

APPROVED 6-24-2020
TOWN BOARD MEETING
WEDNESDAY, MAY 27, 2020
7:00 P.M.
FREEDOM TOWN HALL
2004 COUNTY RD S
AGENDA

This was an in-person and zoom meeting.

1. CALL TO ORDER, ROLL CALL, PLEDGE

Town Board Meeting called to order by Supv. Brandon Conrad at 7:03 p.m. Members present: Chairman Charles Kramer, Supervisors: Brandon Conrad, Dave Rickert, Kevin Schuh and Jason Vandenberg. Also present: Clerk/Treasurer Colleen Laha and Deputy Clerk Treasurer Michelle Evers. Also present by Zoom Meeting: Attorney Steve Frassetto. Pledge recited.

2. VERIFICATION OF POSTING & ADOPT AGENDA

Meeting Posted by Clerk's office the 26th day of May, 2020, at 5:00 p.m. on 2 boards at the Town Hall and on Town Website. Also posted at: Dairyland Depot, Freedom Mini Mart and YETI, LLC.

Motion by Chairman Charles Kramer with second by Supv. Kevin Schuh to approve the agenda as posted. 5 Yes 0 No MC

3. CONSIDERATION OF MINUTES FOR APRIL 29, 2020 MEETING

Motion by Supv. Kevin Schuh with second by Chairman Charlie Kramer to approve the minutes of the 4/29/2020 meeting adding that it was a zoom meeting. 5 Yes 0 No MC

4. PUBLIC COMMENT SESSION

Mike Vandenberg – discussed with board members the 6 driveways that were put in when the sewer and water went through. The permits were paid and approved by the county. Now Outagamie County wants Vandenberg to put another ditch in front of his ditch. Jeff Kussow from Cedar Corporation will check into it to see what is going on at the county.

Supv. Brandon Conrad checked with those present in the room and if anyone on zoom had anything to discuss. Hearing none Supv. Brandon Conrad advised if there was anyone not able to get through to email the clerk.

5. STEVE TIMM – UDATE ON FRENCH RD PROJECT

Will be discussed under Engineer update.

6. FREEDOM FIRE & EMS BUILDING

A. UPDATE-Presented by Devin Flanigan

They broke ground this week. Getting a schedule together that he will get to the board next week. The pre-engineered metal building delivery is pushed out further than what they anticipated.

B. APPROVE TOWN PURCHASED ITEM

The town purchased items were all previously approved. The total is up about a \$1,000.00, but still under the allowed amount.

Access Control - \$18,964.18 (allowed amount \$19,000.00)

Warning flashing signs – received quote from Fox Electric for \$12,135.00 (allowed amount \$15,000.00) Outagamie County will install wood poles.

Flanigan discussed having a Groundbreaking Ceremony later this month. Chairman Charles Kramer commented that the ground was already broke, and that the most important thing is to get the building built. They can have a big Grand Opening celebration. Supv. Brandon Conrad commented that it was important to document and have for the community to look back on. Supv. Conrad is not opposed to a groundbreaking ceremony. Fire Chief Mark Green stated the fire department planned to do something. Devin will set it up and whoever want to participate, from the board or department join it.

C. DISCUSSION ON UTILITIES

There is an issue. It was discussed that it is not a good idea to tap into the line. It would cost about \$10,000.00. There is an existing lateral on Schmidt Road. Tom Van Handel will do the excavating to hook up the lateral for \$7,600.00. It will be a savings for the sewer service. There will be a water connection bill to get service to the edge of the easement because they are asking for a larger connection than what is already there. The board will review the original plan before determining how to proceed.

7. **BROADBAND INTERNET** – The only grants that were found so far would need to have been submitted by December of 2019. We will keep looking to see if there are any more available.

8. **CONSIDERATION OF RESOLUTION 2020-02 TO VACATE AND DISCONTINUE ALL OF SPRING VIEW COURT, SOUA COURT, AND MEADOW HILL DRIVE**

Motion by Supv. Jason Vandenberg with second by Supv. Kevin Schuh to approve Resolution 2020-02 to vacate and discontinue all of Spring View Court, Soua Court, and Meadow Hill Drive.

Charles Kramer – Aye

Brandon Conrad – Aye

Dave Rickert – Aye

Kevin Schuh – Aye

Jason Vandenberg – Aye

5 Yes 0 No MC

9. **CONSIDERATION OF APPROVAL OF RELEASE OF PLATTED UTILITY EASEMENTS AND RIGHTS IN DISCONTINUED RIGHT-OF-WAY IN THE FREEDOM WEST INDUSTRIAL PARK – TID- #2**

Motion by Chairman Charles Kramer with second by Sup. Dave Rickert to approve the release of platted utility easements and rights in discontinued right-of-way in the Freedom West Industrial Park – TID #2.

