

DATE: 04/16/19

R E S O L U T I O N

No. 004

To The Board of Supervisors of Winnebago County, Wisconsin:

AMENDATORY ORDINANCE 04/04/19

WHEREAS, it is desirable to amend the Zoning Map of the TOWN OF UTICA in accordance with the petition of TERRY CULVER and

WHEREAS, said request is in compliance with the adopted Winnebago County Land Use Plan.

NOW, THEREFORE, the County Board of Supervisors of Winnebago County do ordain that the Zoning Ordinance and the Zoning Map of the TOWN OF UTICA, be and the same, are amended to provide that the attached described property be changed from the classification of **A-2 (AGRICULTURAL DISTRICT)** of said ordinance, which it now and heretofore had, to the zoned district of **RR (RURAL RESIDENTIAL RECREATIONAL MIXED USE)**.

AND BE IT FURTHER RESOLVED, by the Winnebago County Board of Supervisors, that the enclosed Ordinance is hereby ☐ **ADOPTED** OR ☐ **DENIED**.

County Board Supervisor
(Town of UTICA)

PARCEL NO: **024-0274, 024-0284**; FROM **A-2** TO **RR**

COUNTY DISCLAIMER:

County Board approval does not include any responsibility for County liability for the legality or effectiveness of the Town Zoning Amendment or the Town Zoning Ordinance.

APPROVED BY WINNEBAGO COUNTY EXECUTIVE THIS _____ DAY OF _____, 2019.

Mark Harris

County Board Supervisory district **33 - EGAN**



Winnebago County

Zoning Department

The Wave of the Future

MEMO FOR P & Z MEETING AGENDA OF APRIL 5, 2019

TO: Planning & Zoning Committee

FM: Zoning Administrator *CAR*

RE: Review of Town Zoning Changes

1. JJJ2 LLC - Town Zoning Change (Tax ID No: 006-0895-06) – Town of Clayton.

The town zoning change for JJJ2 LLC is consistent with Winnebago County's Land Use Plan. The Town of Clayton approved the zoning change from A-2 (General Agricultural District) to I-1 (Light Industrial District) and The Town of Clayton's amended land use plan shows future land use as Light Industrial.

RECOMMENDATION: Approve a motion to forward zone change to County Board for action. *BD, BJ, 4-0 approved*

2. **Culver - Town Zoning Change (Tax ID No: 024-0274 & 024-0284) – Town of Utica.**

The town zoning change for Culver is consistent with Winnebago County's Land Use Plan. The Town of Utica approved the zoning change from A2 (Agricultural District) to RR (Rural Residential Recreational Mixed Use) and Winnebago County's land use plan shows future land use as Agricultural and Rural under the extra-territorial jurisdiction of the City of Oshkosh.

RECOMMENDATION: Approve a motion to forward zone change to County Board for action. *BD, BJ, 4-0 approved*

SUBMITTAL FORM

Name of Property Owner: Terry Culver

Address of Owner: 5509 Fisk Ave Oshkosh, WI 54904

Name of Applicant: same as above

Address of Applicant: same as above

Legal Description of Area to be Rezoned (attach CSM, if applicable):

024-0274: NE NW EXC 3.75 A N&W of HWY & EXC HWY 31.21 A

024-0284: SE NW EXC S 47.04 RDS & EXC HWY 14.45 A

Tax Parcel Number, if existing parcels: 024-0413-02, 024-0416-00, 024-0416-01,

Section 14 Town 17N Range R15E

Existing Zoning: A2 Name of District: Agricultural District (General Farming)

Proposed Zoning: RR Name of District: Rural Residential Recreational Mixed Use

Town Board Action: X Approval Denial

Findings: 1) Does the Town have an adopted Land Use Plan? Yes

2) Does the request agree with the Plan? Yes

3) Other findings (List). approved by Town Board vote:

Approved by the Town Board vote 3-0

I, Jenny Sonnleitner, Clerk of the Town of Utica, hereby certify that a public hearing was conducted on March 7, 2019 and that all required notices were posted and/or mailed as required by local ordinance.

Signed: Jenny Sonnleitner

Date: 3-14-2019

LISTING OF PARCELS SURROUNDING SUBJECT PARCEL FOR REZONING CHANGE

Subject Parcels: 024-0274, 024-0284

Owner: Terry Culver

Applicant: same as above

PARCEL	OWNER(S)	MAILING ADDRESS	CITY/STATE/ZIP
024-0279-01 024-0279-02	Germaine Nelson	5603 State Road 44	Oshkosh, WI 54904
024-0282	Timothy & Grace Oliver	5595 State Road 44	Oshkosh, WI 54904
024-0277-04 024-0280	Family Lucky 7 Farm LLC	18 Crescent Key	Bellevue, WA 98006
024-0277	Scott & Elizabeth Krings	1691 County Road FF	Oshkosh, WI 54904
024-0276	Gerald Rick SR	121 Havenwood Drive	Pompano Beach, FL 33064-5253
024-0209 024-0209-03 024-0275 024-0275-02	Howard & Marjorie Christianson	5550 Fisk Ave	Oshkosh, WI 54904
024-0209-01-01 024-0209-01-02	Carol Culver	5510 Fisk Ave	Oshkosh, WI 54904
024-0271 024-0272-01	Lyle & Sandra Forsgren	5517 State Road 44	Oshkosh, WI 54904
024-0204-01	James & Kathleen Stadler	5608 Fisk Ave	Oshkosh, WI 54904
024-0203 024-0204	John & Diane Koerner	5628 Fisk Ave	Oshkosh, WI 54904
024-0274 024-0284	Terry & Jill Culver	5509 Fisk Ave	Oshkosh, WI 54904
024-0798	Daniel & Linda Plotz	1727 Crown Drive	Oshkosh, WI 54904

