

**TOWN OF GREEN BAY  
BROWN COUNTY, WI  
Minutes of Regular Town Board Meeting  
June 14, 2022**

Time: 7:00 pm to 8:40 pm  
Location: Town Hall

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

21 Residents Present

It is noted, the meeting was properly posted.

**1. Call to Order**

Chairman Dequaine called the meeting to order at 7:00 pm. Opened the meeting with the Pledge of Allegiance recited.

**2. Review and Take Action on May meeting minutes**

Sup Bosman stated the Public Hearing minutes of May 10, 2022; Zoning Amendment request for Keith Tielens, should be corrected to read, they will Not be taking down the barn. Motion made by Sup Bosman to accept the minutes of the public hearing for Tielens with the above correction, to accept the public hearing minutes for Stoxen, the regular meeting minutes dated May 10, 2022, and the minutes of the special meeting of May 31, 2022. Second by Sup DeBroux. Voice vote 3-0 Motion Carried.

**3. Review Planning Commission minutes**

Sup Bosman questioned if the item (now #3) as indicated on the minutes (Amendments to the Town of Green Bay Town Cemetery and Burial Site Ordinance, Chapter 19) is in regard to the request of the Building Inspector? Dawn stated that is correct; she further explained the Clerk researched and found the existing town Ordinance Ch. 6 Uniform Dwelling Code encompasses Wis. Admin. Code SPS 316 Electrical and an additional adoption would not be necessary. Motion made by Sup Bosman to accept the Planning Commission minutes as presented. Second by Sup DeBroux. Voice vote 3-0 Motion Carried.

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

**5. Review Zoning Administrator Report and Building Inspector Report**

Motion made by Sup Bosman to accept the Zoning Administrator report dated 5-10-22 to 6-14-2022 and the Building Inspector report for the month of May, 2022. Second by Sup DeBroux. Voice vote 3-0 Motion Carried.

**6. Proposed Edgewater Beach Rd. Vacation & Dedication**

Surveyor, Steve Bieda with Mau and Associates, was present he explained there is a very narrow strip on Edgewater Beach Rd, he is working with the builder and homeowner to come up with a solution; the builder is wondering if there is any way we can configure the road. Steve has proposed a R/W vacation and a proposed R/W Dedication. (See Map Exhibit A) He understands they would have to go through the vacation and dedication process and resolution. Discussed with the Board. Sup Bosman stated, this would be at their cost. Sup Bosman stated he would like to look at the grade to see if this was something usable to something unusable. Discussion regarding concern of grade and parking. This item will be brought to the Planning Commission in July and will most likely be on the Town Board agenda for the August meeting.

**7. Edgewater Bluff Villas tree cutting**

Jeff Smith with the Edgewater Bluff Villas was present along with other residents of the Condo Association; Mr Smith read the minutes pertaining to the Edgewater Bluff Villas proposed tree trimming and landscape from the Town of Green Bay Planning Commission meeting dated November 6, 2007 and the Town Board regular meeting of November 13, 2007. He is requesting clarification of how much autonomy they have for maintenance. He stated their biggest challenge is maintaining the views and to maintain the integrity of the bluff.

He further questioned why the Edgewater Bluff Villas are held to this standard and other property owners are not held to this standard? He welcomed the Board to come and visit the Bluff areas. Chairman Dequaine stated they have done this many times. It was stated, typically they go through the process every 3 years. Discussion held. The Association members were questioning if there is a need for this restriction when they don't see a need for others in the town, the county, etc. The Board explained the people down below the bluff were concerned of erosion at the time the project was approved. Mr. Smith stated it was originally going to be a larger development and it is not, they have 25 years of history and this has not happened. The Board stated the final approved Resolution between the Town and the Edgewater Bluff Villas, Inc was approved before the time of this current Board. Chairman Dequaine explained he understands their concern. Chairman Dequaine stated the Board would be willing to come out and take a look, if they need permission to do something and the Board could look into the possibility of changing the policy later. Board set up a time to meet with them 4:00 on Monday, June 20<sup>th</sup>. Clerk to post one or more Board members will be present.

### **8. Proposed Zoning Amendment, #1328-J, to Amend parts of**

the Town of Green Bay Town Cemetery and Burial Site Ordinance, Chapter 19.

