continue to have a transportation utility. Staff will continue to monitor the transportation utility in the following months to see if this is still a valuable option for Ledgeview.
- The Public Works survey went live this week and as of July 18, 2023, a total of 175 responses had been submitted.
- Written report as submitted.

Park & Recreation Director:

- Written report as submitted.

Fire Department:

- Advised the truck purchase went through and once the exact numbers are received, they will be shared with the Board.

Board Comments:

- None

APPROVAL OF THE VOUCHERS:

Chairman P. Danen tabled the approval of the vouchers until after the Closed Sessions.

Motion made by Chairman P. Danen to approve the vouchers. **Motion seconded by** Supervisor M. Danen. No further discussion. Motion carried unanimously, 5-0 at 6:09 p.m.

CLOSED SESSION:

Motion made by Chairman P. Danen, **seconded by** Supervisor R. Van Rossum to go into closed session at 5:04 p.m. Roll call vote, Supervisors Van Rossum, Danen, Matzke and Kellam all 'ayes'. Motion carried unanimously.

1. The Town Board may convene into closed session pursuant to WI State Statute 19.85(1)(g) to confer with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved. The purpose will be to discuss the Suann Dombrowicki litigation. 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 5:11 p.m. Roll call vote, Supervisors Van Rossum, Danen, Matzke and Kellam all 'ayes'. 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, **seconded by** R. Van Rossum to not appeal the decision of the Court, and approve the Dombrowicki CUP to operate a dog kennel, and to place the matter on the next agenda to get approved by the Board, as discussed in closed session. Motion carried unanimously, 5-0.

Motion made by Chairman P. Danen, **seconded by** Supervisor R. Van Rossum to go back into closed session for item number 2, at 5:13 p.m. Roll call vote, Supervisors Van Rossum, Danen, Matzke and Kellam all 'ayes'. 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. The purpose is to review a recommendation from the Ledgeview Redevelopment Authority (RDA) related to a TID application from BelGioioso Cheese, Inc. 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 M. Danen to go out of closed session number two at 5:25 p.m. Roll call vote, Supervisors Van Rossum, Danen, Matzke and Kellam all 'ayes'. Motion carried unanimously.

The Town Board may then reconvene into open session to take action on items discussed in closed session, to which no action was taken.

Motion made by Chairman P. Danen, **seconded by** Supervisor A. Matzke to go back into closed session for item number three, at 5:26 p.m. Roll call vote, Supervisors Van Rossum, Danen, Matzke and Kellam all 'ayes'. Motion carried unanimously.

3. 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 related to the evaluation of the Zoning Administrator position. 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 number three at 6:08 p.m. Roll call vote, Supervisors Van Rossum, Danen, Matzke and Kellam all 'ayes'. Motion carried unanimously.

The Town Board may then reconvene into open session to take action on items discussed in closed session, to which no action was taken.

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 6:10 p.m.

Respectfully submitted,
Jennifer L. Broich
Clerk

Approved at the August 07, 2023, Town Board Meeting.