



MINUTES OF MONTHLY MEETING OF THE OMRO TOWN BOARD OF SUPERVISORS

DATE: August 15, 2022 **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 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

- **RESIDENT** David Rupnow Georgetown Drive commented about the newer house built him and drainage problems resulting from it. Said he'd contacted Chairman Noe in the past and asked for an update. Chairman Noe indicated the property owner is aware and if they keep refusing to fix the problem and won't cooperate, we might need to take action against him. It's well-documented. Will need to bring it into compliance eventually.
- **RESIDENT** Nathan Ross asked that the item slated for closed session be explained. Chairman Noe indicated that particulars could not be shared outside of closed session.
- **RESIDENT** Nathan Ross asked if the town was paying for another town attorney to be on the Ross/Wagner lawsuit/ Chairman Noe indicated no other attorney than that of record on the case and thus far, the town has not paid any legal fees for that case.

Community Policing Discussion

None present.

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

Chairman Noe shared he did meet with city. Consensus that what looked good on paper might not be reality. Productive meeting though, took place on site. We'll see what they come up with. Hopefully they will look at an alternative path.

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

Treasurer Jackson said she found out it would have needed to be done in May. Has also had a hard time connecting with the person there that she needs to. So, it doesn't look like it will take place for this tax year, but maybe next year.

Ordinance Codification Project Update

Not much update. Hope be able to button up by September’s meeting.

Consider Adopting Town of Omro Procurement Procedures Policy

Consider Adopting Ordinance Establishing Contracting Code of Ethics

These two agenda items were discussed simultaneously. Recommended by WTA as something that might be needed in order to accept federal funding now and in the future. Current ARPA rules are a bit unclear. Better to have done than not in case they change the rules again.

MOTION by Supervisor Disterhaft, second by Supervisor Krings to adopt both.

Motion carried on a 3-0 voice vote.

Update on Properties Given Notice of Violation to Town of Omro Public Nuisance Ordinance and Amended Ordinance No. 1997-1

Supervisor Krings shared he had not talked to property owners lately but had talked to both previously, said they will continue cleanup. Property on FF looks like more junk going in than going out. Property on F said they are done cleaning up unless we push further.

Chairman Noe commented that if we don’t push, we make it seem like we’re willing to accept less than what we should. Supervisor Krings asked if perhaps the letter should be worded differently than it was. Both owners noted the letter was mostly about junk vehicles and the vehicles were moved but lots of other junk remains.

Attorney Marone will draft another, more specific letter and ask for response for 30 days with a plan to have it done by winter.

Consider 2022 Budget Resolution to Review/Address YTD Actuals and Consider Allocation of ARPA Funding

Clerk Woods explained the reorganizing and renumbering of Chart of Accounts; wanted to do last year but chose to wait until audit was complete. Current Chart of Accounts more closely matches the Department of Revenue’s Form CT which will help when filing the Municipal Financial Report annually. The new format will also help with future budgeting. Treasurer Jackson affirmed with similar comments. Year to date actuals were discussed based on 2022 expenditures and new projects for the remainder of the year.

MOTION by Supervisor Disterhaft, second by Supervisor Krings to approve Budget Resolution 2022-08 to transfer \$3,081.59 from General Government to Debt Service; transfer \$1,500 from ARPA Restricted Use to Public Safety; and transfer \$220,737.68 from ARPA Restricted Use to Public Works. This closes out the ARPA Restricted Use Fund.

Motion carried on a 3-0 voice vote.

REPORTS:

Road Supervisor’s Report:

Based on budget numbers discussed above, cross culvert we talked about will need to wait until next year. Might still need to take care of some tree trimming yet this year.

Supervisor Krings mentioned two roads that were brought to his attention. Culvert on Bradley south of E was replaced but not blacktopped yet. On 9th west of Bradley culvert might need work as well.

