

Town of Lawrence
Proceedings of the Regular Town Board Meeting
Town Hall, 2400 Shady Court, De Pere WI
Monday, August 15, 2022
This meeting was held in person.

1. Call to Order

The meeting was called to order by Chairman Tibaldo at 6:33 p.m.

2. Roll Call

Present In-Person

Chairman: Dr. Lanny Tibaldo

Supervisors: Kevin Brienen and Kari Vannieuwenhoven

Others in Attendance: Patrick Wetzel, Administrator; Cindy Kocken, Clerk-Treasurer; Scott Beining Building Inspector/Zoning Administrator; Kurt Minten, Fire Chief; Randy Bani, Police Chief

Excused: Supervisor Tom Perock

Present Virtually via Zoom: Supervisor Tonya Wagner

3. Pledge of Allegiance

4. Approve Agenda

Supervisor Brienen made the motion to approve the agenda as presented. Supervisor Vannieuwenhoven seconded the motion. The motion carried unanimously.

5. Public Comments upon matters not on agenda or other announcements:

Chairman Tibaldo announced the next HALO'S meeting will be held at ISA on August 16th.

6. Consider minutes of the July 25, 2022, Town Board Meeting:

Supervisor Brienen made the motion to approve the July 25, 2022 Town Board meeting minutes as amended. Supervisor Vannieuwenhoven seconded the motion. The motion carried unanimously.

7. Consideration of payment of due invoices:

Supervisor Brienen made the motion to approve the payment of due invoices as presented.

Supervisor Vannieuwenhoven seconded the motion. The motion carried unanimously.

8. Public Hearing: Conditional Use Permit for approval of fence location per Town Ordinance 300-14 for 1772 Applewood Drive, Parcel #L-1900 by Benjamin & Rebecca Clark:

Supervisor Brienen made the motion to open the public hearing at 6:36pm for public comment. Supervisor Vannieuwenhoven seconded the motion. The motion carried unanimously.

Residents, Benjamin & Rebecca Clark, 1772 Applewood Dr; spoke on behalf of their request for a Conditional Use Permit.

Residents, Justin & Rebecca Fronek, 1775 Applewood Dr; submitted written testimony in favor of the Conditional Use Permit.

Residents, Jessica Lundgren & Elizabeth Sievert, 1776 Williams Grant; submitted written testimony in favor of the Conditional Use Permit.

Chairman Tibaldo asked if there are any other comments. None heard.

Supervisor Brienen made the motion to close the public hearing at 6:40pm. Supervisor Vannieuwenhoven seconded the motion. The motion carried unanimously.

a. Consideration of Conditional Use Permit request for approval of fence location per Town Ordinance 300-14 for 1772 Applewood Drive, Parcel #L-1900 by Benjamin & Rebecca Clark:

Scott Beining, Building Inspector/Zoning Administrator gave an overview of the proposed project; owner is requesting 6' fence to be placed at the edge of drainage swale. Planning & Zoning Board recommends approval of placement of the 6' high fence at a location of 15' from the property line.

Supervisor Brienen made the motion to approve the Conditional Use Permit for fence location per Town Ordinance 300-14 for 1772 Applewood Drive, Parcel L-1900 by Benjamin & Rebecca Clark as presented. Supervisor Vannieuwenhoven seconded the motion. The motion carried unanimously.

9. Public Hearing: Conditional Use Permit request for approval of fence location per Town Ordinance 300-14 for 1141 Applewood Drive, Parcel #L-1858 by Nick Janssen:

Supervisor Brienen made the motion to open the public hearing at 6:46pm. Supervisor Vannieuwenhoven seconded the motion. The motion carried unanimously. Chairman Tibaldo asked if there are any comments. None heard.

Supervisor Brienen made the motion to close the public hearing at 6:47pm. Supervisor Vannieuwenhoven seconded the motion. The motion carried unanimously.

a. Consideration of Conditional Use Permit request for approval of fence location per Town Ordinance 300-14 for 1141 Applewood Drive, Parcel #L-1858 by Nick Janssen

Scott Beining, Building Inspector/Zoning Administrator gave an overview of the proposed project. Owner is requesting 6' high fence to be placed at property line/trail. Planning & Zoning Board recommends approval of placement of the 6' high fence along the property line.

