

Town of Lawrence
Proceedings of the Regular Town Board Meeting
Town Hall, 2400 Shady Court, De Pere WI
Monday, February 12, 2024

1. Call to Order

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

2. Roll Call

Present In-Person

Chairman: Dr. Lanny Tibaldo

Supervisors: Kevin Brienen, Lori Frigo, Kari Vannieuwenhoven, Bill Bain

Others in Attendance: Patrick Wetzel, Administrator; Cindy Kocken, Clerk-Treasurer; Scott Beining, Building Inspector/Zoning Administrator; Kurt Minten, Public Works Director; Luke Pasterski, Fire Chief; Mike Renkas, Police Chief

3. Pledge of Allegiance

4. Approve Agenda

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

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

Mike Abts, 2532 Whispering Oak; commented on roads in his neighborhood.

6. Consider minutes of the January 22, 2024, Town Board Meeting:

Supervisor Vannieuwenhoven made the motion to approve the January 22, 2024, Town Board meeting minutes as presented. Supervisor Bain seconded the motion. The motion carried unanimously.

7. Consideration of payment of due invoices:

Supervisor Bain made the motion to approve the due invoices excluding the Core & Main invoice. The Core & Main invoice will be considered after Change Order #3 is acted on later on this agenda. Supervisor Brienen seconded the motion. The motion carried unanimously.

8. Public Hearing: Zoning Amendment to re-zone Parcel L-86 from Estate Residential (ER) to Business (B1) and Parcel L-91-1 from Business (B1) to Limited Industrial (L-1) by TSRK Investments LLC:

Supervisor Brienen made the motion to open the public hearing at 6:35pm. Supervisor Frigo seconded the motion. The motion carried unanimously.

Scott Beining introduced this item.

Comments received from:

Pete Albers, 3568 Minors Way

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

Supervisor Frigo made the motion to close the public hearing at 6:39pm. Supervisor Vannieuwenhoven seconded the motion. The motion carried unanimously.

9. Consideration of Zoning Amendment to re-zone Parcel L-86 from Estate Residential (ER) to Business (B1) and Parcel L-91-1 from Business (B1) to Limited Industrial (L-1) by TSRK Investments LLC:

Supervisor Brienen made the motion to approve the change of zoning for parcel L-86 from Estate Residential (ER) to Business (B1) and parcel L-91-1 from Business (B1) to Limited Industrial (L-1) by TSRK Investments LLC as presented. Supervisor Bain seconded the motion. The motion carried unanimously.

10. Public Hearing: Conditional Use Permit (CUP) in B1 zoning district for Storage Units at 3511 French Road, Parcel L-86 by JN Investment Properties, LLC:

Supervisor Bain made the motion to open the public hearing at 6:40pm. Supervisor Vannieuwenhoven seconded the motion. The motion carried unanimously. Patrick Wetzel introduced the request and Scott Beining discussed the recommended conditions from the Planning & Zoning Commission.

Comments received from:

Shirley Biese, 3500 Mid Valley Drive

Peter Albers, 3568 Miners Way

Jason Metz, 3536 Miners Way

Ian Heslin, 686 Mike McCarthy Way

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

Supervisor Brienen made the motion to close the public hearing at 6:52pm. Supervisor Bain seconded the motion. The motion carried unanimously.

11. Consideration of Conditional Use Permit (CUP) in B1 zoning district for Storage Units at 3511 French Road, Parcel L-86 by JN Investment Properties, LLC:

Supervisor Bain made the motion to approve the request for a Conditional Use Permit (CUP) in B1 zoning district for storage units at 3511 French Road, Parcel L-86 by JN Investment Properties, LLC including the recommended conditions from the Planning & Zoning Commission as presented. Supervisor Frigo seconded the motion. The motion carried unanimously.

12. Public Hearing: Ordinance 2024-001 to Create Chapter 40 – Finance and Taxation, and creating Hotel, Motel, and Room Tax Ordinance within Chapter 40 of the Finance and Taxation Ordinance:

Supervisor Brienen made the motion to open the public hearing at 6:56pm. Supervisor Vannieuwenhoven seconded the motion. The motion carried unanimously.

Patrick Wetzel discussed the proposed Ordinance regarding Finance and Taxation and creating Hotel, Motel, and Room Tax.

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

Supervisor Brienen made the motion to close the public hearing at 7:04pm. Supervisor Vannieuwenhoven seconded the motion. The motion carried unanimously.

13. Consideration on Ordinance 2024-001 to Create Chapter 40 – Finance and Taxation, and creating Hotel, Motel, and Room Tax Ordinance within Chapter 40 of the Finance and Taxation Ordinance:

Supervisor Frigo made the motion to approve Ordinance 2024-001 to Create Chapter 40 – Finance and Taxation, and creating Hotel, Motel, and Room Tax Ordinance within Chapter 40 of the Finance and Taxation Ordinance as presented. Supervisor Vannieuwenhoven seconded the motion. Roll call vote: Supervisor Brienen, aye; Supervisor Bain, aye; Supervisor Vannieuwenhoven, aye; Supervisor Frigo, aye; Chairman Tibaldo, aye. The motion carried unanimously.

14. Review of Recommendations and Reports from Planning & Zoning Board:

a. Consideration of Site Plan Review for Storage Units at 3536 Miners Way, Parcel L-1593 - JN Investment Properties LLC.

Supervisor Bain made the motion to approve the site plan for storage units at 3536 Miners Way, Parcel L-1593 - JN Investment Properties LLC contingent upon storm water review.

