



MINUTES OF MONTHLY MEETING OF THE OMRO TOWN BOARD OF SUPERVISORS

DATE: June 19, 2023 **TIME:** 6:00 p.m. **LOCATION:** Omro Town Hall, 4205 Rivermoor Rd.

Regular Meeting Call to Order

The regular monthly 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 Brenda Pluchinsky, 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

- Resident Ray Edelstein asked to see the map pertaining to the drainage easement plan on the agenda. Other residents in attendance looked it over with the developer.

Community Policing Discussion with Sheriff's Department Representative

None present at this time.

Discuss Possibility of Amending Comprehensive Plan to Allow Both Business and Light Industrial Uses with Acceptable Buffer Yards on Parcels in the Area of 1531 Waukau Road

No need to deal with this item. There has not been a formal application yet, only an informal discussion with Planning Commission.

Update on Sawyer Creek Flood District and Possible Action

County continues to bat this back and forth. Recent meeting was held where no action was taken so Chairman Noe's understanding is that the previous denial of it remains in effect. It could come up at a future meeting agenda. Has been asked if we would reiterate our previous resolution in opposition. Clerk Woods will resend the resolution already passed by the town board previously.

Review Proposed Easement for Sandhill Farms

Chairman Noe explained the proposal from Sandhill Farms developer. Map allows trees there to remain and water to still flow through.

MOTION by Supervisor Krings, second by Supervisor Disterhaft to accept the easement as proposed by ASA. Motion carried on a 3-0 voice vote.

ASA will have to file a revision to drainage plan and plat.

Mid-Year Review of 2023 Town Operating Budget

Clerk Woods provided a synopsis of where the current budget stands compared to projected income and expenses for the town board to review.

Resolution to Amend 2023 Operating Budget for the Purpose of Allocating County ARPA Funding

MOTION by Supervisor Disterhaft, second by Supervisor Krings to adopt Budget Resolution 2023-2 to Amend the 2023 Operating Budget for the purpose of recognizing additional donations to the Culture, Recreation & Education Fund and transfer \$145,000 from Restricted Use to the Public Works Fund.

Motion carried on a 3-0 voice vote.

Consider Contracting with MSB Government Services to use Transcendent Technologies for Accepting Online Property Tax Payments

Treasurer Pluchinsky presented the information to the board including items she found on the process. She heard from TTech who confirmed everything. Residents using the service will incur the fee themselves without charge to the town. There is an annual fee the town would need to pay, but it seems MSB might be willing to reimburse the town for that fee. The board reviewed the contract and asked some questions about it.

MOTION by Supervisor Disterhaft, second by Supervisor Krings to allow Treasurer Pluchinsky to contract with MSB to use Transcendent Technologies for Accepting Online Property Tax Payments conditional upon the annual fee being reimbursed to the town and the payment transfer happening within two business days.

Motion carried on a 3-0 voice vote.

Authorize Clerk to Apply for the 2023 Absentee Ballot Envelope Subgrant Reimbursement Program

MOTION by Supervisor Disterhaft, second by Supervisor Krings to authorize clerk to apply for the 2023 Absentee Ballot Envelope Subgrant Reimbursement Program.

Motion carried on a 3-0 voice vote.

Intergovernmental Agreement to Satisfy Eligibility for Recycling Consolidation Grant for 2024

MOTION by Supervisor Krings, second by Supervisor Disterhaft to approve Intergovernmental Agreement to satisfy eligibility for Recycling Consolidation Grant for 2024.

Motion carried on a 3-0 voice vote.

Notice of Conditional Surrender of Liquor License Currently Held by Frank's Place

Clerk Woods explained why this was necessary due to the impending sale of the establishment and how the conditions of the surrender are to insure a license will be in place for whomever owns it after the expected closing date.

Consider Application for Fermented Malt Beverages and Intoxication Liquor License for Liberty Bar, Inc. for the Remainder of the 2022-2023 Licensing Period

MOTION by Supervisor Krings, second by Supervisor Disterhaft to approve Fermented Malt Beverages and Intoxicating Liquor license for Liberty Bar, Inc. contingent upon a transfer of ownership of premises taking place.

Motion carried on a 3-0 voice vote.

Consider Liquor License Renewal Applications for 2023-2024

MOTION by Supervisor Krings, second by Supervisor Disterhaft to approve renewal of Fermented Malt Beverages and Intoxicating Liquor license for Springbrook Tavern, LLC.

Motion carried on a 3-0 voice vote.

MOTION by Supervisor Disterhaft, second by Supervisor Krings to approve renewal of Fermented Malt Beverages and Intoxicating Liquor license for Liberty Bar, Inc. contingent upon a transfer of ownership of premises taking place.

Motion carried by a 3-0 voice vote.

MOTION by Supervisor Krings, second by Supervisor Disterhaft to approve renewal Fermented Malt Beverages and Intoxicating Liquor license for Frank’s Place contingent upon a transfer of ownership of premises not taking place.

Motion carried on a 3-0 voice vote.

MOTION by Supervisor Krings, second by Supervisor Disterhaft to approve Fermented Malt Beverages license for Springbrook Sportsman’s Club, Inc.

Motion carried on a 3-0 voice vote.

License renewal for Fox Valley Trap Club, Inc. was not acted on this month due to incomplete application received and unpaid renewal fee.

Consider Operator License Applications for 2023-2024

MOTION by Supervisor Disterhaft, second by Supervisor Krings to approve Operator Licenses for Robert Goyke, Mark Miller, Staci Polishinski, and Angela Case.

