

# TOWN OF UTICA

## Town Board Meeting ~ Minutes

Thursday, March 7, 2024

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: townofuticawi.gov, Town Hall, and United Cooperative.

1. Call the Meeting to Order 19 attending

**DRAFT**

2. Pledge of Allegiance

3. CONSENT AGENDA:

A) Approve February 12, 2024 Town Board Meeting Minutes

B) Affidavit of Posting/Publication

C) Approve Payment of Bills for March

D) Treasurer's Report for February; BMO Harris Bank

Chairman Schmick motions to approve the Consent Agenda consisting of approving February 12 Meeting Minutes, Affidavit of Posting/Publication, Approve payment of bills for March, and Treasurer's Report for February; seconded by Supervisor Kuhrt. Carried 3-0

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4. Public Forum: *Opportunity to comment about an Agenda item or new business; say your name & address*  
(no action taken by the Board)

Michael Rust – candidate for Winnebago County Circuit Court Branch 1. Get out and vote. Believes in the importance of judges remaining neutral and apply the law to the facts of the situation.

Joyce Christianson – checking on the status of the fireworks. Hasn't heard how donations are going, or if need any help assisting. Willing to help but haven't had any communications. It is a long process and time is of the essence. Comments in the room was Tim Oliver is interested in running the fireworks.

Kevin Fritz – ARIP, talked with a person from the State and was advised that we get the application in ASAP. Believes we have at least one road that would apply. Chairman Schmick said there are a lot of rules involved and if we can get use of it for Class B roads we would try. Supervisor Kuhrt said this topic will be covered during the WTA training Friday and will bring information back.

Bill Santiago – Agenda item regarding land division. Haven't seen a map, and to make the new owner of the convenience store aware that there is an easement to get to his house. Raj doesn't have a problem making sure he can still use it and will make sure it's clear.

Chairman Schmick closed the public comments.

5. BUDGET:

A) Any 2024 Amendments

No amendments

6. BUSINESS LICENSES FOR PICKETT COUNTRY MARKETT

Chairman Schmick motions that we allow the business license to go through, seconded by Supervisor Stettler. Carried 3-0.

7. PICKETT C-STORE LAND DIVISION

Chairman Schmick motions to allow the change coming to allow a separate piece of land, seconded by Supervisor Kuhrt. Carried 3-0

8. ACTION APPRAISERS – 2025 REVALUATION DISCUSSION

Zak from Action Appraisers stated the Town of Utica has been out of compliance since 2021. If we wait too much longer, the State will order a revaluation. The last full reval was done in 2014. We would do an exterior evaluation. Since COVID, doing more exterior evals since not being allowed in to as many homes. In 2025 looking to hold Open Book and Board of Review later than normal, do field work either Fall 2024/Spring 2025. Personal Property is going away except for buildings on leased land. Any building on leased land is being rolled over to the real estate side. Example of Towers, if the company doesn't own that land, it will be moved to the real estate owner. That property owner can create a new parcel, negotiate a contract, or hand it over to the tower owner. Chairman Schmick asked how much it would cost for the reval. Zak wouldn't change anything this year.

9. **BUILDING INSPECTOR**

Chairman Schmick received a call from Marty Johnson who plans to retire at the end of 2024. Marty has some recommendations and we will need to find a new building inspector. Keep this on the Agenda until we find someone.

10. **INSURANCE RENEWAL: effective 4/1/2024**

Supervisor Kuhrt motions to accept the insurance renewal as presented to us last month with the changes that were made, we should be set for another year; seconded by Supervisor Stettler. Carried 3-0

11. **TOWN HALL RENTALS & LEASE**

Clerk Sonnleitner made changes to the agreement regarding the TV remote. There has been some tape left on the walls, when removing tape on the door, paint was removed. We want to keep the place looking nice. Clerk Sonnleitner offered to paint the new exterior door. Consensus was to leave the agreement as is.

12. **PAYGROUND AT THE TOWN HALL**

Insurance would be covered under the Town's General Liability Contract if there is no charge, and no equipment is excluded from this coverage. If the Town works with a playground vendor, they will provide safety standard recommendations. Chairman Schmick said playground equipment can be very expensive. Can buy used equipment but have to be careful as it may not be in compliance. The Attorney replied that there is no way to avoid all liability, but the Recreations Immunity Statute provides board liability protection for people who are injured engaging in a recreational activity on your land. The Statute applies to municipalities as long as you are not charging somebody to use the playground equipment. If you charge a fee, then the liability immunity does not apply. Clerk Sonnleitner asked because there is a fee to rent the Hall, if there was a playground, would that be the charge? How do we interpret 'charging to use the playground'? Chairman Schmick said it's good that we got the information, we would have to come up with the money and equipment.