TOWN OF UTICA

Plan Commission Meeting Agenda

Notice is hereby given that a Town Plan Commission meeting in the Town of Utica, County of Winnebago, and State of Wisconsin for the transaction of business as is by law required or permitted to be transacted at such a meeting will be held at the Utica Town Hall, 1730 County Road FF in said Town.

Thursday, March 7, 2019

7:30 pm

1. Call the Meeting to Order
2. Take Roll Call:
 - A. *Members:* Terry Beck, Darwin Briggs, Ralph Kalies, Tim Oliver, Ken Schmick, Grant Stettler, Tom Thiel
 - B. *Alternates:* Chad Bowman, Eric Whiting
3. Approve May 3, 2018 Plan Commission Meeting Minutes
4. Affidavit of Posting/Publication – Secretary and Plan Chairman to sign
5. Public Forum
6. Discuss/Recommend to the Town Board approving CSM to divide parcels: 024-~~00~~274, 024-0284 currently zoned A2 and owned by Terry Culver 5509 Fisk Ave Oshkosh, WI 54904. Terry Culver would like to create a 5 acre single-family parcel with existing home to be zoned RR and leaving remaining land for agriculture to be zoned RR. Location of the property is east of County Road FF, south of Fisk Ave, and North and South of State Road 44; Lot 1 to be 5.012 acres, Lot 2 to be 20.745 acres and Lot 3 to be 18.563 acres.
7. Future Agenda Items
8. Adjournment

Jenny Sonnleitner, Clerk
Posted: 3/5/2019

The Plan Commission meets as needed on the FIRST THURSDAY OF EACH MONTH AT 7:30PM (unless otherwise noted). All meetings are open to the public. Discussion and action may occur on any of the above agenda items.

Any person wishing to attend who, because of a disability, requires special accommodation, should contact Plan Commission Chairman Tom Thiel at 920-579-3025 at least twenty four (24) hours before the scheduled meeting time so appropriate arrangements can be made.

This is a public meeting. As such, all members or a majority of the members of the Town Board may be in attendance. While a majority of the Town Board members or the majority of any given Town Board Committee may be present, only the above committees will take official action based on the above agenda.

Posted at: townofutica.org, Town Hall, Co-op, and Jasper's. To receive email updates, e-mail the Clerk at utica1730@gmail.com.

TOWN OF UTICA

Plan Commission Meeting ~ Minutes

Thursday, March 7, 2019

7:30 pm

DRAFT

1. Call the Meeting to Order

This meeting was called to order by Chairman Tom Thiel at 7:30pm at the Utica Town Hall; 9 present

2. Roll Call:

- A. *Members Present:* Terry Beck, Darwin Briggs, Ralph Kalies, Tim Oliver, Ken Schmick, Grant Stettler, Tom Thiel
- B. *Alternates Present:* Eric Whiting
- C. *Alternates Absent:* Chad Bowman
- D. *Board Members Present:* Leonard Schmick
- E. *Board Members Absent:* Chuck Kuhrt

"These meeting minutes are only a draft of the minutes of the meeting. They have not been approved yet. They are subject to change and you may not rely on their accuracy. For more information please contact the clerk or a town board member."

3. Approve May 3, 2018 Plan Commission Meeting Minutes

Darwin Briggs motions to accept as presented, seconded by Tom Thiel. Carried

4. Affidavit of Posting/Publication – Secretary and Plan Chairman to sign

5. Public Forum

Terry Culver is looking to sell the land, keep 5 acres with the home, and keep the rest ag. There is an easement on one end to use for farm equipment. Jim Stadler asked what RR was and Tom Thiel said it is Rural Residential Recreational. Walter Whiting said by changing to RR, the intention of the proposed buyer would be to keep it farm land; concerned there could be multiple parcels for homes. Tom Thiel said it could be done but it still needs to be brought before the Board to be divided up; can still plant crops as being zoned RR. Walt asked about the easement. Terry said it is for the farmers to use to drive along the State Road to get to the farm field. Eric Whiting mentioned looking into the future regarding the easement, any future buildings would need to measure setbacks from the easement. Len Schmick said there is currently a culvert there and this easement would be documented with the County. Any realtor would need to inform the buyer of the easement. Tim Oliver suggested putting a driveway on the rounded corner of County Road FF and Fisk to prevent future issues. Public discussion closed.

