

DATE: 09/06/22

R E S O L U T I O N

No. 006

To The Board of Supervisors of Winnebago County, Wisconsin:

AMENDATORY ORDINANCE 09/06/22

WHEREAS, it is desirable to amend the Zoning Map of the TOWN OF UTICA in accordance with the petition of Matt Ziegenhagen 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 **A2 (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: **024-0243**; FROM **A2** 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 _____, 2022.

Jon Doemel

County Board Supervisory district **32 - Zastera**



Winnebago County

Zoning Department

The Wave of the Future

MEMO FOR P & Z MEETING AGENDA OF SEPTEMBER 9, 2022

TO: Planning & Zoning Committee

FM: Zoning Administrator 

RE: Review of Town Zoning Change(s)

1. Multiple Property Owners - Town Zoning Change (Tax ID No(s) see attached) – Town of Wolf River.

The town zoning changes for multiple property owners are consistent with Winnebago County's Future Land Use Plan. The Town of Wolf River approved the zoning changes from A1 (Agri-Business District) to A2 (General Farming District) and A3 (Small Farming District) and Winnebago County's future land use plan shows future land uses as Agricultural and Rural, Environmental and Public.

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

2. Teresa Blade - Town Zoning Change (Tax ID No(s) 014-0055-01-04 & 014-0055-01-03) – Town of Wolf River.

The town zoning changes for Teresa Blade are consistent with Winnebago County's Future Land Use Plan. The Town of Nepeuskun approved the zoning changes from Farmland Preservation Overlay to no Farmland Preservation Overlay for both parcels and from A-2 (Agricultural District) to R-1 (Residential District) for parcel 014-0055-01-03 and Winnebago County's future land use plan shows future land use as Agricultural and Rural.

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

3. Barb Rank Life Estate - Town Zoning Change (Tax ID No(s) 024-0030) – Town of Utica.

The town zoning change for Barb Rank Life Estate is consistent with Winnebago County's Future 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 future land use plan which incorporates the City of Oshkosh' future land use plan, shows future land uses as Agricultural and Rural.

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

4. Matt Ziegenhagen - Town Zoning Change (Tax ID No(s) 024-0243) – Town of Utica.

The town zoning change for Matt Ziegenhagen is consistent with Winnebago County's Future 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 future land use plan which incorporates the City of Oshkosh' future land use plan, shows future land uses as Residential.

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

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

SUBMITTAL FORM

Name of Property Owner: Matt Ziegenhagen

Address of Owner: 2411 Knott Road Oshkosh, WI 54904

Name of Applicant: Ziegenhagen Farms, LLC

Address of Applicant: 2411 Knott Road Oshkosh, WI 54904

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

024-0243: SW ¼, SE ¼ of Section 12, T.17N. – R.15E., TOWN OF UTICA

Tax Parcel Number, if existing parcels: 024-0243

Section 12 Town 17N Range R15E

Existing Zoning: A2 Name of District: Agricultural District (General Farming)
024-0243

Proposed Zoning: RR Name of District: Rural Residential Recreational Mixed Use
024-0243

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 2-0

I, Jenny Sonnleitner, Clerk of the Town of Utica, hereby certify that a public hearing was conducted on August 4, 2022 and that all required notices were posted and/or mailed as required by local ordinance.

Signed: Jenny Sonnleitner

Date: 8-9-2022

LISTING OF PARCELS SURROUNDING SUBJECT PARCEL FOR REZONING CHANGE

Subject Parcels: 024-0243

Owner: Ziegenhagen Farms, LLC

Applicant: Matt Ziegenhagen

PARCEL	OWNER(S)	MAILING ADDRESS	CITY/STATE/ZIP
024-0248 024-0243 024-0242 024-0240	Ziegenhagen Farms LLC	2411 Knott Road	Oshkosh, WI 54904
024-0239-02	Watson, Roland	924 W 11 th Ave.	Oshkosh, WI 54902
024-0244	Radloff, Michael & Debra	4819 Fisk Ave	Oshkosh, WI 54904
024-0239-03	Radloff, Aaron & Holly	5119 State Road 44	Oshkosh, WI 54904
024-0245-02	Much, Craig & Ashley	1186 Martin Ave.	Fond du Lac, WI 54935
024-0246	Hoppe, Debra	300 Rudolph St.	Springfield, TN 37172

