

DATE: 07/20/21

**R E S O L U T I O N**

No. 016

To The Board of Supervisors of Winnebago County, Wisconsin:

**AMENDATORY ORDINANCE 07/16/21**

WHEREAS, it is desirable to amend the Zoning Map of the TOWN OF UTICA in accordance with the petition of Craig & Ashley Much 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 (General Farming District)** of said ordinance, which it now and heretofore had, to the zoned district of **RR (Rural Residential Recreational Mixed Use District)**.

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: **024-0245**; 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 \_\_\_\_\_, 2021.

\_\_\_\_\_  
Jon Doemel

County Board Supervisory district **33 - Egan**



## Winnebago County

Zoning Department

*The Wave of the Future*

MEMO FOR P & Z MEETING AGENDA OF JULY 9, 2021

TO: Planning & Zoning Committee

FM: Zoning Administrator 

RE: Review of Town Zoning Change

1. Christie Prah - Town Zoning Change (Tax ID No: 026-0308-02-01 & 026-0308-02-03) – Town of Vinland.

The town zoning change for Christie Prah is consistent with Winnebago County's Future Land Use Plan. The Town of Vinland approved the zoning change from A-2 / R-1 (Agricultural / Rural Residential) to R-1 (Rural Residential) and Winnebago County's future land use plan shows future land use as Residential.

**RECOMMENDATION: Approve a motion to forward zone change to County Board for action.** *MG, BJ 2 4-0 approved*

2. Brad Starr - Town Zoning Change (Tax ID No: 026-0232, 026-0233-01, 026-0234, 026-0248-01, 026-0249 & 026-0250) – Town of Vinland.

The town zoning change for Brad Starr is consistent with Winnebago County's Future Land Use Plan. The Town of Vinland approved the zoning change from A-1 (Agri-business District) to A-2 (General Farming District) and Winnebago County's future land use plan shows future land use as Agricultural and Rural.

**RECOMMENDATION: Approve a motion to forward zone change to County Board for action.** *RK, MG 2 4-0 approved*

3. Muttart Rev Tst - Town Zoning Change (Tax ID No: 026-0572 & 026-0573) – Town of Vinland.

The town zoning change for Muttart Rev Tst is consistent with Winnebago County's Future Land Use Plan. The Town of Vinland approved the zoning change from A-1 (Agri-business District) to A-2 (General Farming District) and Winnebago County's future land use plan shows future land use as Agricultural, Rural & Non-residential.

**RECOMMENDATION: Approve a motion to forward zone change to County Board for action.**

*BT, MG 2 4-0 approved*

4. Wilde Farms Inc - Town Zoning Change (Tax ID No: 026-0487 & 026-0489) – Town of Vinland.

The town zoning change for Wilde Farms Inc is consistent with Winnebago County's Future Land Use Plan. The Town of Vinland approved the zoning change from A-1 (Agri-business District) to A-2 (General Farming District) and Winnebago County's future land use plan, which incorporates the City of Oshkosh' future land use plan, shows future land use as Agricultural and Rural.

**RECOMMENDATION: Approve a motion to forward zone change to County Board for action.**

*MG, RK 2 4-0 approved*

5. David Harness - Town Zoning Change (Tax ID No: 026-0001 & 026-0003) – Town of Vinland.

The town zoning change for David Harness is consistent with Winnebago County's Future Land Use Plan. The Town of Vinland approved the zoning change from A-1 (Agri-business District) to A-2 (General Farming District) and Winnebago County's future land use plan shows future land use as Agricultural & Rural.

**RECOMMENDATION: Approve a motion to forward zone change to County Board for action.**

*MG, BT 2 4-0 approved*

6. Boss Real Estate Holding LLC & Jay R. Boss Rev Tst - Town Zoning Change (Tax ID No: 026-0501-03 & 026-0501-01) – Town of Vinland.

The town zoning change for Boss Real Estate Holding LLC & Jay R. Boss Rev Tst is consistent with Winnebago County's Future Land Use Plan. The Town of Vinland approved the zoning change from A-1 (Agri-business District) to A-2 (General Farming District) and Winnebago County's future land use plan, which incorporates the City of Oshkosh' future land use plan, shows future land use as Agricultural & Rural.

