

**TOWN OF ALGOMA
WINNEBAGO COUNTY, WISCONSIN
AGENDA FOR
Wednesday, October 18, 2017 – 6:00 p.m.
Algoma Town Hall
15 N. Oakwood Road, Oshkosh, WI 54904**

AGENDA

The Board may discuss and act on the following:

1. Call to Order.

- A. Pledge of Allegiance.
- B. Roll Call.

2. Review and approve the minutes of the following meeting:

- A. Monthly Town Board Meeting dated September 20, 2017.

3. Review and approve October 2017 disbursements.

4. Public Forum (Only items on the agenda).

5. Committee Reports.

- A. Fire Department Chief.
- B. Economic Development Committee.
- C. Planning Commission.
- D. Parks Committee.

6. Monthly Financial Statements and Financial Report.

7. Administrator Report.

- A. 2018-19 LRIP application requests.
- B. Oshkosh Corporation and Lake Shore Golf Course.
- C. Zone B attachment timeline.
- D. Intergovernmental agreements and boundary agreements.
- E. Public outreach through social media.
- F. Town of Algoma photo contest.
- G. Building permits and inspections update.
- H. Online Budgeting Resource.

8. Business.

- A. Discussion and possible action re: CSM for AF Group, LLC.
- B. Discussion and possible action re: Jones Park Final Plan.
- C. Discussion and possible action re: Kewaunee Park Improvement Options.
- D. Discussion and possible action re: 2018 Budget.

E. Discussion and possible action re: Soda Water Beverage License for the period of July 1, 2017 through June 30, 2018 for Kobussen Buses.

F. Discussion and possible action re: Winnebago County E911 Joint Powers Agreement.

9. Adjourn.

The Town Board meets regularly the THIRD WEDNESDAY OF EACH MONTH AT 6:00 p.m. (unless otherwise noted) at the Municipal Building (Town Hall), 15 N. Oakwood Road. ALL MEETINGS ARE OPEN TO THE PUBLIC.

NOTE: It is possible that members of other governmental bodies of the municipality may be present at the above scheduled meeting to gather information about a subject over which they have decision-making responsibility. No action will be taken by any governmental body at the above-stated meeting other than the governmental body specifically referred to above in this notice.

NOTE: Upon reasonable notice, efforts will be made to accommodate the needs of disabled individuals through appropriate aids and services. For additional information or to request this service, call the Town Hall office at 920-235-3789.

Posted: Town of Algoma Municipal Building
Service Oil Co.
www.townofalgoma.org

Date Posted: October 12, 2017

**TOWN OF ALGOMA
WINNEBAGO COUNTY, WISCONSIN
September 20, 2017**

The monthly Town Board meeting was called to order by Chair Rasmussen at 6:00 p.m.

The following Supervisors were present: Christopher Wright, Patricia Frohrib, Joel Rasmussen, Patricia Clark and James Marvin.

The following were also present: Administrator Ben Krumenauer, Treasurer Sue Drexler and Clerk Deborah Stark.

On a motion by Supervisors Frohrib/Clark, passed on a voice vote, the Board approved the minutes of the monthly Town Board meeting dated August 16, 2017.

On a motion by Supervisors Wright/Marvin, passed on a voice vote, the Board approved the September 2017 disbursements.

No one came forward for Public Comment.

The Fire Department provided a written report. Board members commented on the successful car show.

The Economic Development Committee discussed the Town's Comprehensive Plan and how parcels were given the Commercial designation.

The Planning Commission did not meet in September.

The Parks Committee did not meet in August.

The monthly financial statements and reports were received.

Administrator Ben Krumenauer reported that the draft copy of the Comprehensive Plan was received from ECWRPC. The final contract will be presented to the Board in October or November. 2017 projects came in under budget and these funds will be used to begin 2018 projects. Sheriff Matz requested that he be able to try available citations in lieu of a noise ordinance. The ordinance is able to be enacted at any time. The newsletter is almost ready to go. The snow removal contract with Jeff Foust Excavating has been signed. The 2017 Refuse and Recycling rate will be less than it was the previous year thanks to a new contract.

On a motion by Supervisors Clark/Wright, passed on a voice vote, the Board approved Dan Martin to fill the open seat on the Planning Commission.

On a motion by Supervisors Frohrib/Marvin, passed on a voice vote, the Board approved Allison Gamble to fill the open seat on the Economic Development Committee.

On a motion by Supervisors Wright/Frohrib, passed on a voice vote, the Board approved the Maintenance Agreement with Winnebago County Highway Commission.

The Board held a 2018 budget workshop as part of the regular meeting.

On a motion by Supervisors Clark/Marvin, carried on a roll call vote, the Board convened in Closed Session at 7:35 p.m. after a three minute break pursuant to WI Statutes 19.85(1)(c) Considering employment, compensation or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility. Re: Personnel.

On a motion by Supervisors Marvin/Clark, carried on a roll call vote, the Board reconvened in Open Session at 9:30 p.m.

On a motion by Supervisors Wright/Clark, passed on a voice vote, the Board approved the employee rates as revised.

On a motion by Supervisors Wright/Clerk, passed on a roll call vote, the Board adjourned at 9:32 p.m.

Respectfully submitted,

Deborah L Stark, WCMC
Clerk

**TOWN OF ALGOMA
WINNEBAGO COUNTY, WISCONSIN
ECONOMIC DEVELOPMENT COMMITTEE MEETING**

Wednesday, October 4, 2017 at 6:00 p.m.
15 N Oakwood Road Oshkosh, WI 54904

MEETING CANCELLED

The Economic Development Committee meets regularly the FIRST WEDNESDAY OF EACH MONTH AT 6:00PM (unless otherwise noted) at the Municipal Building (Town Hall), 15 N. Oakwood Road. ALL MEETINGS ARE OPEN TO THE PUBLIC.

NOTE: It is possible that members of other governmental bodies of the municipality may be present at the above scheduled meeting to gather information about a subject over which they have decision-making responsibility. No action will be taken by any governmental body at the above-stated meeting other than the governmental body specifically referred to above in this notice.

Please note that, upon reasonable notice, efforts will be made to accommodate the needs of disabled individuals through appropriate aids and services. For additional information or to request this service, contact the Town Hall Office at 920-235-3789.

Posted at Town of Algoma Municipal Building, Service Oil Inc., www.townofalgoma.org
Posted on September 26, 2017

TOWN OF ALGOMA
WINNEBAGO COUNTY, WISCONSIN
PLANNING COMMISSION MEETING
Wednesday, October 11, 2017 at 6:00 pm
Algoma Town Hall
15 N. Oakwood Road, Oshkosh, WI 54904

AGENDA

The Commission may discuss and act on the following:

1. Call to Order.
2. Roll Call.
3. Public Forum (Only items on the agenda).
4. Discussion and possible action re: Minutes of the August 9, 2017 meeting.
5. Discussion and possible action re: CSM for AF Group, LLC.
6. Adjourn.

NOTE: It is possible that members of other governmental bodies of the municipality may be present at the above scheduled meeting to gather information about a subject over which they have decision-making responsibility. No action will be taken by any governmental body at the above-stated meeting other than the governmental body specifically referred to above in this notice.

Please note that, upon reasonable notice, efforts will be made to accommodate the needs of disabled individuals through appropriate aids and services. For additional information or to request this service, contact the Town Hall Office at 920-235-3789.

Posted at Service Oil Inc., Algoma Town Hall, www.townofalgoma.org
Posted on: October 05, 2017

TOWN OF ALGOMA
WINNEBAGO COUNTY, WISCONSIN
PARKS COMMITTEE MEETING
Wednesday, September 27, 2017

1. Call to Order:

The Parks Committee Meeting was called to order at 6:00 pm by Chair Clark.

2. Roll Call:

The following Committee Members were in attendance: Curt Clark (Chair), Chris Wright, Tom McInnis, Mike Dudzinski (Jim Marvin, Excused)

The following were also present: Benjamin Krumenauer, Administrator.

3. Public Forum:

No public present.

4. Discussion and possible action re: Minutes of the July 26, 2017 meeting

On a motion made by Members McInnis/Dudzinski, The minutes pertaining to the July 26, 2017 meeting were approved unanimously (4-0).

5. Discussion and possible action re: Upgrade recommendations to Kewaunee Park

Mr. Krumenauer provided an update regarding improvements to Kewaunee Park and followed it up by a strong discussion regarding proposed improvement options for additional playground enhancements.

A motion made by Mr. Wright to recommend option #2. Seconded by Mr. Dudzinski. Approved unanimously (4-0)

6. Discussion and possible action re: Jones Park update

Mr. Krumenauer guided the discussion by reviewing the plans for Jones Park. The plan set included cost estimations for specific items as well as detailed site information. Various recommendations were made regarding park features and design considerations.

7. Adjourn

On a motion by members Wright/Dudzinski, passed on a voice vote, the Committee adjourned at 7:10 p.m.

Submitted by,
Deborah L Stark, WCMC
Clerk

Recording Secretary,
Benjamin Krumenauer
Administrator

Date: October, 2017

To: Town Chairman and Supervisors

From: Benjamin Krumenauer, Administrator BKK

Re: Monthly Administrator's Report

A. 2018-19 LRIP application requests

The State of Wisconsin is now accepting applications for the 2018-19 Local Road Improvement Program. For this session, \$102,372 was allocated for Winnebago County with an additional \$11,457,248 held for state wide discretionary projects. LRIP was established in 1991 to assist local units of government in improving seriously deteriorating county highways, municipal streets in cities, villages, and town roads.

LRIP is a reimbursement program, which may pay up to a maximum of 50% of total eligible project costs, with the balance of eligible costs funded by the local unit of government. The funds are restricted to what would be considered reconstruction or pavement programs. Maintenance and storm water work are not normally funded items. Attached to this admin report are some numbers related to past projects in Winnebago County as well as cost breakdowns. As you can see, the Town of Algoma has had only one project in the last eight sessions and may be seen favorably if an application is submitted. Staff will look at future road needs and establish a viable option if warranted.

B. Oshkosh Corporation and Lake Shore Golf Course

Over the last few months, I have forwarded relevant information regarding the proposed changes to Lake Shore Golf Course in the City of Oshkosh. As you are all aware, this controversial item revolves around Oshkosh Corporation's request for property to build a new global headquarters. During this whole time, GoEDC and Town of Algoma have made sure to paint the Town of Algoma in a positive light as well as make known the willingness of the Town to see potential growth. Though no Town properties are current candidates I will still continue to keep you posted as developments occur. I am hopeful that a favorable recommendation will be made regarding Oshkosh Corporation and hope that the company continues to see the greater Oshkosh area as an asset. For more information regarding the Lakeshore Golf Course and Oshkosh Corporation proposal, please visit:

http://www.ci.oshkosh.wi.us/Community_Development/Planning_Services/LakeshoreOpportunity.asp

residences/business and so on. This town has amazing natural features that can be highlighted in many ways. This contest can help decorate the main hall and also create a fun atmosphere for the community.

G. Building Permits and Inspections Update

Below is a breakdown of building permits recorded during the third quarter of 2017.

