

**UNAPPROVED - TOWN OF CENTER - UNAPPROVED
MONTHLY BOARD MEETING MINUTES
December 9, 2024**

BOARD MEMBERS PRESENT: Gary Timm, Gary Blank, Ron Klemp, Pete Hofacker, David Vander Bloomen

OTHERS PRESENT: Travis Thiel, Randy Griesbach, Jerry Lingnofski, Jim Wendels, Logan Farrell, Tom Brown, Al Tiedt, Bob Dorn, Ron Wolff, Steve Schmeichel, Bruce Learman, Craig Smoll, Ron Comer, Al Kramer, Sam Dillenberg, Melanie Diemel, Tom Shambeau, Jess Burchill, Lana Burchill, John Baum, Bill Rathsack, Tom Schupp

Chairman Timm called the Town Board Meeting to order at 7:00 p.m.

The Pledge of Allegiance was recited. Supervisor Hofacker said a prayer.

Supervisor Vander Bloomen moved, seconded by Supervisor Blank to approve the agenda as printed. Motion carried – 5 aye, 0 nay.

Supervisor Vander Bloomen moved, seconded by Supervisor Klemp to approve the minutes of the November 11, 2024, Regular Town Board Meeting. Motion carried – 5 aye, 0 nay.

Public Comment Period –

Jerry Lingnofski said someone called him in for burning leaves and thanked Sam Dillenberg for calling everyone off for an unnecessary trip. Jerry researched electioneering state statutes and is concerned Emily Tseffos violated the statutes after noticing a picture posted with her and her family wearing her campaign shirts outside the town hall. He suggested a letter be sent to her explaining the electioneering statutes.

Ron Comer asked if there was any progress in the consideration of a noise ordinance. Chairman Timm is concerned about enforcement with the town not having a public health officer; and the difficulty with obtaining a decibel reading on snowmobiles and such. This is an agenda topic that will be discussed later in the meeting.

Al Kramer reported the NRCS Grant for the Bear Creek Watershed is continuing to move forward and there will be another meeting in spring/summer with the stakeholders involved. Al questioned when the speed limit on Center Valley Road was decreased to 35mph. A sign was put up a few weeks ago to match Ellington's posted speed limit. The Board requested the speed limit sign be removed.

An officer from the Outagamie County Sheriff's Department was available for questions. Steve Schmeichel asked if the officers carry a noise meter. They do not carry a noise meter since there is not a county noise ordinance.

New Business

Debra Schmoll and Cynthia Favour requested approval of a CSM to split parcel 040-068801 into 3 Lots, N2667 Glockenspiel Lane. Supervisor Hofacker moved, seconded by Supervisor Vander Bloomen to approve the CSM as requested. Motion carried – 5 aye, 0 nay.

Supervisor Klemp moved, seconded by Supervisor Vander Bloomen to renew the previous motion on Bill Rathsack's request to rezone Parcel 040-064606 on Devine Lane from General Agriculture to Single-Family Residential so the Board can discuss it. Motion carried – 5 aye, 0 nay.

There was discussion about Bill Rathsack's property being zoned stricter and how that would impact the property and neighboring properties now and in the future. Supervisor Klemp and Supervisor Hofacker would like to get support from the majority of the neighborhood to also rezone their properties to residential. Steve Schmeichel, as Planning Committee Chairman, pointed out that one of the main requests of the Planning Committee was to include the future road designation to the west.

Bill Rathsack stated they have restricted covenants in their neighborhood to regulate buildings and activities. Bill questioned how many of the neighbors he would need to agree to rezone to Residential. Supervisor Vander Bloomen pointed out that he legally does not need to have any others switch their zoning.

Supervisor Hofacker moved to send Bill Rathsack's request back to the Planning Committee so the neighbors can be informed; seconded by Supervisor Blank with the addition that the future road easement is documented in the proposed plan. Motion carried – 4 aye, 0 nay, 1 abstain (Vander Bloomen).

