



# MINUTES OF MONTHLY MEETING OMRO TOWN BOARD OF SUPERVISORS

April 20, 2020

## **Public Hearing – Call to Order**

The public hearing was called to order at 6:00 P.M. by Chairman, Brian Noe.

1. To add part of property on parcel 0160362 and parcel 0160363 owned by Jonmar Investments LLC and located on Sand Pit Rd.
2. To remove property on parcel 0160362 owned by Jonmar Investments LLC and located on Sand Pit Rd.
- Chairman, Brian Noe stated that a new CSM was created for the parcels and due to the change the parcel needed to be removed and then added to the Sanitary District with the new CSM information.

The public hearing was closed at 6:01 P.M. by Chairman, Brian Noe.

## **1. Call to Order:**

The meeting was called to order at 6:01 P.M. by Chairman, Brian Noe. The Pledge of Allegiance to the flag was given.

## **2. Roll Call:**

Chairman Brian Noe, Supervisors, Mark Krings and David Friess, Clerk Paula Beulen, Treasurer Beth Jackson, and Attorney, Karen Marone were present.

## **3. Statement of Public Notice:**

Notice of this meeting was posted at the Omro Town Hall and the Town website. The Omro Herald and Oshkosh Northwestern were notified via email.

## **4. Public Input:**

- None

## **5. Community Policing Discussion:**

- None

## **6. Review proposed ATV/UTV ordinance.**

- Supervisor Friess feels that County F would be a better option than Town Rds.
- Todd – reminded the board that there is a no passing zone up the hill of the designated route.
- Chris Dierks – 4339 Harbor Village – would like the Town to use all the Town roads not just a specific route.
- Brad Ertmer – 1850 Springbrook Rd– asked the board how the Town would like the people on the East and South side of Town to use the new routes.
- **MOTION:** Supervisor, Mark Krings moved to accept the ordinance with the two designated routes with the ordinance up for review in a year. Supervisor, David Friess seconded the motion.

Ayes – 3, Nays – 0, Motion carried

## **7. Consider Zoning change for Terry and Brenda Coates are requesting a Zoning Map Amendment on two parcels 0160047 and 016004702 containing multiple zoning districts. One parcel contains B-2, B-**

**3, A-2 and R-1. The second parcel contains B-3, R-1 and A-2. The applicant is proposing to change both parcels to A-2.**

- This change is consistent with zoning of properties adjoining the parcels.
- This request is consistent with the Town Comp plan and no park fees will be due.
- **MOTION:** Supervisor, David Friess moved to approve the zoning change for parcel 0160047 and 016004702 to A-2. Supervisor, Mark Krings seconded the motion.

Ayes – 3, Nays – 0, Motion carried

**8. Consider resolution opposing the County Planning and Zoning committee rezoning property in the Town without Town Approval.**

- Town Attorney Marone stated that the County Zoning public hearing did not address that the change was not consistent with the comp plan. They made a lot of findings for the conditional use permit that is down the road in the process. The County Zoning committee recommended a change that was not even on the table.
- Attorney Chuck Hertel stated that the request at the April 9<sup>th</sup> meeting to rezone the property from B2 to B3 is consistent with the Winnebago County future land use plan. Mr Hertel stated that Mr Wagner did not request the County Zoning committee make that change to B3.
- Attorney Chuck Hertel stated that the requested zoning change is consistent with the Smart Growth Law that is applicable here. The Town, City and County have placed this property as commercial on their plans. What Mr. Wagner would like to do with this property is consistent with B3.
- In Attorney Hertel's opinion, Mr Ohm was not given enough facts to give an opinion about this actual case. The Town does not have the right to deny a zoning change that meets the comprehensive plan.
- Cary Rowe at the County Zoning office does not agree with the Town's council.
- Chairman Noe stated that when this was first brought before the Plan Commission B3 was unanimously denied. The property was originally zoned B2 and is still zoned B2 which is light commercial.
- Sherry Seaman – 3569 Sand Pit Rd – stated she is purchasing property that the Town didn't have enough money to buy and it is zoned B3 and it is on the same stretch of land as the parcel in question and a lot of people in the community want this.
- **Motion:** Supervisor, David Friess moved to approve the resolution opposing the County Planning and Zoning Committee rezoning property in the Town without Town approval. Chairman, Brian Noe seconded the motion.

Ayes – 2, Nays – 1, Motion carried

**9. Consider CSM for Eric Wagner, parcel 016037105 on Lacrosse Drive.**

- **Motion:** Supervisor, David Friess moved to approve CSM for parcel 016037105 zoned B2. Supervisor, Mark Krings seconded the motion.

Ayes – 3, Nays – 0, Motion carried

**10. Consider preliminary plat for Ormand Beach Heights First Addition.**

- Question about the side slope on the pond need to get closer to 4 to 1, not 3 to 1.
- The developer will work with the engineer to get it closer to 4 to 1. The developer would like to move the construction road to south side.
- Drainage to Ormand Beach Ct between lot 8 & 9 does not lie in easement – may need to be addressed
- Roeder Ct will need to be paved to correct the alignment. The Town would continue paving

from the Roeder Ct to the intersection.