**RECOMMENDATION: Approve a motion to forward zone change to County Board for action.**

*MG, RK 2 4-0 approved*

7. Roydon Fahley - Town Zoning Change (Tax ID No: 026-0165 & 026-0201) – Town of Vinland.

The town zoning change for Roydon Fahley is consistent with Winnebago County's Future Land Use Plan. The Town of Vinland approved the zoning change from A-1 (Agri-business District) to A-2 (General Farming District) and Winnebago County's future land use plan shows future land use as Agricultural & Rural.

**RECOMMENDATION: Approve a motion to forward zone change to County Board for action.**

*MG, BJz 4-0 approved*

8. Gary Schneider and Roger Erdman et al - Town Zoning Change (Tax ID No: 026-0204 & 026-0205) – Town of Vinland.

The town zoning change for Gary Schneider and Roger Erdman et al is consistent with Winnebago County's Future Land Use Plan. The Town of Vinland approved the zoning change from A-1 (Agri-business District) to A-2 (General Farming District) and Winnebago County's future land use plan shows future land use as Agricultural & Rural.

**RECOMMENDATION: Approve a motion to forward zone change to County Board for action.**

*MG, RKz 4-0 approved*

9. Lee Kester, Mary Danke, Susan Krueger, Dennis Krueger, Pat Ruppel and Kay Home - Town Zoning Change (Tax ID No: 028-0106-02 (part) & 028-0106-03) – Town of Winchester.

The town zoning change for Lee Kester, Mary Danke, Susan Krueger, Dennis Krueger, Pat Ruppel and Kay Home is consistent with Winnebago County's Future Land Use Plan. The Town of Winchester approved the zoning change from A-2 (General Farming District) to R-1 (Rural Residential District) and Winnebago County's future land use plan shows future land use as Agricultural & Rural.

**RECOMMENDATION: Approve a motion to forward zone change to County Board for action.**

*RK, BJz 4-0 approved*

10. Estate of David Davies - Town Zoning Change (Tax ID No: 024-0525 & 024-0531) – Town of Utica.

The town zoning change for Estate of David Davies is consistent with Winnebago County's Future Land Use Plan. The Town of Utica approved the zoning change from A2 (General Farming District) to RR (Rural Residential Recreational Mixed Use District) and Winnebago County's future land use plan shows future land use as Agricultural & Rural.

**RECOMMENDATION: Approve a motion to forward zone change to County Board for action.**

*TE, BJz 4-0 approved*

11. Craig & Ashley Much - Town Zoning Change (Tax ID No: 024-0245) – Town of Utica.

The town zoning change for Craig & Ashley Much is consistent with Winnebago County's Future Land Use Plan. The Town of Utica approved the zoning change from A2 (General Farming District) to RR (Rural Residential Recreational Mixed Use District) and Winnebago County's future land use plan, which incorporates the City of Oshkosh' future land use plan shows future land use as Residential.

**RECOMMENDATION: Approve a motion to forward zone change to County Board for action.**

*BJ, RK2 4-0 approved*

12. Estate of David Davies - Town Zoning Change (Tax ID No: 024-0522) – Town of Utica.

The town zoning change for Estate of David Davies is consistent with Winnebago County's Future Land Use Plan. The Town of Utica approved the zoning change from A2 (General Farming District) to RR (Rural Residential Recreational Mixed Use District) and Winnebago County's future land use plan shows future land use as Agricultural & Rural.

**RECOMMENDATION: Approve a motion to forward zone change to County Board for action.**

*TE, MG2 4-0 approved.*

A-2 TO RR FLU: res  
extra-cosh

Town of Utica ~ Jenny Sonnleitner, Clerk  
6570 Bradley Ave. Pickett, WI 54964 ~ 920-410-0347 ~ utica1730@gmail.com

### SUBMITTAL FORM

Name of Property Owner: Craig & Ashley Much

Address of Owner: 1186 Martin Ave. Fond du Lac, WI 54935

Name of Applicant: same as above

Address of Applicant: same as above

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

024-0245: N1/2 SE SE EXC CSM-98 13.49 A. SE 1/4, SE 1/4 of Section 12, T.17N. - R.15E.

Tax Parcel Number, if existing parcels: 024-0245

Section 12 Town 17N Range R15E

Existing Zoning: A2 Name of District: Agricultural District (General Farming)  
024-0245

Proposed Zoning: RR Name of District: Rural Residential Recreational Mixed Use  
024-0245

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 June 3, 2021 and that all required notices were posted and/or mailed as required by local ordinance.

