

Rushford Town Board Minutes
Wednesday, December 1, 2021

The Town of Rushford December Board meeting was called to order by Thomas Egan followed by the Pledge of Allegiance. Roll call was taken with Thomas Egan, Jerry Schoonover, Patrick Kafer, Kathryn Lewis & Peggy Hendricks present. Also present for all or part of the meeting: 8 additional persons per attendance record on file, though others were present who did not sign in.

Statement of Public Notice: Notice of this meeting, the zoning committee meeting and the special meeting of the Board on November 11, 2021 was posted on the Town hall door, the corner of K&E in Eureka, the Waukau post office and the Towns website. In addition, notice of zoning public hearing, the meeting of Electors, the Budget hearing and the Budget summary was published in the Oshkosh Northwestern.
, Jerry

Clerks Report & Minutes: *Motion by Kafer, 2nd by Schoonover to approve the minutes from the November 3, 2021 board meeting. Motion carried.*

Treasurers Report was given by Kathryn Lewis. The balance for the general account at the end of November was \$46,803.59 The balance in the tax account was \$1,663.10. *Motion by Schoonover, 2nd by Kafer to approve the treasurer's report. Motion carried.*

Payment of invoices: Hendricks approved and submitted to the board the bills for December in the amount of \$29,986.85. *Motion by Kafer, 2nd by Schoonover to pay the invoices for December. Motion carried.*

Public Input: Art Rathjen, Greater Oshkosh, was present. He presented the Board a Town of Rushford Municipality Report. They did apply for the Rural business loan program. It is now up and running funded by the USDA. The last update on Broadband is that a survey was sent out, but many have not received it yet. Tom Egan asked why residents have been seeing Spectrum out. Art said this is part of the federal money for broadband in the rural areas. There is concern on what the cost would be.

Communication & Correspondence:

Town Zoning Report: Tom Jackson reported on the Zoning committee meeting on November 17th. Attorney John Blazel presented the ordinance changes. They had a public hearing for a zoning change for Bill Wirth, parcel #022 0012 and 022 0008. *Motion by Schoonover, 2nd by Kafer to approve the zoning change for Lot 1 on parcel 022 0012, 3.847 acre to SER from GA. located at 2345 County Rd M, Pickett, WI Motion carried.*

A representative from Winnebago Co Sheriffs office attended the meeting to see if he could answer any questions. Egan said the Town has gotten complaints on speeding though Waukau and was wondering if it could be patrolled more. He did mention that they try to get out as much as they can. There are a lot of complaints on State Rd 91. Egan said that in Eureka there is a dog that is loose all the time. When our humane officer gets out there, it is not around. He asked if the Sheriffs department will pick up the dog. The officer stated that they try to find the owner and then take it to the humane society, post to their facebook page and send out a citation for animal at large. Bonnie Barkow asked about the machines that show the speed you are going. They have used this in a number of places in the Town and we have received printouts of the speed.

Back to Town Zoning: A map of Pompluns was shown. Jackson said Cary Rowe and the Attorney suggested we update our comprehensive plan. They also talked about the land splits. They had discussion on the Pomplun property on Cty Rd E. They would like to rezone it to Commercial for storage units. They would be 50 x 100. A parcel on the northside of the road and to the south where he is doing his composting is already zoned commercial. He also got a call from the people who own the ball diamond, and they were thinking of putting up storage units. Pompluns would like to know which way the Board was leaning, for he would like to get the building ordered. Kafer asked if he has any permits, such as erosion or wetlands. Jackson mentioned anything over 15,000 needs an erosion plan. Russ Pomplun did check into the pond that is located on his

property that could be considered retention ponds. The Board thought they would have to check with the County to make determination of their land before the Board can recommend anything.

Brian Wilke is purchasing a part of his brothers parcel. CSM was drawn for parcels 022 0021, 022 00203 & 022 002202. The question Jackson had, there is a conditional use permit on one of the lots. The lot description would change and would this CUP still go with the lot. Brian Wilke said the farmhouse will be torn down by the first of the year. The reclamation plan was discussed. Brian said he has been in communication with the State and Scott Gunkle twice a year. **Motion by Schoonover, 2nd by Kafer to approve the CSM for Brian Wilke, Lot 1 & 2 parcels 022 0021, 022 002203 & 022 002202.** Discussion: will the conditional use permit stay? Jackson said that the CUP stays with the person, not the Lot, so he will not need another CUP. **Motion carried.**

Hendricks explained that the amendments on the agenda are ones the Board can act on, for they did not need to be posted or published according to the attorney, for they are amendments to Chapter 3 – Our Nuisance Ordinance. The other amendments will need a public hearing, publication and posting.