- Developer asked how road maintenance such as plowing is handled. Town will look into options.
- **MOTION:** Supervisor, Mark Krings moved approval of the preliminary plat for Ormand Beach Heights First Addition with the condition that the drainage issues be recommended by Town's engineer be corrected before final plan, with a finding of current configuration laid out due to existing infrastructure. Supervisor, David Friess seconded the motion.

Ayes – 3, Nays – 0, Motion carried

**11. Approve removal of property on parcel 0160362 owned by Jonmar Investments LLC and located on Sand Pit Rd from Sanitary District.**

- **MOTION:** Supervisor, David Friess moved to approve the removal of property on parcel 0160362 owned by Jonmar Investments LLC from Sanitary District. Supervisor, Mark Krings seconded the motion.

Ayes – 3, Nays – 0, Motion carried

**12. Approve addition of part of property on parcel 0160362 and parcel 0160363 owned by Jonmar Investments LLC and located on Sand Pit Rd to Sanitary District.**

- **Motion:** Supervisor, David Friess moved to approve the addition of part of property on parcel 0160362 and parcel 0160363 owned by Jonmar Investments LLC to Sanitary District. Supervisor, Mark Krings seconded the motion.

Ayes – 3, Nays – 0, Motion carried

**13. Discussion of how to move forward with uniform addressing project.**

- Supervisor Friess drove the town updating the address listing.
- Supervisor Friess will also talk to the fire department about the listing and what they prefer for addresses.
- At this time the signs will be green

**14. Set the date for the Board of Review.**

- Will have the Board of Review before the May 18<sup>th</sup> board meeting and then will adjourn for a later date.

**15. Discussion of tentative Annual Meeting date – July 21<sup>st</sup> 2020.**

- Set the date for July 21, 2020 at 7pm.

**16. Review Road Check report – discuss how to proceed in identifying projects to be completed this year.**

- The County should have the report and costs for the Town next month. Chairman Noe gave the County last year's list and asked them to take care of gravel roads and pot holes on dump road.

**17. Approval of Minutes: March 16<sup>th</sup> 2020.**

- **Motion:** Supervisor, David Friess approved the minutes from March 16<sup>th</sup> 2020. Supervisor, Mark Krings seconded the motion.

Ayes – 3, Nays – 0, Motion carried

**18. Treasurer's Report:**

- Treasurer Jackson stated she is waiting to hear from the County to decide on the interest and penalties change due to Covid-19.
- **MOTION:** Supervisor, David Friess moved to approve the Treasurer's report. Supervisor, Mark Krings seconded the motion.

Ayes – 3, Nays – 0, Motion carried

**19. Payment of Invoices:**

- **Motion:** Supervisor, Mark Krings moved to approve the payment of invoices in the amount of \$31,547.09. Supervisor, David Friess seconded the motion.

Ayes – 3, Nays – 0, Motion carried

**20. Upcoming Workshops and Meetings – authorization to attend.**

- Nothing

**21. Reports:**

**Road Supervisor:**

- Chairman Noe stated the county is crack sealing.

**Clerk:**

- Clerk Beulen stated the election turnout was 45%.

**Plan Commission:**

- PC Chairman Kern stated the PC memo stands.
- Parks requested \$800.00 to finish sledding hill.
- Would like the Town to consider purchasing a laptop for board and PC use
- Realtor asking about lot in Sandhill Farms for paving roads
- Parks asked about mowing the prairie, may need the fire department to burn instead. Would also like the Town to consider a culvert at Park.

**Town Attorney:**

- WI Supreme Court stated no in person hearings at this time.

**Town Supervisor:**

- Supervisor, David Friess stated he has a conflict for the September board meeting. September 14<sup>th</sup> a potential date.
- Supervisor, Mark Krings received a call from Mark Chapin says he has standing water in ditch.

**Town Chairman:**

- There was a dumpster fire at the recycle center. May need to purchase a couple of fire extinguishers.
- The flood storage meeting was postponed by the County.
- Chairman Noe will submit the annual MS4 report to the DNR.
- Strand is working on the Storm water project. Strand believes we will comply completely to TMDL limits requirements.
- County will be postings no wake notice.
- Chairman received a call from an Ormand Beach resident not happy with his property. Engineer says the 12 inch drop between properties is not hurting anything.

**22. Items to be placed on next meeting agenda.**

- None

**23. Motion:** Supervisor, David Friess moved to convene into closed session pursuant to WIS STATS Sections 19.85 (1)(g) to confer with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved. Supervisor, Mark Krings seconded the motion.

Ayes – 3, Nays – 0, Motion carried

- Closed Session at 8:15 p.m.
- Roll Call:

Chairman Brian Noe, Supervisors, Mark Krings and David Friess, Clerk Paula Beulen, Attorney Karen Marone and Treasurer Beth Jackson.

**24. Motion:** Supervisor David Friess moved to convene into open session. Supervisor Mark Krings seconded the motion.

Ayes – 3, Nays – 0, Motion carried

- Open Session at 8:58 p.m.
- Roll Call:

Chairman Brian Noe, Supervisors, Mark Krings and David Friess, Clerk Paula Beulen, Attorney Karen Marone and Treasurer Beth Jackson.

**25. Adjourn:**

- **MOTION:** Supervisor, David Friess moved to adjourn at 8:59 p.m. Supervisor, Mark Krings seconded the motion.

Ayes – 3, Nays – 0, Motion carried

Approved: May 18, 2020.

Paula Beulen, Clerk  
Town of Omro