6. Discuss/Recommend to the Town Board approving CSM to divide parcels: 024-00274, 024-0284 currently zoned A2 and owned by Terry Culver 5509 Fisk Ave Oshkosh, WI 54904. Terry Culver would like to create a 5 acre single-family parcel with existing home to be zoned RR and leaving remaining land for agriculture to be zoned RR. Location of the property is east of County Road FF, south of Fisk Ave, and North and South of State Road 44; Lot 1 to be 5.012 acres, Lot 2 to be 20.745 acres and Lot 3 to be 18.563 acres.

There was discussion about the current culvert location on State Road 44 being on Lot 1 and to create a new culvert access on Lot 2.

Ralph Kalies recommends to approve the map and what they want to do as approved, seconded by Darwin Briggs. Terry Beck – Yes / Darwin Briggs – Yes / Ralph Kalies – Yes / Tim Oliver – No / Ken Schmick – Yes Grant Stettler – Yes / Tom Thiel – Yes. Approve

7. Future Agenda Items

Ken Schmick will want more land added to his lot on Bonnieview Road to build a house, will have a CSM soon.

Grant received a call from a gentleman who grows crops and would like to buy a box off a refrigerator truck to store veggies until he takes them to the market, or build a shed to store it.

Tom Thiel talked with a company who would like to run high-speed internet but he will need to consult the attorney.

8. Adjournment

Adjourned at 7:57pm

Jenny Sonleitner, Clerk & Planning/Zoning Secretary

Thomas Thiel, Plan Chairman

Jenny Sonleitner, Clerk & Planning/Zoning Secretary

TOWN OF UTICA

Plan Commission Notice

Notice is hereby given that a public meeting in the Town of Utica, County of Winnebago, and State of Wisconsin for the transaction of business as is by law required or permitted to be transacted at such a meeting will be held at the Utica Town Hall, 1730 County Road FF in said Town. Town Board members may be present.

Thursday, March 7, 2019

7:30 pm

To hear testimony for approval of a CSM dividing parcel number 024-00274, 024-0284 currently zoned A2 and owned by Terry Culver 5509 Fisk Ave Oshkosh, WI 54904. Terry Culver would like to create a 5 acre single-family parcel with existing home to be zoned RR and leaving remaining land for agriculture to be zoned RR. Location of the property is east of County Road FF, south of Fisk Ave, and North and South of State Road 44; Lot 1 to be 5.012 acres, Lot 2 to be 20.745 acres and Lot 3 to be 18.563 acres.

The properties within 300' for notification in the Town of Utica, Winnebago County, Wisconsin are:

PARCEL	OWNER(S)	MAILING ADDRESS	CITY/STATE/ZIP
024-0279-01 024-0279-02	Germaine Nelson	5603 State Road 44	Oshkosh, WI 54904
024-0282	Timothy & Grace Oliver	5595 State Road 44	Oshkosh, WI 54904
024-0277-04 024-0280	Family Lucky 7 Farm LLC	18 Crescent Key	Bellevue, WA 98006
024-0277	Scott & Elizabeth Krings	1691 County Road FF	Oshkosh, WI 54904
024-0276	Gerald Rick SR	121 Havenwood Drive	Pompano Beach, FL 33064-5253
024-0209 024-0209-03 024-0275 024-0275-02	Howard & Marjorie Christianson	5550 Fisk Ave	Oshkosh, WI 54904
024-0209-01-01 024-0209-01-02	Carol Culver	5510 Fisk Ave	Oshkosh, WI 54904
024-0271 024-0272-01	Lyle & Sandra Forsgren	5517 State Road 44	Oshkosh, WI 54904
024-0204-01	James & Kathleen Stadler	5608 Fisk Ave	Oshkosh, WI 54904
024-0203 024-0204	John & Diane Koerner	5628 Fisk Ave	Oshkosh, WI 54904
024-0274 024-0284	Terry & Jill Culver	5509 Fisk Ave	Oshkosh, WI 54904
024-0798	Daniel & Linda Plotz	1727 Crown Drive	Oshkosh, WI 54904

Public testimony will be taken at the time of the hearing. All written testimony must be received prior to the hearing and can be sent to Thomas Thiel, 1209 County Road M Pickett, WI 54964. For further information, contact Thomas Thiel (920) 589-3005.

