

**TOWN OF GREEN BAY
BROWN COUNTY, WI
REGULAR TOWN BOARD MEETING
TUESDAY, JUNE 11, 2019**

Time: 7:11 pm – 9:08 pm

Location: Town Hall

Next Meeting will be held July 9th

Attendance: Chairman Cary Dequaine, Supervisor Matt Bosman, Clerk Debbie Mercier, Treasurer Lori Geniesse Absent: Supervisor Ryan DeBroux and Zoning Administrator Gary Jonet

18 Present

It is noted, the meeting was properly posted

AGENDA

1. Call to Order

Chairman Dequaine called the meeting to order at 7:11 pm. The Pledge of Allegiance was recited.

2. Review and Take Action on May meeting minutes

Sup Bosman made a motion to accept the May meeting minutes dated May 14, 2019 as presented. Second by Chairman Dequaine. Voice vote 2-0 Motion Carried

3. Review Planning Commission minutes

Motion made by Chairman Dequaine to accept the Planning Commission minutes dated 5-21-19 as presented. Second by Sup Bosman. Voice vote 2-0 Motion Carried

4. Review Board of Appeals minutes – there was no meeting held

5. Review Zoning Administrator Report and Building Inspector Report

Sup Bosman questioned who was given the conditional use tower permit. It was indicated as Vertical Bridge Development which is a company assisting Cellcom. Sup Bosman made a motion to accept the Zoning Administrator report dated 5/14/2019 through 6/11/2019 and the Building Inspector report for the month of May, 2019. Voice vote 2-0 Motion Carried

6. Road Bids

The only bid received by Chairman Dequaine was from Scott Construction.

The bid was to repair Gauthier Rd, Gomand Rd, Depeau Rd, Broadleaf Cul De Sac, and Baldor Ct for a bid amount of \$112,902. There was an option for a heavy hot oil seal coat of the cul de sac for an additional \$7,826. Debbie Olson questioned if there would be sweeping included. Scott Construction Rep, Brian Paplham stated the sweeping of the gravel will be done. Chairman stated there are some culverts which they will be fixing. Sup Bosman questioned Mr. Paplham as to why the possible reason the town does not typically get bids from other companies. Brian Paplham stated it depends on what region the municipality is located in. Sup Bosman made a motion to accept the bid from Scott Construction for the amount of \$112,902. Second by Chairman Dequaine. Voice vote 2-0 Motion Carried

7. Cellcom Representative regarding tower

The representative did not attend the meeting. Chairman Dequaine made a motion to table the proposed Cellcom tower until next month. Second by Sup Bosman. Voice vote 2-0 Motion Carried

8. Liquor License Renewals

Liquor licenses applications received for the period of July 1, 2019 through June 30, 2020 for the following: Class "B" Fermented Malt Beverage and Intoxicating Liquor Licenses: Sweet Seasons, Inc., Lipsky's on The Bay, Wicked Tomato Pizzeria, Chuck's Dyckesville Bowl, Palm Gardens, Rock Falls Supper Club, and Cast Iron Grill. Class "A" Licenses: New Franken One Stop, and Red Rocket Shell. Motion made by Chairman Dequaine to accept the liquor license renewals to the applicants with the condition that Rock Falls pays their personal property tax in the amount of \$409.20 prior to the issuance of the license. Second by Sup Bosman. Voice vote 2-0 Motion Carried

9. Zoning Amendment – Short Term Rental Licensing

Acted on at the Public Hearing of same date

10. Zoning Amendment – Driveway Ordinance

Acted on at the Public Hearing of same date

11. Old Business

A. CTH P and Degardin Rd

Chairman Dequaine stated we received the letter from the Attorney. Motion made by Sup Bosman that the letter is sent to Greg and Debbie Abts which was received from the attorney. Second by Chairman Dequaine. Voice vote 2-0 Motion Carried.

B. Frosty Tip

Bruce Deadman was present he stated he lives about three doors down from the Frosty Tip and there has been progress made. He stated in his personal perspective it's highly viable, maybe weather, or atmospheric, at times he said it's not bad, but there are other times where it is noisy. However in front of the place it is as loud as it ever was. He feels the town needs to move forward to a solution that will be helpful to the entire neighborhood which is basically residential. He came up with the idea that if the town changes the general county noise ordinance and adopted a slightly different ordinance that would make the daytime rules the same as the night time rules this may help the issue. Sup Bosman stated he wanted to clarify, he would like the town to establish an ordinance different than the county ordinance and to add a fairly liberal procedure for bands and car shows. Discussion held regarding. Further discussion held regarding measuring decibels and the accuracy.