Clerk’s Report:

Note: the full summary of this report is not included in these minutes for the sake of brevity, but will be included with them in the town's 2022 minutes book and can be obtained by contacting the Town Clerk's office

Communications:

- Winnebago County Health Department requested that the town hall host some covid vaccination clinics during the winter months. They will get back to me with some potential dates for those in the coming weeks.
- Received our Preliminary Estimate of the town's population as of January 1 of this year. The Demographic Services Center places the Town of Omro population estimate at 2,356.
- Received an email from Winnebago County District Attorney Eric Sparr indicating that someone had raised a concern to him about Item 21 on tonight's meeting agenda suggesting it was perhaps too vague by not listing any names. After explaining the item to him, Sparr indicated the explanation of the topic being discussed made sense to him, acknowledged that real thought went into it and that he would let the original complainant know he was comfortable with the agenda item.

Open Records Requests:

- July 22 - Marlena Ross - Requesting "all attorney invoices for January 2022 through July 2022". The request went on to state, *"I would also like to know that since the town attorney is now on retainer for the Ross/Wagner lawsuit and appeal as of June 2022, who is paying her retainer fees for that. Is the town's insurance paying her or is the town covering her retainer fees for the continuing litigation?"* This request was fulfilled on July 27 by providing records including 10 pages of invoicing and payments from and to Attorney Karen Marone totaling \$1,721. A full copy of the response to this request for public records is on file at the clerk's office.
- August 4 - Ray Edelstein - Requesting "Copy of the drainage plan approved by the town for Sandhill Farms Phase 1 & 2, and minutes reflecting approval". He came in this afternoon to inspect the related records I'd found so far, made a list of which documents he wants copies of - 50 pages for a total cost of \$5 - he wrote me a check for \$5 and I told him the copies would be ready to pick up within a day or so. Request was fulfilled on August 15 and a full copy of the responsive records is on file at the clerk's office.

Elections:

- Partisan Primary on August 9 went well with 559 ballots cast in the Town of Omro, 81 of which voted by absentee ballot. Election Day Registration were 23, bring the town's registered voter count to 1,696. Voter turnout was 32.99%.
- Next election is the General Election on November 8. Those with a valid absentee request on file by September 22 will have their absentee ballots mailed out by that date.

Planning Commission:

Chairman Noe shared that Planning Commission did not need to meet in August. Will be meeting in September and will likely update more on the Highway 21 Corridor Study.

Attorney's Report:

None

Supervisors' Report:

None

Chairman’s Report:

- Sandhill Farms is trying to get their drainage easement revised. Spoke about proof rolls on the two new roads; no problem there but would not open until we get past the stormwater issues.
- Still hoping to get our engineer to do grading and drainage checks this year yet. Strand will need cut sheets from developers before they come out to do

Meeting Minutes

MOTION by Supervisor Krings, second by Supervisor Disterhaft to approve meeting minutes from regular board meeting on July 18, 2022. **MOTION AMENDED** to include Tom Tuschl’s clarification of his comments referenced in the minutes from that meeting.

Motion carried on a 3-0 voice vote.

MOTION by Supervisor Krings, second by Supervisor Disterhaft to approve amendment to meeting minutes from June 20, 2022 as presented.

Motion carried on a 3-0 voice vote.

Treasurer’s Report

Note: A printed copy of this month’s Treasurer’s Report is included in the town’s 2022 minutes book and can be obtained by contacting the Town Clerk’s office.

Treasurer Jackson indicated we will get tax settlement soon.

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

Note: A printed copy of this month’s Accounts Payable Report is included in the town’s 2022 minutes book and can be obtained by contacting the Town Clerk’s office.

MOTION by Supervisor Krings, second by Supervisor Disterhaft to approve accounts payable in the amount of \$306,815.99.

Motion carried on a 3-0 voice vote.

Upcoming Meetings or Workshops

Discussion took place about who might be interested in attending the Town Law Conference, WTA Fall Workshops and Annual Convention.

Agenda Items for Next Meeting

Potentially hold first budget workshop following the September town board meeting.

Closed Session

MOTION by Supervisor Krings, second by Supervisor Disterhaft to convene into closed session at 7:05 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 actions to be taken to recover expenses incurred by the town related to development.

Motion carried on a 3-0 roll call vote.

Adjourn

MOTION by Supervisor Krings second by Supervisor Disterhaft to adjourn the meeting at 7:57 p.m.

Motion carried on a 3-0 roll call vote.

Submitted by Dana Woods, Town Clerk

Approved by Town Board September 26, 2022