13. **SEPTIC MAINTENANCE AT THE TOWN HALL**

Chairman Schmick motions to use Townsend Septic because it's half the price and if we remember next time this comes around, we will get it pumped and completely redone at the higher price, seconded by Supervisor Kuhrt. Carried 3-0. Septic keys were on the east wall by the fire trucks.

14. **FIRE DEPARTMENT / TOWN HALL**

A) **LOCKS ON DOORS**

Supervisor Stettler talked with Block Iron \$769.12 per lock plus \$36.77 per lock to key them. Found same lock online for just over \$400. Would order those and take the three locks to Kitz & Pfeil to rekey and have Kitz & Pfeil install. No new lock on the Town Hall door. Main entrance on the fire house and the two on the fire station. Supervisor Kuhrt said he spent many years working with the County in Facilities. Has experience with this lock, if it gets below zero, the mechanical ones will act up, if you don't have a key, you'll be outside huffing on them to warm it up until they work. Personally, have had experience with them and is not a fan of them. If it gets really cold, forget pushing the buttons and use the key. Supervisor Kuhrt asked about the door by the Hallway. Is the purpose of the deadbolt so people don't leave this room and go into there? Jay said this is their temporary solution, so the public doesn't get back there. Supervisor Kuhrt said it should be a passage lock. When there are pies in here trying to get in and out, the deadbolt won't fly for that day, especially if it's a hot summer day, the AC won't keep up. That is a fire door, you do not make holes in a fire door, you don't make penetrations in them. That door looks terrible with all the scratches, take the time. Very disappointed. Chairman Schmick agrees and shouldn't have drilled holes and put the lock in crooked.

B) **PURCHASE A TRUCK FOR THE FIRE DEPT**

Fire Chief Jay Roberts said the fire dept discussed the 1984-1985 tanker. The chassis has 787,000 miles, other than the headlights, nothing works on it, other than the emergency lights. The fuse panel is rotting, don't feel we need to buy a new truck. New chassis is \$160,000. Michels has one for \$49,500. Michels' is an identical truck with 283,925 miles compared to the tanker truck. We have an International and our tank would go on this truck. Will need to move the axils. Supervisor Stettler asked if they got that all figured on how to fix this? Supervisor Kuhrt asked about the other truck that we tried to work on but came out to be more work than thought. Chairman Schmick asked if their budget fits purchasing this. Supervisor Stettler asked what they would do with the current truck. Ryan Miller said they would sell it. The current truck is a stick shift and many of the new members don't know how to drive it, so it just sits. Supervisor Stettler motions to approve the purchase of the 2013 International 7600 Tri-Axle Cab & Chassis up to \$49,500 for the truck, seconded by Chairman Schmick. Carried 3-0

C) **PHOTOGRAPHER / DRONE OPERATOR / AUXILIARY**

Fire Chief Jay Roberts said Omro has a professional photographer during the Omro scenes, of the guys working and their functions; her husband has a drone. It would be great for public relations. Ryan Miller said they wear safety vests and she offered to take pictures for Utica. Chairman Schmick asked if there would be a financial commitment. No. Supervisor Kuhrt asked if this would be occasional. Ryan Miller said the photographer would be on their page list, so if she is available, she would come to take pictures and provide to the Fire Dept to put on their facebook page. Jay has the confidentiality paperwork for the photographer to complete, can't take pictures of people. Supervisor Stettler suggested to put the photographer/drone operator as Public Relations on the roster so they are covered. Chairman Schmick motions to allow her to come and use her for PR and training, seconded by Supervisor Stettler. Carried 3-0

**D) VOLUNTEERS AT EAA'S AIRVENTURE**

The Town of Utica has been volunteering at EAA during AirVenture to assist with medical calls. This year, EAA would like to hire the EMS volunteers so they would be covered under EAA's insurance. However, they would not be able to fulfill their entire trainings, but only provide basic first aid. If the Town enters into an agreement with the EAA to provide service to the convention and takes the position that this is an assigned duty, assigning a crew to the task, the coverage will apply. Provide the written agreement from EAA to Horton Group, a Certificate of Liability can be provided to the EAA as evidence of coverage.

