



MINUTES OF MONTHLY MEETING OMRO TOWN BOARD OF SUPERVISORS

DATE:
December 20, 2021

TIME:
6:00 p.m.

LOCATION:
Omro Town Hall, 4205 Rivermoor Rd.

Call to Order

The meeting was called to order at 6:00 p.m. by Chairman Brian Noe.
The Pledge of Allegiance was said in unison.

Attendance

Chairman Brian Noe, Supervisors Mark Krings and Steve Disterhaft, Clerk Dana Woods, Treasurer Beth Jackson and Attorney Karen Marone were present.

Statement of Public Notice

Notice of this meeting was posted at the following locations: Omro Town Hall, 4205 Rivermoor Road; Garbage & Recycling Drop-Off Center, Wendt Road & County Road FF; and near the Corner of Liberty School Rd & County Road F. Notice was also posted on the Town of Omro website and emailed to the Omro Herald and the Oshkosh Northwestern.

Public Comment

- **Todd Cimermanic** commented in support of the proposed expansion of the town's ATV/UTV ordinance on behalf of the Fox River Wheelers and local enthusiasts. Sees it as an expansion to recreational activities within the town.
- **Resident Marlena Ross** asked whether the town's insurance was paying the cost of the appeal of the Ross/Wagner case or if the taxpayers were paying for it. Chairman Noe indicated insurance was paying. Marlena Ross followed up by asking "So then I had a question, the Strand Associates budget of the costs of \$14,396.82 (from the reconciliation report) that was paid for. What was that for then?" Chairman Noe and Treasurer Jackson explained payments to Strand are engineering costs. When asked what specifically the costs were associated with, Chairman Noe and Clerk Woods explained they'd need to reference the itemized lists from the all the invoices to answer completely, but that amount would be for multiple projects, and each are billed back to developers.
- **Resident Gretchen Schilder** commented in support of the proposed expansion of the town's ATV/UTV ordinance as her family would like to be able to access more areas. Thinks it would be an added benefit to the town.

Community Policing Discussion

No representative from sheriff's dept. present at this time.

Zoning Map Amendment for Kimberly Quandt et al for Parcel 016-0383-02

Chairman Noe explained CSM was previously done as well. Planning Commission recommended approval.

MOTION by Supervisor Disterhaft, second by Supervisor Krings to approve Zoning Map Amendment for Kimberly Quandt et al for Parcel 016-0383-02 to Change Zoning from A-2 to R-2 for the Purpose of Creating a

New Residential Lot. Motion carried on a 3-0 voice vote with the findings that the CSM agrees with the town's adopted land use plan and is consistent with surrounding zoning.

Budget Resolution for 2021 Fiscal Year

Chairman Noe explained there was a shortfall in Public Safety due to expense for uniform emergency address signs costing a bit more than expected.

MOTION by Supervisor Krings second by Supervisor Disterhaft to approve budget resolution transferring \$4,510 from Public Works to Public Safety. Motion carried on a 3-0 voice vote.

Review and/or Revise Town of Omro Fee Schedule

Discussion took place about charging for address signs moving forward to cover the cost of the sign, the post and installation.

MOTION by Supervisor Krings, second by Supervisor Disterhaft to amend to Town of Omro Fee Schedule to include a \$75 fee to facilitate reimbursement from property owners for new address signs. No other revisions at this time. Motion carried on a 3-0 voice vote.

Consider Proposed ATV/UTV Route and Ordinance Amendment Request

Review of the proposal as discussed last month. Supervisor Krings expressed support of the amendment; has been approached by people both for and against, but more support than opposition; would like to see it implemented for a year with the understanding it could be repealed if needed. Supervisor Disterhaft expressed concerns about the impact on public safety and about the town's ability to police it; people already breaking the rules of the existing ordinance; current ordinance gives people a way to access the routes by trailering it if they need to. Chairman Noe expressed reluctance to opening up more routes that don't necessarily lead anywhere and also allowing anyone to access the routes from anywhere without resources to police the ATV/UTV traffic; doesn't see a need to expand without a purpose, such as a trail going to the east; believes it not too much to ask people to trailer their machines to routes, much like people trailer their boats to the lake for recreational activity.