Though the numbers are down from the first two quarters, the Town is still continuing to see new construction projects as well as renovations. Another 3 new construction permits have been recorded with a total of 36 permits pulled. This totals \$1,320,115.93 in value and brings this year's total improvements to \$6,646,609.59.

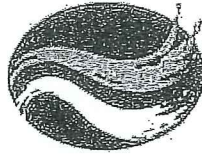
	Type of Improvement						Total Value
	New Construction		New Garage		Additions		
	#	Value	#	Value	#	Value	
1st Quarter	4	\$1,105,225.00	0	\$0.00	26	\$653,161.66	\$1,758,386.66
2nd Quarter	5	\$1,570,000.00	2	\$37,500.00	33	\$1,960,607.00	\$3,568,107.00
July	0	0.00	0	\$0.00	5	\$26,500.00	\$26,500.00
August	2	\$600,000.00	1	\$2,500.00	13	\$199,053.00	\$801,553.00
September	1	\$280,000.00	1	\$15,000.00	13	\$197,062.93	\$492,062.93
3rd Quarter	3	\$880,000.00	2	\$17,500.00	31	\$422,615.93	\$1,320,115.93
Year Total	12	\$3,555,225.00	4	\$55,000.00	90	\$3,036,384.59	\$6,646,609.59

H. Online budgeting resource

To tell our financial story as well as truly understand our financial position, I have begun to look into online resources available to us. One common site that I have used to get a simple snapshot of a community is ClearGov. Cleargov.com is an online payed resource that allows a community to research other communities as well as develop infographics and other resources related to the financial and budgetary process. Below is a link highlighting the Town of Algoma.

<http://www.cleargov.com/wisconsin/winnebago/town/algoma/2015>

The link above is but a snapshot of the Town. I have been given a free trial of the site to see what sort of value may be available for us. The site not only builds quality infographics but also provides query ability where I can compare the Town of Algoma to any local or national community. This is especially helpful when comparing services in one community to another. Additional information will probably be provided at the board meeting. This website does have a fee to use and will also need to be reviewed prior to subscription.



Winnebago County

Highway Commission

The Wave of the Future

October 9, 2017

Town Chairs and Clerks
Winnebago County Towns

RE: Winnebago County
2018 - 2019 TRIP Committee Process

Dear Town Chairs and/or Clerks,

It is that time of the year again to kick off the 2018 – 2019 Local Road Improvement Program (LRIP) process. Most of the guidelines remain the same as previous years, with the exception of how to submit your applications. All applications must now be submitted electronically. There is 102,372.00 available in TRIP funds this year. A meeting was held Wednesday, October 4, 2017 to organize the TRIP Committee. I've attached minutes of that meeting for your reference.

Your initial TRIP applications need to be submitted to Ray Palonen, Highway Commissioner, **no later than Friday, November 10, 2017**. Ray has offered to accept paper applications from the townships and forward applications electronically on your behalf to the DOT. The next step will be presenting your TRIP project request to the TRIP Committee. This meeting will be held Thursday, November 30, 2017 at 6:00 pm at the Winnebago County Highway Department. You or another Town Board member should attend this meeting and be prepared to discuss your project request. The TRIP Committee will review these project discussions and make funding decisions at that meeting. The DOT will issue project agreements in spring of 2018 that will outline the funding approved and the basic outline of each project.

Applications must contain the following:

1. Complete application.
2. Minimum of 2 year town capital improvement plan.
3. WISLR map showing your project location.
4. Signed terms and conditions.

Please let me know if you have any questions or concerns.
Thank you.

Sincerely,

Jill Prahl, Office Supervisor
Winnebago County Highway Department

Cc: Raymond G Palonen – Highway Commissioner

Winnebago County TRIP Meeting Minutes
Meeting Held Wednesday, October 4, 2017

Present: Ray Palonen, Winnebago County Highway Commissioner
Jill Prah, Winnebago County Office Supervisor
Ben Joas, Town of Winchester
Russ Geise, Town of Clayton
Todd Devens, Town of Vinland
Benjamin Krumenauer, Town of Algoma
Bill Benedict, Town of Winneconne
Bob Schmeichel, Town of Neenah
Rob Keller, Town of Black Wolf
Brian Noe, Town of Omro

- The TRIP Committee was formed for the 2018-2019 time period. Brian Noe was selected Chair, followed by Ben Joas, Benjamin Krumenauer, Bill Benedict and Bob Schmeichel.
- All applications must now be submitted electronically. Ray Palonen has offered to do this for the towns on their behalf to ensure all the information needed for the DOT is included.
- Winnebago County has 102,372.00 in TRIP funds that will be awarded.
- A maximum of 8 projects can be chosen.
- Discretionary projects are chosen by the state but the submission process is the same. The state has 11,457,248.00 available to fund for TRIP projects across the state.
- Paper applications must be submitted to the Highway Commissioner not later than November 10, 2017 to allow sufficient time to process and review the applications.
- The next TRIP Committee meeting will be held Thursday, November 30, 2017 at 6:00 pm at the Winnebago County Highway Department. Projects will be presented by a town representative and selections will be made by the committee.

**Winnebago County LRIP Program
TRIP FUNDING HISTORY**

	Township	Proj #	Road/s	Amount Funded
2016 - 2017	Town of Black Wolf	14265	Fisk Avenue	26,000
	Town of Nepeuskun	14944	Koro Road	6,826
	Town of Omro	14990	Cliff West Road & Sand Pit Lane	23,403
	Town of Vinland	14945	Woodenshoe Road	26,372
	** <u>Town of Winchester</u>	0	Sauby Road	49,000 0
***awarded funding but was unable to collect the funding due to Highway Dept error				
2014 - 2015	Town of Nepeuskun	13872	Koro Road	24,000
	Town of Rushford	13147	Liberty St & Bell School Rd	28,495
	Town of Utica	13140	Knott Road	50,495
2012 - 2013	Town of Neenah	12897	Maple Lane	3,316
	Town of Omro	12257	Leonard Point Road	49,582
	Town of Winchester	12256	Steeple Hill Road	49,582
2010-2011	Town of Black Wolf	11835	Fisk Avenue	17,935
	Town of Black Wolf	11117	Greystone Court	10,473
	Town of Neenah	11782	Villa Drive & Jonathan Street	23,537
	Town of Neenah	11116	Old Orchard Lane	44,537
2008 - 2009	<u>Town of Algoma</u>	9847	Sunkist Road	68,744
	Town of Omro	10698	Ciscel Drive	5,261
	Town of Omro	9848	Leonard Point Road	29,738
2006 - 2007	Town of Clayton	9562	Oakwood Avenue	49,403
	Town of Neenah	8533	Green Valley Road	37,734
2004 - 2005	Town of Black Wolf	7574	West Ripple Road	27,500
	Town of Utica	7573	Sportsman Road	30,782
	Town of Winneconne	7572	Cross Road	34,064
2002 - 2003	Town of Clayton	6584	East Shady Lane	20,000
	Town of Neenah	6585	Muttart Road	25,000
	Town of Poygan	6586	Jacquis Road	25,000
	Town of Winchester	6583	Grandview Road	19,642
SUMMARY		27	Projects	757,421

**Winnebago County TRIP Funding Summary
2002 - 2017**

Township	# Projects	Amount Funded
Algoma	1	68,744
Black Wolf	4	81,908
Clayton	2	69,403
Menasha/Fox Crossing	0	0
Neenah	5	134,124
Nekimi	0	0
Nepeuskun	2	30,826
Omro	4	107,984
Oshkosh	0	0
Poygan	1	25,000
Rushford	1	28,495
Utica	2	81,277
Vinland	1	26,372
Winchester	3	69,224
Winneconne	1	34,064
Wolf River	0	0
TOTAL	27	757,421



September 22, 2017

Re: Town of Algoma Zone B Intermediate Attachments/Annexations

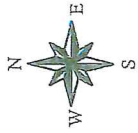
Dear Property Owner,

In 2003 the City of Oshkosh and Town of Algoma entered into a Boundary Agreement/Cooperative Plan that identified boundary changes that will occur between the City and Town over the next 30 years. The Agreement specifically identifies geographic zones of the Town that will attach in four phases which commenced in 2013 with Zone A which were areas of the Town east of Interstate 41. In 2018, Zone B, which includes your property or a portion of your property, is scheduled to attach to the City. The Zone B area includes sections of the Town west of Interstate 41 to the western City limits as they were in 2003.

The Intermediate Attachment Ordinance will be heard by the Oshkosh Common Council at its October 10th and October 24th meetings and will be effective as of 12:01 a.m. on March 1, 2018. This means on March 1, 2018 your property will become part of the City of Oshkosh. Your property will be assigned a zoning designation appropriate for the existing use, comparability to its current zoning and consistency with the City's Comprehensive Land Use Plan.

Attached is a map showing the Zone B City expansion areas and proposed zoning district which will be attached to the City of Oshkosh.

If you have any questions please feel free to contact the City of Oshkosh Planning Services Division at 920-236-5059.



