

**TOWN OF GREEN BAY  
BROWN COUNTY, WI  
Minutes of Meeting of May 9, 2023**

Time: 7:00 pm to 8:45 pm

Location: Town Hall

Attendance: Chairman Cary Dequaine, Supervisor Matt Bosman, Supervisor Ryan DeBroux, Clerk Debbie Mercier, Treasurer Lori Mercier, Constable Jeff DuBois, Zoning Administrator Jason Miller

**12 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 with the Pledge of Allegiance.

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

Motion made by Sup Bosman to accept the regular meeting minutes as presented on April 11. Second by Sup DeBroux. Voice vote 3-0 Motion Carried.

**3. Review Planning Commission minutes – there was no meeting held**

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

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

Motion made by Sup DeBroux to approve the Zoning Administrator Report dated April 12<sup>th</sup> through May 9<sup>th</sup>, 2023 and Building Inspector report dated April, 2023 as presented. Second by Sup Bosman. Voice vote 3-0 Motion Carried.

**5. Liquor License Renewals**

Clerk stated the following are the licenses to be on the June agenda for renewal:

Class “B” Fermented Malt Beverage and Intoxicating Liquor License:

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

KLBKN LLC, Braeden Speer Agent, dba Next Door Pizza Co, 6446 Sturgeon Bay Rd, Luxemburg

KLBKN LLC, Braeden Speer Agent, dba The Painted Pelican Restaurant & Inn, 6459/6449 Sturgeon Bay Rd, Luxemburg

Dyckesville Bowl Inc., Kevin Luedtke Agent, 6426 Sturgeon Bay Rd, Luxemburg

Crow U’s Palm Gardens, Theresa Duescher Agent, 6028 County Rd K, New Franken

Rock Falls LLC, Scott Larson Agent, 6053 Rock Falls Rd, Luxemburg, WI

CastIron Grill Inc, Jeremiah A Jennerman Agent, 5204 Sunset Bluff Dr, Green Bay

Class “A” License:

New Franken Mini Mart LLC, Agent Dharmaraj Devkota, dba New Franken Mini Mart, 5112 Algoma Rd, New Franken

57 Self Serve Mart Inc., Agent Raymond Terrien, dba Red Rocket Shell, 5138 Sturgeon Bay Rd, Green Bay

**7. Reappoint Planning Commission Members and Board of Appeals Members**

Clerk stated members up for reappointment for the Planning Commission are Brad Dechamps and Dylan Mercier

And the members up for reappointment for the Board of Appeals are Jonathon Jadin, Jacob Deterville, and alternate Nancy Zellner.

**8. Board of Review Alternate Ordinance and Appoint Member**

Motion made by Chairman Dequaine to appoint Lori Geniesse as alternate to the Board of Review. Chairman Dequaine rescinded motion. Motion made by Sup Bosman to approve the ordinance as presented and to appoint Lori Geniesse as the alternate for the Board of Review. Second by Sup DeBroux. Voice vote 3-0 Motion Carried.

**9. 5341 Edgewater Beach Rd – Camper**

Supervisor Bosman said the Zoning Administrator has been working on it and Chairman has been involved as well.

Zoning Administrator, Jason Miller stated the reason it is here at this meeting, he explained a camper was put on the lot.

Jason explained he originally sent the owner of the lot a few ordinances that would prevent him from putting it there and

he responded back with various reasons that he didn't meet any of those requirements and he wanted proof that he couldn't have it there. The owner is actively seeking bids to build a home, he is there on the weekends and he is working on getting bids.