MOTION by Supervisor Krings, second by Supervisor Disterhaft to accept proposed changes to the town's ATV/UTV ordinance. Motion failed on a 1-2 voice vote; Supervisor Disterhaft and Chairman Noe dissented.

Discuss Town of Omro's Allocation of IDB Funds

Chairman Noe shared the Planning Commission's ideas and plans for a Hwy 21 Corridor study and possibly using IDB funds to help fund that. Would like to have the town retain and use the funds rather than have it allocated elsewhere

MOTION by Supervisor Disterhaft, second by Supervisor Krings to have the town apply to retain IDB funds and use toward a Hwy 21 Corridor Study. Motion carried on a 3-0 voice vote.

Consider Meeting Room Furniture Replacement (guest seating)

Discussion about the recent upgrades and some opportunities for obtaining gently used chairs possibly through Public Surplus auctions or other sales, but timing of those does not always allow for board to review/vote on it before opportunity passes. Clerk Woods requested direction as to how to proceed; is pursuing such a deal desired or should we wait and purchase brand new? Would need permission. Supervisor Disterhaft recommended solid rail bottoms or something similar that would glide easily so as to preserve the new carpet. Chairman Noe suggested we watch for a deal for several months and if nothing decent is found, decide on new ones later.

MOTION by Supervisor Disterhaft, second by Supervisor Krings to authorize Clerk to shop around for chairs with a budget not to exceed \$2,000. Motion carried on a 3-0 voice vote.

Approve Hiring of Sarah Binder for Town Hall Cleaning

Chairman Noe explained the previous cleaning person can no longer do it. Have been relying on Clerks to do it in the meantime, but they have other things to prioritize. Discussion took place about whether to pay as an employee or provide a 1099. Supervisor Disterhaft asked whether Sarah Binder was insured. Clerk Woods explained not yet, still in the process of obtaining her LLC. Chairman Noe commented that if we paid her as an employee, she would be covered under out worker's comp. insurance, for which our premium is very low. Supervisor Krings asked whether there might be a local business in the town who might be interested. Clerk Woods commented we could advertise it if desired, but it's only proposed as an occasional cleaning.

MOTION by Supervisor Disterhaft, second by Supervisor Krings to approve hiring of Sarah Binder for town hall cleaning. Motion carried on a 3-0 voice vote.

Approve Contract with Pop-A-Lock of NE Wisconsin for Town Hall Security Supply and Installation

Carried over from discussion previous month because this type of expenditure requires notice to be published.

MOTION by Supervisor Krings, second by Supervisor Disterhaft to approve security features quote from Pop-A-Lock of NE Wisconsin. Motion carried on a 3-0 voice vote.

Discuss Fire District's Plan to Purchase New Truck

Chairman Noe reviewed discussion and decision stemming from the December fire board meeting. Final bid came in lower than original after fire department decided to trim some options. City of Omro will front the money via loan to get the prepayment discount. Towns of Rushford and Omro will reimburse via increase in payments toward the fire district budget beginning in 2023.

Appoint Election Inspectors to 2022-2023 Term

Clerk Woods provided list to board including names of previous poll workers who expressed desire to be reappointed, along with political party nominees.

MOTION by Supervisor Krings, second by Supervisor Disterhaft to appoint the following individuals as Town of Omro Election Inspectors to the 2022-23 term: DonnaMarie Hassenfuss, Dave Friess, Nancy Case, Tammy Lucht, Laurel Coombs, Barb Stanek, Cheryl Gardner, Deb Larson, Mary Feil, Bob Slavik, LuAnn Devoss, Krista Benesh, Gretchen Schilder, Kathryn Beck, Steve Lewallen, and Rich Kern. Motion carried on a 3-0 voice vote.

Discuss Possible Adjustment to Dump Site Hours of Operation

Discussion took place prompted by Jeff Meyers mentioning some residents would be interested in approximately four hours during the week on an afternoon/evening. Chairman Noe commented that removing any hours from Saturday would not be wise as people wouldn't appreciate that. Supervisor Krings commented that Jeff merely mentioned it in casual conversation. Some people work Saturdays. Chairman Noe pointed there are no lights at the site, so can't do evenings. Supervisor Krings suggested until we hear more issues with it or more desire we can leave as-is until there's more demand. Chairman Noe commented that if a community survey is done, a question about it could be included and, if needed, we could budget more for that position next year.