OSHKOSH
OF THE WISCONSIN
City of Oshkosh, Wisconsin
Community Development

EXHIBIT A

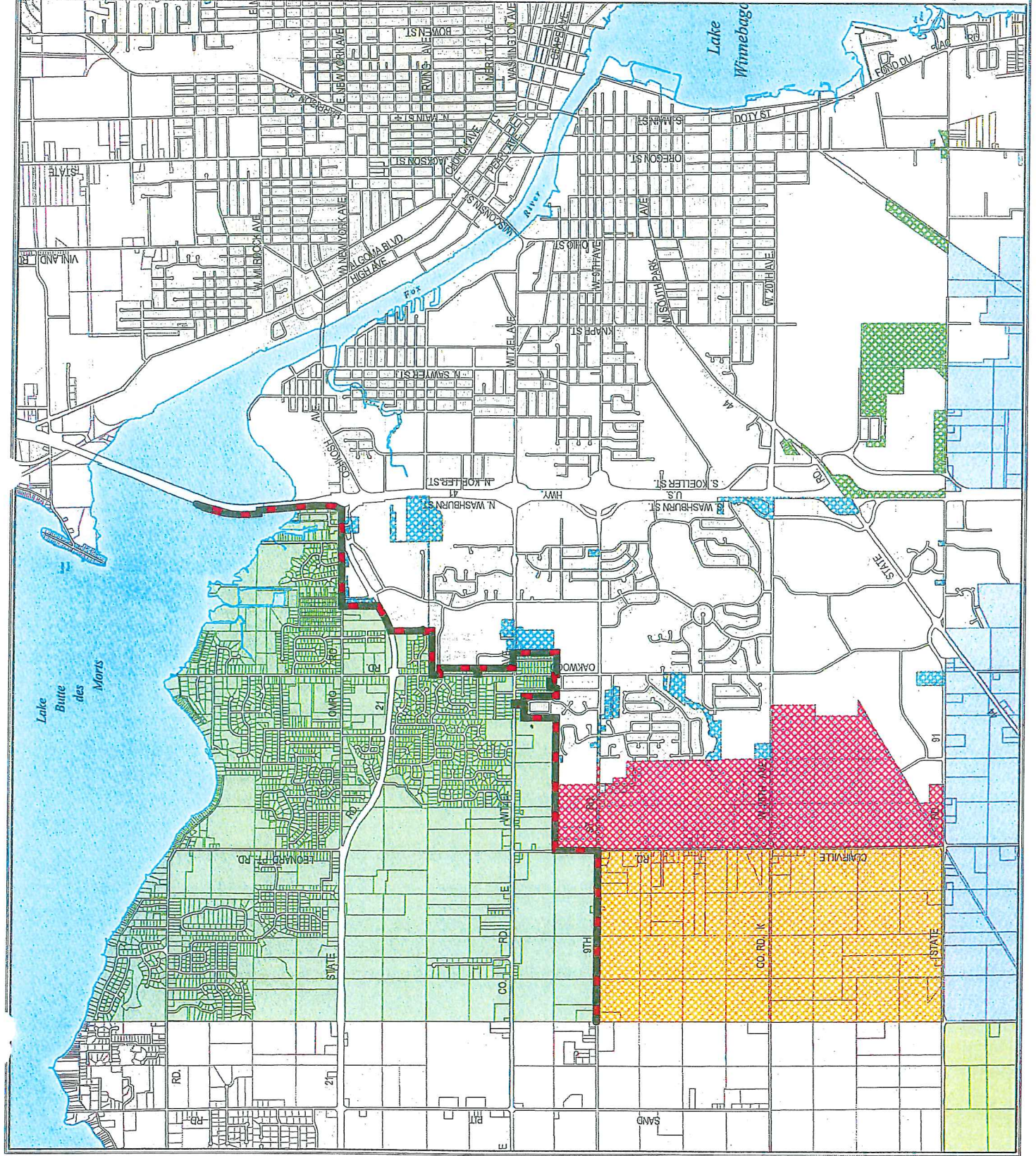
- Protected Area
- City of Oshkosh
- Boundary
- Agreement Line
- Zone A (Attaches 2013)
- Zone B (Attaches 2018)
- Zone C (Attaches 2023)
- Zone D (Attaches 2043)
- Town of Omro
- Town of Ulta
- Town of Nekimi
- Town of Black Wolf
- Town of Oshkosh

Scale: 1" = 4,000'

DISCLAIMER

This map is a preliminary map and is not intended to be used as a legal document. It is a compilation of records, data, and information located in various city, county, and state records. It is not intended to be used for any purpose other than for reference. The City of Oshkosh is not responsible for any errors or omissions. If discrepancies are found, please contact the City of Oshkosh.

January 27, 2003



INTERGOVERNMENTAL COOPERATION

ATV-UTV ORDINANCES

October 5, 2017

Matt Parmentier
Edgerton, St. Peter, Petak & Rosenfeldt
10 Forest Avenue, Suite 200
Fond du Lac, WI 54935
920-922-0470
mparmentier@lawfdl.com

1. Sharing Services.

a. Background.

- i. In times of limited revenues, sharing services through intergovernmental cooperation allows towns to accomplish more together than they can alone.
- ii. Sharing services can result in cost savings, better quality of services, sharing of expertise, improved inter-municipal relationships, and efficiencies.

b. Statutory Authority.

- i. Towns have broad statutory authority to contract with other towns and municipalities for the sharing of services. Since the 1950's, the Wisconsin Statutes have been described as "unusually flexible in the possibilities they afford for joint [municipal] activities."¹ The Wisconsin Statutes include many sections specifically authorizing certain types of intergovernmental contracts:

1. See Exhibit A.

- ii. The Wisconsin Statutes also include a section with a general authorization for municipalities (including towns) to enter into intergovernmental agreements:

1. Wis. Stat. 66.0301: Any municipality may contract with other municipalities and with federal recognized Indian tribes and bands

¹ James R. Donoghue, "County Governmental and Urban Growth," 1959 Wis. L. Rev. 30, p. 52.

in this state, for the receipt or furnishing of services or the joint exercise of *any power or duty required or authorized by law*. . . . This section shall be interpreted liberally in favor of cooperative action between municipalities and between municipalities and Indian tribes and bands in this state.

c. Basic Types of Arrangements.

- i. One municipality agrees to provide services for another.
 - 1. E.g., one municipality agrees to perform snowplowing on a road owned by another municipality.
- ii. Multiple municipalities jointly provide services.
 - 1. E.g., multiple towns work together on stormwater management projects that count toward both towns' MS4 permits.
- iii. Multiple municipalities use an agreement to establish or clarify the relationship between themselves.
 - 1. E.g., a town and a city enter into a boundary agreement.

d. Things to Remember.

- i. Put all intergovernmental agreements in writing.
- ii. Know whether any special statutes apply to your agreement. Some impose special procedures or limitations.
- iii. Achieve clarity with respect intergovernmental agreements and relationships up front. Don't wait for problems to arise before addressing them. Anticipate.
- iv. Address liability and indemnification obligations.
- v. Include a dispute resolution procedure.

2. **Boundary Agreements.**

- a. Defined. A "boundary agreement" is an agreement among municipalities that determines all or a portion of the common boundary line among those municipalities and establishes whether and how that line may change during the term of the agreement.

- i. Boundary agreements often also include provisions related to revenue sharing and sharing of services based on the inter-municipal relationship established in the agreement.
- b. Scope. Boundary agreements range from those that freeze boundaries, to those that create “growth areas” for future municipal growth, to those that allow one municipality to attach the entirety of another.
- c. Parties. Many boundary agreements are two-party documents. However, boundary agreements can include many more parties. A recently-approved boundary agreement in Fond du Lac County includes six municipalities.
- d. Benefits. Benefits of boundary agreements include:
 - i. Protecting town territory and tax base.
 - ii. Improving intergovernmental relationships.
 - iii. Improving ability to plan for the future.
 - iv. Avoiding annexation-related expenses.
- e. Statutory Options. There are three basic boundary agreement statutes. Which one to use depends on the circumstances of the parties.
 - i. Wis. Stat. § 66.0225. Allows two municipalities that are immediately adjacent to one another and who are parties to an action to test the validity of an annexation to enter into a written stipulation settling the action and determining the portion of boundary line that is the subject of the annexation.
 - 1. Agreements under this statute are created through the court, via entry of a final judgment incorporating the agreed-upon boundary.
 - 2. Agreements under this section are subject to a referendum of the electors. If the referendum fails, the agreement is void.
 - ii. Wis. Stat. § 66.0301(6). This statute allows two-party boundary agreements that do not exceed ten years in length. It applies to both “large scale” and “small scale” boundary changes.

1. Before a boundary agreement under this statute can be approved, both municipalities must hold a public hearing on it (or conduct one joint public hearing). The hearing must be noticed by a Class 1 legal notice and by giving notice by certified mail at least 20 days prior to the hearing to each property owner whose property is currently located in that municipality and in, or immediately adjacent to, the territory whose jurisdiction will change.
 2. Agreements under this statute are subject to a referendum of the electors. If the referendum fails, the agreement is void.
- iii. Wis. Stat. § 66.0307. This statute allows “any combination of municipalities” to create a cooperative plan that determines the boundary lines among themselves.
1. Agreements under this section must be at least ten years in length but can be much longer.
 2. Unlike agreements under Wis. Stat. § 66.0301(6), agreements under this statute must be reviewed and approved by the Department of Administration.
 3. Agreements under this statute can be negotiated through a formal mediation process.
 4. Agreements must go through a public hearing and comment period and must be submitted to the Department of Administration for review and approval.
 5. Agreements under this section are subject to a referendum of the electors. However, the referendum is advisory only. The municipalities can approve the agreement even if the referendum fails.

f. Possible Agreement Content.

- i. Provisions regarding boundary changes.
- ii. Revenue sharing.
- iii. Waivers of extraterritorial zoning and land division review.
- iv. Sharing of services (public works, public safety, garbage and recycling, employees, etc.).

- v. Apportionment of assets and liabilities.
 - vi. Joint public works projects.
 - vii. Future incorporation.
 - viii. Creation of new committees to administer agreement.
- g. Sample Agreement. See Exhibit B.

3. **ATV-UTV Ordinances.**

a. Terminology.

- i. **ATV** – A commercially designed and manufactured motor-driven device that has a weight, without fluids, of 900 pounds or less, has a width of 50 inches or less, is equipped with a seat designed to be straddled by the operator, and travels on three or more low-pressure tires or non-pneumatic tires.

- ii. **UTV** – Any of the following:

- 1. A commercially designed and manufactured motor driven device that does not meet federal motor vehicle safety standards in effect on July 1, 2012, that is not a golf cart, low-speed vehicle, dune buggy, mini-truck, or tracked vehicle, that is designed to be used primarily off of a highway, and that has, and was originally manufactured with, all of the following:

- a. A weight, without fluids, of 2,000 pounds or less.
 - b. Four or more low-pressure tires or non-pneumatic tires.
 - c. A steering wheel.
 - d. A tail light.
 - e. A brake light.
 - f. Two headlights.
 - g. A width of not more than 65 inches.

PART III

OTHER STATUTORY AUTHORITY FOR INTERGOVERNMENTAL COOPERATION

In addition to the general authority for intergovernmental cooperation granted by ss. 66.0301 and 59.03 (2), Stats., described in Parts I and II, the Wisconsin statutes contain a substantial number of provisions granting specific authority for such cooperation. Issues of intergovernmental cooperation have been a recurring topic of study by the Legislative Council. In the Staff Brief to the Special Committee on Shared Governmental Services, Legislative Council Staff described previous efforts to study intergovernmental cooperation, stating:

It is interesting to note that the League of Wisconsin Municipalities reported to the Legislative Council's 1959 Interim Urban Problems Committee: "The existence of numerous statutes providing for joint cooperation between municipalities may create some uncertainty as to the authority of municipalities to proceed independent of such specific statutes." [*Report of the Interim Urban Problems Committee to the 1959 Wisconsin Legislature*, p. 25 (January 1959).] The League suggested that the Interim Urban Problems Committee consider developing legislation to address the proliferation of statutes on joint cooperation, eliminating those statutes that may be unnecessary and organizing the remainder of the statutes into a uniform provision. However, time limitations did not permit the Interim Urban Problems Committee the "intensive and thorough study which would be needed to develop" legislation to accomplish the suggestion. [*Id.*]

Since the time the Interim Urban Problems Committee declined the task, it appears there has been no systematic attempt to deal with the large number of specific statutes authorizing intergovernmental cooperation in the face of the general authority of s. 66.30, Stats. However, ... Ch. 123, Laws of 1975, appears to have addressed this concern (at least partially) by indicating that the authority under s. 66.30 is "in addition to the provisions of any other statutes specifically authorizing cooperation between municipalities unless such statutes specifically exclude action."

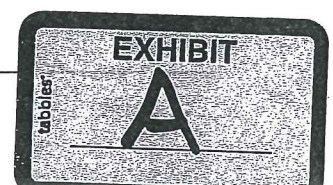
[*Statutory Framework for Local Governmental Cooperation in Delivery of Services*, Staff Brief 94-10, p. 19 (September 23, 1994).]