Jenny Sonleitner, Clerk & Planning/Zoning Secretary
Published: 2/21/2019

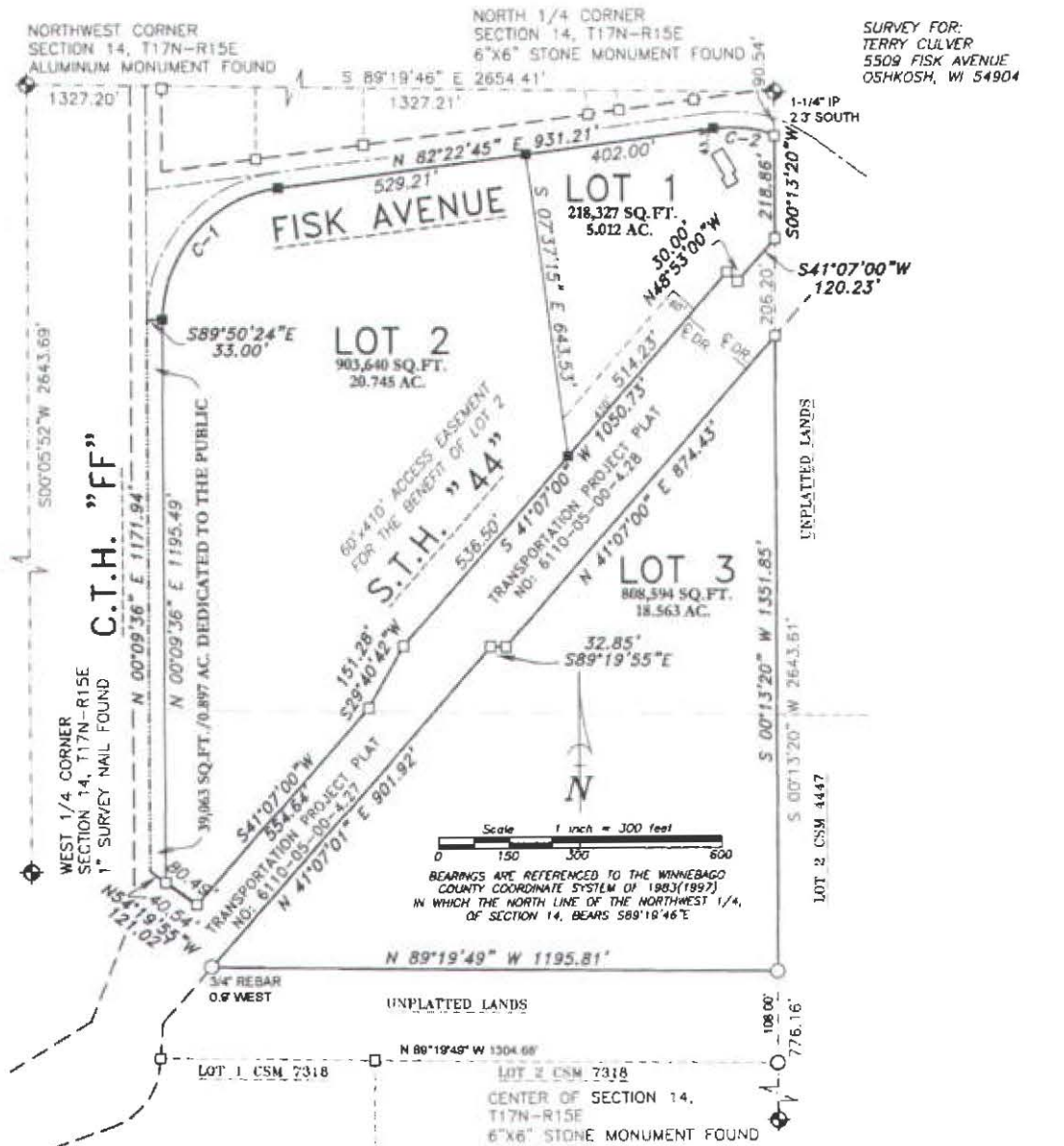
Any person wishing to attend who, because of a disability, requires special accommodation, should contact Plan Chairman Tom Thiel at 920-579-3025 at least twenty four (24) hours before the scheduled meeting time so appropriate arrangements can be made.

This is a public meeting. As such, all members or a majority of the members of the Town Board may be in attendance. While a majority of the Town Board members or the majority of any given Town Board Committee may be present, only the above committee will take official action.

Posted at: townofutica.org, Town Hall, Co-op, and Jasper's. To receive email updates, e-mail the Clerk at utica1730@gmail.com.

CERTIFIED SURVEY MAP NO. _____

PART OF THE NORTHEAST 1/4 OF THE NORTHWEST
1/4 AND PART OF THE SOUTHEAST 1/4 OF THE
NORTHWEST 1/4, ALL IN SECTION 14, TOWNSHIP 17
NORTH, RANGE 15 EAST, TOWN OF UTICA,
WINNEBAGO COUNTY, WISCONSIN.



Curve	Radius	Delta	Length	Chord Bearing	Chord
1	282.00'	082°13'09"	404.67'	N 41°16'10.5" E	370.83'
2	267.00'	027°48'39"	129.60'	S 83°42'55.5" E	128.33'

LEGEND

- 1-1/4" O.D. IRON PIPE SET, 18" LONG,
WEIGHING 1.130 LBS. PER LIN. FOOT
- 3/4" REBAR FOUND
- 1-1/4" O.D. IRON PIPE FOUND
- ⊕ GOVERNMENT CORNER FOUND
- () RECORDED AS

Martenson & Eisele, Inc.



101 West Main Street
Omro, WI 54963
www.martenson-eisele.com
P 820.685.6240 F 920.685.6340

Planning
Environmental
Surveying
Engineering
Architecture

PROJECT NO. 0-2341-001
FILE 2341001CSM SHEET 1 OF 3
This instrument was drafted by: DSL

Certified Survey Map

PART OF THE NORTHEAST 1/4 OF THE NORTHWEST 1/4 AND PART OF THE
SOUTHEAST 1/4 OF THE NORTHWEST 1/4, ALL IN SECTION 14, TOWNSHIP 17
NORTH, RANGE 15 EAST, TOWN OF UTICA, WINNEBAGO COUNTY, WISCONSIN.