Signed: Jenny Sonnleitner

Date: 6-23-2021

## LISTING OF PARCELS SURROUNDING SUBJECT PARCEL FOR REZONING CHANGE

Subject Parcels: 024-0245

Owner: Craig & Ashly Much

Applicant: same as above

PARCEL	OWNER(S)	MAILING ADDRESS	CITY/STATE/ZIP
024-0244-01 024-0244-02	Ronald & Joann Meier Rev Tst	4977 Stevens Lane	Oshkosh, WI 54904
024-0245	Craig & Ashly Much	1186 Martin Ave.	Fond du Lac, WI 54935
012-0129 012-0130	Robert Potratz	2381 James Road	Oshkosh, WI 54904
024-0240 024-0242 024-0243	Radloff Irrev Tst – Kathy Paschke	1344 Elo Road	Pickett, WI 54964
024-0244	Michael & Debra Radloff	4819 Fisk Ave.	Oshkosh, WI 54904

# 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, June 3, 2021**

**7:30 pm**

To hear testimony for approval of a CSM dividing parcel number 024-0245 of 13.49 acres currently zoned A2 into two single-family lots: Lot 1 to be 5.011 acres and Lot 2 to be 8.186 acres, both to be zoned RR. Surrounding land is General Ag and Single-Family Residence use. Property is owned by Craig & Ashley Much 1186 Martin Ave. Fond du Lac, WI 54935.

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

PARCEL	OWNER(S)	MAILING ADDRESS	CITY/STATE/ZIP
024-0244-01 024-0244-02	Ronald & Joann Meier Rev Tst	4977 Stevens Lane	Oshkosh, WI 54904
024-0245	Craig & Ashley Much	1186 Martin Ave.	Fond du Lac, WI 54935
012-0129 012-0130	Robert Potratz	2381 James Road	Oshkosh, WI 54904
024-0240 024-0242 024-0243	Radloff Irrev Tst – Kathy Paschke	1344 Elo Road	Pickett, WI 54964
024-0244	Michael & Debra Radloff	4819 Fisk Ave.	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 Sonnleitner, Clerk & Planning/Zoning Secretary  
Published: 5/20 & 27/2021

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 or a majority of the Town Board members 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, and Co-op.





# TOWN OF UTICA RE-ZONING PERMIT APPLICATION

Please print or type your responses to the questions on this application.  
A non-refundable application fee of \$400.00 is required for each permit application.  
The fee is payable to the Town of Utica and is due at the time the application is submitted.

Filing Fee: \$400.00

Date Received: 2-18-2021  
Office Use

Property Address: VACANT LAND, EAST OF 4977 STEVENS LANE

Name of Owner(s): CRAIG & ASHLY MUECH

Address, if different than above: 1186 MARTIN AVE FOND DU LAC, WI 54935

Home Phone: 920-538-1768 Daytime Phone, if different: \_\_\_\_\_

Name of Applicant(s): SAME AS ABOVE

Address, if different than above: \_\_\_\_\_

Home Phone: \_\_\_\_\_ Daytime Phone, if different: \_\_\_\_\_

Name & Address of professional in charge of proposed development (architect, builder, contractor, engineer, etc): JIM SMITH MARQUENSON & EISLE

101 W. MAIN ST OMAHA NE 68163

Legal Description of Property: N<sup>1</sup>/<sub>2</sub> OF SE<sup>1</sup>/<sub>4</sub> OF SE<sup>1</sup>/<sub>4</sub> SEC 12,  
T17N, R15E, TOWN OF UTICA

Tax Parcel Number(s) (REQUIRED): 0240245

**NOTE:** Please attach a copy of the Certified Survey Map for the property.

Location of the property in relation to nearby roadways, building, or other landmarks: NW CORNER STEVENS LANE & JAMES ROAD

1. What is the current use of the property? GEN. AG.

2. What is the intended use of this property? 5 SINGLE FAMILY PARCELS

3. Please mark the current zoning for the property:

- |                                     |                          |                          |                                 |
|-------------------------------------|--------------------------|--------------------------|---------------------------------|
| <input type="checkbox"/>            | Single-Family Residence  | <input type="checkbox"/> | Industrial                      |
| <input type="checkbox"/>            | Two-Family Residence     | <input type="checkbox"/> | Commercial                      |
| <input type="checkbox"/>            | Multiple-Family Dwelling | <input type="checkbox"/> | Institutional & Recreational    |
| <input checked="" type="checkbox"/> | Agricultural             | <input type="checkbox"/> | Planned Residential Development |
| <input type="checkbox"/>            | Rural Recreational       | <input type="checkbox"/> | Residential Mixed Use           |