This Part identifies those statutory provisions that explicitly cross-reference to authority granted under s. 66.0301, Stats., for intergovernmental cooperation and some, but not all, of those statutes that grant authority for intergovernmental cooperation without express mention of s. 66.0301, Stats.

STATUTORY PROVISIONS CROSS-REFERENCING SECTION 66.0301, STATS.

Current statutory provisions relating to shared governmental services that specifically cross-reference s. 66.0301, Stats., are identified below.

1. Section 30.31 (5), Stats., provides that towns, villages, cities, and counties have the powers conferred by s. 66.0301, Stats., for purposes of cooperating in erecting, maintaining, or



repairing a dock wall or shore protection wall along the shore of any waterway adjoining or within the limits of the municipalities.

2. Section 33.22 (4), Stats., restricts a public inland lake protection and rehabilitation district from exercising town sanitary district powers in any territory included in an existing town sanitary district except by contract under s. 66.0301, Stats., (or unless the sanitary district merges with the public inland lake protection and rehabilitation district).
3. Section 36.11 (19) (a), Stats., permits the University of Wisconsin System Board of Regents to enter into contracts under s. 66.0301, Stats., to furnish services for educational study and research projects to school districts.
4. Section 46.2895 (4) (g) and (6) (f), Stats., permits a long-term care district to provide employee benefits, including a pension plan, and to participate in a plan of liability insurance for officers, employees, and agents, by contract under s. 66.0301, Stats.
5. Section 49.49 (7), Stats., permits the operation of a nursing home or intermediate care facility by two or more cities, villages, or towns under s. 66.0301, Stats.
6. Section 59.52 (7), Stats., authorizes counties to join with the state, other counties, and municipalities in a cooperative arrangement as provided by s. 66.0301, Stats., including the acquisition, development, remodeling, construction, equipment, operation, and maintenance of land, buildings, and facilities for regional projects, whether or not the project is located within the county.
7. Section 59.56 (3) (h), Stats., authorizes cooperative agreements under s. 66.0301, Stats., between county university extension programs and "other educational programs of importance to the citizens of the county."
8. Section 59.58 (2) and (3), Stats., permits a county, by contract under s. 66.0301, Stats., to establish a joint municipal transit commission, in cooperation with any county, city, village, town, or Indian tribe or band.
9. Section 59.58 (3), Stats., authorizes a county to contract under s. 66.0301, Stats., to establish a joint transit commission with other municipalities [as defined under s. 66.0301 (1) (b), Stats.].
10. Section 59.692 (4) (a), Stats., expressly provides that s. 66.0301, Stats., applies to the section on county zoning of shorelands on navigable waters, s. 59.692, Stats., and requires that, for purposes of the section, any agreement under s. 66.0301, Stats., must be "effected by ordinance." If the municipalities are served by a regional planning commission, the commission may, if it agrees, be empowered by the ordinance of agreement to administer each ordinance enacted under s. 59.692, Stats., throughout the enacting municipality, whether or not the area otherwise served by the commission includes all of that municipality.
11. Sections 59.693 (9) (a) and (c), 60.627 (8) (a) and (c), 61.354 (8) (a) and (c), and 62.234 (8) (a) and (c), Stats., provide that s. 66.0301, Stats., applies to the sections on county, town, village, and city construction site erosion control and stormwater management zoning and require that, for purposes of these sections, any agreement under s. 66.0301, Stats., must be "effected by ordinance." [If it consents, the Dane County Lakes and Watershed Commission may be given authority by Dane County or by a town, village, or city served by the Commission to administer an ordinance enacted under these sections for the entire county, village, or city, even if the area otherwise served by the Commission does not include all of Dane County or the village or city. Section 66.0301, Stats., expressly does not apply to this particular provision.]

12. Section 60.23 (1), Stats., authorizes town boards to cooperate with the state, counties, and other units of government under s. 66.0301, Stats., including cooperative arrangements involving the acquisition, development, remodeling, construction, equipment, operation, and maintenance of land, buildings, and facilities for regional projects, whether or not located in the town.
13. Section 60.23 (20), Stats., authorizes a town to enter into a contract with any other governmental unit under s. 66.0301, Stats., to provide for the removal and disposition of dead animals.
14. When incorporating or annexing a town sanitary district, s. 60.79 (2) (c), Stats., permits a city or village and the town sanitary district to divide the district's assets and liabilities by agreement under s. 66.0301, Stats.
15. Section 66.0125 (2), Stats., provides that if a community relations-social development commission is established on an intergovernmental basis with a county, the provisions of s. 66.0301, Stats., apply as optional authority and may be utilized by participating municipalities to effectuate the purposes of s. 66.0125, Stats., relating to community relations-social development commissions.
16. Section 66.0304, Stats., permits certain political subdivisions to create a commission for the issuance of conduit revenue bonds by agreement under s. 66.0301, Stats., except that upon its creation all of the initial members of this commission must be political subdivisions that are located in this state. Only one commission may be formed under this section.
17. Section 66.0309 (12) (b), Stats., authorizes a regional planning commission to enter into a contract with any local unit of government within the region under s. 66.0301, Stats., to make studies and offer advice on land use, thoroughfares, community facilities, public improvements, and encouragement of economic and other development.
18. When two or more municipalities levy a room tax in the same tourism "zone," s. 66.0615 (1m) (b) 2., Stats., requires the municipalities to create a commission under s. 66.0301, Stats., to administer the room tax and provide or contract for tourism promotion in the zone.
19. Section 66.0825, Stats., provides that powers granted under s. 66.0825, Stats., relating to municipal electric utilities, do not limit powers of cities, villages, and towns to "enter into intergovernmental cooperation or contracts or to establish separate legal entities under ss. 66.0301 to 66.0311."
20. Section 66.1021 (10) (a), Stats., authorizes a city, village, or Indian tribe or band to contract under s. 66.0301, Stats., to establish a joint municipal transit commission with the powers and duties of a city transit commission under s. 66.1021, Stats.
21. Section 66.1113 (2) (c), Stats., permits two or more contiguous political subdivisions that are premier resort areas to enter into a contract under s. 66.0301, Stats., to pay for premier resort area infrastructure expenses, in addition to any other authority they have to act under s. 66.0301, Stats.
22. Section 66.1201 (9) (w), Stats., authorizes a housing authority to exercise any powers of a s. 66.1333, Stats., redevelopment authority if done in concert with a redevelopment authority under a s. 66.0301, Stats., contract.
23. Section 66.1333 (5) (a) 9., Stats., authorizes a redevelopment authority to exercise any powers of a s. 66.1201, Stats., housing authority if done in concert with a housing authority under a s. 66.0301, Stats., contract.

24. Section 74.10, Stats., authorizes a county and a taxation district within the county to contract under s. 66.0301, Stats., for the county to receive all payments of property taxes for which the taxation district has sent property tax bills.
25. Sections 101.65 (1) (b), 101.76 (1) (b), and 101.86 (1) (b), Stats., authorize cities, villages, towns, and counties to jointly exercise jurisdiction related to the one- and two-family dwelling code, the modular home dwelling code, and the electrical code, respectively, under s. 66.0301, Stats.
26. Section 118.40, Stats., authorizes two or more school boards to enter agreements under s. 66.0301, Stats., to establish charter schools and virtual charter schools.
27. Section 121.54 (5), Stats., permits two or more school boards to provide transportation for residents of the district participating in vocational education programs organized cooperatively between school districts under s. 66.0301, Stats.
28. Under s. 174.10 (2), Stats., the municipalities in a county with a population of 500,000 or more may form an intergovernmental commission by contract under s. 66.0301, Stats., for the purpose of providing animal control services. If an intergovernmental commission is formed, the county and the commission may enter into an agreement under which the intergovernmental commission assumes the county's responsibility for activities related to dog licensing.
29. Section 200.11 (9), Stats., authorizes a metropolitan sewerage district to provide services to a territory outside the district, including territory in a county not in that district, under s. 66.0301, Stats., subject to other specified statutory provisions.
30. Sections 229.44 (5) and (6), 229.68 (5) and (6), 229.824 (5) and (6), and 229.844 (5) and (6), Stats., permit local exposition districts, baseball park districts, football stadium districts, and cultural arts districts to provide employee benefits, including an employee pension plan, and to participate in governmental plans of insurance or self-insurance under s. 66.0301, Stats.
31. Section 236.10 (4), Stats., provides for the cooperative exercise of the authority to approve or review plats by cities, villages, towns, and counties under s. 66.0301, Stats. Additionally, s. 236.10 (4), Stats., permits a city, village, town, or county to agree, under s. 66.0301, Stats., to have a regional planning commission review plats and submit an advisory recommendation with respect to their approval.
32. Section 251.09, Stats., specifies that local health departments jointly may provide health services as agreed upon under s. 66.0301, Stats., unless, notwithstanding s. 66.0301, Stats., the agreement conflicts with a provision of ch. 251, Stats.
33. Under s. 281.58 (8) (d), Stats., an unsewered municipality that is not constructing a treatment work and will be disposing of wastewater in the treatment work of another municipality is not eligible for financial assistance under the clean water fund program until it executes an agreement under s. 66.0301, Stats., with another municipality to receive, treat, and dispose of the wastewater of the unsewered municipality.
34. Section 287.09 (1) (d), Stats., specifies that a "responsible unit" of government for purposes of recycling programs under ch. 287, Stats., may by contract under s. 66.0301, Stats., designate another unit of government, including an Indian tribe or band in this state, or a solid waste management system created under s. 59.70 (2), Stats., to be the responsible unit in lieu of the previously designated responsible unit.
35. Section 323.14 (2), Stats., specifies that local units of government may cooperate under s. 66.0301, Stats., to furnish services, combine offices, and finance emergency management programs.

36. Under s. 755.01 (4), Stats., two or more cities, villages, or towns of this state may enter into an agreement under s. 66.0301, Stats., for the joint establishment of a municipal court, except that for purposes of this subsection, any agreement under s. 66.0301, Stats., shall be effected by the enactment of identical ordinances by each affected city, village, or town.

OTHER STATUTES AUTHORIZING INTERGOVERNMENTAL COOPERATION

Examples of statutes granting authority for intergovernmental cooperation that do not cross-reference the authority under s. 66.0301, Stats., are identified below.