**E) EXPENSE / EMS CALLS / MILEAGE REIMBURSEMENT**

Clerk Sonnleitner stated the EMS volunteers will drive to Green Bay and other parts of the State to pick up supplies needed to perform their duties in their personal vehicles. There are a lot of EMS calls per month and it was asked to get some sort of reimbursement; many calls are going to the Town of Nepeuskun and the Town of Nekimi. Supervisor Kuhrt asked if the Town of Nepeuskun and the Town of Nekimi pay Utica fire or EMS for their services? Fire Chief Jay Roberts said No. Supervisor Kuhrt said Ripon was previously servicing Nepeuskun at a cost. Supervisor Kuhrt said they should be reimbursed for their mileage while getting supplies. Supervisor Stettler thought maybe they need a contract for the other Towns. Chairman Schmick said once we start paying volunteers for running out to getting things, we need to run it passed the attorney. Just want to make sure nothing legal we have to deal with. Table for next meeting. Jay Roberts said coverage started as helping during the day, now it's 24 hours a day. EMS volunteers use personal vehicles, not a fire truck to go to EMS calls. Supervisor Kuhrt said if Nepeuskun pays the Utica volunteers, use that money to reimburse and pay mileage for your book keeping. Jay Roberts said we can't cover everybody for free. Supervisor Stettler thought to come up with a form. Jay Roberts said Omro reimburses their people \$3 per call. Jay gets \$25/call in Green Lake to be their first responder. Just enough to cover the gas would be nice, would probably help with the amount of people that go to calls. Supervisor Kuhrt asked about group homes. Jay Roberts said they haven't received many to almost no calls to those facilities.

**F) FIRE DEPARTMENT & TOWN ORDINANCE**

Supervisor Stettler mentioned we should, by Ordinance, establish the fire department under the Town. Table this for next month.

**G) FEBRUARY 2024: (8 Fire Calls / 13 EMS Calls)**

**15. BMO: Credit/Debit cards for purchases**

Treasurer Hunter stated we would get points back, no annual fee. When spend \$5000 in three months, get 100,000 points. Does everybody get a card or one and we share it? Supervisor Stettler said the intent would be to try to mitigate expense forms. Automated things could be assigned to the credit card and no expense forms needed for reimbursement. Feels one card would be enough. Chairman Schmick mentioned that there are fuel cards in every fire truck. Ryan Miller said the new owner of Pickett Country Market would change the gas station to a BP and they would need to apply for a BP credit card. Supervisor Stettler said that if the firemen have any issues fueling the fire trucks, be prepared to use your personal credit cards and issue for reimbursement. Clerk Sonnleitner reminded the Board that she was given the ability by them to pay any bills needed to be paid in between Board meetings. Chairman Schmick said we should for sure have one credit card. Treasurer Trisha Hunter said she would need receipts.

**16. WI Historical Society / Records Retention: Documents scheduled for purging; Laws of WI Books 1866-1909 / Election Law & Form books / Assessment & Tax Roll Books 1877-1974**

Supervisor Stettler motions to get rid of the books from the 1800s/early 1900s to make room, seconded by Chairman Schmick. Carried 3-0

**17. ROADS**

**A) SPRING ROAD INSPECTION: Friday, April 12 at 8:00am-12:00pm**

**B) SNOW BEING PUSHED ACROSS THE ROAD**

Supervisor Kuhrt said we cannot push roads across the roads, it's against the rule, regulations and has been for years.

**C) WTA: WISDOT 6-20 foot culvert inventory, Small bridge/culvert program due 12/31/2024**

Chairman Schmick said we don't have to worry about that anymore, the County is taking care of that for us.

**D) ARIP - Agricultural Roads Improvement Program for deteriorating Class B weight-restricted roads. Application Deadline 4/5/24**

Chairman Schmick we will dig into that a little more to see if there is any money available for that, that would make sense for our Town.

**18. WINNEBAGO COUNTY UNIT MEETING: April 4, 2024 at Town of Neenah**

No one plans to attend

**19. WINNEBAGO COUNTY TOWNS ASSOCIATION – Winnebago County Zoning Ordinance**

Supervisor Stettler motions to use the Town of Oshkosh Resolution, seconded by Supervisor Kuhrt. Carried 3-0

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20. ITEMS FOR INCLUSION IN NEWSLETTER:
- A) SPRING ELECTION: Tuesday, April 2, 2024, 7am-8pm. Myvote.wi.gov to: register to vote if you are new to the Town, have a name or address change; request an Absentee Ballot. Ballot must be returned by 8pm on Election Day at the Town Hall by the voter.

B) TOWN BOARD MEETING: Monday, April 8, 2024 – 5:30pm at the Utica Town Hall

C) ANNUAL MEETING: Tuesday, April 16, 2024 at 5:30pm

D) OPEN BOOK: Tuesday, June 21, 2024 at 9:00-11:00am via phone with Action Appraisers

E) BOARD OF REVIEW: Tuesday, June 4, 2024 at 5:00-7:00pm

21. CORRESPONDENCE RECEIVED:

- A) WI Towns Assoc Monthly Newsletter; Land Transfers; WPS Road Improvement project planning

22. ADJOURNMENT

6:56pm

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Jenny Sonnleitner, Clerk

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

Minutes to be Reviewed / Approved at the April 8, 2024 Town Board Meeting.