4. What is the requested zoning for the property? RR

5. Please explain the reason for this rezoning request: CREATING 5 SINGLE  
FAMILY HOME SITES

6. If this is a Rural Recreational rezoning request, please specify what type of conditions are being requested: SINGLE FAMILY HOME

7. Please explain why this is the best proposed use for this property: STEVENS LANE  
IS THE EXISTING ROAD WHICH THESE LOTS WILL ACCESS.  
GREAT QUIET ROAD FOR SINGLE FAMILY HOMES

8. Please explain the compatibility of the proposed use(s) with the surrounding land uses:  
SURROUND LAND USE IS MIX OF GEN. AG &  
SINGLE FAMILY RES.

9. List all property owners within 300 feet and their mailing addresses:

- |  |  |
|--|--|
| 1) <u>ROL MEIER</u><br><u>4977 STEVENS LANE</u><br><u>OSHKOSH 54904</u>                              | 4) <u>ROBERT POTRATZ</u><br><u>2381 JAMES ROAD</u><br><u>OSHKOSH 54904</u> |
| 2) <u>MIKE RADLOFF</u><br><u>4891 FISK AVE</u><br><u>OSHKOSH 54904</u>                               | 5)   |
| 3) <u>RADLOFF (TRUST)</u><br><u>40 KATHY PASCHKE</u><br><u>1344 ELO ROAD</u><br><u>PICKETT 54904</u> | 6)   |

Twelve (12) copies of the application and all attachments shall be submitted to the Town Clerk, Town Zoning Administrator or other designed representative no later than twenty-one (21) days prior to the meeting.

[Signature]  
Signature of Owner

2/10/2021  
Date

[Signature]  
Signature of Owner

2/10/2021  
Date



# 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, June 3, 2021**

**7:30 pm**

1. Call the Meeting to Order
2. Take Roll Call:  
*Members* – Terry Beck, Darwin Briggs, Ralph Kalies, Grant Stettler, Tom Thiel, Eric Whiting
3. Approve November 5, 2020 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:  
To hear testimony for approval of CSM dividing parcel number #024-0245 of 13.49 acres currently zoned A2 into two single-family lots: Lot 1 to be 5.011 acres and Lot 2 to be 8.186 acres, both to be zoned RR. Surrounding land is General Ag and Single-Family Residence use. Property is owed by Craig & Ashly Much 1186 Martin Ave. Fond du Lac, WI 54935.
7. Discuss/Recommend to the Town Board:  
To hear testimony for approval of CSM dividing parcel number 024-0522 of 20.00 acres currently zoned A2 into two lots: Lot 1 to be 6.00 acres and Lot 2 to be 13.81 acres, both to be zoned RR. Property is owned by Tod Davies/Estate of David Davies 942 James Road Oshkosh, WI 54904. Site Address is 1109 James Road; NW 1/4, SE 1/4 of Section 24, T.17N. - R.15E.
8. Discuss/Recommend to the Town Board:  
To hear testimony for approval of CSM combining parcel number 024-0525 (NE 1/4, NE 1/4 of Section 25, T.17N. - R.15E) of 40 acres currently zoned A2 and parcel number 024-0531 (SE 1/4, NE 1/4 of Section 25, T.17N. - R.15E) of 40 acres currently zoned A2 into three lots: Lot 1 to be 5.00 acres with the buildings and Lot 2 to be 35.87 acres; the remaining on 024-0525 less 40 acres, all to be zoned RR. Property is owned by Tod Davies/Estate of David Davies 942 James Road Oshkosh, WI 54904. Site Address 4905 County Road N.
9. Informal Opinions
10. Future Agenda Items
11. Adjournment

Jenny Sonnleitner, Clerk  
Posted: 6/1/2021

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 committee will take official action based on the above agenda.

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

# TOWN OF UTICA

## Plan Commission Meeting ~ Minutes

Thursday, June 3, 2021

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; 8 present

### 2. Take Roll Call:

A. *Members Present:* Darwin Briggs, Ralph Kalies, Grant Stettler, Tom Thiel, Eric Whiting

B. *Members Absent:* Terry Beck

C. *Board Members Present:* Chuck Kuhrt

### 3. Approve November 5, 2020 Plan Commission Meeting Minutes

Darwin Briggs motions to accept the Minutes as presented, seconded by Eric Whiting. Carried

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

### 5. Public Forum

#6 – Kathy Pashke has no objections.