Mr. Deadman stated he feels he's offering a better solution. Ken Deprey was present. Mr. Deprey had a letter which he read to the Board. Mr. Rabas questioned why it is directed to him as he has 25 signatures. See Att Exhibit/Letter. Mr. Deadman stated he agreed about the comment regarding fireworks; he also stated all things mentioned were occasional and not 24 hrs. Ken Deprey commented that Mr. Deadman's proposal is not going to change anything. He feels a judge and a jury should take care of settling. Norb Rabas stated the parking sign is for safety, Ken and Chris Deprey stated they have no problems with the no parking. Chris Deprey stated he is not here to defend himself with any wrong doing. He is stated he is here to defend himself with false accusations. He feels they are out of line, he stated he has more than complied with their wishes. He has revamped his sound system and he has taken decibel readings. And they were in the 60's last year, now they are below. He stated he is within his legal rights. He can express the positive impact of his business and it points to the music he added. Chris further commented on the following: the amount of commercial business frontage is 203' more commercial business frontage, 50/50 commercial/residential. 9.81 acres of commercial and 9.57 acres of residential. It's 50/50. There are 7 businesses on that stretch. His side of the road is virtually exclusively commercial 1,400' of road. He stated the commercial properties have been there prior to the named residents who moved in. He feels the commercial should have as much rights as the residential. When he was not breaking any laws. He is within his rights. The other night the timer was off. This is the 3rd year he has been playing music. Bruce Deadman stated his family has owned the property for 50 years and he feels a more reasonable way to look at it is as to how many people are affected. Bruce further stated he loves music, but doesn't like to listen to music that is drifting in for hours a day, 7 days a week. He states he can still have a functioning business by following the night time rules in the day time as well. Chairman Dequaine questioned what if he didn't have the 2 speakers in the front. The following residents commented:

Brad Dechamps stated he is not in favor of changing the ordinance; there would have to be a lot of thought process because there would be other businesses that could be affected. Barn fans, etc. Further discussion held. Dawn Goodman stated it does seem to be a trend to have more outdoor concerts. She stated the town may be tweaking the nuisance ordinance. Debbie Olson is opposed to the ordinance change suggested as it could be costly to the town. Further discussion held. Chris Kollross suggested Mr. Deprey adjust the noise level on days when it's slower. Mr Deprey stated they have customers all day long. Board determined Mr. Deprey is within the ordinance guidelines and at this time, nothing further by the town board would be necessary.

12. Constable Report

Constable stated there were no calls and no complaints. Chairman Dequaine asked about the barking dog. Discussion held regarding the location of the barking dogs in Dyckesville; Constable will return to the area and contact the owner. Discussion also held regarding the tree branches.

13. Correspondence Received

Clerk stated the zoning ordinance update proposals will be on next month's agenda.

14. Any Other Business Authorized by Law

A. Open Floor for Public Comment

Chairman Dequaine made a motion to open the floor. Debbie Olson questioned how many times we fixed Gauthier Rd? Chairman Dequaine stated there was a bridge repaired on Gauthier Rd. Debbie Olson also questioned what the total for the snowplowing. Other residents had requested that information; the Clerk and Treasurer will have totals broken down at the next month's meeting; salt and snowplowing split as requested. Chris Kollross asked if the culvert near his residence was going to be fixed. Chairman Dequaine stated there are 3 others that are worse than that one which will be fixed first. Brad Dechamps questioned what will be done with the Abts property. Sup Bosman read the letter which will be presented to Greg and Debbie Abts. Motion made by Chairman Dequaine to close the floor. Second by Sup Bosman Voice vote 2-0 Motion Carried.

15. Clerk and Treasurer Reports

Treasurer read report. Balance on hand as of end of April, 2019 totals \$359,621.47. The total expenses equal \$59,486.11 and the income totaled \$38,794.45. Clerk balances agree. Motion made by Chairman Dequaine to accept the Clerk and Treasurer reports as presented. Second by Sup Bosman. Voice vote 2-0 Motion Carried.

16. Review Vouchers and Pay Bills

Supervisor Bosman made a motion to review the vouchers and pay the bills. Second by Chairman Dequaine. Voice Vote 2-0 Motion Carried. (Check numbers paid 15051-15069)

17. Next Meeting Dates/Adjourn

The next regular meeting will be July 9, 2019 at 7:00 pm.

Motion to adjourn made by Chairman Dequaine with a second by Sup Bosman. Voice vote 2-0 Motion Carried. Meeting adjourned at 9:08 pm.

Submitted by: Debbie Mercier, Clerk