Bob Dorn expressed his concern about the \$500 engineering fee being too high when replacing or installing a culvert. The Board explained the \$500 is what the engineering firm charges the town and is needed to make sure culverts are positioned correctly.

Craig Smoll reported ditch work was done in Autumn Hills Pkwy by the Town. Homeowners on Falling Leaf Trail privately paid to have their ditches cleaned up. The Autumn Hills residents are working on cleaning out the retention ponds. Supervisor Klemp would like to have a timeline established for maintenance completion. Craig Smoll appreciates the existing partnership created between the Town and the residents of Autumn Hills and would like to continue working together, however, he explained they need time to evaluate the impact of each step of the process so they can determine how to move forward. Supervisor Blank questioned who was paying for each Phase of the project. There was some uncertainty about what the previous board's expectations were regarding who will be paying for future expenses. The Clerk will look back at previous meeting minutes to determine the intent of previous board members.

Chairman Timm and Tom Brown met with Outagamie Hwy Commissioner, Dean Steingraber, and inquired about the County ATV Ordinance. Dean stated the Outagamie County Sheriff's Department created the ordinance so there would be consistency throughout the county. Bruce Learman is an ATV Safety Instructor and expressed his frustration about the lack of enforcement and confusion about who's ordinance to follow. The Board discussed their dissatisfaction with the County's process and fees for opening County roads for ATV's.

There was a lengthy conversation regarding noise in the Town – mostly relating to revving engines, gun shots and music from bars. Supervisor Vander Bloomen stated he receives many noise complaints and suggested considering a noise ordinance for the town with reasonable time limits and decibel rating limits. He was open to having exceptions granted and suggested bars could apply for a permit whenever they want to have music events late at night, allowing the Town to have some control over the noise levels. Supervisor Hofacker is against a noise ordinance. Supervisor Klemp suggested incorporating noise regulations with future Special Use Permits. There were also concerns raised about how a noise ordinance would impact farmers.

There was a request to reduce the speed limit on Mayflower Road at last month's meeting. Chairman Timm attended Ellington's Town Meeting to discuss since Mayflower is a border road. Ellington offered to do a speed limit and traffic count study on Mayflower Road, north and south of Center Valley Road, and will share the results when they have them. Supervisor Vander Bloomen inquired about the traffic criteria Ellington uses to determine when to lower the speed limit. Chairman Timm said he would find out after getting the results of the traffic study.

Randy Griesbach is looking to operate a mine and batch plant on Ron Wolff's property on County Road A. The board discussed the Town's Future Land Use Map and the County Road A corridor designated as "Highway Mixed Use". Supervisor Vander Bloomen expressed his frustration with the Town Board not following the Town's Future Land Use Map and read the definition for Highway Mixed Use. He is concerned about legal repercussions for the Town if the Town's Comprehensive Plan is not followed. Al Kramer is concerned about water creating a negative impact on neighboring properties and wants the water situation addressed when proposals are submitted. Randy Griesbach hired Jim Wendels to engineer a plan. Jim explained there would be minimal water discharge and they would be taking in a majority of the water in the area. They would put in berms and create a plan to reduce dust. They do not want to invest a lot of time and money if the Town is against it. The County Zoning Administrator emailed that the County's position would be to deem the proposed nonmetallic mine location as inappropriate if the Town anticipates development consistent with the Highway Mixed Use corridor within the next 10 years. Supervisor Vander Bloomen's interpretation of the county's statement is that the Town's Comprehensive Plan would need to be changed to remove this area of Hwy Mixed Use if the Town

Board wants to allow Randy Griesbach's plan to continue. Chairman Timm does not think the Comprehensive Plan would need to be changed, but he will clarify this issue with the County Zoning Administrator. Supervisor Hofacker perceives the Comprehensive Plan as a guide but nothing concrete. Ron Wolff asked for guidance on what the town would allow for his property. He has people interested in creating an Industrial Park. He is going to blast out the hill and would like to consider the storage units again in a different location if acceptable to the Town. Chairman Timm shared that he was most concerned with the water drainage in the previous storage unit proposal and would have liked the retention pond farther away from the property line. Supervisor Klomp suggested they create a general plan showing the size and scope of their project and the water discharge so they can get started with the Town Planning Committee. Supervisor Vander Bloemen wanted to note that the area of the project proposal is currently designated as Rural Character which allows the use of non-metallic mining, however, the Highway Mixed-Use Overlay along County Road A may deem it inappropriate.