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, August 4, 2022

7:30 pm

To hear testimony for approval of a CSM dividing parcel number 024-0243 (5066 Fisk Ave) of 40.00 acres currently zoned A2. Lot 2: into a 5.013-acre, single-family use parcel around the existing buildings and Lot 1 into 34.435 acres to remain General Ag use; both to be zoned RR. Use of the property to stay the same. Property is owned by Matt Ziegenhagen of Ziegenhagen Farms, LLC 2411 Knott Road Oshkosh, WI 54904.

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

PARCEL	OWNER(S)	MAILING ADDRESS	CITY/STATE/ZIP
024-0248 024-0243 024-0242 024-0240	Ziegenhagen Farms LLC	2411 Knott Road	Oshkosh, WI 54904
024-0239-02	Watson, Roland	924 W 11 th Ave.	Oshkosh, WI 54902
024-0244	Radloff, Michael & Debra	4819 Fisk Ave	Oshkosh, WI 54904
024-0239-03	Radloff, Aaron & Holly	5119 State Road 44	Oshkosh, WI 54904
024-0245-02	Much, Craig & Ashley	1186 Martin Ave.	Fond du Lac, WI 54935
024-0246	Hoppe, Debra	300 Rudolph St.	Springfield, TN 37172
024-0244-01 024-0244-02	Desruisseaux, Jeremy & Sarah Fleck	4977 Stevens Lane	Oshkosh, WI 54904
024-0251 024-0238	Bean, Thomas	5154 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 Sonleitner, Clerk & Planning/Zoning Secretary
Published: 7/21 & 28/2022

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.

RECEIVED

Filing Fee: \$400.00

Date Received: _____

Office Use JUN 28 2022

Property Address: 5066 FISK AVE

Name of Owner(s): ZIEGENHAGEN FARMS LLC

Address, if different than above: 2411 KNOTT ROAD

Home Phone: _____ Daytime Phone, if different: _____

Name of Applicant(s): MATT ZIEGENHAGEN

Address, if different than above: _____

Home Phone: _____ Daytime Phone, if different: 920-379-6839

Name & Address of professional in charge of proposed development (architect, builder, contractor, engineer, etc): _____

Legal Description of Property: SW 1/4 OF THE SE 1/4 SEC 12
T17N, R15E, IN UTICA

Tax Parcel Number(s) (REQUIRED): 0240243

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: _____

NORTH SIDE FISK AVE 1/4 MILE WEST
OF JAMES ROAD

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

2. What is the intended use of this property? CREATE 5 AC PARCEL
AROUND EXISTING BUILDING.
USE OF PROPERTY TO STAY THE SAME

3. Please mark the current zoning for the property:

☐ Single-Family Residence
☐ Two-Family Residence
☐ Multiple-Family Dwelling
☒ Agricultural
☐ Rural Recreational

☐ Industrial
☐ Commercial
☐ Institutional & Recreational
☐ Planned Residential Development
☐ Residential Mixed Use

4. What is the requested zoning for the property? CREATING 5 AC PARCEL AROUND EXIST. BUILDINGS

5. Please explain the reason for this rezoning request:

CREATING 5 AC PARCEL AROUND EXIST. BUILDINGS

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

CREATING 5 AC PARCEL AROUND EXIST. BUILDINGS
TO SEPARATE FROM AG. LANDS

7. Please explain why this is the best proposed use for this property:

USE DOES NOT CHANGE

8. Please explain the compatibility of the proposed use(s) with the surrounding land uses:

SURROUNDING LAND USE IS MIX OF
SINGLE FAMILY HOMES AND GEN. AG

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

1) ZIEGENHAGEN FARMS LLC
2411 KNOX ROAD
OSTFOSH 55704

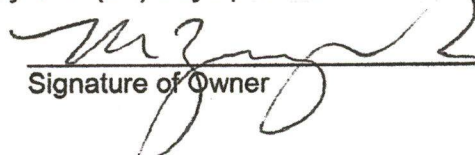
2)

