



MINUTES OF MONTHLY MEETING OF THE OMRO TOWN BOARD OF SUPERVISORS

DATE: June 20, 2022 **TIME:** 6:00 p.m. **LOCATION:** Omro Town Hall, 4205 Rivermoor Rd.

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 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.

Community Policing Discussion

None present at this time.

Public Comment

- Resident Viola Schmick asked if the town board has decided on future audits. Chairman Noe indicated it had not yet, would likely talk about it during budgeting for 2023. Mrs. Schmick expressed opposition to the town spending several thousand dollars on an outside audit again; has ideas on how to do it.
- Resident Marlana Ross asked if the town had heard any update on some culvert replacements. Chairman Noe indicated he had not and that there was a change in County Highway Superintendents; will follow up with new guy on it. Mrs. Ross also compared the town's \$300 culvert permit fee to what her sister just paid in a neighboring town and asked why it was so different. Chairman Noe did not want to speculate on what Town of Vinland's processes are but explained the \$300 collected is for labor costs paid to the county to dig it out and install. She also asked, "what if we dug it out ourselves?" to which Noe replied that the town does not allow anyone but the town's contractors to do work in the town's right of way, in order to be sure it will be set correctly per drainage/flow needs. Supervisor Krings spoke up to reassure the residents that \$300 is possibly not even covering the costs to the town at this point, based on conversations with the county during the annual road inspection. Town is not profiting from it.
- Resident Nathan Ross asked a follow-up to Marlana's question about whether the \$300 would cover it the entire cost of the culvert replacement. He was responded to indicating the property owner also needs to pay for the culvert itself.

Discuss Request from City of Omro to Modify Drainage along Michigan Ave.

Town board provided with copies of the engineering plan. Chairman Noe has not been able to connect with city administrator yet, but explained the plan as best he could.

Supervisor Krings said he doesn't think the culvert is working at all; very little flowage is running through.

Upon inspection, he couldn't even find the culvert.

Consensus was they need more information provided and based on the plans submitted, water might be directed the wrong way. Needs more ditch profiled, not just linear profile. Plan provided might not fix the issue.

Chairman Noe will try to meet with city administrator in a couple weeks and see where that goes.

Discuss Upgrade to Town Hall Phone System

Clerk Woods gained more information based on the questions posed by the board at the last meeting and provided information on possible options to the board. Chairman Noe pointed out what he thought was the best option of those provided. Supervisor Krings asked the staff's opinion since clerk and treasurer will deal with it the most. Treasurer Jackson indicated she doesn't mind the idea of using a separate mobile phone for town business. Chairman Now reiterated that "with all the stuff that's gone on", we've reached the point where there's a need for it to help with records request.

MOTION by Supervisor Krings, second by Supervisor Disterhaft to approve the phone plan option for five mobile phones assigned to each board member plus clerk and treasurer, utilizing AIT for the IP phone system for incoming calls.

Motion carried on a 3-0 voice vote.

Discuss Request to Sell Unused Cemetery Land

Request to purchase the land was received by a town resident. Still need to determine what the process will entail aside from just getting permission from the electors to sell town property. Topic was brought to the board to determine if there is even a willingness to pursue it. Questions raised included: What is the starting point? What is it zoned? (Clerk Woods advised it has 3 different zonings- A-2, B-2 and R-1). What will the town need to do in order to determine it's truly abandoned. The need for probing the land is likely and not inexpensive. Supervisor Disterhaft commented that if it costs the town money to go through the process, he'd wouldn't say it's worth it. Chairman Noe speculated as to whether it would need to be offered up to anyone at that point. Attorney Marone indicated that it's possible to have it approved with a selected purchaser in mind. Chairman Noe said we could pose the question to the electors at the budget/levy meeting in the fall. If a specific purchaser makes an offer and includes the stipulation that they would cover all costs of the process, that might work. Consensus was to take time to gather whatever free information we can from WTA and statewide clerks list before town spends money on the process, and then decide whether to move forward from there. No action taken.

Consider Liquor License Renewal Applications

1. FERMENTED MALT BEVERAGES and INTOXICATING LIQUORS
 - a. Springbrook Tavern, LLC
 - b. Frank's Place
2. FERMENTED MALT BEVERAGES
 - a. Springbrook Sportsman's Club, Inc.
 - b. Fox Valley Trap Club, Inc.

MOTION by Supervisor Krings, second by Supervisor Disterhaft to approve annual licenses.

Motion carried on a 3-0 voice vote.

Consider Operator License Renewal Applications

MOTION by Supervisor Krings, second by Supervisor Disterhaft to approve all applications provided they meet the requirements for approval, to include Mark Miller, Paul Narveson, Jay Sadlon, Dustie Roth, Robert Goyke, and Staci Polishinski.

Motion carried on a 3-0 voice vote.

Tobacco License Renewal Application - Frank's Place

MOTION by supervisor Krings, second by Supervisor Disterhaft to approve annual tobacco license for Frank's Place.

Motion carried on a 3-0 voice vote.

Ordinance Codification Project Update

Chairman Noe explained the process so far. General Code indicated 82 items within the code that need confirmation or attention. Himself and Clerk Woods had a teleconference with General Code last Friday and will go through the questions as best they can and bring back any questions that would need board discussion.

Wisconsin Towns Association Insurance Survey

WTA has recognized the greater need for providing benefits to town employees in an effort to recruit and retain them. Association asked all member municipalities to complete the survey to determine if there is enough interested in creating a cooperative plan through the WTA. Board went through survey questions and directed Clerk Woods on how to answer.