Tom Brown has been working with the Town of Freedom to create an Intergovernmental Agreement to assist with snowplowing or other projects as needed. He has both Town Attorneys involved in creating an agreement. They would like to make a decision at their next meeting on December 20th.

The Board reviewed proposed changes to the Chapter 3 Roads Ordinance. There will be a public hearing scheduled at the beginning of the next board meeting on January 13, 2025 to review and approve the final changes.

The Town Advocacy Council offered an option to pay for half of the year to join their membership. Supervisor Vander Bloemen moved, seconded by Supervisor Hofacker to not join the Town Advocacy Council. Motion carried, 4 – aye, 1 nay (Timm).

Supervisor Vander Bloemen moved, seconded by Supervisor Blank to approve the Town Fee Schedule for 2025 Resolution #4-2024. Motion carried – 5 aye, 0 nay.

Supervisor Hofacker moved, seconded by Supervisor Klomp to approve Resolution #5-2024 to close out the ARPA Money Market account balance to apply towards culvert replacements. Motion carried – 5 aye, 0 nay.

Supervisor Vander Bloemen moved, seconded by Supervisor Hofacker to approve Resolution #6-2024 to amend the 2024 Budget to include the remaining ARPA funds. Motion carried – 5 aye, 0 nay.

Reports

Roads Report – Tom reported that the remaining ARPA funds were used for culvert replacements. Tom has been in contact with Alamo Mowers in Texas to find out why the mower is hitting the hydraulic valve stacks on the tractor. When Chairman Timm and Tom met with Dean and Curtis at the County Highway Department, they discussed the 5-year maintenance agreement and how the Town is looking to be more independent from the County. Baum Machine repaired the damaged hydraulic valve stack. Mike Baumgartner donated the belting for the front of the plows to prevent the snow from coming over the top of the plow and into the windshield. The salters are working well with the tractors. Chairman Timm reported there will be two roundabouts constructed in 2029 by County Road A and State Road 47 and also at the intersection of County Road A and County Road S.

First Responders – Lana Burchill reported they will have their 2024 call numbers available in January.

Bartender License Approval/Denials – Supervisor Hofacker moved, seconded by Supervisor Vander Bloemen to approve the bartender license applications for Marissa Voelz, Maria Calkins, Eric Ashline, Shelly Ashline, Sara Allgeyer and Christopher Ashline. Motion carried – 5 aye, 0 nay.

Building Permits – Supervisor Hofacker moved, seconded by Supervisor Blank to approve the building permit report submitted by Paul Hermes. Motion carried – 5 aye, 0 nay.

Financial Reports – Expenses for November 12, 2024 – December 9, 2024 were \$90,191, Revenue was \$132,571. The current checking account balance is \$225,570. Supervisor Vander Bloemen moved, seconded by Supervisor Blank to accept the financial report as submitted. Motion carried – 5 aye, 0 nay.

Payment of Invoices – Supervisor Vander Bloomen moved, seconded by Supervisor Blank to approve payment of invoices, checks #17851 through #17957, plus ACH Payments. Motion carried – 5 aye, 0 nay.

Supervisor Klemp moved, seconded by Supervisor Hofacker to adjourn the meeting at 8:52 p.m. Motion carried – 5 aye, 0 nay.

Respectfully submitted,

Amy L. Olson, Clerk-Treasurer