No action taken.

Discuss Town Clerk Becoming a Notary

Chairman Noe explained some of the previous Clerks were notaries; provides a convenience to the town. Clerk Woods is willing to do it if the town pays the necessary fees to obtain certification. Also provides a

complimentary service to town residents who might need it; they can come into the Clerk's office to have documents notarized.

MOTION by Supervisor Disterhaft, second by Supervisor Krings to approve expenses associated with Clerk Woods becoming a notary. Motion carried on a 3-0 voice vote.

Operator License Application

Clerk Woods explained the submitted application is incomplete, which could be easily corrected. However, the applicant's background check includes convictions for items that prohibit board approval. Attorney Marone confirmed.

MOTION by Supervisor Disterhaft, second by Supervisor Krings to deny the application as it stands right now and give the applicant the opportunity to resubmit when compliant with requirements for approval. Motion carried on a 3-0 voice vote.

Road Supervisor Report

Chairman Noe shared:

- Successful in obtaining funds via LRIP application – 50% of hot-mix asphalt costs up to \$33,000 (matching). Applied for west of bridge to Rivermoor. Will likely cost about \$60,000 total with LRIP paying half.
- Supervisor Disterhaft asked how developers are policed with regard to leaving the roads a mess. Chairman Noe indicated it usually requires a town official or building inspector to not only notice it but to address it with the developer.
- Snowplowing is underway. Some roads got missed by new drivers the first couple snowfalls. Chairman Noe made County aware.
- Will work on tree trimming while we can
- Had an emergency culvert replacement on O'Reilly; qualified for County aid that will pay half.

Clerk Report

Clerk Woods shared correspondence from:

1. County advising the town they approved zoning map amendment for April Thoney.
2. County sent certified copy of ordinance changing the zoning from B-2 to B-3 for the property that is the subject of the Ross/Wagner lawsuit.

Open records requests update:

1. Just one to clear out from last month since it came in on the day of the last month's meeting. Marlina Ross requested "all invoices for all attorney fees paid out from Jan. 1st, 2020 until present date of November 15th, 2021. On November 23, Clerk Woods emailed requestor digital copies of all applicable invoices.

Planning Commission Report

Chairman Noe, Vice-Chair of PC shared:

- Dealt with Quandt zoning change approved tonight
- Also discussed the Hwy 21 Corridor Study

Town Attorney Report

No report at this time.

Town Supervisors Report

No report at this time.

Town Chairman Report

No report at this time.

Approve Meeting Minutes

Clerk Woods submitted meeting minutes for both meetings.

MOTION by Supervisor Krings, second by Supervisor Disterhaft to approve meeting minutes from November 15, 2021 Regular Board Meeting and November 23, 2021 Special Town Board Meeting. Motion carried on a 3-0 voice vote.

Treasurer’s Report

Treasurer Jackson provided report and pointed out an error in deposit (to which account) and she’ll make a transfer to get those funds into the correct account. Will be reflected on next reconciliation.

MOTION by Supervisor Krings, second by Supervisor Disterhaft to approve Treasurer’s Report as presented. Motion carried on a 3-0 voice vote.

Accounts Payable

Clerk Woods provided list of payables for December along with supportive documentation.

MOTION by Supervisor Krings, second by Supervisor Disterhaft to approve Accounts Payable for December in the amount of \$28,678.43. Motion carried on a 3-0 voice vote.

Upcoming Meetings and Workshops

WTA Unit meeting in Rushford on January 6.

Agenda Items for Next Meeting

None at this time.

Convene into closed session

MOTION by Supervisor Disterhaft, second by Supervisor Krings to go into closed session at 6:52 p.m., pursuant to Wis. Stats. Sec. 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 related to (a) Open Records Charges and (b) Ross/Wagner litigation. Motion carried on a 3-0 roll call vote.

Adjourn

MOTION by Supervisor Krings, second by Supervisor Disterhaft to adjourn the regular meeting from closed session at 8:28 p.m. Motion carried on a 3-0 roll call vote.

Submitted by

Dana Woods, Town Clerk

Approved by Town Board January 17, 2021