These include:

1. Add Revisions to Section 4. Purchase of Lots in Town Cemetery; Purchase of Expansion of Town Cemetery. (c) Sales of Lots

a. Add a period after "chair". Then strike the following words: ~~and sealed and acknowledged to entitle the purchaser to record the deed with the Brown County Register of Deeds~~

2. Add Revisions to Section 5. Ownership Rights of Burial in Town Cemetery. (d) Resale. 1.

a. Strike the words "~~to entitle the purchaser to record the deed with the Brown County Register of Deed~~"

The Board stated there were no questions as this was cleaning up details and would make it easier for future cemetery lot purchases. Motion made by Sup DeBroux to accept Zoning Amendment #1328-J to revise the Town Cemetery and Burial Site Ordinance as indicated above. Second by Sup Bosman. Voice Vote 3-0 Motion Carried.

### **9. Certified Survey Maps**

#### **A. Tina and Chad Dorner of TNC Investments, LLC for Part of GB-273**

Surveyor Brian Peot was present. Brian explained Brown County did do a slight revision on the corner doesn't have anything to do with the town as it is located on the corner of a county road and state highway. Motion made by Sup Bosman to accept the certified survey map for Part of GB-273 for Tina and Chad Dorner of TNC Investments, LLC. Second by Sup DeBroux. Voice vote 3-0 Motion Carried.

#### **B. Shirley Gomand for Part of GB-583**

Debbie Gomand and Gary Gomand were present. It was stated the said survey is currently staked out on County Line Rd. Motion made by Sup DeBroux to accept the certified survey map for Gomand, Part of parcel GB-583. Second by Sup Bosman. Voice vote 3-0 Motion Carried.

### **10. Road Bids**

Board opened and reviewed bids.

Received from Scott Construction for the following:

Servais Rd – CTH T to Gravel Pit

George Dr – 2615 ft x 22 ft and

Received from Theys Trucking & Excavating Inc and Northeast Asphalt for Gauthier Rd.

Motion made by Sup DeBroux to go with Scott Construction with option #1 on Servais Rd using white stone, George Dr item #2 using white stone, if they need to do it over a 2 year process, he is 100% okay with it, and to accept the bid from Northeast Asphalt for 4" asphalt overlay for 1,070 ft on Gauthier Rd. Second by Sup Bosman. Voice vote 3-0 Motion Carried. See Bid Exhibits

### **11. Liquor License Renewals**

The Town of Green Bay has liquor license applications for the following establishments:

Class "B" Fermented Malt Beverage and Intoxicating Liquor License:

Paul Grathen, Sweet Seasons, Inc., 6189 Tielens Rd, Luxemburg

Charles Lackey, Chuck's Dyckesville Bowl, 6426 Sturgeon Bay Rd, Luxemburg  
Theresa Duescher, Palm Gardens, 6028 County Rd K, New Franken  
Scott Larson, Rock Falls LLC, 6398 Sturgeon Bay Rd, Luxemburg, WI  
Jeremiah A Jennerman, CastIron Grill Inc, 5204 Sunset Bluff Dr, Green Bay  
Braeden William Spear, KLBKN, LLC, The Painted Pelican, 6459 Sturgeon Bay Rd, Luxemburg  
Braeden William Spear, KLBKN, LLC, The Painted Pelican, 6446 Sturgeon Bay Rd, Luxemburg  
Class "A" License:  
Dharmaraj Devkota, New Franken Mini Mart, LLC, 5112 Algoma Rd, New Franken  
Raymond Terrien, Red Rocket Shell, 5138 Sturgeon Bay Rd, Green Bay

Treasurer stated Cast Iron Grill has outstanding personal property tax owed with a principal amount of \$162.42. Motion made by Sup Bosman to accept the liquor license renewal applications with the condition that Jeremiah Jennerman of CastIron Grill Inc having to pay his personal property taxes in full prior to the issuing of the license. Second by Sup DeBroux. Voice vote 3-0 Motion Carried.