Charles Kramer – Aye

Brandon Conrad – Aye

Dave Rickert – Aye

Kevin Schuh – Aye

Jason Vandenberg – Aye

5 Yes 0 No MC

10. **PLAN COMMISSION REFERRALS**

A. **Consideration of Certified Survey Map Application; Belgioioso Cheese Inc.; Freedom West Industrial Park; northeast Corner of CTH S/Vine Road (PIN 090-0232-11, 090-0232-12, 090-0232-13, 090-0232-14, 090-0232-15, 090-0232-16, 090-0232-17, 090-0232-18, 090-0232-19, 090-0232-20, 090-0232-21, 090-0232-22, 090-0232-23, 090-0232-24, 090-0232-25, 090-0232-26, & 090-0232-27)**

Motion by Chairman Charles Kramer with second by Dave Rickert to approve Certified Survey Map, Belgioioso Cheese Inc.; Freedom West Industrial Park; northeast Corner of CTH S/Vine Road (PIN 090-0232-11, 090-0232-12, 090-0232-13, 090-0232-14, 090-0232-15, 090-0232-16, 090-0232-17, 090-0232-18, 090-0232-19, 090-0232-20, 090-0232-21, 090-0232-22, 090-0232-23, 090-0232-24, 090-0232-25, 090-0232-26, & 090-0232-27) with no conditions.

5 Yes 0 No MC

B. **Consideration of Ordinance Amendment of Section 26.303(5), Town of Freedom Site Plan Ordinance, to amend driveway width requirements.**

Motion by Supv. Jason Vandenberg with second by Supv. Kevin Schuh to approve Ordinance Amendment of Section 26.303(5), Town of Freedom Site Plan Ordinance, to amend Driveway width requirements.

EXHIBIT A

(5) **Width.** Minimum driveway widths of 24 feet are required. Driveways to Town roads shall have a minimum width of 24 feet and shall not exceed a maximum width of 36 35 feet.at their juncture with the street pavement or 30 feet in width at the property line. Driveway width is measured as the edge-to-edge distance of a driveway measured at the right-of-way line. Driveways to County or State roads/highways shall be regulated as per County or State requirements.

(a) The minimum and maximum driveway widths for driveways to Town roads may be waived by the Town Board without the granting of a variance if the applicant can demonstrate that:

1. Strict compliance with the driveway width would cause an operational hardship and safety concerns; and
2. Such relief would not cause detriment to the public good and will not impair the intent and purpose of this chapter or the desirable general development of the Town. *(see attached EXHIBIT B)*

4 Yes 1 No MC Chairman Charles Kramer – Opposed

C. Consideration of Site Plan Application for Auto Repair Shop; Jason Van Handel (Van Handel Auto Body); W2965 Greiner Road (PIN 090-0866-00)

Motion by Chairman Charles Kramer with second by Supv. Dave Rickert to approve the site plan for an Auto Repair Shop, Jason Van Handel (Van Handel Auto Body); W2965 Greiner Road (090-0866-00) with the following 11 conditions:

- 1) The project shall comply with all applicable local, state, and federal codes/ordinance.
- 2) There shall be no structure(s) or planting(s) greater than three (3) feet in height within the vision corners of the driveway and public road intersections (i.e., CTH S & Vine Rd.) as required by *Section 26.303(7)* of the Town of Freedom Site Plan Ordinance.
- 3) All off-street parking spaces shall have individual spaces marked.
- 4) The applicant shall obtain a Town of Freedom Erosion Control and Stormwater Management Permit from the Town prior to commencing construction. The project shall comply with all applicable requirements of *Chapter 24* and *Chapter 25* of the Town of Freedom Municipal Code.
- 5) The building shall be served by a private on-site wastewater treatment system (POWTS) in compliance with Wisconsin Department of Safety & Professional Services and Outagamie County requirements.
- 6) The building shall be served by a private well in compliance with Wisconsin Department of Natural Resources requirements.
- 7) Any signage shall be in compliance with Outagamie County Zoning Ordinance requirements.
- 8) Any equipment or materials stored outdoors shall be visually screened from all streets and adjoining properties with a suitable fence, vegetation, berm, or combination thereof. Screening shall be attractive in appearance and in keeping with the architectural quality of the main structure. Said storage shall be limited to behind the front line of the building on the property, and within the building setback lines.
- 9) The building/development shall be in compliance with *Chapter 3 – Fire Protection* of the Freedom Municipal Code to the satisfaction of the Freedom Fire Department Chief.
- 10) Any substantial changes or additions to the site plan and/or building plans must be reviewed and approved by the Plan Commission and Town Board in accordance with the requirements of the Town of Freedom Site Plan Ordinance. Determination of whether a change or addition is substantial shall be at the discretion of the Town Engineer and/or Town Planner.
- 11) The stone veneer on the front side of the building, in the location of the lobby, shall be extended to the bottom of the proposed canopy (if constructed) or to above the door/windows. The stone veneer or a two-tone steel exterior material to match the stone veneer as proposed shall be installed along the north and south sides of the building. **5 Yes 0 No MC**

11. UPDATE FROM PLAN COMMISSION

None. Covered under Plan Commission Referrals.