SURVEYOR'S CERTIFICATE:

I, James E. Smith, Professional Land Surveyor, do hereby certify:

That I have surveyed, divided and mapped, at the direction of Terry Culver, part of the Northeast 1/4 of the Northwest 1/4 and part of the Southeast 1/4 of the Northwest 1/4, all in Section 14, Township 17 North, Range 15 East, Town of Utica, Winnebago County, Wisconsin, described as follows:

Commencing at the North 1/4 corner of said Section 14; thence South 00 degrees 13 minutes 20 seconds West 90.54 feet, along the East line of the said Northwest 1/4, to the point of beginning; thence South 00 degrees 13 minutes 20 seconds West 218.86 feet, along the said East line; thence South 41 degrees 07 minutes 00 seconds West 120.23 feet, along the North right-of-way line of S.T.H. "44"; thence North 48 degrees 53 minutes 00 seconds West 30.00 feet, along the said North right-of-way line; thence South 41 degrees 07 minutes 00 seconds West 1050.73 feet, along the said North right-of-way line; thence South 29 degrees 40 minutes 42 seconds West 151.28 feet, along the said North right-of-way line; thence South 41 degrees 07 minutes 00 seconds West 554.64 feet, along the said North right-of-way line; thence North 54 degrees 19 minutes 55 seconds West 121.02 feet, along the said North right-of-way line; thence North 00 degrees 09 minutes 36 seconds East 1171.94 feet, along the West line of the said Southeast 1/4 of the Northwest 1/4 and the Northeast 1/4 of the Northwest 1/4; thence South 89 degrees 50 minutes 24 seconds East 33.00 feet; thence 404.67 feet along the arc of a curve to the right, having a radius of 282.00 feet and whose chord bears North 41 degrees 16 minutes 10.5 seconds East 370.83 feet, along the South right-of-way line of Fisk Avenue; thence North 82 degrees 22 minutes 45 seconds East 931.21 feet, along the said South right-of-way line; thence 129.60 feet along the arc of a curve to the right, having a radius of 267.00 feet and whose chord bears South 83 degrees 42 minutes 55.5 seconds East 128.33 feet, to the point of beginning, and also including lands described as commencing at the North 1/4 corner of said Section 14; thence South 00 degrees 13 minutes 20 seconds West 515.60 feet, along the East line of the said Northwest 1/4, to the point of beginning; thence South 00 degrees 13 minutes 20 seconds West 1351.85 feet, along the said East line; thence North 89 degrees 19 minutes 49 seconds West 1195.81 feet; thence North 41 degrees 07 minutes 01 seconds East 901.92 feet, along the South right-of-way line of S.T.H. "44"; thence South 89 degrees 19 minutes 55 seconds East 32.85 feet, along the said South right-of-way line; thence North 41 degrees 07 minutes 00 seconds East 874.43 feet, along the said South right-of-way line, to the point of beginning.

That I have fully complied with Chapter 236.34 of the Wisconsin Statutes in surveying, dividing, and mapping the same and the Town of Utica, and Winnebago County Subdivision Ordinances.

This map is a correct representation of all of the exterior boundaries of land surveyed and the division thereof.

Given under my hand this _____ day of _____, 2019.

James E. Smith, WI. Land Surveyor, S-1803

Winnebago County Planning and Zoning Committee Certificate:

Pursuant to the Land Subdivision Regulations of the County of Winnebago, Wisconsin, all the requirements for approval have been fulfilled. This Minor Subdivision was approved by the Winnebago County Planning and Zoning Committee on _____ day of _____, 2019.

Chairman, Planning and Zoning Committee

This CSM is contained wholly within the property described in the following recorded instruments:

Owner(s) of record	Document(s)	Parcel Number(s)
Terry L. Culver	1732466	0240274
Jill M. Culver	1732465	0240284

PROJECT NO. 0-2341-001 SHEET 2 of 3

TOWN OF UTICA

Town Board Meeting ~ Agenda

Monday, March 11, 2019

**7:00 – Review Invoices
7:30pm – Town Board Meeting**

Notice is hereby given that a Town Board meeting in the Town of Utica, Winnebago County, and State of Wisconsin for the transaction of business as is by law required or permitted to be transacted at such a meeting will be held at the Utica Town Hall, 1730 County Road FF in said Town.

