

Approved 7/27/2022

PUBLIC HEARING

Freedom Town Hall

W2004 County Rd S

Wednesday, June 22, 2022

6:00 P.M.

For Ordinance Number 22-02 Amending The Town Of Freedom Comprehensive Plan To Amend The Future Land Use Map By Changing The Land Use Category Of Tax Parcel Number 090038100 (N3732 Uni Drive) From Commercial To Commercial/Industrial.

Public Hearing for Ordinance Number 22-02 Amending the Town of Freedom Comprehensive Plan to Amend the Future Land Use Map by changing the land use category of tax parcel number 090038100 (Uni Drive) from Commercial to Commercial/Industrial was called to order at 6:00 p.m. by Chairman Charles Kramer.

Chairman Charles Kramer asked three times for anyone against the proposed changes to speak. After no one responding Chairman Charles Kramer asked three times anyone for or against to speak.

Following no additional discussions Chairman Charles Kramer asked for a motion to adjourn the Public Hearing.

**Motion made by Supervisor Brandon Conrad and a second by Supervisor Margo Fox to adjourn at 6:08 P.M.
5 Yea / 0 Nay Motion Carried: Yes**

Approved 7/27/2022

Approved with additional text 8-25-2022

TOWN BOARD MEETING

FREEDOM TOWN HALL

W2004 COUNTY RD S

WEDNESDAY, JUNE 22, 2022

6:00 p.m. or immediately following the Public Hearing

1. CALL TO ORDER, ROLL CALL, INVOCATION, PLEDGE

Meeting called to order by Chairman Charles Kramer at 6:09 p.m.

Members present: Supervisor Kevin Schuh, Supervisor Jason Vandenberg, Supervisor Brandon Conrad and Supervisor Margo Fox.

**Also present: Clerk/Treasurer Colleen Laha, Attorney Steve Frassetto, and Jeff Kussow from Cedar Corporation.
Supervisor Kevin Schuh led in the Pledge of Allegiance.**

2. VERIFICATION OF POSTING/ADOPT AGENDA

Posted on the 2 Boards at the Freedom Town Hall and on the Town website on the 21st day of June, 2022 at 4:30 p.m. by the Clerk's Office. Also posted at: Dairyland Depot, Freedom Mini Mart and Shop & Save Mart/ Halesi, LLC.

Motion made by Supervisor Brandon Conrad with a second by Supervisor Kevin Schuh to adopt the agenda as posted.

5 Yea / 0 Nay Motion Carried: Yes

3. CONSIDERATION & ACTION ON MINUTES OF 5/25/2022 PUBLIC HEARING, 5/25/2022 & 6/1/2022 MEETINGS

Tabled

4. PUBLIC COMMENT SESSION

Mark Green asked about why the committee reports were not on the agenda. The clerk explained that according to the Towns Association we can't put Park Report or Attorney Report because it is too broad and doesn't explain what

subjects will be discussed. We need to give notice to the public as to what will be discussed. In the future we will list what subjects each report will cover.

Chief Mark Green discussed the storm from last Wednesday evening. He reported that Jeff Pollard, the Emergency Management Director was brought in and is still working on damage assessment. Jeff Pollard is working on getting reimbursement for some of the extra costs associated with the storm.

Mark also reported that there had been some damage to the fire department building. The insurance company has been contacted. Devin Flanagan from Keller contacted Mark the night of the storm to see if there were any problems. Keller was out and did a bandage to get the building waterproof.

Mark explained that another issue that he had not realized was that they had no phones or internet the next days following the storm. He found out just because you have power does not mean you have phones and internet unless you have fiber optics. He will be looking into what it will take to get fiber optics in their building.

Mark thanked the clerk for facilitating the charging station. He communicated that this service was available through their Facebook page.

Lori Dallman from the Freedom Athletic Association reported that there had been damage to Diamond 2 fencing (the backstop of Diamond 2) and to the netting of the batting cages. The Freedom Athletic Association is going to take care of that, fix it and pay for it. Supervisor Jason Vandenberg told Lori to take pictures of it and to coordinate with the clerk and then we will work with our insurance auditor since we are already making a claim.