Item #2 in Rural Residential allows for a park or recreational site which we don't have a definition of what a recreational site is. Jason contacted the Town's association attorney, they advised that the ordinance is very vague and there is no definition for a camping unit or what a recreational site is, so we couldn't use that to have him removed. They said as these things arise you need to review them and they need to be very black and white. Michael wanted proof, hard documentation that indicated he had to move it, Jason stated this is why he reached out to the attorney. Claudia Hickey was also present, she questioned if he had a company he is working with to build. Jason stated he has not call to confirm the company that Michael said he is working with. Claudia commented, Michael wants to live in it, he has no buyers for his property, there are no plans to build on that. Michael gave Jason a certificate from which states they cannot prevent him from building on the lot due to the sewer covers. Claudia stated they want to be good neighbors but she questioned the location of the camper being 5 or 6 feet from their window. Claudia questioned if there are rules on recreation vehicles in a residential area. She stated Wisconsin says, any campers are considered camping, you have to get a permit. Chairman Dequaine explained that the town's ordinance is too vague. The Board stated he is still paying taxes on the property. Claudia said the items he has brings their property value down. She said it is not licensed and it has been there for about 15 to 20 days. Chairman Dequaine stated the town's association is saying we have to make our ordinance more black and white. Jason explained the town's association stated we have to act on these things.

Claudia said Brown County has ordinances against it, she said Wisconsin said you cannot have a camper and he does not have any plans. Michael said he has plans to build a house and he has contacted the builder.

Claudia said if she wants to sell her property, they will not be able to sell it. She understands when you own property you should be able to do what you want to do. Discussion held regarding mobile homes. In terms of a mobile home park, 20 acres, if you read the definition of Class I, II, and III, it does not match that definition. If he's storing it, it would have to be behind his garage or residence on his property. It was stated the Board needs to give him an answer whether he has to move it or leave it. Sup DeBroux stated a great number of residents have campers in their yards and they have families live in their from time to time when visiting. Dawn Goodman stated a lot of people are putting campers on their properties for rent, like airbnb's. Claudia stated, Michael wants to live there and he has no desire to build a house there. Sup Bosman explained that our books supersede Brown County. Sup Bosman stated, they could pursue it civilly or with the county. Claudia stated there are certain rules that he has to follow. Sup DeBroux stated he would hope that you could work out something that works out between the two of you and make an agreement between you both. She further stated, they may start pushing the nuisance issue. Michael asked about the ash trees in the water way. Sup Bosman stated we have an agreement with the condos. But regarding dead trees, the town does not have an ordinance about removing the trees. Jason said he is not here to address the nuisance, he is here to address the camper. Sup Bosman explained if you have any issues, you need to do the homework. Further discussion held.

Sup Bosman stated we just spent some money on updating the ordinances, and it takes a while to edit the ordinances as things come up. Claudia stated they will take it to Brown County and the State.

Photos provided to the Town of Green Bay.

## **10. Old Business**

### **A. Contract with Liberty Title (should be corrected to Liberty Tire)**

Sup Bosman received an email from Liberty Tire, stated all he needs is the signature on the contract.

Motion made by Sup DeBroux to enter into a contract/an agreement with Liberty Tire for tire removal on nuisance property. Second by Sup Bosman. Voice vote 3-0 Motion Carried.

Board took a ride on the town roads, they stated all 3 culverts are done and guard rail has been repaired. Road repair bids will be put on next month's agenda. Regarding the signs, there are some on back order and they won't ship the whole order. Sup DeBroux is going to tell them to send what they have. Discussion held regarding the SLFRF funds (Coronavirus State Fiscal Recovery Funds) Funds to possibly be utilized for the Stone Pillar project (Project – Stone Pillar Road Repaving – From Sunset Bluff Dr to Edgewater Beach Rd)

And to check on the availability for the use to purchase Badger Books.

No motion taken.

## **11. Constable Report**

Constable DuBois explained on 4/21 he received a call from Brown County to pick up dogs on Sunset Bluff Rd condos, he put a posting on facebook, he was contacted and agreed to meet the owner and owner picked up the dogs. Jeff explained back in January, he reached out to the Court's Clerk and followed up - verbal and written warnings are only good for one year.

He further explained the old complaint of Ms Francisco needed to be re-written. On 4/22, he issued a new warning, she has 30 days from 4/22 to remove or make the Mercedes road worthy - 45 days before citations will be written.