1. Call the Meeting to Order
2. Pledge of Allegiance
3. **CONSENT AGENDA:**
 - A) Approve February 11, 2019 Town Board Meeting Minutes
 - B) Affidavit of Posting/Publication
 - C) Approve Payment of Bills for March
4. Treasurer's Report for February
5. Public Forum: *Opportunity to comment about an Agenda item or new business; say your name & address (no action taken by the Board)*
6. Discuss/Act on Winnebago County Historical & Archaeological Society to write about the Town of Utica, possible cost
7. **PLAN COMMISSION**
 - A) Discuss/Approve rezoning parcels as recommended by the Plan Commission approving CSM. 024-00274, 024-0284 currently zoned A2 and owned by Terry Culver 5509 Fisk Ave Oshkosh, WI 54904. Terry Culver would like to create a 5 acre single-family parcel with existing home to be zoned RR and leaving remaining land for agriculture to be zoned RR. Location of the property is east of County Road FF, south of Fisk Ave, and North and South of State Road 44; Lot 1 to be 5.012 acres, Lot 2 to be 20.745 acres and Lot 3 to be 18.563 acres.
8. Discuss/Act on any Budget Amendments
9. Discuss/Approve WI Towns Association Bylaws
10. Discuss/Act on Winnebago County Floodplain Map Amendment Resolution
11. Discuss/Act on FEMA's Public Assistance Grants Portal
12. Discuss Insurance Renewal Questionnaires, Insurance Agent can attend April's meeting
13. WI Dept of Safety & Professional Services – new electrical rules
14. Discuss/Approve Resolution by School District of Omro proposed to attached property from Oshkosh Area School to Omro School District owned by Joshua Malnory: NE ¼ of the SW ¼ Section 11 Township 17 N, Range 15 E: 024-0195
15. Discuss/Act On repairing Town Hall north and east walls
16. East Central WI Regional Planning Commission – Resolution 43-18 to Restrict the use of high-PAH pavement sealants; encourages Towns to establish policies no to purchase/apply coal-tar-based sealant/other high-PAH sealant on any owned/maintained properties. Discuss/Act on approving an Ordinance.
17. Discuss Spring Road Inspection date with the County
18. RUSH LAKE – Late Feb/Early March follow-up meeting; next meeting 4/18/19
19. **FIRE DEPARTMENT / EMS**
 - A) February: 4 Fire Calls / 3 EMS Calls / 2 Mutual Aid calls
 - B) Discuss/Act on the progress of the new, used fire truck
 - C) SPS 330 Administrative Rule
20. **ITEMS FOR INCLUSION IN NEWSLETTER**
 - A) Town Board Meeting – April 8, 2019; 7:30pm at the Utica Town Hall
 - B) Open Book: May 7, 2019: 4-6pm
 - C) Board of Review: May 21, 2019: 6-8pm
21. **CORRESPONDENCE RECEIVED (Discuss/Act on):**
 - A) WI Towns Association – Monthly Mailing via email
 - B) Property Transfers
 - C) Sign Incident check reimbursement, Fox Valley Tech Board Appointment Vacancy, 2019 Carrot-top catalog, Winnebago County passed Boating Regulations Ordinance, Greater Oshkosh 2018 Annual Report, Construction Business Group; CD of Winnebago County's 2019 Emergency Response Plan

22. Adjournment

Jenny Sonleitner, Clerk Posted: 3/9/2019

Plan Commission Members (7, 2 alternates) (3-year term): Grant Stettler 4/2017; Tim Oliver 6/2017; Eric Whiting (alternate) 6/2017; Darwin Briggs 12/2020; Ken Schmick 3/2021; Tom Thiel 6/2018 (Chair); Ralph Kalies 7/2021; Chad Bowman (alternate) 8/2018; Terry Beck 11/2021 / **Rush Lake Steering Committee (3) (3-year term):** Chuck Kuhrt 9/2020; Kevin Fritz 2/2021; Tom Davis 5/2021 / **Board of Appeals Members (5, 3 alternates) (3-year term):** Vicki Williams 5/2016 (Chair); Don Draxler (alternate) 2/2017; Darwin Briggs 6/2017; Robert Potratz 3/2021; Brian Trebialsowski 6/2021; Michael Christianson (alternate) 8/2021; Walt Whiting 12/2021 (alternate); Stephanie Stettler 12/2021

The Town Board meets regularly the **SECOND MONDAY OF EACH MONTH AT 7:30PM** (unless otherwise noted). All meetings are open to the public. Discussion and action may occur on any of the above agenda items. Any person wishing to attend who, because of a disability, requires special accommodation, should contact Chairman Len Schmick at 920-589-6774 at least twenty four (24) hours before the scheduled meeting time so appropriate arrangements can be made. This is a public meeting. As such, all members or a majority of the members of the Town Board may be in attendance. While a majority of the Town Board members or the majority of any given Town Board Committee may be present, only the above committee will take official action based on the above agenda. Posted at townofutica.org, Town Hall, Co-op, and Jasper's. E-mail utica1730@gmail.com for email updates.

TOWN OF UTICA

Town Board Meeting ~ Minutes

Monday, March 11, 2019

7:00pm – Review Invoices
7:30pm – Town Board Meeting

Notice is hereby given that a Town Board meeting in the Town of Utica, Winnebago County, and State of Wisconsin for the transaction of business as is by law required or permitted to be transacted at such a meeting will be held at the Utica Town Hall, 1730 County Road FF in said Town.

1. CALL THE MEETING TO ORDER

This meeting was called to order by Chairman Schmick at 7:30pm at the Utica Town Hall.