Supervisor Margo Fox reported on the Parks Committee that they had met at the beginning of June. Somethings are improving down at the parks in terms of safety. Rick continues to contact a couple of people regarding the electrical cord that is not up to code on diamond 4 and a tree stump that is unsafe between diamond 2 and 4. I do have one question as to when I spoke to Rick about these two issues in terms of safety he told me that Charlie had already spoken to him about them and just told him to go through with them so I guess my question is what is the steps that need to be taken in order to get things the way they should be down at the parks. Does it need to go through the parks committee and then I need to get it approved by the board or can Charlie just tell Rick to do it? How does that work? The Attorney said ordinarily it would be a recommendation and a board action but if it is a safety hazard the Chair has authority to step up.

Supervisor Fox reported that there has been only one reported vandalism since the doors have been unlocked. They weren't unlocked fully from the last meeting on because there were a lot of people that needed to be communicated with as to leaving them unlocked, but there's only been one, so I think we continue to leave them unlocked at this point until something worse happens. The next committee meeting is July 13th if anyone is interested in attending. Chairman Kramer added later that the damage had occurred in the afternoon, not at night.

Jeff Pollard the Emergency Management Director just spoke with Outagamie Officer Clay Paulson and the park damage is part of the storm damage and can be included in the damage assessment.

Pollard reported on the recent storm from June 14th. He reported on damages to buildings and that most of the damages were branches and trees. A Declaration of Emergency was signed by the Town Chairman and that opens the way for Wisconsin Disaster Relief for expenses currently being incurred by the Town. At this time, we are still putting numbers together in the three categories that are eligible. A guesstimate at this time is that we have about \$30,000.00 to \$35,000.00 in expenses. We track all expenses for the Town, Sanitary District, Fire Department, etc. Private property damage does not count towards this. Trees that fall on private property are the homeowner's responsibility.

Supervisor Margo Fox speaking now as a resident, removing herself from the Town Board for right now. Fox said, "A number of allegations have been brought to her attention in the past few months regarding Mr. Kramer's treatment of

females in the capacity of him serving as the Town Board Chairman. If these allegations are true, they create a substantial liability for the Town. I am requesting that the Town Board refer the allegations to the Town Attorney for review and that an investigation be conducted regarding potential violations of state and federal laws with respect to Mr. Kramer's potential discrimination against female employees and residents.

5. CONSIDERATION & ACTION ON RESIDENTIAL BRUSH CHIPPING

Emergency Management Director, Jeff Pollard gave an update on the June 14th storm. Pollard provided a breakdown of the damages. He estimated that 85% of the brush, limbs and branches had been removed and taken to the town drop off site. He thanked the property owners, friends and neighbors who assisted in the cleanup.

Pollard presented a plan for the hardest hit area of Gonnering Court for the Town to pick-up branches placed with stumps toward road by 8:00 a.m. on Friday, June 24th.

Motion by Supervisor Brandon Conrad with second by Supervisor Jason Vandenberg to implement the plan presented by Jeff Pollard.

4 Yea /1 Nay Motion Carried: Yes Chairman Charles Kramer opposed.

6. PLAN COMMISSION REFERRALS:

A. Consideration and action on Site Plan Application for an outdoor stage serving Buzz's Pub & Grill; Jeff Baker & Steve Van Fossen; W2116 County Road S; PIN 090-0258-01

Jeff Kussov, Cedar Corporation, presented the concept plan to build an irregular outside stage.

Motion by Supervisor Jason Vandenberg with a second by Supervisor Kevin Schuh to approve the outside stage with the following three (3) conditions:

1. The project shall comply with all applicable local, state, and federal codes/ordinance.
2. Outdoor amplified music shall cease at 11:00 p.m. and shall only be permitted on Fridays, Saturdays, and Sundays.
3. 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.

5 Yea /0 Nay Motion Carried: Yes

B. Consideration and action on Comprehensive Plan Future Land Use Map Amendment Application, amending future land use category of PIN 090-0381-00 (N3732 Uni Dr) from Commercial to Commercial/Industrial; and Ordinance Number 22-02, An Ordinance Amending the Town of Freedom Comprehensive Plan, Outagamie County, Wisconsin; TJS Properties LLC; N3732 Uni Drive; PIN 090-0381-00

Motion by Supervisor Jason Vandenberg with second by Supervisor Margo Fox to approve Ordinance Number 22-02, an Ordinance amending the Town of Freedom Comprehensive Plan, Outagamie County, Wisconsin; TJS Properties LLC; N3732 Uni Drive; PIN 090-0381-00.