5)

3)

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 of Owner

6-27-22

Date

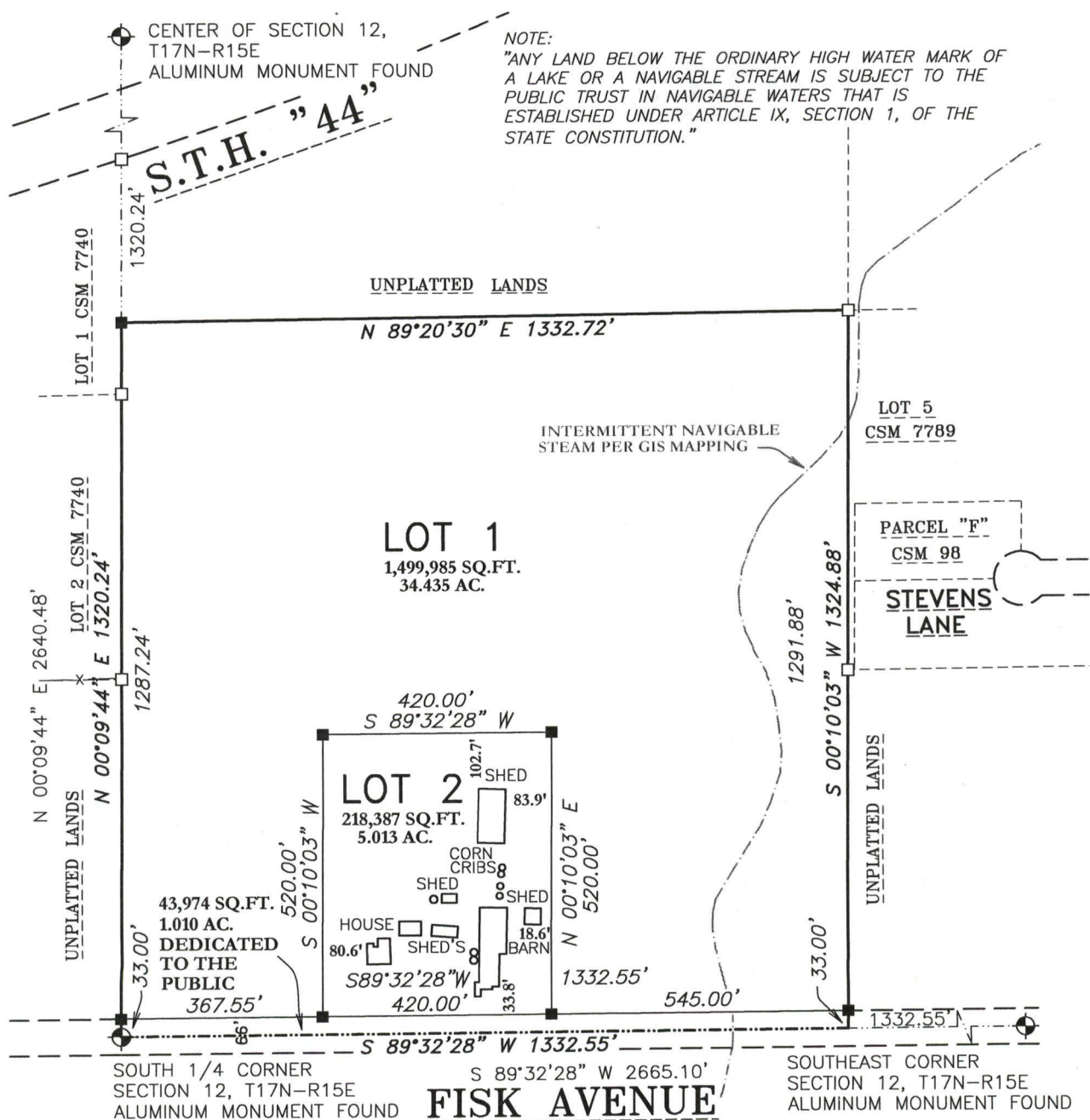
Signature of Owner

Date

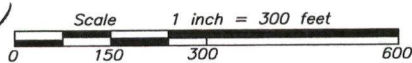
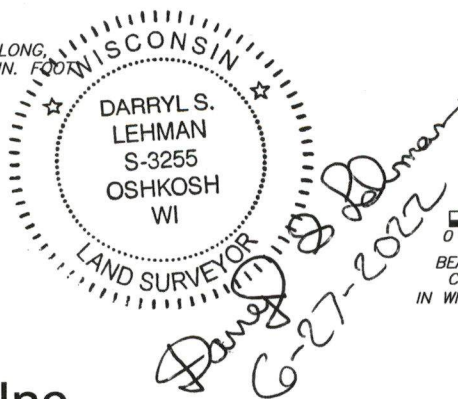
ALL OF THE SOUTHWEST 1/4 OF THE SOUTHEAST
1/4 OF SECTION 12, TOWNSHIP 17 NORTH, RANGE
15 EAST, TOWN OF UTICA, WINNEBAGO COUNTY,
WISCONSIN.

SURVEY FOR:
ZIEGENHAGEN FARMS LLC
2411 KNOTT ROAD
OSHKOSH, WI 54904
MATT ZIEGENHAGEN

NOTE:
"ANY LAND BELOW THE ORDINARY HIGH WATER MARK OF
A LAKE OR A NAVIGABLE STREAM IS SUBJECT TO THE
PUBLIC TRUST IN NAVIGABLE WATERS THAT IS
ESTABLISHED UNDER ARTICLE IX, SECTION 1, OF THE
STATE CONSTITUTION."



1-1/4" O.D. IRON PIPE SET, 18" LONG,
 WEIGHING 1.130 LBS. PER LIN. FO
 1-1/4" O.D. IRON PIPE FOUND
 GOVERNMENT CORNER FOUND



BEARINGS ARE REFERENCED TO THE WINNEBAGO
COUNTY COORDINATE SYSTEM OF 1983(1997)
IN WHICH THE SOUTH LINE OF THE SOUTHEAST 1/4,
OF SECTION 12, BEARS S89°32'28"W

Martenson & Eisele, Inc.

101 West Main Street
Omro, WI 54963
www.martenson-eisele.com
P 920.685.6240 F 920.685.6340

Planning
Environmental
Surveying
Engineering
Architecture

PROJECT NO. 0-2117-005

FILE 2117005CSM SHEET 1 OF 3

This instrument was drafted by: DSL

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, August 4, 2022

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 June 3, 2021 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 a CSM dividing parcel number 024-0243 (5066 Fisk Ave) of 40.00 acres currently zoned A2. Lot 2: into a 5.013-acre, single-family use parcel around the existing buildings and Lot 1 into 34.435 acres to remain General Ag use; both to be zoned RR. Use of the property to stay the same. Property is owned by Matt Ziegenhagen of Ziegenhagen Farms, LLC 2411 Knott Road Oshkosh, WI 54904.