Motion approved on a 3-0 voice vote.

Road Supervisor’s Report:

- Substantial amount of paving and chip sealing done.
- Some trees are done.
- Pothole patching seems really well done this year without much under-filling and over-filling.
- There was a potential opportunity to get milling off the 116 project, but we didn’t. Another opportunity might arise.
- A few dead tree projects might happen next fall.

Clerk’s Report:

Correspondence:

- Town Hall passed recent fire inspection without any issues to addressed.
- Town received a 2022 Surplus Recycling Commodity Rebate in the amount of \$659.71
- Received the Annual Recycling Grant Award in the amount of \$3,291.78.
- Have issued one fireworks permit thus far to a resident on Harrison Ave. who is planning a display on July 4. No others have applied.

- WTA email – Assembly Bill 245 was passed by both State houses and now goes to Governor Evers’ desk for either a signature or veto. Among other things, the bill seeks to start fixing the state’s broken system of shared revenue. If signed as proposed, it would provide the Town of Omro with an additional \$69,553 in funding – The town currently gets only \$22,741 in shared revenue; our total amount would increase to \$92,294, which is a 305.8% increase.

Open Records Requests:

- May 31: Olivia Osborne, paralegal with MacGillis Wiemer requested the *“Collective Bargaining Agreements between the Town of Omro and the Omro Professional Police Association for the years 2018-2025.”* Clerk Woods responded indicating no such agreement existed. So, there was no responsive record to provide in that case.
- June 6: Trevor Damkot from Alpine Insulation requested the building permit report for May. The following day, Clerk Woods emailed him the log we get from the town’s building inspector.
- May 27: Ed Hudak from the Republican Party of Winnebago County requesting “List of all current Town of Omro election inspectors for the 2022-2023 term” It asked that for any inspector not appointed from a political party, that I indicate so by “marking unaffiliated”. As with a previous request, Clerk Woods sent him a list as-is without taking the time to mark anything since the law compels me to supply the record, NOT create a new record or alter an existing record to suit the needs of the requestor. His request went on to state that along with the names, he wanted me to also supply their address, phone number, and email address. Clerk Woods indicated to him that pursuant to statute 19.36(10)(a) and based on guidance from the Dept. Of Justice Public Records Law Compliance Guide, we would not be supplying that information as personal information such as this is clearly listed as exempt from disclosure.
- June 14: Shanah Zastera who is a Winnebago County Board Supervisor for District 32 called to request information pertaining to the Town of Omro Chairperson’s Compensation, particularly what is included with the base salary and what the per diem rate is and what qualifies for to per diem pay. Shortly thereafter that same day, Clerk Woods emailed her a list detailing the salary amount, per diem rate and mileage rates used for anything the town chair might incur during the month.

175 Celebration Update:

- Following the board’s authorization this spring, several of the services and goods that were approved have been contracted for.
- Several fire department personnel have offered to help in the evening during the concert.
- The celebration grounds were planted with grass this morning, thanks to the help of Supervisor Krings and Larry Remer.
- A more comprehensive update will be laid out in more detail during the August meeting, since that will be the final meeting before the event.

Planning Commission:

- Dealt again with future land use map; up to the applicant if he wants to apply
- Also spent time looking at Parks Plan Update; PC Chair Roskom is working on it
- Talked about overlay district requirements in the Hwy 21 corridor
- Talked about Algoma Sanitary Dist#1. They are doing their 50-year planning. Right now, they are looking for a site for a new tower to go in someday. Preliminary discussion that south of 21 would be the direction since north is pretty well-developed. Reasonable to plan for it since a lot of development can happen in 50 years.

Attorney’s Report:

None at this time.

Supervisors' Report:

Supervisor Disterhaft mentioned a drainage culvert that he was called about. Chairman Noe will check it out. Supervisor Krings mentioned someone who wondered if they really need a culvert down in Harbor Village. Will communicate to Chairman Noe to have him look into it.

Chairman's Report:

Nothing specific.

Meeting Minutes

MOTION by Supervisor Krings, second by Supervisor Disterhaft to approve the May 15, 2023 town board minutes with revisions suggested by the clerk.

Motion carried on a 3-0 voice vote.

Treasurer's Report

MOTION by Supervisor Krings, second by Supervisor Disterhaft to approve the April Treasurer's report as presented.

Motion carried on a 3-0 voice vote.

Accounts Payable

MOTION by Supervisor Disterhaft, second by Supervisor Krings to approve accounts payable in the amount of \$55,162.02 minus \$995 for General Code.

Motion carried on a 3-0 voice vote.

Upcoming Meetings or Workshops

WTA Unit Meeting will be July 6th in Town of Algoma.

Agenda Items for Next Meeting

Supervisor Disterhaft asked about possibly talking about yard waste for town residents. Could be placed on a future agenda.

Closed Session

MOTION by Supervisor Krings, second by Supervisor Disterhaft to go into closed session at 7:31 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 in which it is or is likely to become involved, related to:

- a. Notice of Injury and Claim from Paul Brockman Received from Dempsey Law Firm
- b. Ross/Wagner Litigation

Adjourn

MOTION by Supervisor Krings, second by Supervisor Disterhaft to adjourn the meeting at 8:23 p.m.

Motion carried on a 3-0 roll call vote.

Submitted by Dana Woods, Town Clerk
Approved by Town Board July 17, 2023