Supervisor Brienen made the motion to approve the Conditional Use Permit request for approval of fence location per Town Ordinance 300-14 for 1141 Applewood Drive for parcel L-1858 by Nick Janssen. Supervisor Vannieuwenhoven seconded the motion. The motion carried unanimously.

10. Public Hearing: Ordinance 2022-001 to amend section 300-23(f) Swimming Pool Fence Requirements of Code of Ordinances, eliminating subsection (9), effectively removing the current option for a fence requirement waiver.

Supervisor Brienen made the motion to open the public hearing at 6:50pm. Supervisor Vannieuwenhoven seconded the motion. The motion carried unanimously.

Patrick Wetzel, Administrator and Scott Beining gave an overview of the proposed amendment, removing the option for a fence waiver, and adding language noting that the fence must be in place prior to use of the swimming pool. Planning & Zoning Board recommends approval of the proposed amendment.

Resident, Jeff Burke, 2454 Riddle Ct; commented on his own pool project with an automatic pool cover and how this amendment might affect it.

Chairman Tibaldo asked if there are any other comments. None heard.

Supervisor Brienen made the motion to close the public hearing at 6:59pm. Supervisor Vannieuwenhoven seconded the motion. The motion carried unanimously.

a. Consideration of Ordinance 2022-001 to amend section 300-23(f) Swimming Pool Fence Requirements of Code of Ordinances, eliminating subsection (9), effectively removing the current option for a fence requirement waiver.

Supervisor Brienen made the motion to approve Ordinance 2022-001 to amend section 300-23(f) swimming pool fence requirements of Code of Ordinances, eliminating subsection (9), effectively removing the current option for a fence requirement waiver as presented.

Supervisor Vannieuwenhoven seconded the motion. Roll call vote: Supervisor Brienen, aye; Supervisor Vannieuwenhoven, aye; Supervisor Wagner, aye; Chairman Tibaldo, aye. The motion carried unanimously.

11. Consideration of WPS Proposals for Electric/Gas and Street Light Installation – American Boulevard:

As part of the construction of American Boulevard, it is necessary to install three phase electric, natural gas, and streetlights along the new road.

Supervisor Brienen made the motion to approve the WPS proposals for electric/gas and streetlight installation along American Boulevard as presented. Supervisor Vannieuwenhoven seconded the motion. The motion carried unanimously.

12. Administrator/Staff Reports

Staff reports were given.

13. Future Agenda Items:

- a. Street Name Change at French Road at Parcel L-1803 by Mau & Associated.
- b. Sign Review at 1632 Mid Valley Drive-Parcel L-229 by Jones Sign.
- c. Site Review for Building Addition at 1632 Mid Valley Dr. Parcel L-229 by EUA.
- d. Site Review for New Commercial Construction at 2812 American Blvd.
Parcel L-2187 by Bayland Buildings.

- 14. Closed Session:** Supervisor Brienen made the motion at 7:39pm to move into closed session Pursuant to Ch. 19.85(1)(e) Deliberation or negotiation for the purchase of public properties, the investment of public funds, or the conduct of other specific public business, whenever competitive or bargaining reasons require a closed session (*re: parameters on prospective development – Lawrence Parkway Corridor / Integrated Public Resources*) and **Closed Session** Pursuant to Ch. 19.85(1)(c) Considering employment, promotion, compensation, or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility (*Employee Benefits and Chief Agreements*). Supervisor Vannieuwenhoven seconded the motion. Roll call vote: Supervisor Brienen, aye; Supervisor Vannieuwenhoven, aye; Supervisor Wagner aye; Chairman Tibaldo, aye. Motion carried unanimously.

- 15. Return to Regular Open Session for possible action pursuant to Ch. 19.85 (2) of Wisconsin Stats:**
Supervisor Brienen made the motion to return to open session at 8:36pm. Supervisor Vannieuwenhoven seconded the motion. The motion carried unanimously.

16. Adjourn:

Chairman Tibaldo made the motion at 8:37pm to adjourn the meeting. Supervisor Vannieuwenhoven seconded the motion. The motion carried unanimously.

Respectfully submitted by,
Cindy Kocken, Clerk-Treasurer