Date Change for September Regular Board Meeting

Proposed date of September 26 so all board members can attend.

MOTION by Supervisor Disterhaft, second by Supervisor Krings to move the date of the September regular meeting to September 26.

Motion carried on a 3-0 voice vote.

REPORTS:

Road Supervisor's Report:

- Got a decent start on seasonal road work; culvert crossings patched, and a lot of chip sealing done.
- Paving on Springbrook to get done still.
- Will have a better idea on how much road budget is left by next meeting.

Clerk's Report:

Communications:

- Received notice from county about an appeal that's being heard with regard to its prohibition of a sign in Nepeuskun. If Town of Omro wants to weigh in at all, we need to let them know. Board asked Clerk Woods to ask Planning Commission Chair Bruce Roskom to take a look at it and respond if necessary.
- County Solid Waste Dept had its annual meeting; good year for recycling goods revenue and town will be receiving a rebate in the amount of \$3,779.49 for the 130.57 tons of recycling contributed to the program.
- FVTC sent a notice of public hearing. Clerk posted it out on the board so people can be aware. Hearing is on the upcoming budget and it tomorrow night.
- Received four notices of code violations sent to property owners from the county. Supervisor Krings asked what is needed from the town for the code violations. Clerk Woods indicated the county handles them, we are simply made aware.
- Three fireworks permits being issued this month – two for June 25 and one for July 4.

Open Records Request:

- Update on the April 1, 2022 records request from Heath Mynsberge on behalf of his clients Brian and Sherry Seaman. At the time of the May meeting, the records had been made available for pick up but requester was disputing the fees charged for it. On May 27, he reached out to set up an appointment to drop off a check and pick up records. That was done by Mr. Mynsberge's wife on May 31. Clerk Woods then received a confusing email just days ago from him asking for the status of the request. She replied reminding him of the exchange of payment and records that took place on May 31 and that as far as the town is concerned, this request and all previous ones of his are considered closed. He subsequently acknowledged that response.

Elections

- Partisan Primary election is coming up on August 9. Those with a valid absentee request on file by June 23 will have them mailed out that day.

Planning Commission:

- Chairman Noe reported the commission dealt with review of Hwy 21 corridor survey and indicated the next steps as decided by the group.

- Resident Marlina Ross spoke up to ask if the survey results would be made available to the public. Clerk Woods indicated it is a public record and can be requested by anyone.

Attorney’s Report:

None at this time.

Supervisors’ Report:

- Supervisor Krings had a call from someone on 91 and FF about property cleanup indicating he is working on it. Owner acknowledged it won’t make it by the deadline but little by little things are disappearing. Other property that received a letter has been cleaned up a bit; has done some reorganizing but not as much as we would like. Had talked with him about getting it done to satisfaction. Will reach out to him one more time.
- Supervisor Krings was approached about a speed limit sign on East Reighmoor. Resident requested another 15 mph sign on the east end. It’s a private road so Chairman Noe can let them know the cost to put one up.

Chairman’s Report:

- Still waiting for it to quit raining to get close to completion on subdivisions.
- Message from a resident taking issue with a neighbor’s pile of firewood; will reply to that.
- Received an anonymous letter about garages; forwarded to county and according to them, it’s in compliance. However, chairman is unable to respond to the person who sent the complaint since it was mailed anonymously, and we don’t have contact information for that person.
- Had request for dealership license on Sand Pit at Hwy 21. It’s zoned appropriate so there is nothing to prevent us from granting dealership license if/when we get the request. Different entity running the property now. Supervisor Disterhaft and Supervisor Krings have heard speculation that someone is actually living on premises. Chairman Noe indicated, if true, that issue would be forwarded to the county.
- Drainage issue with a lot grade that does not comply. The owner does not seem inclined to fix it; part of final yard grade check; either it complies or it gets fixed.

Meeting Minutes

MOTION by Supervisor Krings, second by Supervisor Disterhaft to approve meeting minutes from regular board meeting on May 16, 2022.

Motion carried on a 3-0 voice vote.

Treasurer’s Report

Treasurer Jackson submitted printed report and also shared information about property owners being able to pay taxes online. Fee to enroll in the online payment system needs to be paid upfront, but town will get reimbursed for it. Item will be placed on the July meeting agenda for approval.

MOTION by Supervisor Krings, second by Supervisor Disterhaft to approve Treasurer’s report as printed.

Motion carried on a 3-0 voice vote.

Accounts Payable

MOTION by Supervisor Krings, second by Supervisor Disterhaft to approve accounts payable in the amount of \$69,269.45.

Motion carried on a 3-0 voice vote.

Upcoming Meetings or Workshops

WTA Unit Meeting on July 7.

Annual Conference coming up in October.

Agenda Items for Next Meeting

None other than previously indicated.

Closed Session

MOTION by Supervisor Disterhaft, second by Supervisor Krings to convene into closed session at 7:18 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 Ross/Wagner litigation and motion filed requesting the court to compel the Town of Omro to complete the process of approving the Wagner Storage project including, but not limited to, site plan approval and issuing of building permits, despite developer's non-payment of engineering fees.

Motion carried on a 3-0 roll call vote.

Adjourn

MOTION by Supervisor Krings, second by Supervisor Disterhaft to adjourn the meeting at 8:22 p.m.

Motion carried on a 3-0 roll call vote.

Submitted by Dana Woods, Town Clerk

Approved by Town Board July 18, 2022

Amended by Town Board August 15, 2022