#7 – Mr. Davies said this will be a brothers/sisters corporation. He is taking 5 acres, the rest is staying the same; just a name change. Walter Whiting suggested to combine parcels together to be 40+ acres and A2, has a parcel of 6 acres with the buildings.

#7 & 8 – Walter Whiting asked why not blend parcels to make a parcel 40+ acres to be A2? There is a parcel of 5 acres with the buildings, add the remaining of the two together to stay A2.

### 6. Discuss/Recommend to the Town Board to hear testimony for approval of CSM dividing parcel number #024-0245 of 13.49 acres currently zoned A2 into two single-family lots: Lot 1 to be 5.011 acres and Lot 2 to be 8.186 acres, both to be zoned RR. Surrounding land is General Ag and Single-Family Residence use. Property is owned by Craig & Ashly Much 1186 Martin Ave. Fond du Lac, WI 54935.

Darwin Briggs said the parcels are over 2 acres and looks fine to him. Grant Stettler verified zoning to RR from A2.

Tom Thiel motions to change to RR from A2 into two lots; Lot 1 and Lot 2, seconded by Darwin Briggs. Carried

### 7. Discuss/Recommend to the Town Board to hear testimony for approval of CSM dividing parcel number 024-0522 of 20.00 acres currently zoned A2 into two lots: Lot 1 to be 6.00 acres and Lot 2 to be 13.81 acres, both to be zoned RR. Property is owned by Tod Davies/Estate of David Davies 942 James Road Oshkosh, WI 54904. Site Address is 1109 James Road; NW 1/4, SE 1/4 of Section 24, T.17N. - R.15E.

Tom Thiel motions to combine 13.81 acres remaining from 024-0522 with 024-0508 (20 acres) and 024-057 (20 acres) to be zoned A2 (as Lot 2, Lot 1 6 acres), seconded Grant Stettler. Carried

### 8. Discuss/Recommend to the Town Board to hear testimony for approval of CSM combining parcel number 024-0525 (NE 1/4, NE 1/4 of Section 25, T.17N. - R.15E) of 40 acres currently zoned A2 and parcel number 024-0531 (SE 1/4, NE 1/4 of Section 25, T.17N. - R.15E) of 40 acres currently zoned A2 into three lots: Lot 1 to be 5.00 acres with the buildings and Lot 2 to be 35.87 acres; the remaining on 024-0525 less 40 acres, all to be zoned RR. Property is owned by Tod Davies/Estate of David Davies 942 James Road Oshkosh, WI 54904. Site Address 4905 County Road N.

Ralph Kalies motions to accept the change suggested (combining the remaining acreage of both parcels after removing 5 acres to Lot 1) and request the Town Board approve. Keep Lot 1 as 5 acres zoned RR, Lot 2 will be combined and remain A2, seconded by Darwin Briggs. Carried

### 9. Informal Opinions

Mitchell Davies said he has 1.2 acres zoned R1 and his neighbor has 5.27 acres zoned RR that is 'L' shaped and he would like to survey the land that is behind his parcel and add to his lot, buying it from his neighbor. Tom Thiel will research it and check out our maps, typically we don't like to drop parcels out of RR.

James Road could use tree trimming from Clairville Road south to County Road FF. 33' from center of the road is right-of-way which the Town can take care of. If the tree is on the landowner's land, the property owner would be responsible to trim it back. Grant Stettler said the Board can talk about if the trimmer will come through to trim.