5 Yea /0 Nay Motion Carried: Yes

C. Consideration and action on Rezoning Application, rezoning PIN 090-0381-00 (N3732 Uni Dr) from Local Commercial (CL) to Industrial (IND); TJS Properties LLC; N3732 Uni Drive; PIN 090-0381-00

Motion by Supervisor Brandon Conrad with second by Supervisor Kevin Schuh to approve rezoning PIN 090-0381-00 (N3732 Uni Dr) from Local Commercial (CL) to Industrial (IND); TJS Properties LLC; N3732 Uni Drive; PIN 090-0381-00.

5 Yea /0 Nay Motion Carried: Yes

D. Consideration and action on Site Plan Application for a commercial self-storage, retail, office, and service establishment development; Jerry Van Lanen; PIN 090-0620-03 (Southeast corner of Schmidt Rd/County Rd E intersection); Schmidt Rd E.

At the June 8, 2022 Plan Commission Meeting, the Plan Commission recommended denial of the Site Plan Application due to the following reasons:

1. Too much conflict with surrounding uses.
2. Opposition by neighbors.
3. There are other opportunities for this type of development within the Town of Freedom.
4. The development does not fit the "Low Intensity" commercial corrido description of the Town Site Plan Ordinance and Comprehensive Plan.
5. Safety concerns regarding traffic.

A lengthy conversation by many neighbors and town residents expressed fear of what type of activities would take place around storage sheds. Many neighbors did not feel that this location was appropriate for these types of buildings. A resident, of Irish Acres, a nearby subdivision express concerns about the increased traffic. It was noted that there is a park with a walking trail in the area with a walking trail and fear the area will be dangerous for families walking. Chairman Charles Kramer reported that a petition with 480 signatures opposing the plan for storage building was received. Much discussion followed from residents objecting to the storage buildings.

Motion by Supervisor Brandon Conrad to table application. Conrad rescinded motion.

Motion by Supervisor Brandon Conrad to approve site plan application with the staff recommendations. Conditions and the additional conditions:

1. ***The project shall comply with all applicable local, state, and federal codes and ordinances.***
2. ***Driveway access to the site shall be limited to Schmidt Rd. Driveway access to County Rd E shall be prohibited.***
3. ***No exterior lighting shall be reflected or produce unreasonable glare beyond the parcel boundaries. The exterior lighting shall have full cut-off shielding that reflects light downward and in which the light source is not visible from adjacent properties. No undue lighting shall extend beyond the property lines.***
4. ***Backlighting of any signage shall be prohibited.***
5. ***Outside storage of any kind is prohibited, including the outdoor storage of portable storage containers (temporary or permanent). The use of trucks or truck trailers, or trailer or semi-trailers for storage shall be prohibited (temporary or permanent).***
6. ***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.***
7. ***Buildings F, G, and H are only constructed after buildings A through E are complete.***
8. ***The final exterior building elevation and exterior wall material shall be approved by the Town Board at a future meeting on or before July 27, 2022.***
9. ***Hours of operations shall be approved by the Town Board at a future meeting on or before July 27, 2022.***

Motion failed for lack of second.

Motion by Supervisor Brandon Conrad with second by Supervisor Margo Fox to approve site plan for a commercial self-storage, retail, office, and service establishment development; Jerry Van Lanen; PIN 090-0620-03 (Southeast corner of Schmidt Rd/County Rd E intersection); Schmidt Rd E. with the staff recommendations.

Conditions and the additional conditions:

1. ***The project shall comply with all applicable local, state, and federal codes and ordinances.***
2. ***Driveway access to the site shall be limited to Schmidt Rd. Driveway access to County Rd E shall be prohibited.***
3. ***No exterior lighting shall be reflected or produce unreasonable glare beyond the parcel boundaries. The exterior lighting shall have full cut-off shielding that reflects light downward and in which the light source is not visible from adjacent properties. No undue lighting shall extend beyond the property lines.***

4. ***Backlighting of any signage shall be prohibited.***
5. ***Outside storage of any kind is prohibited, including the outdoor storage of portable storage containers (temporary or permanent). The use of trucks or truck trailers, or trailer or semi-trailers for storage shall be prohibited (temporary or permanent).***
6. ***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.***
7. ***Buildings F, G, and H are only constructed after buildings A through E are complete.***
8. ***The final exterior building elevation and exterior wall material shall be approved by the Town Board at a future meeting on or before July 27, 2022.***
9. ***Hours of operations shall be approved by the Town Board at a future meeting on or before July 27, 2022.***