PRESENT: Chairman Leonard Schmick, Supervisor #1 Chuck Kuhrt, Supervisor #2 Grant Stettler

DRAFT

Clerk Jenny Sonleitner, Treasurer Brenda Morrell; 7 citizens present; County Sheriff Deputy Wuest

2. PLEDGE OF ALLEGIANCE

3. CONSENT AGENDA:

A) APPROVE FEBRUARY 11, 2019 TOWN BOARD MEETING MINUTES

B) AFFIDAVIT OF POSTING/PUBLICATION

C) APPROVE PAYMENT OF BILLS FOR MARCH

Chairman Schmick made a motion to approve the Consent Agenda, seconded by Supervisor Kuhrt. Carried

"These meeting minutes are only a draft of the minutes of the meeting. They have not been approved yet. They are subject to change and you may not rely on their accuracy. For more information please contact the clerk or a town board member."

4. TREASURER'S REPORT FROM FEBRUARY; BMO HARRIS BANK

Receipts: \$153,866.12; Disbursements: \$632,111.29; Total Balance: \$418,189.39

Total cash on hand including Fire/EMS account: \$446,921.03

5. PUBLIC FORUM (Opportunity to comment about an Agenda item or new business; say your name & address (no action taken by the Board

Tom Thiel talked with Attorney John Blazel regarding the high-speed internet permit and the attorney will review it more.

6. DISCUSS/ACT ON WINNEBAGO COUNTY HISTORICAL & ARCHAEOLOGICAL SOCIETY TO WRITE ABOUT THE TOWN OF UTICA POSSIBLE COST

The person is unable to attend tonight and would like to attend in April with a packet of information for the Board. Chairman Schmick motions to table until next month, seconded by Supervisor Stettler. Carried

7. PLAN COMMISSION

A) DISCUSS/APPROVE REZONING PARCELS AS RECOMMENDED BY THE PLAN COMMISSION APPROVING CSM.

024-00274, 024-0284 CURRENTLY ZONED A2 AND OWNED BY TERRY CULVER 5509 FISK AVE OSHKOSH, WI 54904. TERRY CULVER WOULD LIKE TO CREATE A 5 ACRE SINGLE-FAMILY PARCEL WITH EXISTING HOME TO BE ZONED RR AND LEAVING REMAINING LAND FOR AGRICULTURE TO BE ZONED RR. LOCATION OF THE PROPERTY IS EAST OF COUNTY ROAD FF, SOUTH OF FISK AVE, AND NORTH AND SOUTH OF STATE ROAD 44; LOT 1 TO BE 5.012 ACRES, LOT 2 TO BE 20.745 ACRES AND LOT 3 TO BE 18.563 ACRES.

Supervisor Stettler thought the main concern during the Plan Commission Meeting was about the driveway, to have less equipment traffic on State Road 44; it is the only entrance. Tom Thiel said the reason to have the variance to cross the field, there is no driveway on the corner, a driveway would need to be put in. Would need gravel to create a flat entrance to not drive through the ditch. Supervisor Kuhrt suggested he would be required to put in gravel. Supervisor Stettler feels it should have a flat gravel surface on the corner. Tom Thiel said to upgrade the gravel in the ditch so it is flat with the road. Stettler motions to accept the Plan Commission recommendation with the future intent of addressing the driveway entrance on County Road FF and Fisk Ave, seconded by Chairman Schmick. Carried

8. DISCUSS/ACT ON ANY BUDGET AMENDMENTS

No Amendments

9. DISCUSS/APPROVE WI TOWNS ASSOCIATION BYLAWS

Chairman Schmick feels it's something we don't need to be involved in. Chairman Schmick motioned not to get involved as a member of the Winnebago County Town's Association, seconded by supervisor Stettler. Carried

10. DISCUSS/ACT ON WINNEBAGO COUNTY FLOODPLAIN MAP AMENDMENT RESOLUTION

Supervisor Stettler said it appears the study had to do with flood levels and the areas highlighted in the map are not extending on to dry land any further than before. Study was done up to James Road. Chairman Schmick motions to approve the Winnebago County Floodplain Map Amendment, seconded by Supervisor Stettler. Carried

11. DISCUSS/ACT ON FEMA'S PUBLIC ASSISTANCE GRANTS PORTAL

Clerk Sonleitner will sign up to be in the system if any disasters should happen. Will list the Board members and Fire Chief as contacts.

12. DISCUSS INSURANCE RENEWAL QUESTIONNAIRES, INSURANCE AGENT CAN ATTEND APRIL'S MEETING

Chairman Schmick motions to accept the policy and after talking with the Rep next month, we can make any adjustments, seconded by Supervisor Kuhrt. Carried

13. WI DEPT OF SAFETY & PROFESSIONAL SERVICES – NEW ELECTRICAL RULES

As of March 1, we need to have an Inspector certified. Chairman Schmick tried calling Building Inspector Johnson.