1. Section 43.53, Stats., authorizes joint libraries to be created by any two or more municipalities or by a county and one or more municipalities located in whole or in part in the county.
2. Section 46.20, Stats., authorizes two or more counties to jointly provide for a county home, hospital, infirmary, or similar institution, or juvenile detention home.
3. Section 46.22, Stats., authorizes county boards of counties with populations of less than 500,000 to establish county departments of social services on a multicounty basis.
4. Section 46.23 (3), Stats., authorizes county boards of counties with a population of less than 500,000 to establish county departments of human services on a multicounty basis.
5. Section 46.82, Stats., authorizes county boards of two or more contiguous counties to administer certain programs for older individuals.
6. Section 49.72, Stats., authorizes two or more counties to jointly establish a county infirmary for the treatment, maintenance, and care of the aged infirm.
7. Section 51.42 (3), Stats., authorizes counties to join with other counties to establish a county department to administer a community mental health, developmental disabilities, alcoholism, and drug abuse program.
8. Section 51.437 (4g), Stats., authorizes county boards to establish multicounty departments of developmental disabilities services.
9. Section 59.42, Stats., authorizes two or more counties to jointly designate a corporation counsel.
10. Section 59.52 (15), Stats., authorizes counties to provide for the printing on assessment rolls and tax rolls and on data cards for local municipal officials descriptions of properties and the names of the owners of the properties.
11. Section 59.54 (4) and (4m), Stats., authorizes counties to establish a rural naming or numbering system in towns for the purpose of aiding in fire protection, emergency services, and civil defense. Establishment of the rural naming or numbering system may be carried out in cooperation with any town or towns in the county.
12. Section 59.70 (2), Stats., authorizes county boards to establish and operate a solid waste management system or participate in such a system jointly with other counties, cities, villages, or towns.
13. Section 59.70 (12), Stats., authorizes any county or two or more contiguous counties to establish a district to control mosquitoes.

14. Section 60.23 (5), Stats., authorizes town boards to cooperate with counties in rural planning activities under ss. 27.019, 59.54 (4) and (4m), and 59.69, Stats.
15. Section 60.55, Stats., authorizes a town to join with a city, a village, or another town to establish a joint fire department.
16. Section 60.56, Stats., authorizes a town to join with a city, a village, or another town to create a joint police department.
17. Section 60.82, Stats., authorizes town boards to act jointly with other municipalities to establish and maintain regional planning programs to protect the health, safety, and general welfare of the town as part of the region. The town board may make payments out of the general fund for the town's share of the cost of the program.
18. Section 61.34 (2), Stats., authorizes a village board to join with other villages or cities in a cooperative arrangement for executing any power or duty in order to attain greater economy or efficiency, including joint employment of appointive officers and employees.
19. Section 61.65 (1), Stats., authorizes a village to contract with a county, a city, another village, or a town to provide police protective services; to create a joint police department with a city, another village, or a town; or to abolish its police department and enter into a contract with a county for the county sheriff to provide law enforcement services in the village.
20. Section 61.65 (2), Stats., authorizes a village to contract with a city, another village, or a town for fire protection services or to create a joint fire department with a city, another village, or a town.
21. Section 62.13 (2g), Stats., authorizes a city to enter into a contract with a county, another city, a village, or a town for police protective services.
22. Section 62.13 (2m), Stats., authorizes a city to create a joint fire department or a joint police department, or both, with another city.
23. Section 62.13 (2s), Stats., authorizes a city to abolish its police department if it enters into a contract with a county for the county sheriff to provide law enforcement services in the city.
24. Section 66.0123, Stats., authorizes two or more town boards or school boards to jointly establish a department of public recreation.
25. Section 66.0131 (2), Stats., authorizes any political subdivision of the state, special purpose district in the state, or an agency or corporation of such a political subdivision or special purpose district to make purchases from another unit of government, including the state or federal government, without requiring bids.
26. Section 66.0305, Stats., authorizes two or more counties, cities, villages, or towns to enter into an agreement to share all or part of revenues derived from taxes and special charges. One or more counties, cities, villages, or towns may enter into such agreements with Indian tribes or bands.
27. Section 66.0307, Stats., authorizes municipalities to enter into a cooperative plan determining the boundary lines between the municipalities, subject to Department of Administration approval. The plan must include specified planning and services requirements.
28. Section 66.0813, Stats., authorizes a municipality that operates a utility that provides water service to enter into an agreement with a city or village to provide water service to that city or village.

29. Section 83.14, Stats., authorizes towns or villages to raise money to improve portions of county highways.
30. Chapter 116, Stats., authorizes the creation of cooperative educational service agencies.
31. Section 252.10, Stats., authorizes two or more local health departments to jointly establish, operate, and maintain public health dispensaries.
32. Section 281.43, Stats., authorizes two or more governmental units, including cities, villages, town sanitary districts, and town utility districts, to jointly construct, operate, and maintain a joint sewerage system.
33. Section 287.13, Stats., authorizes two or more municipalities to enter into an agreement regarding the establishment of a facility for the recycling of solid waste or for the recovery of resources from solid waste and regarding the required use of that facility.
34. Section 303.09, Stats., authorizes county boards of two or more counties to jointly establish, maintain, and relocate an unlocked facility for use exclusively by persons granted leave privileges under the "Huber Law" and certain other confined persons.
35. Section 303.10, Stats., authorizes two or more counties to jointly provide one work camp for the reformation and employment of persons sentenced to the county jail.
36. Section 303.16, Stats., authorizes two or more counties with populations of less than 500,000 to jointly provide for one county house of correction.
37. Section 767.405, Stats., authorizes two or more contiguous counties to enter into a cooperative agreement to establish one family court services office to provide mediation in those counties.
38. Section 938.22, Stats., authorizes county boards of two or more counties to jointly establish a juvenile detention facility. Section 938.22, Stats., also authorizes county boards of two or more counties to jointly establish a shelter care facility.

Date: October 12, 2017

To: Town of Algoma Board

From: Benjamin Krumenauer, Administrator

Re: ITEM 8A: COVER SHEET

UPDATE:

Below is a general update to Item 8A *Discussion and possible action re: CSM for AF Group, LLC.*

On October 11, 2017 Plan Commission for the Town of Algoma provided a recommendation to approve the proposed certified survey map and rezone of proposed parcels. The Below conditions and exceptions were included in that recommendation. Plan Commission recommended approval 5-1

Conditions:

1. Exception to 225-59 (p)(8) Minimum lot widths: allowing proposed lot 1 to have a 75 foot lot width at front yard building setback.
2. Exception to 225-59 (p)(6) Oversized lots: allowing proposed lot 1 to remain one whole lot as proposed.
3. Condition that Lot 3 be held in the same requirement as lot 4 and that any future division include an approved storm water management plan.

ITEM 5: DISCUSSION AND POSSIBLE ACTION RE:**GENERAL INFORMATION**

Applicant: Martenson & Eisele, Inc.
101 West Main Street, Omro, WI 54963

Owner: Jones, Dina M & Jay R
1762 Leonard Point Rd, Oshkosh, WI 54904

AF Group LLC
1445 Candlelight Ct, Oshkosh, WI 54904

Action(s) Requested

Action 1: Applicant is requesting approval of a certified survey map creating four new lots wholly within the Town of Algoma.

Action 2: Applicant is requesting a zoning map amendment to R-1, R-2 and A-2 that removes dual zoning designations.

Applicable Provisions

Section 18.16(1) of the Winnebago County Subdivision Ordinance
Section 225 of the Town of Algoma Municipal Code
Chapter 23: Town/County Zoning of the Winnebago County Municipal Code

Property Location and Type

The subject properties totaling 30.70 acres in scope are currently farmable (29.84 acres) and residential (0.86 acre) in nature. The subject properties are generally consistent with current land-use and zoning designations but are fairly unique in that the larger parcel has dual zoning designations of R-1 and A-2. The subject area is located approximately 650 feet north of Duchess Lane and east of Leonard Point Road. The subject property also has frontage on Addie Parkway to the southeast and Leonard Point Lane (private) to the north. In addition to road frontage, the parcels also have approximately 1395 feet of frontage along Jones Park.

Subject Site

<i>Existing Land Use</i>	<i>Zoning</i>
Lot A: Vacant (agricultural use)	A-2 General Agricultural Zoning District
Lot B: Residential	R-1 Rural Residential Zoning District

Adjacent Land Use and Zoning

<i>Existing Land Uses</i>		<i>Zoning</i>
North	Agricultural	A-2 General Agricultural Zoning District
	Residential	R-2 Suburban Residential Zoning District
East	Residential	R-2 Suburban Residential Zoning District

	Mining	A-2 General Agricultural Zoning District
South	Residential	R-2 Suburban Residential Zoning District
	Recreational	A-2 General Agricultural Zoning District
West	Agricultural	A-2 General Agricultural Zoning District

Comprehensive Plan

<i>Land Use Recommendation</i>	<i>Use Category</i>
Current Land Use	Agricultural/Vacant/Undeveloped Lands/Residential
Future Land Use	Residential

Background Information

The subject properties total 30.73 acres per proposed Certified Survey Map and is in full compliance of existing land use and Winnebago County Zoning Code. The applicant is requesting approval of a Certified Survey Map that divides the current parcels into four individual lots. Lots 1 and 2 will have a proposed residential zoning designation of R-2 Suburban Residential Zoning while Lots 3 and 4 will continue to maintain an A-2 General Agricultural Zoning Designation. The proposed lots will be realigned for future development opportunities and have a proposed acreage of:

<i>Lot No:</i>	<i>Current (acres)</i>	<i>Proposed (acres)</i>
Existing Lot A (Parcel # 002002819)	29.84	-
Existing Lot B (Parcel # 0020028)	0.86	-
Lot 1	-	1.199
Lot 2	-	1.699
Lot 3	-	5.904
Lot 4	-	21.924

In addition to the proposed Certified Survey Map (CSM), the applicant is requesting a zoning map amendment to allow for the creation of residential properties on Lots 1 and 2. Lot 1 is being proposed as a future single family residence while lot 2 will maintain its current single family use.

ANALYSIS

When reviewing certified survey maps, future land use and potential road placement is important to take into account. The proposed CSM will likely be the first stage of a future residential development within proposed Lots 3 or 4. In anticipation of this eventuality, the applicant has created a 66 ft. wide future corridor and access point to Lots 3 and 4. At this time, the corridor is not being developed into a public roadway but is designed to accommodate future roadway requirements. Under the A-2 designation, a parcel is allowed to create such a corridor. Any future rezone will require a future dedication.

Proposed Lot 1 will have a street frontage of 75 feet at the required setback line. This lot width at setback is 25 feet less than the 100 foot town minimum (Town of Algoma Municipal Code: 225-59 (P)(8)).

Administrator feels the reduction of lot width is warranted as existing utilities for proposed Lot 2 are north of the existing residence and should stay wholly within proposed lot 2.

