

Approved April 14, 2010
TOWN BOARD MEETING
WEDNESDAY, March 24, 2010
6:30 p.m. or immediately following close of Prior Public Hearing
FREEDOM TOWN HALL
W2004 COUNTY S

CALL TO ORDER, ROLL CALL, PLEDGE

Meeting called to order at 6:35 p.m.

Board members present: Chairman Tim Maass, Supervisors Steve Lowney, Don Gonnering, Pam LaPlant and Gabrielle Radford.

Pledge recited.

VERIFICATION OF POSTING AND ADOPT AGENDA

Posted the 22ND day of March, 2010 at the Town Hall at 3:30 p.m. Also posted at Freedom Mini Mart, Freedom Foods, Dairyland Depot and Shorty's One Stop.

Motion by LaPlant/Radford to approve agenda with removal of item #12. 5 Yes 0 No MC

REVIEW AND APPROVAL OF MINUTES of March 10, 2010

Motion by Radford/Gonnering to approve minutes of March 10, 2010 as printed. 5 Yes 0 no MC

OPEN FLOOR SESSION

Steve Lowney told the Board that the Athletic Association is rebuilding the scorer's booth on Diamond #2.

Pam LaPlant told the Board that the progress on the pavilion looks good. Also questioned whether businesses on Industrial Drive have set hours of operation.

DISCUSSION WITH COUNTY OFFICIALS ON AMENDMENTS TO COMPREHENSIVE PLAN WHICH INCLUDES POSSIBLE ZONING CORRIDORS – tabled to later in the meeting.

PLAN COMMISSION REFERRALS

- a. CONSIDERATION OF JIM VAN BOXTEL REZONING REQUEST FROM COMMERCIAL TO TWO FAMILY DUPLEX

Motion by Lowney/Gonnering to approve the rezoning request of Jim VanBoxtel for parcel #246-01 located at N4165 Hwy 55 from single family residential to 2 family residential-duplex. 5 Yes 0 No MC
Discussion also held on Van Boxtel's neighboring property, N4155 which is also zoned Commercial and the possibility of changing it to residential 2 family. Van Boxtel will approach Plan Commission with request to rezone both properties.

- b. CONSIDERATION OF LARRY VANHANDEL CSM App #05-01-10-33 on HOLLAND ROAD

Motion by Gonnering/LaPlant to approve Larry Van Handel CSM App #05-01-10-33 with changes as recommended by Plan Commission. 5 Yes 0 No MC

- c. CONSIDERATION OF MCC SPECIAL EXCEPTION PERMIT – COUNTY C – WEST SIDE - tabled to later in meeting

- d. REVIEW COUNTY ACTION ON WAYNE VAN HANDEL REZONING REQUEST

Tabled by County Zoning

ENGINEERS REPORT ON DRAINAGE ON WEYERS RD.

Engineer Brueggeman told the Board that Ken Arps extended berm to lot line and this was OK'd by Engineer. Neighbor to the North will be extending berm to the West. Geurts has pump at road hooked up in his shed and will run drain tile on south side of pond. The problem will not go away until the downstream ditch is cleaned out. Engineer is contacting DNR as well as County Drainage Board to see what the next step should be. Geurts will have to draft a new drainage plan before his building permit is re-issued.

CONSIDERATION OF RESOLUTION ADOPTING THE MUTUAL AID BOX ALARM SYSTEM

Motion by Lowney/Gonnering to adopt Resolution #10-03 Mutual Aid Contract. 5 Yes 0 No MC

Motion by Lowney/LaPlant to approve Resolution #10-04 Mutual Aid Agreement. 5 Yes 0 No MC

DISCUSS REMODELING OF FIRE BARN

Board members told Fire Dept. they should get estimates to finish just the West wall of the fire garage where the locker space is located. The Board stated that the cost of finishing the whole fire barn outweighed any energy cost savings the Town would realize.

CONSIDERATION OF CONTRACT WITH M&E FOR SITE PLAN STANDARDS FOR COMMERCIAL CORRIDORS

Jon Bartz explained the proposed corridors on the proposed future land use map and what the intensity levels would allow in each area. Discussion was held with Dave Johnson and Tim Roach of Outagamie County Planning & Zoning concerning the proposed plan to map commercial and industrial corridors of different intensities on the future land use map. Johnson stated that yes he thought they would work and also stated that it was a good plan and something the County is considering. Supv. Lowney noted that the Town wanted something from the County stating that they (the County) would work with the Town and recognize these corridors. Supv. & Plan Commission Chairman Radford explained that the Town would still have to approve any rezoning and amend the Land Use Map in these areas but that the landowner/buyer would be able to see that the town was open to certain types of development in the specific areas. Town Board members requested something in writing from the County showing their support to provide validity for future boards.

Motion by Lowney/Radford to approve a contract with M&E for drafting of a Site Plan Ordinance at a cost not to exceed \$1,155.00. 5 Yes 0 No MC

CONSIDERATION OF MCC SPECIAL EXCEPTION PERMIT – COUNTY C – WEST SIDE

Geologist Susan Courter of Courter Resource Group representing MCC addressed the Board concerning MCC's request to begin quarrying the land on the west side of County C. She told the Board that the "good" stone was running out in the old quarry and that they were going to have to get some of that in the new area. MCC employs about 300 people. They are registered in accordance with NR135. Phase 1 includes 58 acres and they will begin on the north half of the 58 with stripping of about 15 acres. Estimated depth would be 25'. The strippings will be placed mostly in the north end of the quarry on the east side of the road. The plan is to open about 4 acres of land each year after that. They don't expect to reach phase 3 for 50 years. Board members questioned the placement and consistency of berms and the number of quarries already in the town. Developers stated that they would work with the neighbors in restoring the property to farmland when finished. Berms would probably be planted with pine trees and native grass according to DOT specs.