Roll Call Vote:

Chairman Charles Kramer – No

Supervisor Margo Fox – Yes

Supervisor Brandon Conrad – Yes

Supervisor Kevin Schuh – No

Supervisor Jason Vandenberg – Abstained

2 Yea /2 Nay Motion Failed: Denied

E. Consideration and action on Resolution No. 2022-04, A Resolution Adopting the Town of Freedom Open Space and Recreation Plan 2022-2026

Jeff Kussow from Cedar Corporation went over the Town of Freedom Open Space and Recreation Plan 2022-2026.

Motion by Supervisor Jason Vandenberg with second by Supervisor Kevin Schuh to approve Resolution No. 2022-04, a resolution adopting the Town of Freedom Open Space and Recreation Plan 2022-26.

4 Yea /1 Nay Motion Carried: Yes Chairman Charles Kramer opposed.

7. CONSIDERATION AND ACTION ON ORDINANCE NO. 22-03, AN ORDINANCE AMENDING CHAPTER 11, TOWN ROADS, OF THE CODE OF ORDINANCES REGULATING PUBLIC ROAD CONSTRUCTION SPECIFICATIONS IN THE TOWN OF FREEDOM, OUTAGAMIE COUNTY, WISCONSIN

Motion by Supervisor Brandon Conrad with second by Chairman Charles Kramer to approve Ordinance No. 22-03, an ordinance amending Chapter 11, Town Roads, of the Code of Ordinances regulating public road construction specifications in the Town of Freedom, Outagamie County, Wisconsin.

4 Yea /0 Nay Motion Carried: Yes Supervisor Jason Vandenberg Abstained.

8. CONSIDERATION AND ACTION ON PAY APPLICATION NO. 2 FOR THE TOWN HALL ROOF REPLACEMENT PROJECT

Motion by Supervisor Brandon Conrad with second by Chairman Charles Kramer to approve Pay Application No. 2 for the Town Hall Roof Replacement Project for \$4,374.15.

5 Yea /0 Nay Motion Carried: Yes

9. CONSIDERATION & ACTION ON OPERATOR LICENSE APPLICATIONS

Motion by Supervisor Brandon Conrad with second by Supervisor Jason Vandenberg to approve the list of operator license applications as presented (see attached list).

5 Yea /0 Nay Motion Carried: Yes

10. CONSIDERATION & ACTION ON 2022-2023 LIQUOR LICENSE APPLICATIONS

Motion by Supervisor Brandon with second by Supervisor Jason Vandenberg to approve the list of liquor license applications as presented (see attached list).

5 Yea /0 Nay Motion Carried: Yes

11. CONSIDERATION & ACTION ON 2022-2023 LIQUOR LICENSE AGENT APPLICATIONS

Motion by Supervisor Brandon Conrad with second by Supervisor Jason Vandenberg to approve the list of agents for liquor licenses as presented (see attached list).

5 Yea /0 Nay Motion Carried: Yes

12. CONSIDERATION & ACTION ON 2022-2023 CIGARETTE LICENSE APPLICATIONS

Motion by Supervisor Brandon Conrad with second by Supervisor Jason Vandenberg to approve the list of cigarette license applications as presented (see attached list).

5 Yea /0 Nay Motion Carried: Yes

13. CONSIDERATION & ACTION ON PARK FEE – Chairman Charles Kramer put it on the agenda because he would like a discussion about increasing the use fee before budget time. The Park Committee will work on the agreement between the Town and the School. We will put back on July Meeting agenda.

14. CONSIDERATION & ACTION ON REPLACING EMPLOYEE - Tabled

15. CONSIDERATION & ACTION ON VOUCHERS/DIRECT DEPOSITS

Motion by Supervisor Brandon Conrad with second by Supervisor Kevin Schuh to approve vouchers #32647-32678, 62 - EFT's, TID #1 Check 150.

5 Yea / 0 Nay Motioned Carried: Yes

Supervisor Jason Vandenberg abstained from approving TID #1 check.

16. ADJOURN

Motion by Supervisor Brandon Conrad with second by Chairman Charles Kramer to adjourn at 9:14 p.m.

5 Yea /0 Nay Motion Carried: Yes

Respectively submitted,
Colleen Laha, Clerk/Treasurer