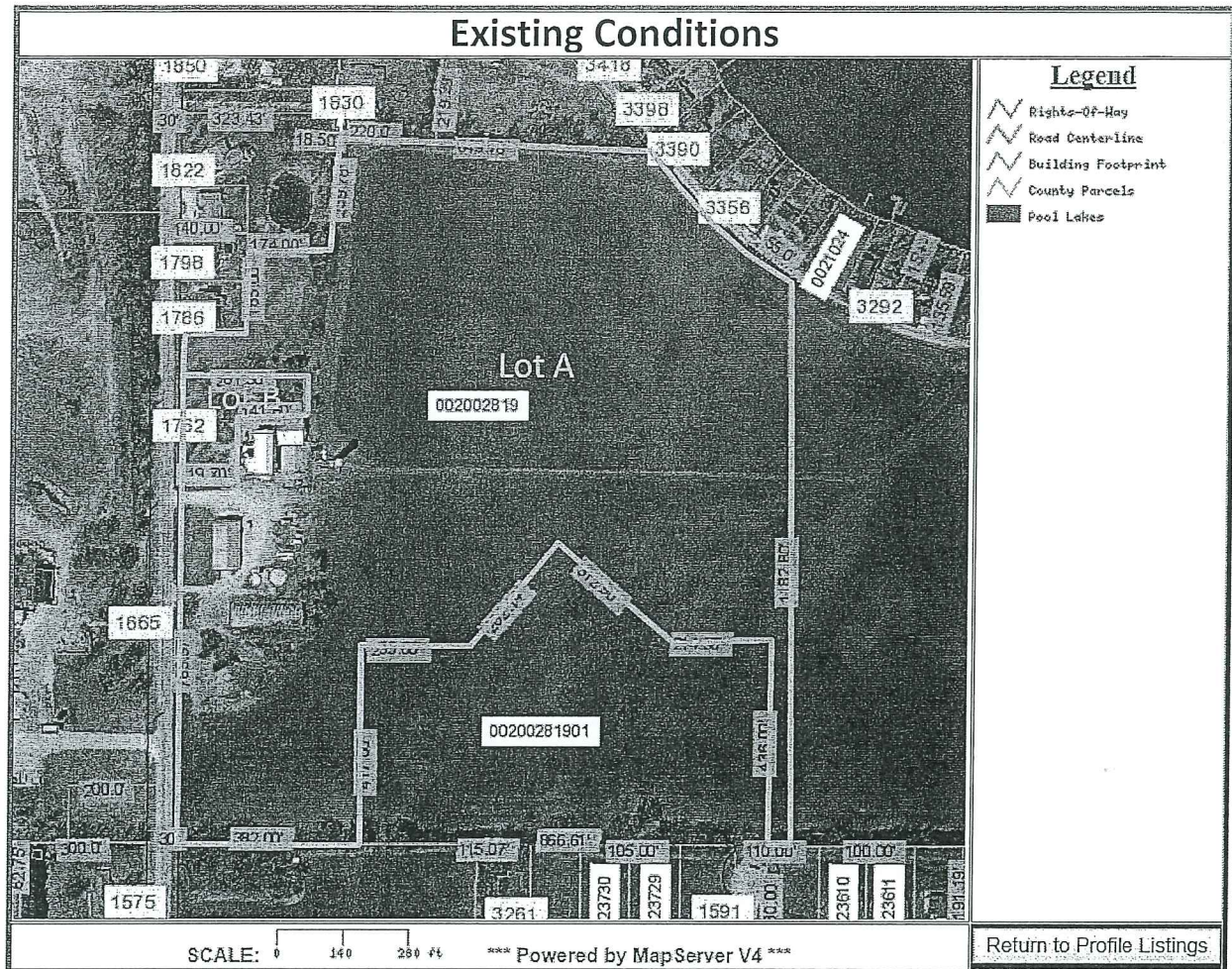
Given the unique nature of the existing site plan and future subdivisions of the surroundings farm fields, the Administrator is also in support of an exception to Town of Algoma Municipal Code: 225-59 (P)(9). This section pertains to the maximum allowable lot size in a given zoning designation. Town code states that oversized lots (at least double minimum requirements) must be oriented in such a manner that to allow redivision at a future date. Lot 1 will be over twice the proposed minimum and would normally be required to show future redivision options. The unique nature of this proposal in relation to existing lot lines to the north create a situation where undue hardship may be occurring.

Lastly, Administrator recommends an additional 3 feet of right-of-way be dedicated to the Town of Algoma on the east side of Leonard Point Road. This additional ROW will keep this proposal consistent with the recently approved CSM to the south and will also provide additional width along Leonard Point Road for future corridor needs. The applicant and owner have been made aware of this request and are in support of this requirement. The 22' wide trail easement providing access to Jones Park will remain as approved per CSM 6578.

RECOMMENDATION(S)

Town of Algoma Administrator recommends approval of Item 5 actions 1 and 2 as requested with the following condition(s):

1. Dedication of an additional 3 feet of Leonard Point Road right-of-way to be allocated in such a way from centerline of Leonard Point Road east a total of 33 feet.



Plan Commission

ITEM 5

Discussion and possible action re:

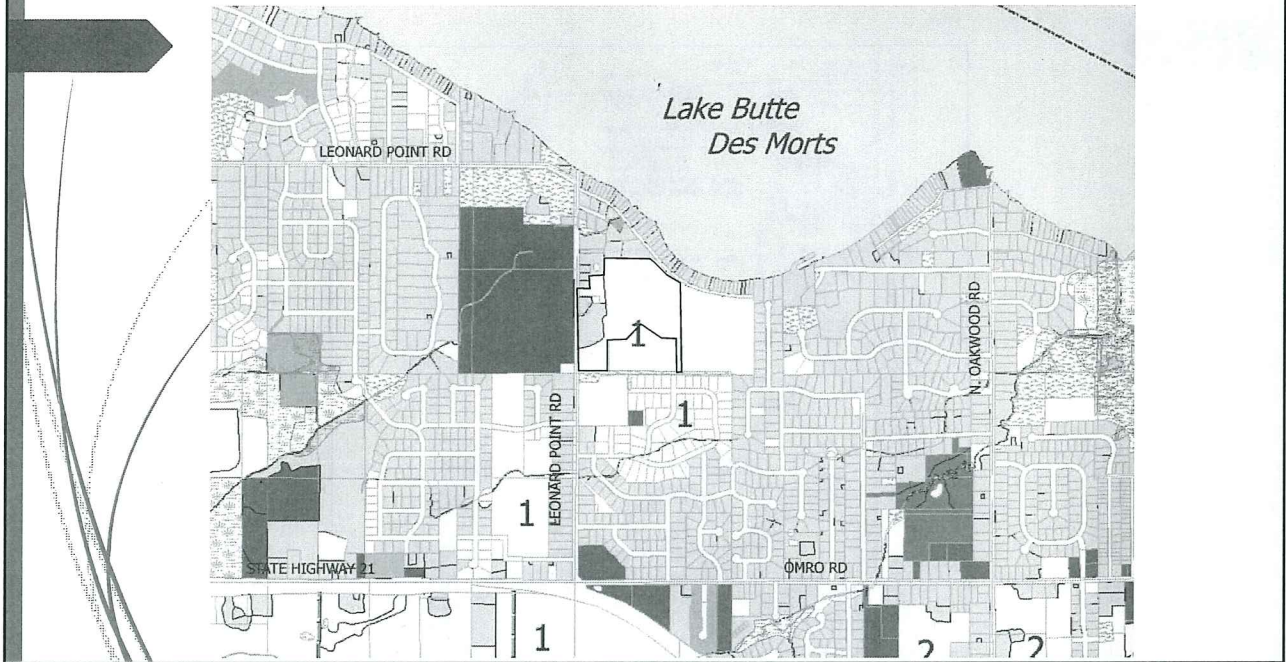
Certified Survey Map for AF Group, LLC

Action(s) Requested:

1. Applicant is requesting approval of a certified survey map creating four new lots wholly within the Town of Algoma
2. Applicant is requesting a zoning map amendment to R-1, R-2 and A-2 that removes dual zoning designations