7. Discuss/Recommend to the Town Board:
To hear testimony for approval of a CSM dividing parcel number 024-0030 (2448 County Road FF – Barb Rank Life Estate) of 43.53 acres currently zoned A2. The lot with the home will be 5.424 acres as a single-family use parcel and the remaining acreage will be used as Agriculture; both to be zoned RR. Property is owned by Theresa Granger 13555 Holiday Ct Apple Valley, MN 55124 and Michael Rank 7498 Howlett Rd Oshkosh, WI 54902.
8. Informal Opinions
9. Future Agenda Items
10. Adjournment

Jenny Sonnleitner, Clerk
Posted: 8/2/2022

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. Posted at: townofutica.org, Town Hall, Co-op.

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.

TOWN OF UTICA

Plan Commission Meeting ~ Minutes

Thursday, August 4, 2022

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; 6 present

2. Take Roll Call:

A. *Members Present:* Terry Beck, Grant Stettler, Tom Thiel, Eric Whiting

B. *Members Absent:* Darwin Briggs, Ralph Kalies

C. *Board Members Present:* Chuck Kuhrt, Leonard Schmick

3. Approve June 3, 2021 Plan Commission Meeting Minutes

Terry Beck motions to approve the Meeting Minutes, seconded by Grant Stettler. Carried

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 a CSM dividing parcel number 024-0243 (5066 Fisk Ave) of 40.00 acres currently zoned A2. Lot 2: into a 5.013-acre, single-family use parcel around the existing buildings and Lot 1 into 34.435 acres to remain General Ag use; both to be zoned RR. Use of the property to stay the same. Property is owned by Matt Ziegenhagen of Ziegenhagen Farms, LLC 2411 Knott Road Oshkosh, WI 54904.