A number of residents voiced concern about wells in the area (Toms, Van Hoof, Rohan, Kretschmann, Schroeder). Courter stated that this quarry should not affect area wells as they are not going deep enough to reach the water table. Dust, traffic and the devaluing of homes in the area was also discussed (Randerson, Stoop, Cardew, Klarner, Murphy, Petit, Brown, Vosters-Salm, Springstroh).

Motion by Gonnering/LaPlant to recommend denial of the request by MCC for a Special Exception Permit Request. Motion withdrawn.

Supv. Radford noted that a denial by the Town would require a $\frac{3}{4}$ vote of the County to override. Planner Jon Bartz told the Board that if they plan to deny they should "deny with conditions".

Motion by Radford/LaPlant to recommend denial of the request by MCC for a Special Exception Permit based on the following conditions: 1) Impact on private wells; 2) require a hard plan for the landscaping and buffering; 3) require a written grievance process; 4) require wetlands delineation; 5) fencing; 6) written description/distance of paved entrance; 7) berms must be 100' from the lot line; 7) no wells drilled on site. 5 Yes 0 No MC

DISCUSSION/CONSIDERATION OF SIZE FOR SALT SHED

Board consensus to keep the size of the walls as planned at 8'.

DISCUSS REMODELING OF VFW HALL - withdrawn

RAINBOW PLAY SYSTEMS – PRESENTATION OF PARK PLAN

Motion by Lowney/LaPlant to approve the purchase of a Rainbow Play System at a cost of not to exceed \$15,893.00 for installation at VFW Park. 5 Yes 0 No MC

Lowney will request a deduct for removal of toddler swings and sandbox.

CONSIDERATION OF CHANGE ORDERS FOR PAVILION CONSTRUCTION

Motion by Radford/LaPlant to approve the following change orders for the Pavilion: ceiling in kitchen area not to exceed \$1,464.00 and elimination of bonding for a deduct of \$4,100.00. 5 Yes 0 no MC

CONSIDERATION OF CRACK FILLING SERVICE PROPOSAL

Motion by Radford/LaPlant to approve a contract for 2010 crack sealing with Crack Filling Service at a cost of not to exceed \$20,000. 5 Yes 0 no MC

OPENING OF BIDS ON VARIOUS ITEMS AS ADVERTISED

Spring Car – VanCamp \$30.00, Dombrowski \$35.00, Griepentrog \$126.25

Motion by Lowney/LaPlant to accept Griepentrog bid of \$126.25 for the Spring Car. 5 Yes 0 No MC

Spring Squirrel - VanCamp \$30.00, Dombrowski \$65.00, Geurts \$5.00, Griepentrog \$126.25

Motion by Radford/LaPlant to accept Griepentrog bid of \$126.25 for the Spring Squirrel. 5 Yes 0 No MC

Spring Horse - VanCamp \$30.00, Dombrowski \$65.00, Geurts \$10.00, Griepentrog \$126.25

Motion by Radford/Gonnering to accept Griepentrog bid of \$126.25 for the Spring Horse. 5 Yes 0 No MC

Metal Slide – Coenen \$105.00, Dombrowski \$10.00 VanCamp , \$35.00, Schelfhout \$121.56, Grosskopf \$89.51, Griepentrog \$226.25

Motion by LaPlant/Gonnering to accept Griepentrog bid of \$226.25 for the Metal Slide. 5 Yes 0 No MC

Mower- Baumgart \$500.00, VanHandel \$750.00, Dombrowski \$25.00, Gonnering \$527.00

Motion by Lowney/Gonnering to accept VanHandel bid of \$126.25 for the Mower. 5 Yes 0 No MC

CONSIDERATION OF PLACEMENT OF SPEED LIMIT SIGNS ON MC HUGH RD, SHARON ROSE COURT AND GARDEN ESTATES

Board asked Kramer to look at placement of speed limit signs on McHugh Rd. Board asked Clerk to talk to Police Dept about checking into complaints on Sharon Rose Court.

CONSIDERATION OF OPERATORS LICENSE

Motion by LaPlant/Radford to approve Operator's License for Alisha Krueger. 5 Yes 0 No MC

ATTORNEY REPORT

Attorney will circulate letter to Geenen Lane residents.

ENGINEERS REPORT

Engineer will contact developers about moving forward with blacktopping.

DEPARTMENT REPORTS

Clerk was told to go ahead and dispose of last voting machine as Historical Society does not want it.

REVIEW JOB DESCRIPTION FOR PUBLIC WORKS DIRECTOR

Clerk will gather more samples of descriptions and compensation.

RENEWAL OF CLERK/TREASURER'S APPOINTMENT

Motion by Radford/LaPlant to renew Clerk's term of office for two years to April 2012. 5 Yes 0 No MC

CONSIDERATION OF VOUCHERS AND DIRECT DEPOSITS

Motion by Lowney/Radford to approve Vouchers # 23037-23048, 24100 – 24105, VOID #23049 – 24099, and DD #3190 -3213. 5 Yes 0 No MC

ADJOURN

Motion by Radford/Lowney to adjourn at 10:55 p.m. 5 Yes 0 no MC

Barbara M. Seegers, Clerk