Also on 4/22 the warning for nuisance on Mr. O'Sell property expired, he attempted to issue new warning but there was no answer when he went to the door; constable extended compliance to be met within 45 days. Constable notified Clerk that a written warning should be mailed to Mr. O'Sell, Clerk mailed certified warning.

## **12. Correspondence Received**

Clerk received a letter regarding the 170<sup>th</sup> Anniversary of the first Belgian settlement in this area at Aux Premiers Belges, near Champion. The Belgian Heritage Center will celebrate through a series of events held at the Belgian Heritage Center, online and at community gatherings throughout the area. There will be an open house on Thursday May 11<sup>th</sup> at the BHC. Ayres sent a letter regarding the 2023 WisDOT WISLR Program. The Clerk also informed the Board the Wisconsin Elections Commission (WEC) approved the allocation of funds for accessible voting equipment subgrant program. This offers municipalities an opportunity to purchase the ExpressVote at a reduced cost. It is eligible for the grant - \$750 per municipality. Board stated they are not in the market for a new machine at this time.

Treasurer stated she received the property tax agreement from Brown County. The cost will be \$1.60 per parcel for preparation to mail and postage.

Motion made by Sup Bosman that we go into an agreement with Brown County Treasurer office to collect our taxes for 2023. Second by Sup DeBroux. Voice vote 3-0 Motion Carried.

## **13. Any other Business Authorized by Law**

### **A. Open floor for public comment**

Motion made by Sup DeBroux to open the floor. Second by Sup Bosman. Voice vote 3-0 Motion Carried.

Gary Quinn, questioned if the town has any ordinance regarding allowing an Airbnb?

It was stated, Chapter 12 of the Town's Code of Ordinance is the Short-Term Rental Licensing Ordinance.

Discussion held

Claudia Hickey stated what she has read is if a mobile trailer is considered an abandoned property and it can be towed away, and she commented they have to be licensed. Sup DeBroux explained a car's sole intention is to go down the road, a camper is a stationary item, different rules apply.

Eric Estel was present, resident of the town, he questioned whether barndominiums are allowed in the town? He stated before he spends the money on plans, he would like to make sure he can build it. The Board stated ribbed siding is allowed. Eric explained where his lot is, he said there is currently a manufactured home on the property, and they plan to remove and build behind.

It was explained, the Board added ribbed siding to be allowed within the zoning ordinance. It was further stated, he would have to meet all other dwelling standards. Eric questioned what to do when he wants to add another culvert in the event he puts the garage on the west side. Sup Bosman explained because it is a county road, he would have to contact the county.

Sup DeBroux stated you may be able to say, the one culvert is ag exclusive and be allowed two for the property.

Gary Quinn mentioned where the four houses are going to go up on the bottom of Stone Pillar Rd, the road is really sinking. The Board explained they had looked at that when riding the roads, they will contact LaPlants to see who the contractor was to see if they would repair. Sup Bosman stated there is also a culvert there that needs to be fixed.

Motion to close the floor made by Sup Bosman. Second by Sup DeBroux. Voice vote 3-0 Motion Carried.

## **14. Clerk and Treasurer Reports**

Treasurer read report, total monies on hand as of month-end March, 2023 was \$895,870.83.

Income for the month of March 2023 totaled \$2,513.81

Expenses for the month of March 2023 totaled \$32,018.24

Treasurer balances agree with Clerk's report.

Supervisor Bosman made a motion to accept the Clerk and Treasurer reports as presented. Second by Supervisor DeBroux. Voice vote 3-0 Motion Carried.

**15. 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 161198-16209)

**16. Next Meeting Dates/Adjourn**

Board of Review will be Monday, June 5<sup>th</sup> at 5 pm., and next regular meeting will be Tuesday, June 13<sup>th</sup> at 7 pm  
Motion made by Sup Bosman to adjourn with a second by Sup DeBroux. Voice vote 3-0. Motion Carried. Meeting  
adjourned at 8:45 pm.

Submitted by: Debbie Mercier, Clerk