

Minutes of Meeting

Tuesday, May 13, 2025

Time: 7:00 pm to 9:05 pm

Location: Town Hall

Attendance: Chairman Cary Dequaine, Supervisor Matt Bosman, Supervisor Ryan DeBroux, Clerk Debbie Mercier, Treasurer Lori Geniesse, Constable Jeff DuBois, and Zoning Administrator Jason Miller Also present for part of the meeting was, Town's Attorney, Atty Tony Steffek

15 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 by citing the Pledge of Allegiance.

2. Review and Take Action on April meeting minutes

Motion made by Sup Bosman to accept the regular meeting from Tuesday, April 15th and special board meeting March 24th and special board meeting April 21st, 2025. Second by Chairman Dequaine. 2 Aye -0 No Motion Carried (Sup DeBroux arrived at 7:05 pm)

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 Bosman to accept the Zoning Administrator Report for April, 2025. The Building Inspector report will be presented at the June meeting. Second by Sup DeBroux. 3 Aye 0 No Motion Carried.

6. Mertens – food truck on property request/4681 N County Rd P

Dave and Toni Mertens were present, they would like to put a food truck on their lot or another lot within the town and would like information on what is needed. Zoning Administrator, Jason thought what may be considered this type of request would follow what is in the B1 Community Business District within the Zoning Ordinance: Conditional Uses -11. Eating and drinking establishments primarily engaged in drive-in and carryout service. The Mertens property is zoned I-1 General Industrial. Toni Mertens questioned, if it goes on a private property, would you need permission from the owner of the property. Chairman Dequaine asked how many days they planned on having it, they stated 4 days. Discussion regarding within the I-1 General Business District, it states:

Any use allowed in the B-1 Community Business District.

Town Attorney, Atty Tony Steffek was present and weighed in. He stated the reasonable interpretation is that a food truck would not be a permitted use, but he believes you would have to go through the Conditional Use Process, he further stated, they could combine the two separate possible addresses under one CUP. On pg 59 under General Industrial. Item 50, any use allowed in the B1, Toni and Dave questioned what the owner of the food truck had to do which was on Hwy 54, they questioned if they had permission to utilize the food truck. The Board stated, they will look in to it. Chairman Dequaine indicated to them they will have to apply for the CUP with both addresses listed on one permit and go through the CUP process.

7. Road Work Bids

- 1 – Crow Rd. – 1240 ft. X 20 ft. – A full cold mix only overlay including cul de sac
- 2 – Cindy Ct. – 660 ft. X 22 ft. – Cold mix wedging only and hot oil seal coating
- 3 – Vanir Ct. – 440 ft. X 22 ft. – Cold mix wedging only and hot oil seal coating
- 4 – Clover Valley / Teds Ln. – 1960 ft. X 22 ft. total—Cold mix wedging only and hot oil seal coating.

The Board received Bids from:

Scott Construction , Northeast Asphalt, and Fahrner. Board reviewed and together discussed all of the received bids.

Motion made by Sup DeBroux that we enter into an agreement with Scott Construction Inc. for Option # 2, Cindy Ct, Option #3, Vanir Ct, and Option #4 Clover Valley/Ted's Lane for a total of \$54,803. And we enter into an agreement with Northeast Asphalt for Crow Rd in the amount of \$42,880. Sup Bosman second the motion for the split bid. Cindy, Vanir and Clover Valley \$54,803 - Crow Rd to be done by NEA in the amount of \$42,880. – for a total of \$97,683
3 Aye 0 No Motion Carried

Sup Bosman questioned Tony, cold mix is virgin made applied at 105 degrees, hot mix completely.

Conversations with NE Asphalt and Fahrner with Cary.

Sup DeBroux described with

Tony advised moving forward unless you have a road project, tell us what we need, tell us what we can do.

Motion made by Sup Bosman that we skip from Item #7 to #11 to discuss old business.

8. Liquor License Renewals

Clerk stated Renewal of Liquor License applications are for the following: Class B: Painted Pelican (2), Sweet Seasons, Palm Gardens, Dyckesville Bowl, Rock Falls, Tuna Can. Class A: New Franken Mini-Mart and the Uni-Mart. Liquor license renewals will be on the June agenda for approval.

9. Resolution to purchase DS-300 Voter Tabulating Machine through Brown County

Motion made by Sup DeBroux to accept Resolution 2025-2 to purchase DS-300 voter tabulating machine through Brown County. Second by Sup Bosman. 3 Aye 0 No Motion Carried

10. Constable Report – nothing to report

11. Old Business

A. Rockwood Point – easement/access discussion

Attorney Tony Steffek stated he spoke with Cary, talked about the property in question off of Edgewater Beach Rd. and Rockwood Point Rd, parcel GB-665. He stated he now understands how the parcel GB-665 works with the others and understands that there is a potential sale of the property. The question is, does the town have any obligation to put a road in. Chris LaHaye, owner of the lot in question, GB-655 stated, that is correct

Atty Steffek said if we didn't have this weird landlocked situation, we would vacate that road, he stated he had pulled the plat from 1924, created cottage dr and the lot, he pulled a map Lidar from 1938, he stated if you look close you can see a constructed path through that right-of-way. The Board stated there is mowed grass.