### 10. Future Agenda Items

None

### 11. Adjournment

Adjourned at 8:12pm

Jenny Sonnleitner, Clerk & Planning/Zoning Secretary

\_\_\_\_\_  
Thomas Thiel, Plan Chairman

\_\_\_\_\_  
Jenny Sonnleitner, Clerk & Planning/Zoning Secretary

# TOWN OF UTICA

## Town Board Meeting ~ Agenda

Monday, June 14, 2021

5:00pm – Review Invoices  
5:30pm – 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 May 10, 2021 Town Board Meeting Minutes
  - B) Affidavit of Posting/Publication
  - C) Approve Payment of Bills for June
4. Treasurer's Report for May; BMO Harris Bank
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 any Budget Amendments
7. LICENSES – Business/Operator License Renewals: Jasper's Bar, United Cooperative, Utica Golf Club, Wehrmann's
8. American Rescue Plan Act (ARPA) – Town of Utica \$140,674.54 (2021: \$70,337.27 / 2022: 70,337.27), deadline to apply by June 18, 2021
9. WTA County Meeting for Elected Officials/Town Staff: July 8, 2021; pig roast at 5:30pm, meeting at 6:30pm (RSVP)
10. Winnebago County Board Meeting June 15, 2021: Potentially decrease 36 to 28. Looking for Town opinions.
11. Winnebago County Emergency Training: June 17, 2021 4-7pm (Supervisor Kuhrt & Clerk Sonnleitner attending);  
June 18, 2021 9a-12p (Chairman Schmick attending)
12. TOWN HALL
  - A) Lighting: Interior and Parking lot
  - B) American Rescue Plan Act – Broadband Expansion, application deadline July 27, 2021
  - C) Fill cracks in parking lot
13. ROADS
  - A) Bridge/Road Repairs
  - B) Tree trimming along roadsides
  - C) ATV/UTV Routes – updates from Supervisor Stettler from contacting the Club regarding speed complaints
14. BOARD OF APPEALS
  - A) Appoint Marek Potratz for a 3-year term, replacing Robert Potratz
  - B) Reappoint Brian Trebiatowski for a 3-year term
15. PLAN COMMISSION – JUNE 3, 2021 MEETING
  - A) Reappoint Tom Thiel for a 3-year term
  - B) 024-0245: Craig & Ashly Much – 13.49 acres zoned A2 into Lot 1- 5.011 acres and Lot 2- 8.186 acres to be zoned RR
  - C) 024-0522: Tod Davies – 20 acres zoned A2 into Lot 1- 6 acres and Lot 2- 13.81 acres to be zoned RR (upon payment of permits)
  - D) 024-0524/024-0531: Tod Davies – both 40 acres each zoned A2 into Lot 1- 5 acres, Lot 2- 35.87 acres to be zoned RR
16. ITEMS FOR INCLUSION IN NEWSLETTER
  - A) Fisk Fireworks – July 3, 2021 at dusk. Can drop off a check payable to Fireworks Warehouse or cash at 5678 Fisk Ave. Oshkosh, WI 54904: Mike, Joyce, Betsy, Howard Christianson or to GoFundMe.com "Fire In The Sky" Fisk Fireworks 2021 account.
  - B) Town Board Meeting – July 12, 2021; 5:30pm at the Utica Town Hall
17. CORRESPONDENCE RECEIVED (Discuss/Act on):
  - A) WI Towns Association Monthly Newsletter Online; Building Permits: Shambles 1898 Imperial Rd, King 5943 St Rd 91, Egan 1267 Williams Rd, Krause 1777 Crown Dr; Land Transfer: Oshkosh Public Library Meeting Minutes 4/29/21; WE Energies Damage Prevention Reminder.
18. Adjournment

Jenny Sonnleitner, Clerk Posted: 6/11/2021

**Plan Commission Members (5, 1 alternates) (3-year term):** Tom Thiel 6/2021 (Chair); Ralph Kalies 7/2021; Terry Beck 11/2021; Grant Stettler 4/2022; Eric Whiting 3/2023; Darwin B riggs 12/2023 / Rush Lake Steering Committee (3) (3-year term): Chuck Kuhrt 9/2023 / Kevin Fritz 2/2024 / Mark Davis 5/2024; **Board of Appeals Members (5, 3 alternates) (3-year term):** Robert Potratz 3/2021-6/2021; Brian Trebiatowski 6/2021; Michael Christianson (alternate) 8/2021; Walt Whiting 12/2021; Vicki Williams 5/2022 (Chair), Don Draxler (alternate) 2/2023; Darwin Briggs 6/2023

The Town Board meets regularly the SECOND MONDAY OF EACH MONTH AT 5:30PM (unless otherwise noted). All meetings are open to the public, this is a public meeting. 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. 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](http://townofutica.org), Town Hall, and Co-op.

# TOWN OF UTICA

## Town Board Meeting ~ Minutes

Monday, June 14, 2021

5:00pm – Board Review Invoices  
5:30pm – 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. The Board can discuss and act on any of the following, except that of the Public Forum.