Shirley Gallert stated in the application received in the mail, please explain why this is the best proposed use for this property? Matt Ziegenhagen said he is trying to get things lined up for his wife if something were to happen. Wants the house to be separated from the rest of the farm. Shirley Gallert asked, but why is Residential better than doing something else for your wife? Matt felt it would be more difficult to potentially sell the full 40 acres together. A lot of the farms are being split into 5 acres and leaving the rest as rural crop, typical use and reasonable. Theresa Granger believes Shirley Gallert is talking about the Rank proposal, not this one. Eric Whiting mentioned at the moment, we are discussing the Ziegenhagen property, the former Roger Radloff property. Shirley Gallert asked if the Town is still using RR and 5 acres? Tom Thiel said yes, 5 acres would be RR. Shirley Gallert asked if this opens itself to have a conditional use for something else to go on that property, not just residential? Tom Thiel said our zoning, RR is like A2, a conditional use would be needed if something other than residential. Shirley Gallert asked what the possibility is by separating this 5 acres, when does it stop? Did everyone receive the notice for the Ziegenhagen property? Eric Whiting said only if your property is within 300' of that property. Your property was just outside of the Ziegenhagen property. Shirley Gallert said she has the Plan Commission Agenda, previously we used to get the whole Agenda in our notice and that would have clarified this because then I would have known this was happening and this is also on the Agenda. You only send out the application that applies to you and nothing else? Jenny Sonleitner stated that she would have received the notice, which that top paragraph is what is on the Agenda; whether it's on the Agenda or the Notice, it's the same thing. Grant Stettler stated the Notice is what is on the Agenda. Public session closed.

Plan Commission - has no questions. Grant Stettler stated this seems pretty straight forward.

Tom Thiel stated, as it's written, the 5 acres will be parceled off the 40 and the 40 would become RR, seconded by Grant Stettler. Carried

7. Discuss/Recommend to the Town Board to hear testimony for approval of a CSM dividing parcel number 024-0030 (2448 County Road FF – Barb Rank Life Estate) of 43.53 acres currently zoned A2. The lot with the home will be 5.424 acres as a single-family use parcel and the remaining acreage will be used as Agriculture; both to be zoned RR. Property is owned by Theresa Granger 13555 Holiday Ct Apple Valley, MN 55124 and Michael Rank 7498 Howlett Rd Oshkosh, WI 54902.

Tom Thiel said this parcel is right next to Shirley. Shirley Gallert stated that is why she is here, has no problem with 5 acres. The whole 40+ is RR, so anytime already zoned, a developer could develop that 5 acres? Tom Thiel said, yes, that could happen. Theresa Granger stated their understanding was, that it could not remain Agricultural because it's not a large enough parcel. Tom Thiel said that is a 40-acre parcel and if you take 5 acres off, it would be under, so would take that land and change it to RR. Can still farm it as Ag, just the small parcel of the house would be RR. Jim Granger asked if there would be any tax implications by changing the zoning? Leonard Schmick said no, as long as it is being used for ag, it will be taxed as Ag. The 5 acres would change. Grant Stettler said this is a formality, if less than 40 acres, can't be zoned A2. Public Session Closed.

Plan Commission - Eric Whiting asked how long ago? This survey map was from 1994. If surveyed in 1994, was the house on it? Jim Granger said the house was built in 1994. Map was created, never finalized. Grant Stettler motions to accept as written, seconded Tom Thiel. Carried

8. Informal Opinions

From the workshop, we talked about businesses in our township. If we sent it out to people, if they would be honest, would like to know at least what you are doing, for safety reasons. Mostly for the volunteer Fire Dept. Might implement this questionnaire, will ask the Board their thoughts.

