

**Town of Lawrence  
Proceedings of Town Board/Utility District Meeting  
Town Hall-2595 French Road, De Pere, WI 54115  
Monday, April 27, 2009 -**

**Closed Session – 6:30PM  
Regular Session – 7:00PM**

**Called to Order**

The meeting was called to order by Chairman Klasen at 6:30 p.m.

Present: John Klasen, Town Chairman  
Randy Treml, Town Supervisor  
Randy Vandenack, Town Supervisor  
Mary Jo Kussow, Town Supervisor  
Kenneth VanDeHei, Town Supervisor  
Judy Benz, Town Clerk-Treasurer

**1. Announce Closed Session**

Closed session was announced by Chairman Klasen.

**2. Consider and enter into closed session pursuant to WI statutes 19.85 (1) (c) for the purpose of considering employment, promotion, compensation or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility**

A motion was made by Supervisor VanDeHei to enter into closed session. Motion seconded by Supervisor Vandenack. Motion carried unanimously.

**3. Return to Open Session- Called to Order**

A motion was made by Supervisor Treml to return to open session. Motion seconded by Supervisor VanDeHei. Motion carried unanimously. The regular Town Board meeting was called to session by Chairman Klasen at 7:05 p.m.

**4. Roll Call for Open Session – Pledge of Allegiance**

Present:	John Klasen, Town Chairman	Mary Jo Kussow, Town Supervisor
	Randy Treml, Town Supervisor	Kenneth VanDeHei, Town Supervisor
	Randy Vandenack, Town Supervisor	Carrie Murphy-Auguston, Deputy Clerk
	Judy Benz, Town Clerk-Treasurer	<i>(See attached Roll call Sign-in Sheet)</i>

Pledge of Allegiance said by those in attendance. A moment of silence was shown in consideration of firefighter Adam Van Rite.

**5. Approve Minutes from Town Board Meeting held on April 13, 2009**

A motion was made by Supervisor Treml to approve the minutes from Town Board Meeting held on April 13, 2009. Motion seconded by Supervisor Vandenack. Motion carried unanimously.

**6. Update on Highway 41 Corridor/Bret Wallace with WIDOT**

Mike King from the Wisconsin Department of Transportation (WIDOT) was present to provide an overview of the Highway 41 Corridor project. The Highway 41 project is considered a federal “mega” project and will be the largest of its kind in the history of Northeast Wisconsin. The project timeline ranges from 2010-2015. Upon completion Hwy 41 will become a major interstate. Update only no action taken.

**7. Approval on Planned Development Site Plan for Multi-Family located on Cypress Road**

Steve Beida from Mau & Associates and Developer, Keith Garot, were present to propose a final site plan for the Cypress Road Apartment complex to be constructed on parcel L-353-1 consisting of 2.66 acres. The proposed

plan consists of four (4) apartment buildings with eight (8) units each. Each unit is approximately 956-1026 square feet. The complex is designed with one bay holding 32 garages and 38 outside parking stalls. The sides facing offsite on all four buildings are comprised of all brick. The interior sides will consist of brick to the bottom of the first floor windows and also brick on the building corners to the soffit with the remainder being of cement board. The water and sewer utilities will be provided by the Village of Ashwaubenon to the property via an agreement between the village and the developer. Mr. Bieda stated the storm water management plan has been reviewed by the town's engineer and revisions are being made based on the requests of McMahon Associates. A motion was made by Supervisor VanDeHei to approve the final site plan contingent on the Storm Water Management plan meeting Town Ordinances and Specifications and is approved by the Town Engineer. The motion was also contingent on the Town receiving written correspondence from the Village of Ashwaubenon agreeing to provide water and sewer services to the property. Motion seconded by Supervisor Treml. Motion carried. Supervisor Vandenaek voted nay, in opposition of the approval.

**8. Action on Closed Session if Necessary**

No action needed.

**9. Award bid for Orde Pond Site Preparation/Seeding Project**

Upon the recommendation of the Town's Engineer, a motion was made by Supervisor Treml to award the bid for Orde Pond Site Preparation/Seeding to Stumpf Creative Landscape. Motion seconded by Supervisor Kussow. Motion carried unanimously.

**10. Adopt Resolution Opposing Proposed Changes to Wisconsin Prevailing Wage Law**

A motion was made by Supervisor Treml to adopt Resolution Opposing Proposed Changes to Wisconsin Prevailing Wage Law. Motion seconded by Supervisor Vandenaek. Motion carried unanimously. (See attached Resolution No. 0427 Series 2009)

**11. Approve 2008 Annual Financial Report prepared by Schenck SC**

A motion was made by Supervisor Treml to approve the 2008 Annual Financial Report prepared by Schenck SC. Motion seconded by Supervisor VanDeHei. Motion carried unanimously.

**12. Park Improvement Proposal**

Carrie Murphy-Auguston provided an overview of the park improvements proposal for 2009 which included:

- Completion of improvement projects from 2008 such as the basketball court at Quarry Park and the concrete sidewalk and shelter pad at Shadow Ridge Park.
- Engraved rock signs for Shadow Ridge Park and Lost Dauphin Park
- Landscaping around signage at all parks
- Benches around the playgrounds at all parks
- Small playground at Lost Dauphin Park

A motion was made by Supervisor Treml to suspend the rules and open the floor for public comments. Motion seconded by Supervisor Vandenaek. Motion carried unanimously.