Atty Steffek referenced WI Statute 82.27 Landlocked property and property with insufficient highway access.

Discussion held regarding the road no longer exists and discussed the neighboring property owners. Atty Steffek again stated because of the landlock situation, he referenced WI Statute 82.27 Subsection 4 regarding a required hearing and Subsection 5 regarding costs to the applicant. Discussion regarding 66' wide or unless the board determines width to be impractical, but not less than 45'; the issue of the cost would be the responsibility of the person requesting. Atty Steffek also referenced subsection C - The applicant shall pay the town treasurer the amount determined as advantages within 30 days of the board's decision. Within 10 days of payment, the town board shall file the order with the town clerk and record the order with the register of deeds for the county in which the land is located. He stated the process is easy, but the cost is the hard part, it would have to be paid by the landowner. Further discussion held: Road goes from Edgewater Beach Rd to Rockwood Point, enough to relieve the landlocked situation. The lower road is a town road, if the request was made by everybody, you get special access; they would have to do the math. If they put a blacktop driveway on the right-of-way, the town could say no or you could let them do that, you would want to get some sort of development agreement, there may then be other properties who have access to the property. If the private owners want to do that, Atty Steffek said not to do it unless the town has a development agreement in place. Mr. Lahaye asked if it would be 45' or 25'? the board stated the town cannot abandon anything. Sup DeBroux stated you would have to follow the fire dept specifications. To comply with fire regulations as well as the width that is required, they would have to follow the ordinance. It just needs to be put in an agreement. If extra room is needed, you would have to do the 32.05 condemnation, the board stated the condemnation would not be done. Tony said again, if the town and the developer could come to an agreement. Sup DeBroux questioned if the driveway they are using is that on the town's property or on other people's property. There would have to be an easement to the town and/or whoever, to get it back on the town's land. Rockwood Point Dr. Atty Steffek stated he would wait for the interested parties to come to the town until the town invests any more time into this; he further stated any and all easements and document agreements should be recorded with the Brown

County Register of Deeds. Zoning Administrator, Jason asked if the town will allow them to develop. Atty Steffek told Jason if he gets calls, he should tell them to contact the seller and discuss potential access development.

B. Brown County Joint Municipal Court

Motion made by Sup Bosman to terminate as a member of the Brown County Joint Municipal Court. See Resolution # 2025-3. Second by Sup DeBroux. 3 Aye 0 No Motion Carried

Chairman Dequaine made a motion to return to item #8. Second by Sup Bosman. 3 Aye 0 No Motion Carried

12. Correspondence Received

Clerk stated the following:

May 19th refresher session on issuing a citation through the Brown County Municipal Court

Received Dyckesville Sanitary District financial statement

Next July 3rd is the next Brown County Joint Municipal Court appearance date

The town received free circus tickets

13. Any Other Business Authorized by Law

A. Open Floor for Public Comment

Chairman Dequaine made a motion to open the floor. Second by Sup Bosman. 3 Aye 0 No Motion Carried

Chuck Alsteen asked if Clover Valley will be tapered down – Board stated it will around the curve; just Craig Knapps to Teds Ln. Jeff asked if we would go with the granite again; discussion held.

Sam Fameree was present stated he is getting taxed for garbage pickup, and he doesn't utilize it as he has a dumpster.

Chairman Dequaine stated, we don't hit and miss, we don't give a credit for properties, everybody pays for garbage; we don't divide it up.

Kyle Alsteen questioned if the potholes will be filled. Clover Valley. Discussion held. Board stated the potholes will be filled. Motion made to close the floor by Chairman Dequaine. Second by Sup Bosman. 3 Aye 0 No Motion Carried

14. Clerk and Treasurer Reports

Treasurer read report. Total monies on hand end of March 2025 was \$729,546.23

Expenses totaled \$64,600.53 for the month of March 2025. Income for the month of March 2025 was \$1,694.76. Totals agree with the Clerk's report. Sup Bosman made a motion to accept the clerk and treasurer's report as presented. Second by Sup DeBroux. 3 Aye 0 No 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. 3 Aye 0 No Motion Carried Check numbers paid 16865 to 16880.

16. Next Meeting Dates/Adjourn

June Regular Meeting – June 10th

Open Book is scheduled for May 27th from 10 am until Noon, Board of Review June 4th from 5 pm to 7 pm

Chairman Dequaine explained the highway safety grant which was discussed at the Highway commissioner meeting; the Board will not be applying for the grant as the Town of Green Bay doesn't meet the criteria.

Motion made by Sup Bosman to adjourn. Second by Chairman Dequaine. Meeting adjourned at 9:05 pm.

Submitted by: Debbie Mercier