- Approval of Ordinance to amend the Town of Rushford Nuisance Ordinance, Chapter 3 concerning noxious weeds and tall weeds Section 3.08.1 **Roll call vote: Thomas Egan – nay, Jerry Schoonover – aye, Patrick Kafer – aye. Motion carried.**
- Approval of Ordinance to amend the Town of Rushford Nuisance Ordinance Chapter 3 concerning unlicensed and unregistered vehicles Section 3.08.15: Discussion: Tom Egan said he thinks 3 vehicles are too many. There is no mention of 1 car on RR and HRD. According to our ordinance now, you can have 1 vehicle. This amendment would allow 3 of SER, LER and GA, but only on parcels that have a residence. The Board would like to see this re-written. **Motion by Kafer to table this until next meeting.** Jackson asked what he would like to see changed. The Board would like to see the verbage cleaned up. **Motion 2nd by Thomas Egan. Pat Kafer rescinded his motion to have it go to a vote. Roll Call Vote: Thomas Egan – Nay, Jerry Schoonover – Nay, Patrick Kafer – Nay. Motion failed.**

The other ordinance amendments which will have a Public hearing scheduled for January 5th were discussed. The use of shipping & Cargo containers for storage. The Board would like to see that a Conditional use permit would be required for all zoning parcels except for GA.

Minimum size for residence and dwelling – This is written that minimum size would be 1000 sq ft.

Temporary structures: required to have setbacks, size & height limits.

Use of shipping or cargo containers can not be used as dwelling units.

Splits on GA zoned properties were discussed.

Old Business:

The trailer on Quarry Road, owned by Bob Hess. Tom Egan furnished the following information: His phone number is 920-509-2713. When Tom calls this number, it goes to someone else. He was dealing with a Kevin Evers Real Estate. Phone number 920-277-2523. Tom talked to him and they did have someone looking at the property. Evers was going to try to get ahold of him and get back to Tom, but he has not. The outside has to be cleaned up. The same problem is on the property at Wayside, **Motion by Kafer to ask attorney what our recourse should be. Do we have him served? Motion 2nd by Schoonover. Motion carried.** We would have to find out if the Town needs to hire someone to go in there, if that can be put on his tax bill.

Discussion on Kasuboski property: Tom Egan heard today he is supposedly living in the basement, but there has not been any smoke or signs.

Discussion of berm at Blue Belle. One of the owners were wondering if he could take the berm out so he could put holding tanks in and not destroy the trees, etc. There is not an association. The Board is OK with his plans.

New Business:

Motion by Schoonover, 2nd by Kafer to allot our 2022 per capita funding of \$1,811 to the City of Omro. Motion carried.

Tom Egan said that they opened the bids for the new fire truck today. The company who they thought was going to get the bid did not submit a bid. Pierce is the only bid for \$622,000.

Discussion on Town Maintenance: Freunds is doing patching where ever they can right now. The Town of Omro will take care of the culvert on O'Reilly road. Tom Egan asked if the Board wanted camp people to

come out to do some brushing? The Board said Tom could make communication for them to do that this winter.

Building Reports:

Patrick Hildebrand, 2798 Bradley Road, Pickett for 3443 Senn Rd, Omro
Roof replacement from Storm damage by Lkes III, 7273 Oak Hill Rd, Omro
70' x 30' wood and asphalt replacement due to storm damage
Parcel 022 051705 \$25,000 11-27-2021

Jerome Dehler, N8307 Liberty Rd, Randolph for 8095 Island Ave, Omro
24' x 26' concrete steps and backfill by self
\$5,000 11-12-2021

Dennis & Becky Flanagan, 2518 STH 116, Omro
Kitchen/bath remodel by Nathan Potratz Custom Carpentry & 3 window replacements
\$70,000 11-15-2021

William Rew, 3098 Spring St, Eureka
Garage – wood structure, 12' walls, sheet metal walls, cement heated floors
\$100,000 11-30-2021

Tom Egan said the garage is across the road from where he lives. He does not have a separate fire number on it. Tom Egan has an outstanding building permit from 4-6-21.

County Report: The Budget is finished up. They are losing their finance director. She will be coming to Omro.

Attended Meetings: Public hearing on 2022 Budget & Special meeting of Electors (prior to this meeting)
Hendricks went through the budget and the levy. The levy was approved.

On November 11th, the Board had a special meeting to approve the liquor license for Farmstead Saloon.

Upcoming Meetings:

Fire Department meeting on December 15
Zoning Meeting on December 29
End of the year meeting (to be scheduled)
Winnebago WTA Unit meeting on January 6, 2022 at The Town of Rushford.

Motion by Kafer, 2nd by Schoonover to adjourn the meeting at 9:05. Motion carried.

Respectfully submitted by Peggy Hendricks, Clerk