Bob Meulemans, 1194 Spring Lake Drive – stated Lost Dauphin is a unique nature type park, and perhaps the increased activity noticed is because residents enjoy the natural atmosphere. He asked if a density study was performed to determine the population of children in the area who would use playground equipment at the park.

Mike Mueller, 2855 Freedom Road – stated he has children ages 5 and 2 and they would use the playground equipment at Lost Dauphin Park.

A motion to return to regular session made by Supervisor Treml. Seconded by Supervisor VanDeHei. Motion carried.

A motion was made by Supervisor Vandenaek to table the proposed park improvements to allow review and recommendations to be made by the Park Board. Motion seconded by Supervisor Treml. Motion carried unanimously. Item tabled.

- 13. Authorize Letter of Support to Brown County in reference to Requiring a CSM for land division of 40acres or less**  
A motion was made by Supervisor Kussow to authorize a letter of support to Brown County in reference to the requirement of a CSM for land division of 40acres or less. Motion seconded by Supervisor Treml. Motion carried. Supervisor VanDeHei voted nay.
- 14. Adopt Policy on General Fund Balance**  
Supervisor Treml provided an overview of the policy. A motion to suspend the rules and open the floor for public comments was made by Supervisor Treml. Motion seconded by Supervisor Vandenack. Motion carried.
- Mike Mueller, 2855 Freedom Road – asked if the Town has ever had to draw on the 40% reserve general fund balance for any type of emergency.
- Supervisor Treml stated the Town has never drawn from the fund it is the auditor’s recommendation to maintain 40% fund balance.
- Mike Mueller – asked what would happen if the balance dropped below the recommended 40%?
- Supervisor Treml stated it could affect future bond ratings.
- A motion to return to regular session made by Supervisor Treml. Motion seconded by Supervisor Vandenack. Motion carried.
- A motion was made by Supervisor Treml to table this item to allow for further review. Motion seconded by Supervisor Vandenack. Motion carried unanimously. Item tabled.
- 15. Approve Bartender Licenses**  
A motion was made by Supervisor VanDeHei to approve applications for bartender/operator license. Motion seconded by Supervisor Kussow. Motion carried unanimously. (See attached list of applicants)
- 16. Road Update/Ken VanDeHei**  
Supervisor VanDeHei stated the Town has advertised for bids for the Lawrence Drive project. There may be further crack sealing done on various roads. He stated he is reviewing the option of patching versus resurfacing on Noah Road. Supervisor Treml indicated an additional \$30,000 may be available from the general fund to go toward road projects. Update only no action taken.
- 17. Advance Update/Randy Vandenack**  
Supervisor Vandenack provided an update on Advance. He stated they are currently working on a unified building standard for Brown County. Update only no action taken.
- 18. Update on Water and Sewer Utility-Report on Usage/Greg Little**  
Utility Manager, Greg Little stated the water tower has about 30’ constructed to date. The utility is approximately 80% complete with the hydrant recall.
- 19. Update on Fire Department/Kurt Minten**  
Chief Minten stated there is a burning ban on due to the dry conditions. The department has responded to three (3) grass fires.
- 20. 1<sup>st</sup> Quarter Revenue/Expenditure to Budget Report**  
Review only no action taken.
- 21. 1<sup>st</sup> Quarter Building Permit Report**  
Review only no action taken.
- 22. Payment of due invoices and wages**

A motion was made by Supervisor Trembl to approve payment of due invoices and wages. Motion seconded by Supervisor VanDeHei. Motion carried unanimously.

**23. Future Agenda Items**

Park Improvements  
General Fund Balance Policy  
Wind Turbine Ordinance  
Commercial Farm Ordinance

**24. Public Comments**

A motion was made by Supervisor Vandenack to suspend the rules and open the floor for public comments. Motion seconded by Supervisor Trembl. Motion carried.

Mike Mueller, 2855 Freedom Road – asked if anyone had a solution to the problem presented at the last town board meeting referring to the trash and recycle service at the rental property he owns in the town. Supervisor VanDeHei stated he will further review the options.

Bob Meulemans, 1194 Spring Lake Drive – stated the town currently offers residents only one size trash/recycle container, after doing some research he found other municipalities allow residents to have a choice on the size. He stated he is not in favor of the large size and asked the town to consider allowing residents to have a choice of size.

Mike Mueller – stated he agrees with Mr. Meulemans, and would like to have a choice on the size of container.

Jon Kleuskens, 1418 Grant Street – stated he also agrees with Mr. Meulemans, and would like to have a choice on the size of container.

Larry Boldt, 2029 Little Rapids Road – stated he has concerns over the increased truck traffic on Little Rapids road between the railroad tracks and Lost Dauphin Road (Cty D).

A motion to return to regular session was made by Supervisor Vandenack. Motion seconded by Supervisor VanDeHei. Motion carried unanimously.

**25. Adjourn**

A motion was made by Supervisor VanDeHei to adjourn the meeting. Motion seconded by Supervisor Vandenack. Motion carried unanimously. The meeting adjourned at 9:10 p.m.

Respectfully submitted,  
Carrie Murphy-Auguston, Deputy Clerk