14. **DISCUSS/APPROVE RESOLUTION BY SCHOOL DISTRICT OF OMRO PROPOSED TO ATTACH PROPERTY FROM OSHKOSH AREA SCHOOL TO OMRO SCHOOL DISTRICT OWNED BY JOSHUA MALNORY: NE ¼ OF THE SW ¼ SECTION 11, TOWNSHIP 17 N, RANGE 15 E: 024-0195**
Chairman Schmick said his school taxes would be payable to Omro School District now and not sure we can do anything to change this. Supervisor Stettler motions to approve the Resolution from Oshkosh to Omro school as attached, seconded by Supervisor Kuhrt. Carried
 15. **DISCUSS/ACT ON REPAIRING TOWN HALL NORTH AND EAST WALLS**
Supervisor Stettler has made a few calls but has not heard back from anyone. He will take a sample of the paint to get paint made. Clerk Sonleitner will contact Pioneer Cleaning to wash the walls, if under \$200.
 16. **EAST CENTRAL WI REGIONAL PLANNING COMMISSION – RESOLUTION 43-18 TO RESTRICT THE USE OF HIGH-PAH PAVEMENT SEALANTS; ENCOURAGES TOWNS TO ESTABLISH POLICIES NO TO PURCHASE/APPLY COAL-TAR-BASED SEALANT/OTHER HIGH-PAH SEALANT ON ANY OWNED/MAINTAINED PROPERTIES. DISCUSS/ACT ON APPROVING AN ORDINANCE.**
Chairman Schmick will contact the County and how to enforce for personal driveways. Will table this for next month after more answers.
 17. **DISCUSS/SET SPRING ROAD INSPECTION**
Chairman Schmick will contact the County to get dates for the next meeting.
 18. **RUSH LAKE: LATE FEB/EARLY MARCH FOLLOW-UP MEETING; NEXT MEETING 4/18/19**
There will be a meeting March 30 at 9-11am at the Town of Nepeuskun Town Hall. UW-Stevens Point to partner with the Rush Lake Restoration committee.
 19. **FIRE DEPARTMENT / EMS:**
 - A) **FEBRUARY CALLS: 4 FIRE / 3 EMS / 2 MUTUAL AID**
 - B) **DISCUSS/ACT ON THE PROGRESS OF THE NEW, USED FIRE TRUCK**
Walt Whiting said it is still being discussed. Tom Thiel heard from other departments to stay away from Rutherford, there are issues.
 - C) **SPS 330 ADMINISTRATIVE RULE**
Supervisor Stettler sent additional emails to the Senator with questions specific to questions Tim had and has not heard back. Main concern was if in the future, if it would affect us and what is the consequence.
 20. **ITEMS FOR INCLUSION IN NEWSLETTER**
 - A) **Town Board Meeting – April 8, 2019; 7:30pm at the Utica Town Hall**
 - B) **OPEN BOOK: MAY 7, 2019: 4-6PM**
 - C) **BOARD OF REVIEW: MAY 21, 2019: 6-8PM**
 21. **CORRESPONDENCE RECEIVED (Discuss & Act on, if needed):**
 - A) **WI Towns Association Monthly Mailing via email**
 - B) **Property Transfers**
 - C) **Sign Incident check reimbursement, Fox Valley Tech Board Appointment Vacancy, 2019 Carrot-top catalog, Winnebago County passed Boating Regulations Ordinance, Greater Oshkosh 2018 Annual Report, Construction Business Group, CD of Winnebago County's 2019 Emergency Response Plan**
- Supervisor Kuhrt gave 'Kudos' to Supervisor Stettler for assisting in removing ice and frozen slush that a plow truck pushed that was a couple feet high on Ripple Road between Elo and Burr Oak; he took a picture.
22. **ADJOURNMENT**
Adjournment 8:13pm

Jenny Sonleitner, Clerk

Leonard Schmick – Chairman		Brenda Morrell – Treasurer	
Chuck Kuhrt – Supervisor #1		Jenny Sonleitner - Clerk	
Grant Stettler – Supervisor #2			

"These meeting minutes are only a draft of the minutes of the meeting. They have not been approved yet. They are subject to change and you may not rely on their accuracy. For more information please contact the clerk or a town board member."

Resolution

Date: 3-14-2019

To the Board of Supervisors of Winnebago County, Wisconsin:

Amendatory Ordinance

Whereas, it is desirable to amend the Zoning Ordinance and the Zoning Map of the Town of Utica in accordance with the petition of Terry Culver;

Whereas said request is in compliance with the adopted Winnebago County Land Use Plan.

Now, therefore, the County Board Supervisors of Winnebago County do ordain that the Zoning Ordinance and the Zoning Map of the Town of Utica, be and the same, are amended to provide that the attached described property be changed from the classification of Two (2) parcels zoned A2 of said ordinance, which it now and heretofore had, to the zoned district to create Lot 1, 2, and 3 being zoned RR. Lot one would have the existing home. Lots 2 & 3 to be used for agriculture.

County Board Supervisor
(Town of Utica)

Parcel Nos: 024-0274, 024-0284

County Disclaimer:

County Board approval does not include any responsibility for County liability for the legality or effectiveness of the Town Zoning Amendment or the Town Zoning Ordinance.

APPROVED BY WINNEBAGO COUNTY EXECUTIVE THIS _____ DAY OF _____, _____.

Mark Harris

County Board Supervisory District