9. Future Agenda Items

None

10. Adjournment

Adjourned at 7:46pm

Jenny Sonnleitner, Clerk & Planning/Zoning Secretary

_____ Thomas Thiel, Plan Chairman

_____ Jenny Sonnleitner, Clerk & Planning/Zoning Secretary

TOWN OF UTICA

Town Board Meeting ~ Agenda

Monday, August 8, 2022

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. Discussion and Action may occur on the following items, except for Public Forum.

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. Any person wishing to attend who, because of a disability, requires special accommodation, should contact Chairman Len Schmick at 920-850-0758 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, Town Hall, and United Cooperative.

1. Call the Meeting to Order
2. Pledge of Allegiance
3. CONSENT AGENDA:
 - A) Approve July 11, 2022 Town Board Meeting Minutes
 - B) Affidavit of Posting/Publication
 - C) Approve Payment of Bills for August
4. Treasurer's Report for July; 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. BUDGET: Any Possible Amendments
7. OPERATORS LICENSE: Lisa Conn at United Cooperative & Tim Oliver / TEMP PICNIC LICENSE: Utica Fire Dep
8. PLAN COMMISSION:
 - A) Re-Zoning Permit Application: **024-0243 Ziegenhagen**. Recommendation by the Plan/Zoning Commission: Approval of a CSM dividing parcel number 024-0243 (5066 Fisk Ave) of 40.00 acres currently zoned A2. Lot 2: into a 5.013-acre, single-family use parcel around the existing buildings and Lot 1 into 34.435 acres to remain General Ag use; both to be zoned RR. Use of the property to stay the same. Property is owned by Matt Ziegenhagen of Ziegenhagen Farms, LLC 2411 Knott Road Oshkosh, WI 54904.
 - B) Re-Zoning Permit Application: 024-0030 Rank. Recommendation by the Plan/Zoning Commission: Approval of a CSM dividing parcel number 024-0030 (2448 County Road FF – Barb Rank Life Estate) of 43.53 acres currently zoned A2. The lot with the home will be 5.424 acres as a single-family use parcel and the remaining acreage will be used as Agriculture; both to be zoned RR. Property is owned by Theresa Granger 13555 Holiday Ct Apple Valley, MN 55124 and Michael Rank 7498 Howlett Rd Oshkosh, WI 54902.
 - C) Town of Utica Businesses Questionnaire
9. TOWN HALL/FIRE STATION #12 –
 - A) Picnic Sunday, August 28, 2022
 - B) Town Hall Rentals
10. ROADS
11. WINNEBAGO COUNTY PLANNING & ZONING DEPT: Notice of Appeal by Lamar Central Outdoor LLC of Ordinances: Ch 23 – Town/County Zoning Code; Ch 26 – Floodplain Zoning Code; Ch 27 – Shoreland Zoning Code. South of 1498 Black Oak School Rd (in road right-of-way) 012-0248 Town of Nekimi. County denied a permit for an off-premise directional sign electronic face replacement.
12. MEETINGS:
 - A) Rush Lake: August 15, 2022
 - B) Fall WTA Workshop: September 29, 2022 at Royal Ridges in Ripon, who is attending?
 - C) Winnebago County Towns Association 2022: October 6 – Winchester
13. FUTURE AGENDA ITEM(S):
 - A) ARPA Funds – Obligate funds by 12/31/24. Projects Completed by 12/31/26. Received invoice for Ripple Ave from Winnebago County and will submit final paperwork.
14. ITEMS FOR INCLUSION IN NEWSLETTER:
 - A) Town Board Meeting – Monday, September 12, 2022 – 5:30pm at the Utica Town Hall
 - B) 2022 ELECTION: Tuesday, November 8, 2022 – 7am-8pm, 1730 County Road FF. Myvote.wi.gov to complete an Absentee application, include your valid photo ID.
15. CORRESPONDENCE RECEIVED:
 - A) WI Towns Association Monthly Newsletter Online; Land Transfers; Community Economic Analysis for Rural WI Communities – Applications Due August 19 – Greater Oshkosh; Hawkins/Ash CPAs; Winnebago County Timber Cutting Notice: Davis 2181 Knott Rd; WPS Road improvement project planning;

Jenny Sonnleitner, Clerk
Posted: 8/6/2022

TOWN OF UTICA

Town Board Meeting ~ Minutes

Monday, August 8, 2022

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. The Board can discuss and act on any of the following, except that of the Public Forum.

