

TOWN OF ALGOMA  
PUBLIC HEARING MINUTES  
SEPTEMBER 18, 2013  
TOWN HALL BOARD ROOM

Town Chairman Blake called the Public Hearing to order at 6:00 PM.

**Town of Algoma, Winnebago County, Wisconsin, has declared its intention to exercise its police power in accordance with Section 66.0703, Wisconsin Statutes, to levy special assessments upon property within the Town of Algoma for benefits conferred upon the property by the installation of asphaltic pavement to the Butte des Morts II, Olde Apple Acres, and part of Olde Apple Acres I Subdivisions. Following the hearing, the Board will meet and consider a final resolution authorizing assessments as a result of comments from the public relating to the preliminary resolution and Engineers Report.**

Chairman Blake gave a presentation about the paving history and requirements.

Mike Purdy, 3356 Nelson Road.

Stated that research showed us that there is tax power and police power. Tax power has a certain process and the research we did showed us that the letter sent out was tax power. Once the tax power procedure is initiated, the police power cannot be adopted. I would like the linear footage used because when most of us purchased our homes, it was based on the price of linear footage assessment. The police power states that you assess parcels based on the benefit incurred on the given parcel by the given project. We should only be assessed on the cost of Nelson Road.

Roberta Roalkvan, 3447 Nelson Road

Stated her assessment would change drastically going from linear footage to square footage. Would like to see the number of lots methodology used.

Paula Heun, 3408 Nelson Road

Stated she went through each lot on Nelson Road and did some calculations. 9 lots are undeveloped in the subdivision. She questioned if this is going to be a precedent. She feels sympathetic to people who live on corner lots and cul de sacs but feels it is penalizing someone who lives a regular lot.

John Brad, 1505 Hayden Drive

Stated he lives on the corner of Hayden Drive and Duchess Lane and questioned if his property would be assessed. The front was already paid. He feels the rules were changed in the middle of the game.

John Skroski, 3371 Nelson Road

Wanted to reiterate what Mr. Purdy stated. He would like to see the Board take out the Nelson Paving project. Each project should be assessed by itself.

Lowell Reepsdorf, 3355 Nelson Road

Questioned the Board regarding the cost of paving Nelson Road.

John Skroski, 3371 Nelson Road

Appeared again before the Board to question the costs and bids from contractors. He feels each road should be separate.

Ben Heinzen, 3335 Nelson Road

He said paving is supposed to happen after the Public Hearing. Nelson Road was already paved and letters have been sent. He questioned linear footage versus square footage.

Steve Last, 1493 Leonard Point Road

Stated he received a notice with a \$6,000 assessment letter.

Gary Drebus, 1364 Olde Apple Acres

Questioned why linear foot versus square footage was decided.

Kevin and Brian Waite, 3469 Nelson Road

Appeared with his brother and stated the first he heard about this assessment was the letter received based on linear footage. He was not notified last year of this. He said if the notices were hand delivered, he never received one. He feels square footage is the best way to assess.

Ryan Boynton, 3315 Nelson Road

Addressed the Board regarding Police power vs. tax power. He said tax power cannot be changed to police power.

Kurt Hilsberg, 3365 Nelson Road

Stated the Board should listen to what was just stated.

Ron Karpinski, 3877 Breaburn Street

He believes the lots should be assessed on linear footage. He believes the Board should change it back to linear footage.

Greg Chapin, 1557 Milton Circle

He questioned if there are upcoming assessments on unplatted land on Duchess Avenue.

Steve Kratz, Duchess Lane

He owns two unplatted lots on Duchess Avenue. He questioned whether his properties were being assessed at this time.

Mike Purdy, 3356 Nelson Road

Appeared again before the Board to reiterate what he previously said. He feels he should not be charged for roads being paved that do not benefit him.

John Skroski appeared again before the Board.

He stated that the square footage rule should not be in effect.

Kyle Schulz, 3981 Duchess Lane

Appeared before the Board and questioned assessment for Duchess Lane and who will be paying for it.

Vicky Walsh, 3347 Nelson Road

Questioned if everyone is paying for the asphalt. All offers and purchases were based on linear feet. If it is being changed to square feet, it should be for projects going forward and not changed mid-stream.

Kyra Schallhorn, 3341 Nelson Road

Wanted to reiterate what Vicky Walsch said. She feels it is not fair to make this change now. She urged the Board to listen to what the residents have said tonight.

**Motion by Kierszh second by Hamann to close the public hearing. Motion carried in a voice vote, 5-0.**

Respectfully submitted,

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Mary Kuehnl, Acting Clerk  
Town of Algoma

TOWN OF ALGOMA  
REGULAR MEETING MINUTES  
SEPTEMBER 18, 2013  
TOWN HALL BOARD ROOM

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September 18<sup>th</sup>, 2013  
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1. **Call to Order.**

The meeting was called to order by Chairman Blake at 7:12 p.m.

A. Roll Call showed all members present and accounted for.

B. The Pledge of Allegiance was given.

2. **Public Forum.**

Mark Thompson 3375 Sheppard Drive appeared before the Board to ask what is going to happen when his road needs to be replaced and gave a brief history to the Board. He feels each subdivision paving should be divided by the number of lots in their subdivision.

Stan Manik Superintendent of School appeared before the Board regarding the Sheldon Nature Area parcel and the Northeast Wisconsin Land Trust. He stated they are prepared to work with the Board regarding this property.

Cathy Chapman 2849 Sheldon Drive appeared before the Board in opposition to donating the parcel of land. She stated giving up control of this area will not help the residents in this area. She also read a letter regarding the resignation of Clerk Nelson and wanted to thank her for her service.

Mark Kainz 1320 Snowdon Drive addressed the Board regarding Safe Routes to School. The PTO wishes to give a donation of \$2,000 for the purchase of driver feedback signs.