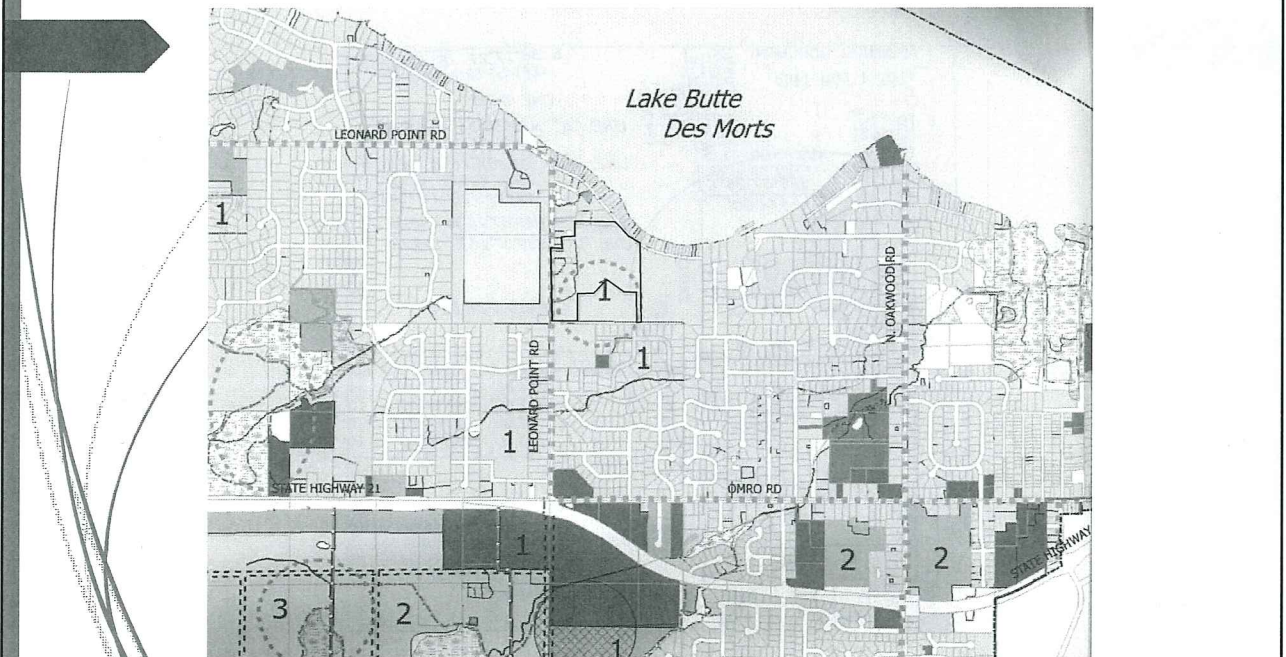
Plan Commission

Existing Land Use



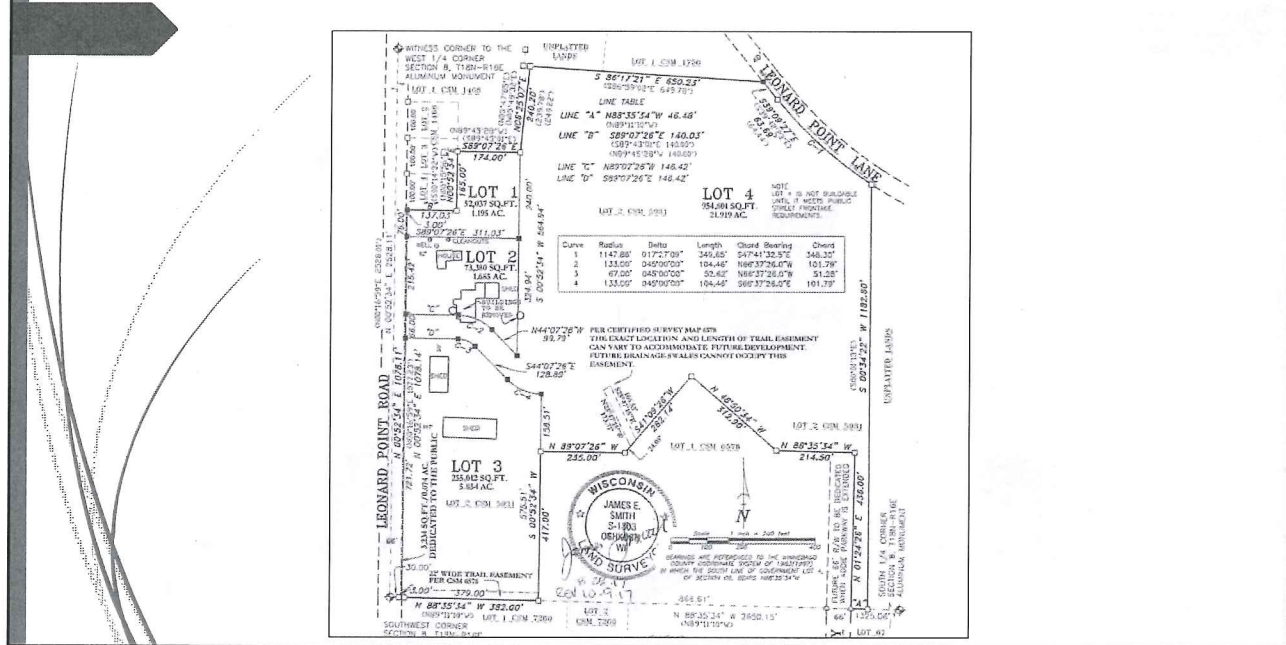
Plan Commission

Future Land Use



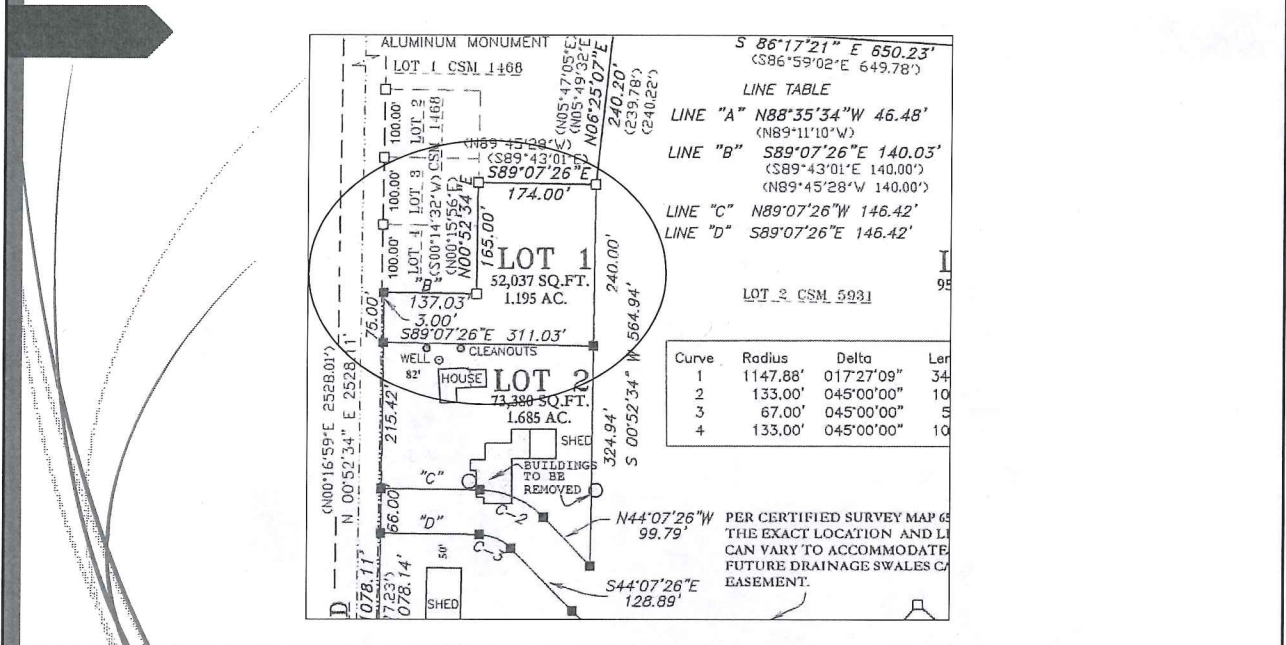
Plan Commission

Proposed CSM



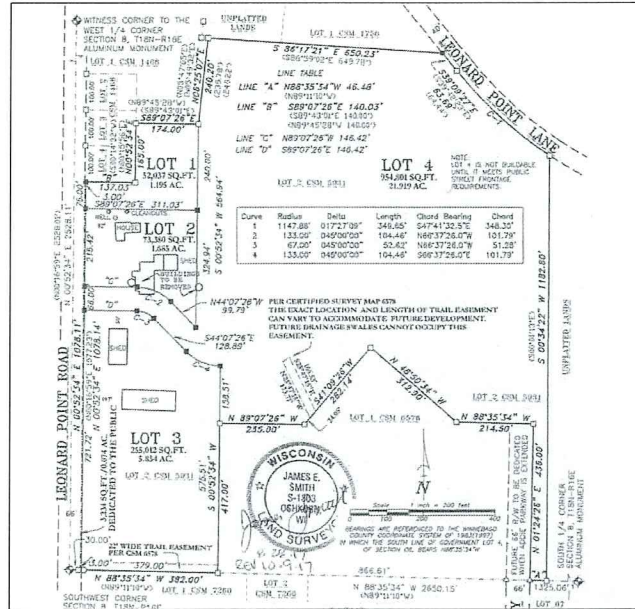
Plan Commission

Proposed CSM



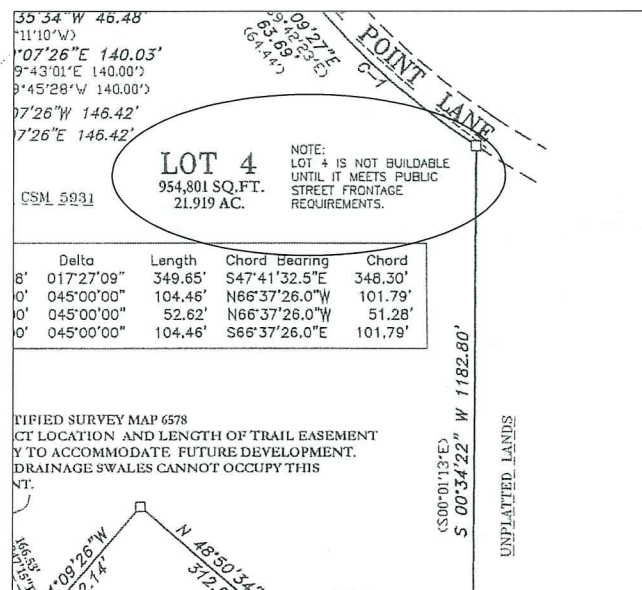
Plan Commission

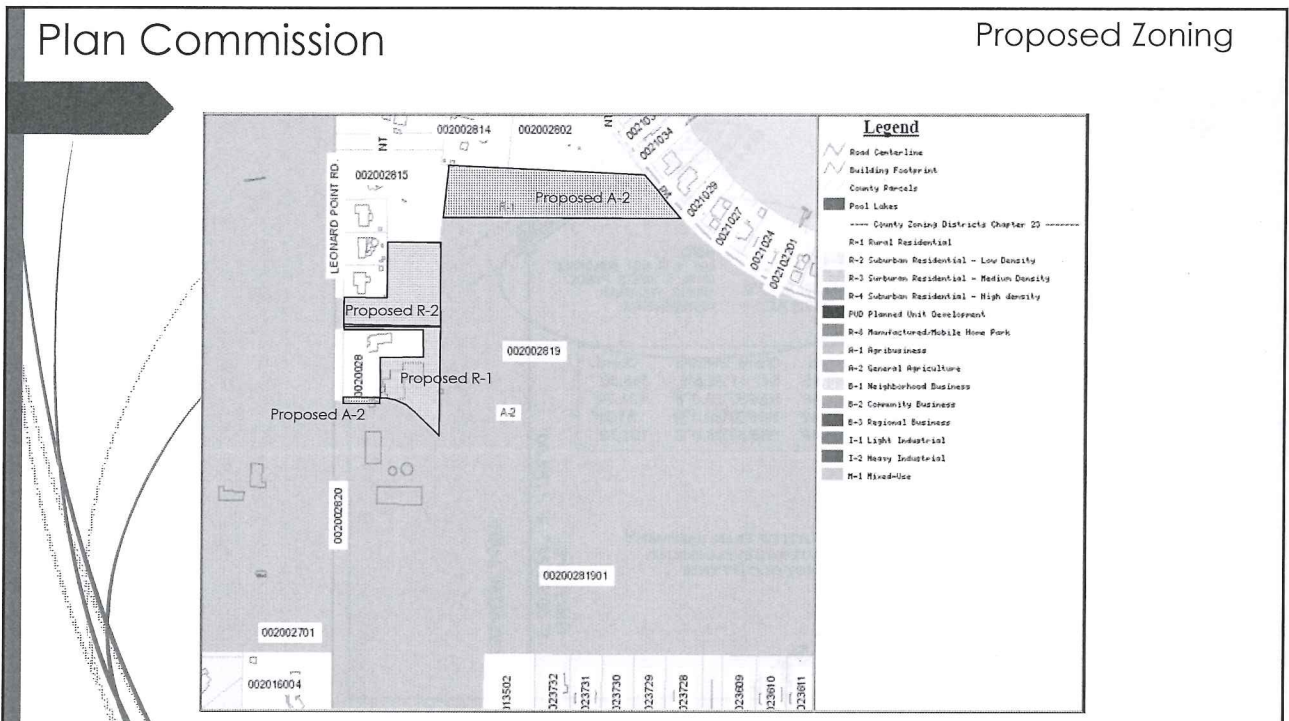
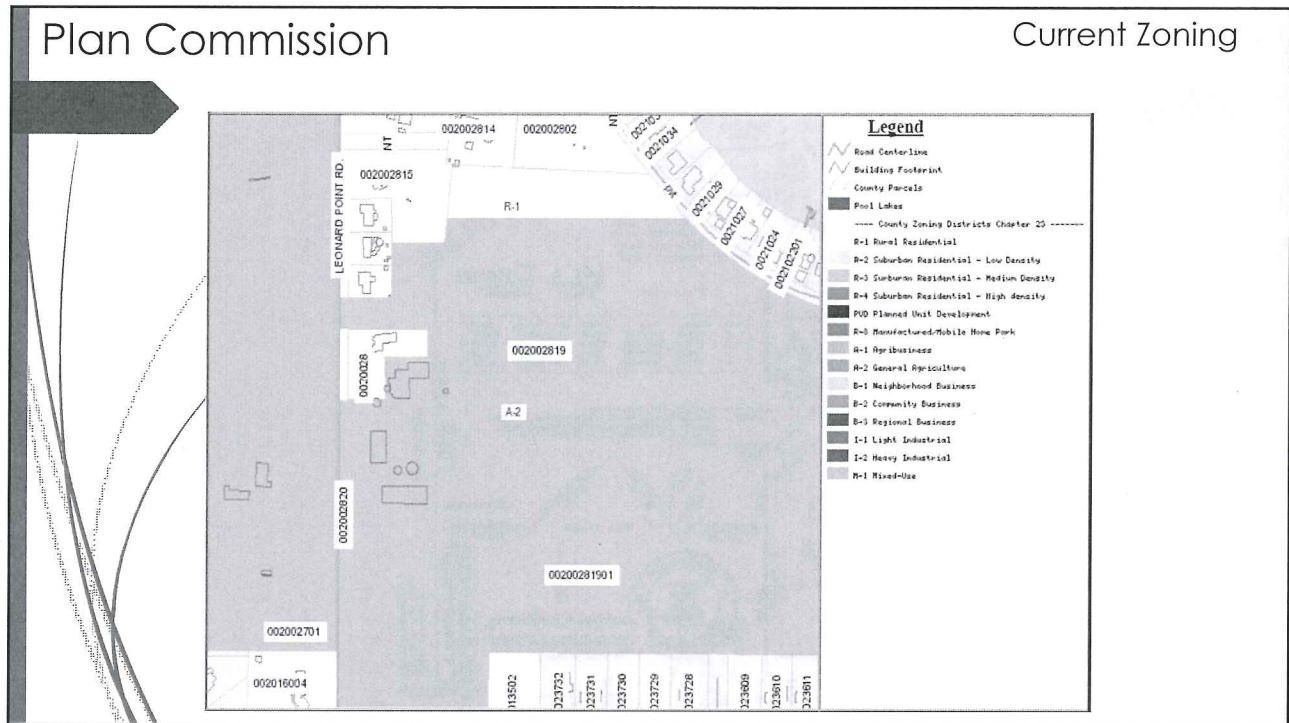
Proposed CSM