1. CALL THE MEETING TO ORDER

DRAFT

This meeting was called to order by Chairman Schmick at 5:30pm at the Utica Town Hall.

PRESENT: Chairman Leonard Schmick, Supervisor #1 Chuck Kuhrt, Clerk Jenny Sonnleitner, Treasurer Emily Hunter; Andrea with Greater Oshkosh; 8 citizens present

ABSENT: Supervisor #2 Grant Stettler

2. PLEDGE OF ALLEGIANCE

3. CONSENT AGENDA:

A) APPROVE JULY 11, 2022 TOWN BOARD MEETING MINUTES

B) AFFIDAVIT OF POSTING/PUBLICATION

C) APPROVE PAYMENT OF BILLS FOR AUGUST

Chairman Schmick made a motion to accept 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 FOR JULY; BMO HARRIS BANK

RECEIPTS: \$46,232.15; DISBURSEMENTS: \$122,801.61; TOTAL BALANCE: \$398,746.97

TOTAL CASH ON HAND (INCLUDING FIRE/EMS ACCOUNT BALANCE AS OF 7/31/22): \$423,814.85

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

Jim Kumbier - on behalf of Liberty Prairie Cemetery handed the Board an Annual Report for 2021. Asking the Board to consider giving some more money to help out. Chairman Schmick stated there is \$30,652.77 on hand according to the report. Jim stated that last year, the cost was over \$12,000, with receipts of \$4,000 and there is one Note. Charges \$800 for the grave burial and they pay the grave digger \$600, Cemetery keeps \$200. Jim will look at it again and talk with the cemetery secretary.

Andrea with Greater Oshkosh – was present at EAA and received some great business leads. Two programs available: Community Economic Analysis for Rural WI Communities (CEA-RWC) Pilot Initiative and TRAILS Grant Program (Polaris).

6. BUDGET: ANY POSSIBLE AMENDMENTS

To transfer \$140,674.54 from ARPA to Transportation. Finished Ripple Road from Cty Rd FF to Elo, road should be set for 30-40 years at least. Chairman motions to accept the resolution, seconded by Supervisor Kuhrt. Carried

7. OPERATORS LICENSE: LISA CONN AT UNITED COOPERATIVE & TIM OLIVER / TEMP PICNIC LICENSE: UTICA FIRE DEPT

Chairman Schmick motions to grant Operator's License to Lisa Conn and Tim Oliver, and Temp Picnic License; seconded by Supervisor Kuhrt. Carried

8. PLAN COMMISSION

A) Re-Zoning Permit Application: 024-0243 Ziegenhagen. Recommendation by the Plan/Zoning Commission:

Approval of a CSM dividing parcel number 024-0243 (5066 Fisk Ave) of 40.00 acres currently zoned A2. Lot 2: into a 5.013-acre, single-family use parcel around the existing buildings and Lot 1 into 34.435 acres to remain General Ag use; both to be zoned RR. Use of the property to stay the same. Property is owned by Matt Ziegenhagen of Ziegenhagen Farms, LLC 2411 Knott Road Oshkosh, WI 54904.

Chairman Schmick motions to accept the recommendation on the Planning/Zoning Commission, seconded by Supervisor Kuhrt. Carried.

B) Re-Zoning Permit Application: 024-0030 Rank. Recommendation by the Plan/Zoning Commission: Approval of a CSM dividing parcel number 024-0030 (2448 County Road FF – Barb Rank Life Estate) of 43.53 acres currently zoned A2. The lot with the home will be 5.424 acres as a single-family use parcel and the remaining acreage will be used as Agriculture; both to be zoned RR. Property is owned by Theresa Granger 13555 Holiday Ct Apple Valley, MN 55124 and Michael Rank 7498 Howlett Rd Oshkosh, WI 54902.