Supervisor Vannieuwenhoven seconded the motion. The motion carried unanimously.

b. Consideration of Sign Review at 3536 Miners Way, Parcel L-1593 - JN Investment Properties LLC:

Supervisor Bain made the motion to approve the sign at 3536 Miners Way, Parcel L-1593 - JN Investment Properties LLC as presented. Supervisor Frigo seconded the motion. The motion carried unanimously.

c. Consideration to Sign Review at 2812 American Blvd, Parcel L-2187 by Jones Sign:

Supervisor Bain made the motion to approve the sign at 2812 American Blvd, Parcel L-2187 by Jones Sign. Supervisor Brienen seconded the motion. The motion carried unanimously.

- d. **Consideration to Set a Public Hearing Date for request for Conditional Use Permit (CUP) for more than 2 dogs (Town Ord. 107-2) for 991 Hoks Ridge Ln - Parcel L-1642 by Joseph & Jamie DeVos:**

Supervisor Brienens made the motion to set the public hearing date for March 11, 2024, for the request for a Conditional Use Permit (CUP) for more than 2 dogs (Town Ord. 107-2) for 991 Hoks Ridge Ln - Parcel L-1642 by Joseph & Jamie DeVos. Supervisor Frigo seconded the motion. The motion carried unanimously.

- e. **Consideration to Setting a Public Hearing Date to amend Town Ordinance 300-14 (J) regarding Berms:**

Supervisor Bain made the motion to set the public hearing date for March 11, 2024, to amend Town Ordinance 300-14 (J) regarding berms. Supervisor Frigo seconded the motion. The motion carried unanimously.

15. **Consideration of Change Order #3 for 2023 Sanitary Sewer & Water Main Project – Reduce contract by \$814,550.05 to account for Town to direct purchase water and sewer materials for project:**

Supervisor Vannieuwenhoven made the motion to approve Change Order #3 for 2023 Sanitary Sewer & Water Main Project to reduce the contract by \$814,550.05 to account for Town to direct purchase water and sewer materials for project. Supervisor Brienens seconded the motion. The motion carried unanimously.

Supervisor Brienens made a motion to approve the Core & Main invoice as presented on the previously presented invoice log. Supervisor Bain seconded the motion. The motion carried unanimously.

16. **Consideration of Change Order #4 for 2023 Sanitary Sewer & Water Main Project – Increase contact by \$8,576.70 - additional pipe bedding between MH1 and MH2 and French Rd due to soil conditions:**

Supervisor Bain made the motion to approve the Change Order #4 for 2023 Sanitary Sewer & Water Main Project to increase the contact by \$8,576.70 for additional pipe bedding between MH1 and MH2 and French Rd due to soil conditions as presented. Supervisor Frigo seconded the motion. The motion carried unanimously.

17. **Consideration of Change Order #5 for 2023 Sanitary Sewer & Water Main Project – Increase contact by \$9,322.50 additional pipe bedding between MH2 and MH3 due to soil conditions – Little Rapids Rd:**

Supervisor Bain made the motion to approve Change Order #5 for 2023 Sanitary Sewer & Water Main Project to increase the contact by \$9,322.50 for additional pipe bedding between MH2 and MH3 due to soil conditions on Little Rapids Rd as presented. Supervisor Vannieuwenhoven seconded the motion. The motion carried unanimously.

18. **Consideration of Pay Request #2 for 2023 Sanitary Sewer & Water Main Project – Superior Sewer and Water, Inc. - \$151,197.83:**

Supervisor Bain made the motion to approve Pay Request #2 for 2023 Sanitary Sewer & Water Main Project for Superior Sewer and Water, Inc. in the amount of \$151,197.83 as presented. Supervisor Vannieuwenhoven seconded the motion. The motion carried unanimously.

19. **Consideration of Awarding the Bid for Water Tower Repainting Project:**

Supervisor Brienens made the motion to award the bid to LC United for the water tower repainting project for \$294,000. Supervisor Frigo seconded the motion. The motion carried unanimously.

20. **Consideration of American Boulevard Lateral Installation Quote for Town Owned Property- L-2186-2 & L-2191:**

Supervisor Brienens made the motion to approve American Boulevard lateral installation quote from PTS for town owned property- L-2186-2 & L-2191 as presented. Supervisor Frigo seconded the motion. The motion carried unanimously.

- 21. Consideration of Resolution 2024-002 – Authorizing and Approving the Sale of Land to Bayland Buildings, Inc. – Parcel L-2186-1 – American Boulevard:**
Supervisor Brienen made the motion to approve Resolution 2024-002 – Authorizing and Approving the Sale of Land to Bayland Buildings, Inc. – Parcel L-2186-1 - American Boulevard as presented. Supervisor Bain seconded the motion. Roll call vote: Supervisor Brienen, aye; Supervisor Bain, aye; Supervisor Vannieuwenhoven, aye; Supervisor Frigo, aye; Chairman Tibaldo, aye. The motion carried unanimously.
- 22. Administrator/Staff Reports**
Staff reports were given.
- 23. Future Agenda Items:**
- a. Public Hearing for Creating Short Term Rental Ordinance
 - b. Public Hearing on request for Conditional Use Permit (CUP) for more than 2 dogs (Town Ord. 107-2) for 991 Hoks Ridge Ln - Parcel L-1642 by Joseph & Jamie DeVos
 - c. Public Hearing to amend Town Ordinance 300-14 (J) regarding Berms
- 24. Closed Session:** No action.
- 25. Return to Regular Open Session for possible action pursuant to Ch. 19.85 (2) of Wisconsin Stats:**
No action.
- 26. Adjourn:**
Supervisor Frigo made the motion at 7:56pm to adjourn the meeting. Supervisor Vannieuwenhoven seconded the motion. The motion carried unanimously.

Respectfully submitted by,
Cindy Kocken, Clerk-Treasurer