## **12. Bank Lane culvert**

Dave Mertens present, regarding property location of 2528 CTH T (N New Franken Rd) he said he would like to put a drain line from the property line into the curb where the culvert crosses T; he stated there is a hump that's holding the water back, he said he would like to install a filter fabric, a drain line, and put some stone. He stated the water is continuously running toward the basement and the sump pump runs steady. Sup Bosman asked if the ditch will still take the water. Discussion held regarding whether there will be a slight swale as the water is supposed to run off the road into the ditch. Dave stated he understands that, and stated ideally, they would like to keep it somewhat flat. Discussion held regarding the property being located in the Town of Scott Municipal Utility District. Motion made by Sup Bosman to allow Dave Mertens to put an 8" drain tile, perforated pipe, and stone in on Bank Lane to improve the drainage. Second by Sup DeBroux. Voice vote 3-0 Motion Carried.

## **13. Clarification of Kennel in Ordinance**

Clerk stated there had been discussion regarding the definition of kennels recently: it is noted it is defined as the following within the ordinance:

**Kennels, Outdoor.** A lot or building in which three (3) or more dogs or four (4) or more cats or other animals at least two (2) months of age are kept commercially for board and/or propagation, training or sales, or other uses, all of which are conducted on the property itself.

**Kennels, Indoor.** A building in which three (3) or more dogs or four (4) or more cats or other animals at least two (2) months of age are kept commercially for board, and/or propagation, training or sales, or other uses, all of which are conducted within the building itself.

This covers the commercial use and not specific to an individual property owner with multiple dogs.

## **14. Old Business**

### **A. State of Wisconsin Dept. of Safety and Professional Services, SI Admin. Code SPS 316 Electrical**

Motion made by Sup DeBroux that the town enter into an agreement with Inspection Specialists to exercise jurisdiction over the process of commercial electrical inspections as an Electrical Inspection Agency. It was again stated the existing town Ordinance Ch. 6 Uniform Dwelling Code encompasses Wis. Admin. Code SPS 316 Electrical and an additional adoption of a new ordinance would not be necessary. Second by Sup Bosman. Voice vote 3-0 Motion Carried.

### **B. Legal action regarding Ordinance Violations**

Clerk stated she received an email from Attorney Steffek; it is in process, and we will have more information by the next meeting.

Sup Bosman stated regarding the violation issue on CTH P, he notified Spencer Renier and explained the process; a verbal, a written, and if not resolved a fine would be issued. Sup Bosman stated the town could move forward with it.

### **15. Constable Report**

The Constable was not present, but Chairman stated he is working with a barking dog issue in Dyckesville again. Both the Constable and the Chairman spoke with the property owner.

### **16. Correspondence Received**

Clerk reminded of the Brown County Joint Municipal Court date change. It is noted the court date has been changed to Thursday September 01, 2022 at 3:00 for all new citations/violations, etc. Future court dates are November 03, 2022 and January 05, 2023. Also the July and October hosts for the Brown County Joint Municipal Court are switching. Town of Wrightstown will host the July 21, 2022 meeting. Town of Eaton will host the October 22, 2022 meeting.

### **17. Clerk and Treasurer Reports**

#### **A. Months of March and April, 2022**

Treasurer presented reports for the month of March and April, 2022. April report was read as it includes the March totals. The income for the month of March was \$29,236.67 and the expenses totaled \$43,030.87 with the total monies on hand month-end March, 2022 at \$753,627.16. April income totaled \$23,228.78 total expenses \$57,301.70 with the total monies on hand as of month-end April, 2022 at \$719,554.24. Clerk totals agree for both March and April. Motion made by Sup DeBroux to accept the March and April Clerk and Treasurer reports. Second by Sup Bosman. Voice vote 3-0 Motion Carried.

### **18. Review Vouchers and Pay Bills**

Motion made by Sup DeBroux to review the vouchers and pay the bills. Second by Sup Bosman. Voice vote 3-0 Motion Carried. (Check numbers paid 15902-15927)

### **19. Next Meeting Dates/Adjourn**

Motion made by Sup DeBroux to adjourn with a second by Chairman Dequaine. Voice vote 3-0 Motion Carried.

Meeting adjourned at 8:40 pm.

Next regular Board meeting July 12th

Submitted By: Debbie Mercier, Clerk