The Sheriff's Deputy for Winnebago County was introduced and gave a brief report to the Board.

3. **New Business.**

**A. Review and approve the final resolution wherein the Town of Algoma has declared its intention to exercise its police power in accordance with Section 66.0703, Wisconsin Statutes, to levy special assessments upon property within the Town of Algoma for benefits conferred upon the property by the installation of asphaltic pavement to Butte des Morts II, Olde Apple Acres, and part of Olde Apple Acres I Subdivision.**

**Motion by Rasmussen second by Timm that specific to Nelson Road if we have a prior agreement that we use the linear footage methodology of assessment in the agreement and use the separate road price specific to Nelson Road. Roll call vote was taken, all present voted aye. Motion carried unanimously.**

**Motion by Kierszh second by Hamann that the remainder of the paving project be assessed by linear footage. Roll call vote was take with Hamann and Kierszh vote aye, Rasmussen, Timm and Blake nay, Motion is lost.**

**Motion by Rasmussen second by Timm that the remainder of the paving project is to be assessed by the number of lots.**

Discussion:

- Everyone paying the same
- Corner lots

**Roll call vote was taken with Blake, Timm and Rasmussen voting aye, Kierszh and Hamann nay. Motion carried.**

**B. Review and approve the 2014 Winnebago County Highway Contract with Highway Commissioner Ernie Winters.**

Mr. Winters appeared before the Board and reported on the standard maintenance contract. The purpose is to give the County an estimate on what revenue can be expected from the Town. The County cannot keep the Town from other contracts. The County staffs based on agreements with the Towns.

**Motion by Blake second by Kierszh to approve the 2014 maintenance contract with Winnebago County. All present voted aye. Motion carried.**

**C. Status update on the replacement of Oakwood Road culvert from Winnebago County Highway Commissioner Ernie Winters.**

Mr. Winters gave a report to the Board regarding the Oakwood Road culvert. He believes this project will go forward with the adoption of the County budget.

**D. Review and approve the Conditional Use Permit for Christian Ruedinger on tax parcel numbers 002-0181-01 & 002-0181-0101, 4060 & 4072 State Road 21 to operate a used car dealership in a B-2 (General Business) zoning district.**

**Motion by Blake second by Hamann to grant the Conditional Use Permit as outlined by the Plan Commission including that the surface will be asphalt or concrete. Roll call vote was taken with Timm, Kierszh, Hamann and Blake voting aye, Rasmussen nay. Motion carried.**

**E. Review and approve the contract with Radtke Contractors Inc. for snow plowing the private roads.**

**Motion by Blake second by Kierszh to table this item for a later date. All present voted aye. Motion carried.**

**F. Discussion regarding the North Haven Lane Easement.**

This item will be tabled for a later date.

**G. Approve the installation of “No Smoking” signs for all Town Parks.**

No action was taken on this item.

H. **Approve transferring funds to maximize interest earned on all accounts, while maintaining the coverage from the FDIC and the state guarantee fund totaling \$650,000.00. This may include transferring the Parks Funds to a separate money market account.**

**Motion by Blake second by Timm to send this matter to the Parks Committee for their recommendation. All present voted aye. Motion carried.**

**Motion by Kierszh second by Hamann to accept all other recommendations presented by Treasurer Drexler. All present voted aye. Motion carried.**

#### **4. Supervisors Statements.**

**A. Status update regarding Omro Road-WIS 21 to Oakwood Road Conceptual Layout.**

It was reported that survey work will be finished today. In the next few weeks, there will be a meeting to develop conceptual plans.

**B. Mowing of town owned properties throughout the town.**

**Motion by Kierszh second by Rasmussen to have David Dodge mow the town properties not currently being mowed if they have time. All present voted aye. Motion carried.**

#### **5. Fire Department Report.**

**A. Fire Department Pancake Breakfast.**

It was reported the Pancake Breakfast will be October 6, 2013 at the Town Hall.

**B. Oakwood School Fire Station Visit.**

Fire Prevention weeks kicks off and Oakwood School will be visiting the Fire Station October 11, 2013.

**C. Winnebago County Radio update.**

No change from last month.

**D. Fundraising money purchase.**

Revenues raised will be used for a second thermal imaging camera to aid the Fire Dept. in search and rescue.

#### **6. Receive Road/Drainage Coordinator Report September, 2013.**

The following was reported: the Lake Breeze project will not be done this year; the signs on Omro Road will be installed. The County will be informed of the adoption of the Resolution this evening.

#### **7. Approve Minutes of Previous Meetings.**

A. July 11, 2013 – Special Town Board Meeting.

B. August 7, 2013 – Special Town Board Meeting.

C. August 21, 2013 – Regular Town Board Meeting.

D. September 4, 2013 – Special Town Board Meeting.

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E. September 6, 2013 – Special Town Board Meeting.  
No minutes were approved at this time.

**8. Approve monthly disbursements for September, 2013.**

**Motion by Rasmussen second by Kierszh to approve the disbursements. All present voted aye. Motion carried.**

**9. Receive Treasurer's Report September, 2013.**

**The Treasurer's Report was received.**

**10. Accept the resignation of Town Clerk, Charlotte Nelson.**

A letter of resignation from the Town Clerk was ready by Deputy Clerk Kuehnl. She thanked those she had worked with over the years and stated she will be willing to work with the Town during the transition but does expect to be compensated for her time.

**Motion by Timm second by Hamann to accept the resignation. All present voted aye excepting Blake nay. Motion carried.**

**11. Adjourn.**

**Motion by Rasmussen second by Hamann to adjourn at 8:50 p.m. All present voted aye. Motion carried.**

Respectfully submitted,

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Mary Kuehnl, Acting Clerk  
Town of Algoma