### 1. CALL THE MEETING TO ORDER

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

DRAFT

PRESENT: Chairman Leonard Schmick, Supervisor #1 Chuck Kuhrt, Supervisor #2 Grant Stettler, Clerk Jenny Sonnleitner, Treasurer Emily Hunter; Art Rathjen with Greater Oshkosh; 10 citizens present

### 2. PLEDGE OF ALLEGIANCE

### 3. CONSENT AGENDA:

- A) APPROVE MAY 10, 2021 TOWN BOARD MTG MINUTES
- B) AFFIDAVIT OF POSTING/PUBLICATION
- C) APPROVE PAYMENT OF BILLS FOR JUNE

Chairman Schmick made a motion to accept the Consent Agenda; seconded by Supervisor Stettler. 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 FOR MAY; BMO HARRIS BANK

RECEIPTS: \$6013.55; DISBURSEMENTS: \$60,210.96; TOTAL BALANCE: \$298,835.50  
TOTAL CASH ON HAND INCLUDING FIRE/EMS ACCOUNT: \$323,773.89

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

Dave Bradley mentioned Pepler Lane is not being mowed all the way to the end, needs to go back to the tower. Chairman Schmick will contact the County again. Semis are hitting the tree branches on the north side of the road on Bradley Ave, the trees need to get trimmed; also the trees on Hay Road could be trimmed back, buckthorn is growing out. Chairman Schmick will contact the County about this too.

Chairman Schmick mentioned to go to the Plan Commission Agenda items next so the residents present can get taken care of right away.

### 6. DISCUSS/ACT ON ANY BUDGET AMENDMENTS

No amendments needed

### 7. LICENSES – BUSINESS/OPERATOR LICENSE RENEWALS: JASPER'S BAR / UNITED COOPERATIVE / UTICA GOLF CLUB / WEHRMANN'S

Chairman Schmick motions to accept the licenses for Jasper's Bar, United Cooperative, Utica Golf Club, also Wehrmann's and Operator Licenses, seconded by Supervisor Stettler. Carried

### 8. AMERICAN RESCUE PLAN ACT (ARPA) – Town of Utica \$140,674.54 (2021: \$70,337.27 / 2022: \$70,337.27), deadline to apply by June 18, 2021

Chairman Schmick said to apply for the grant, it is worth applying for, though we don't know how we can spend it. Supervisor Stettler motions to apply for the American Rescue Plan Act of Utica's part of \$140,674.54, seconded by Chairman Schmick. Carried

### 9. WTA COUNTY MEETING FOR ELECTED OFFICIALS/TOWN STAFF: JULY 8, 2021; PIG ROAST 5:50PM, MEETING 6:30PM (RSVP)

Clerk Sonnleitner plans to attend, as well as Supervisor Kuhrt and Chairman Schmick.

### 10. WINNEBAGO COUNTY BOARD MEETING JUNE 15, 2021: Potentially decrease 36 to 28. Looking for Town opinions

Supervisor Kuhrt said Winnebago does have one of the largest County Boards in the state. Could be times a seat is vacant and has a tough time finding someone to fill it. Chairman Schmick said if we need to know, should attend the meeting.

### 11. WINNEBAGO COUNTY EMERGENCY TRAINING: JUNE 17, 2021 4-7PM (Supervisor Kuhrt & Clerk Sonnleitner Attending); JUNE 18, 2021 9A-12P (Chairman Schmick attending)

### 12. TOWN HALL

#### A) LIGHTING: INTERIOR AND PARKING LOT

Supervisor Stettler said the electrician is having a hard time scheduling a time with the contractor.

#### B) AMERICAN RESCUE PLAN ACT – BROADBAND EXPANSION, APPLICATION DEADLINE JULY 27, 2021

Clerk Sonnleitner read an email that Governor Evers announced \$100 million investment in Broadband expansion using the ARPA funding. Chairman Schmick said to table until next time until we get more information.

#### C) FILL CRACKS IN PARKING LOT

Chairman Schmick talked with Dan at the County. Bonnieview Road should get paved on Wednesday and will take care of the parking lot since the machine will be in the area.



13. ROADS

A) BRIDGE/ROAD REPAIRS

Chairman Schmick said Bonnieview Road will be worked on this week and saving money to repair the bridges.

B) TREE TRIMMING ALONG ROADSIDES

Chairman Schmick said the County will take care of that for us. Supervisor Stettler mentioned James Road that comes out on County Road FF near the Davies farm. Trees are hitting the combine. This may be the maintenance line with Town of Nekimi and will talk with Nekimi. Chairman Schmick will ride over there to see what area is in need of trimming.