Chairman Schmick motions to accept the recommendation of the Planning/Zoning Commission, seconded by Supervisor Kuhrt. Carried

C) TOWN OF UTICA BUSINESSES QUESTIONNAIRE

Chairman Schmick: If people want to have a business out of their home, we always allow that. It's not a permit, just information to give to the Fire Department that they may need to know about ahead of time. A simple questionnaire to give back to the Zoning Department. Nothing to vote on, just an informational sheet.

TOWN HALL/FIRE STATION #12

D) PICNIC SUNDAY, AUGUST 28, 2022

E) TOWN HALL RENTALS

Lucy Trebiatowski was contacted by the Health Department and they would like to use the Hall November, December, and January for a two-hour COVID clinic each month. They want to know if they need to do any paperwork through the Board or if she can just set the date with them. Chairman Schmick stated they can rent it, just like anyone else can. Personally, don't see the use for it.

Usually, in October, the Fire Dept does their appreciation dinner. There are a lot of rentals already in October. Made a list and have a copy for the Fire Dept and a copy under Tim's door so they are aware of the dates that are booked already; and that they contact me before they send out their announcements or invites.

9. ROADS

Fixing and repairing everything on the road list. Everything has been taken care of already.

10. WINNEBAGO COUNTY PLANNING & ZONING DEPT: Notice of Appeal by Lamar Central Outdoor LLC of Ordinances: Ch 23 – Town/County Zoning Code; Ch 26 – Floodplain Zoning Code; Ch 27 – Shoreland Zoning Code. South of 1498 Black Oak School Rd (in road right-of-way) 012-0248 Town of Nekimi. County denied a permit for an off-premise directional sign electronic face replacement. Supervisor Kuhrt says he doesn't know why we have this, it's Nekimi, Bradley Egg Farm land. Chairman Schmick said it doesn't effect us at all, mostly informational. Supervisor Kuhrt said he talked with Brian Bradley, the property owner, and he doesn't know anything about this.

11. MEETINGS:

A) RUSH LAKE: AUGUST 15, 2022

B) FALL WTA WORKSHOP: SEPTEMBER 29, 2022 AT ROYAL RIDGES IN RIPON, WHO IS ATTENDING?

Chairman Schmick motions that we pay for and send an application for Jenny to go to the WTA Workshop September 29; if the Treasure would like to attend, she can. Seconded by Supervisor Kuhrt. Carried.

C) WINNEBAGO COUNTY TOWNS ASSOCIATION 2022 MEETINGS: OCTOBER 6 - WINCHESTER

12. FUTURE AGENDA ITEMS(S):

A) ARPA FUNDS – OBLIGATE FUNDS BY 12/31/2024. PROJECTS COMPLETED BY 12/31/2026. RECEIVED INVOICE FOR RIPPLE AVE FROM WINNEBAGO COUNTY AND WILL SUBMIT FINAL PAPERWORK.

13. ITEMS FOR INCLUSION IN NEWSLETTER

A) Town Board Meeting – Monday, September 12, 2022 – 5:30pm at the Utica Town Hall

B) 2022 ELECTIONS: Tuesday, November 8, 2022 – General; 7am-8pm, 1730 County Road FF. Myvote.wi.gov to complete an Absentee application, include your valid photo ID.

14. CORRESPONDENCE RECEIVED:

A) WI Towns Association Monthly Newsletter Online; Land Transfers; Community Economic Analysis for Rural WI Communities – Applications Due August 19 – Greater Oshkosh (Chairman Schmick said from what he read about and contacting the people involved, doesn't apply to us, doesn't work for our Town); Hawkins/Ash CPAs; Winnebago County Timber Cutting Notice: Davis 2181 Knott Rd; WPS Road improvement project planning

15. ADJOURNMENT

Adjournment 5:49pm

Jenny Sonleitner, Clerk

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

Minutes to be Reviewed / Approved at the September 12, 2022 Town Board Meeting.

"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: _____

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 Ziegenhagen Farms;

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 34.435 acres and Lot 2 to be 5.013 acres, both to be zoned RR.

County Board Supervisor
(Town of Utica)

Parcel Nos: 024-0243

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 _____, 2022.

Jon Doemel

County Board Supervisory District