12. CONSIDERATION OF APPROVAL OF GUARANTY OF FREEDOM BASEBALL CLUB, INC. LOAN WITH CAPITAL CREDIT UNION FOR THE CONSTRUCTION OF A GRANDSTAND, LOCKER ROOMS AND DUGOUTS AT DIAMOND 4 IN VFW PARK

Motion by Supv. Jason Vandenberg with second by Supv. Kevin Schuh for approval of guaranty of Freedom Baseball Club, Inc. loan with Capital Credit Union for the construction of a grandstand, locker rooms and dugouts at diamond 4 in VFW Park not to exceed \$275,000.00

4 Yes 1 No Chairman Charles Kramer - Opposed

13. CONSIDERATION OF RESOLUTION 2020-03 AUTHORIZING THE ISSUANCE AND SALE OF \$3,900,000 GENERAL OBLIGATION REFUNDING BONDS

Motion by Supv. Kevin Schuh with second by Supv. Dave Rickert to approve Resolution 2020-03 authorizing the issuance and sale of \$3,900,000.00 general obligation refunding bonds.

Charles Kramer – Aye

Brandon Conrad – Aye

Dave Rickert – Aye

Kevin Schuh – Aye

Jason Vandenberg – Aye

5 Yes 0 No MC

14. CONSIDERATION OF TEXT MESSAGING CONTRACT

Motion by Supv. Kevin Schuh with second by Chairman Charles Kramer to approve the Text messaging Contract for \$1250.00 for the next year. 5 Yes 0 No MC

15. CONSIDERATION OF RESOLUTION 2020-04 TO ACCEPT AND EXPEND THE SHARED COUNTY SALES TAX REVENUE FROM OUTAGAMIE COUNTY FOR THE PURPOSE OF DIRECTLY REDUCING THE PROPERTY TAX LEVY

Motion by Supv. Dave Rickert with second by Supv. Jason Vandenberg to approve resolution 2020-04 to accept and expend the shared county sales tax revenue from Outagamie County for the purpose of directly reducing the property tax levy.

Charles Kramer – Aye

Brandon Conrad – Aye

Dave Rickert – Aye

Kevin Schuh – Aye

Jason Vandenberg – Aye

5 Yes 0 No MC

16. CONSIDERATION OF AGREEMENT FOR WARNING SYSTEM ANNUAL INSPECTION & PREVENTATIVE MAINTENANCE

Motion by Chairman Charles Kramer to approve the agreement for the Warning System Annual Inspection & Preventative Maintenance. Motion died for lack of a second.

Motion by Supv. Kevin Schuh with second by Supv. Dave Rickert to approve the agreement for warning system annual inspection & preventative maintenance for a 5-year agreement at \$393.00 per year with Emergency Communication Systems. 5 Yes 0 No MC

The clerk will have a key put in the Knox-box and will check with Emergency Communication Systems regarding contact procedures and rates.

17. CONSIDERATION OF TOWN GARAGE ROOF REPAIRS

Motion by Supv. Jason Vandenberg with second by Supv. Dave Rickert to approve the Town Garage roof repairs with Security Luebke Roofing for \$6,875.00.

5 Yes 0 No MC

18. DEPARTMENT/ATTORNEY REPORTS

Clerk and Public Works Reports presented.

Public Works report contained a quote from Jayson Winterfeldt for repairing 15 catch basins and gutters. Charlie thinks we need to divide this into a couple of years. Charlie would like to see a list and cost of doing the 6-8 worse ones this year and the rest next year.

The Town Board agreed to allow the request for the June 13, 2020 pavilion rental to use until midnight. Town Board agreed that if there is a request for a reasonable time adjustment for a rental it should be handled by the clerk's office.

Engineer's Report – presented by Justin Keen (see attached printed report)

Steve Timm discussed the drainage issues on French Road with Cedar and the DNR.

Attorney Report – Discussed forming a Stormwater Utility because of all the drainage issues. It was suggested that the Stormwater Utility and the Drainage District would be good discussions to have with the Plan Commission on how they would recommend this be set up.

Supv. Brandon Conrad will meet with the Attorney out by Margaret Coenen's to follow up on the lighting situation by Country Villa. The attorney will let Supv. Conrad know when that is scheduled for.

19. CONSIDERATION OF VOUCHERS/DIRECT DEPOSITS

Motion by Supv. Kevin Schuh with second by Supv. Dave Rickert to approve Vouchers #30534 – 30567, Direct Deposits #9714 – 9747, Tid #2 Check 164 and Fire Dept/EMS BLDG Check 1001. 5 Yes 0 No MC

**20. Motion by Chairman Charles Kramer with second by Supv. Dave Rickert to adjourn at 10:02 p.m.
5 Yes 0 No MC**

*Colleen M. Laha
Clerk/Treasurer*