C) ATV/UTV ROUTES – UPDATES FROM SUPERVISOR STETTLER FROM CONTACTING THE CLUB REGARDING SPEED COMPLAINTS

Supervisor Stettler talked with a couple members in the club and were surprised there are issues, no other complaints in other townships. Chairman Schmick said some speed limit signs were put up.

14. BOARD OF APPEALS

A) APPOINT MAREK POTRATZ FOR A 3-YEAR TERM, REPLACING ROBERT POTRATZ

Chairman Schmick motions to appoint Marek, seconded by Supervisor Stettler. Carried

B) REAPPOINT BRIAN TREBIATOWSKI FOR A 3-YEAR TERM

Chairman Schmick motions to reappoint Brian, seconded by Supervisor Stettler. Carried

15. PLAN COMMISSION – JUNE 3, 2021 MEETING AT 7:30PM

A) REAPPOINT TOM THIEL FOR A 3-YEAR TERM

Chairman Schmick motions to reappoint Tom for another 3 year term, seconded by Supervisor Stettler. Carried

B) 024-0245: CRAIG & ASHLY MUCH – 13.49 ACRES ZONED A2 INTO LOT 1- 5.011 ACRES AND LOT 2- 8.186 ACRES TO BE ZONED RR

Supervisor Stettler motions to approve the recommendation by the Planning/Zoning to accept that, seconded by Chairman Schmick. Carried

C) 024-0522: TOD DAVIES – 20 ACRES ZONED A2 INTO LOT 1- 6 ACRES AND LOT 2- 13.81 ACRES TO BE ZONED RR (upon payment of permits;

Chairman Schmick motions to approve, was recommended by the Zoning, seconded by Supervisor Stettler. Supervisor Kuhrt thought combining the 20 with another 20. Tom Thiel said we cannot do that because a road goes through. Carried

D) 024-0524/024-0531: TOD DAVIES – BOTH 40 ACRES EACH ZONED A2 INTO LOT 1- 5 ACRES, LOT 2- 35.87 ACRES, REMAINING ZONED RR

Supervisor Kuhrt land is taxed by land use, no matter how it is zoned, was wondering why we needed to combine parcels to make 40+ acres. Supervisor Kuhrt motions to accept as presented, seconded by Chairman Schmick. Carried

Davies did pay the permit fee

Clerk Sonnleitner does not have an Original CSM to sign for the Much property. Craig will contact the surveyor.

16. ITEMS FOR INCLUSION IN NEWSLETTER

A) FISK FIREWORKS – July 3, 2021 at dusk. Can drop off a check payable to Fireworks Warehouse or cash at 5678 Fisk Ave. Oshkosh, WI 54904: Mike, Joyce, Betsy, Howard Christianson or to GoFundMe.com “Fire In The Sky” Fisk Fireworks 2021 account.

B) TOWN BOARD MEETING – July 12, 2021; 5:30pm at the Utica Town Hall

17. CORRESPONDENCE RECEIVED:

A) WI Towns Association Monthly Newsletter Online; Building Permits: Shambles 1898 Imperial Rd, King 5943 St Rd 91, Egan 1267 Williams Rd, Krause 1777 Crown Dr; Land Transfer; Oshkosh Public Library Meeting Minutes 4/29/21; WE Energies Damage Prevention Reminder.

Clerk Sonnleitner mentioned we receive the Oshkosh Public Library Meeting Minutes, believe previous Chairman Hinz requested those. Asking if the Board wants the Minutes or if Clerk should tell the Oshkosh Public Library to save a stamp and they don't need to send the Town their Minutes. Board agreed to save a stamp and no need to send their Minutes.

18. ADJOURNMENT

Adjournment 5:55pm

Jenny Sonnleitner, Clerk

Leonard Schmick – Chairman		Emily Hunter – Treasurer	
Chuck Kuhrt – Supervisor #1		Jenny Sonnleitner - Clerk	
Grant Stettler – Supervisor #2			

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# Resolution

Date: \_\_\_\_\_

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 Craig & Ashly Much;

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 One (1) parcel zoned A2 of said ordinance, which it now and heretofore had, to the zoned district to create 2 lots: Lot 1 to be 5.011 acres and Lot 2 to be 8.186 acres, both to be zoned RR.

\_\_\_\_\_  
County Board Supervisor  
(Town of Utica)

Parcel Nos: 024-0245

## **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 \_\_\_\_\_, 2021.

\_\_\_\_\_  
Jon Doemel

County Board Supervisory District