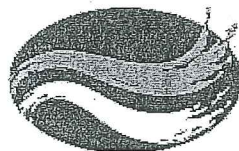
Plan Commission

Proposed CSM





CARY A ROWE
Zoning Administrator
ERIC RASMUSSEN
Code Enforcement Officer
CANDACE BAUER
Code Enforcement Officer



Winnebago County
Zoning Department

The Wave of the Future

112 OTTER AVE, PO BOX 2808
OSHKOSH, WI 54903-2808

OSHKOSH (920) 232-3344
FOX CITIES (920) 727-2880

FAX (920) 232-3347

Zoningdepartment@co.winnebago.wi.us

September 26, 2017

Town Clerk(s)

Dear Town of Algoma Clerk

The public hearing item(s) listed below are being submitted for review during the next Town Board meeting. The Town Resolution must be received no later than the date indicated by the appropriate item. **

Documents pertaining to the public hearing item(s) are available in digital format on October 20, 2017 of the Meetings & Agendas calendar at: <https://www.co.winnebago.wi.us/county-clerk/meetings>

Owner/applicant	Type	Response due date *
AF Group	Zoning Map Amendment	October 24, 2017

Sincerely,
Carol Salvinski
Carol Salvinski
Zoning Secretary
Winnebago County Planning & Zoning

PLEASE RETURN 2ND PAGE

RESOLUTION
of the
Town Board of the Town of ALGOMA
Winnebago County, Wisconsin

RE: Petition for the proposed zoning map amendment listed below affecting the Winnebago County Zoning Ordinance and the Official Map of the Town of ALGOMA.

Applicant:
GROUP LLC, AF

Agent:
None

Location of Premises Affected:
NORTH AND EAST OF 1762 LEONARD POINT RD
OSHKOSH, WI 54904

Legal Description:
Being a part of Government Lot 4, Section 8, Township 18 North, Range 16 East, Town of Algoma, Winnebago County, Wisconsin.

Current Zoning:
R-1 Rural Residential,
A-2 General Agriculture

Proposed Zoning:
R-2 Suburban Low Density Residential,
R-1 Rural Residential,
A-2 General Agriculture

Explanation:
Applicant is requesting a zoning map amendment to R-1, R-2 and A-2 to create new lots and eliminate dual zoning

Resolved, by the Town Board of the Town of ALGOMA, Winnebago County, Wisconsin, that the above indicated proposed amendment to the Town/County Zoning Code (Chapter 23) be and the same is hereby

☐ Approved ☐ Disapproved

Town Findings (Reasons):

1. The requested Zoning Map Amendment **DOES/DOES NOT** agree with the adopted plan. (Circle **DOES** or **DOES NOT**)

Other Findings:

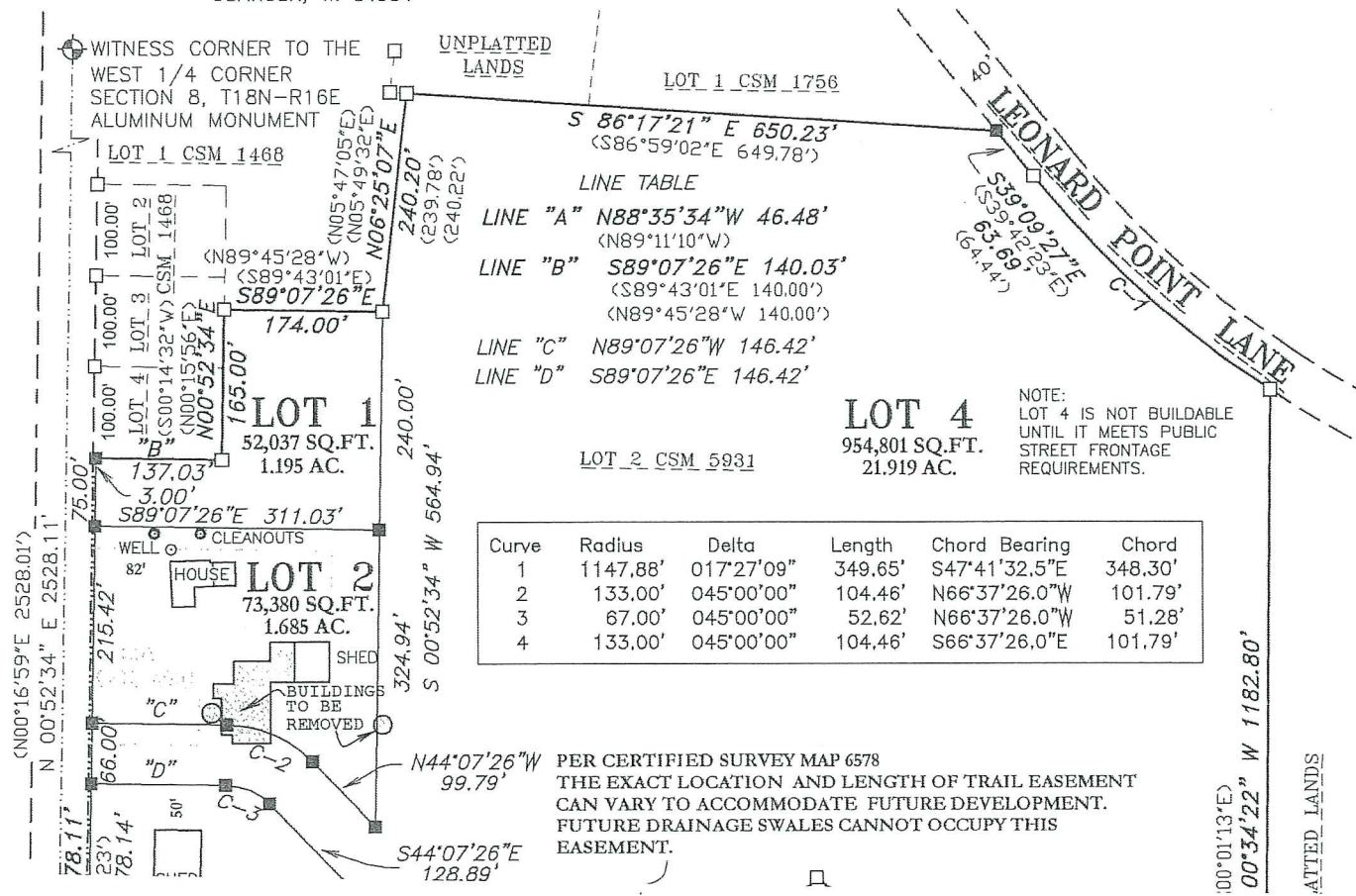
I, Deborah Stark, Town Clerk of the above named town, hereby certify that the foregoing is a true and correct copy of a resolution adopted by the Town Board of the Town of ALGOMA.

DATED THIS _____ DAY OF _____, 20____

CERTIFIED SURVEY MAP NO. _____

ALL OF LOT 1 AND PART OF LOT 2 OF CERTIFIED SURVEY MAP 5931, BEING PART OF FRACTIONAL LOT 4 IN SECTION 8, TOWNSHIP 18 NORTH, RANGE 16 EAST, TOWN OF ALGOMA, WINNEBAGO COUNTY, WISCONSIN.

SURVEY FOR:
JUDY JONES
1445 CANDLELIGHT CT
OSHKOSH, WI 54904



Winnebago County Planning and Zoning Department

NOTICE OF PUBLIC HEARING PLANNING AND ZONING COMMITTEE

10/24/2017

TO WHOM IT MAY CONCERN:

The applicant(s) listed below has requested a Zoning Map Amendment which is regulated by the Town/County Zoning Code, Chapter 23. You are receiving this notice because this application or petition for action: 1. affects area in the immediate vicinity of property which you own; 2. requires your agency to be notified; 3. requires your Town to be notified; or 4. requires you, as the applicant, to be notified.

The Winnebago County Planning and Zoning Committee will be holding a public hearing on 10/24/2017 at 6:30 p.m. in the 3RD floor Conference Room of the County Administration Building located at 112 Otter Ave, Oshkosh, WI.

All interested persons wishing to be heard at the public hearing are invited to be present. For further detailed information concerning this notice, contact the Town Clerk or the Winnebago County Zoning Office, where the application is available for viewing.

INFORMATION ON ZONING MAP AMENDMENT REQUEST

Application No.:

2017-ZC-4300

Applicant:

GROUP LLC, AF

Agent:

None

Location of Premises:

NORTH AND EAST OF 1762 LEONARD POINT RD
OSHKOSH, WI 54904

Tax Parcel No.:

002-0028-19(p)

Legal Description:

Being a part of Government Lot 4, Section 8, Township 18 North, Range 16 East, Town of Algoma, Winnebago County, Wisconsin.

Explanation:

Applicant is requesting a zoning map amendment to R-1, R-2 and A-2 to create new lots and eliminate dual zoning

INITIAL STAFF REPORT

Sanitation:

System Required
Municipal System

Overlays:

Microwave Radio Path
Shoreland

Current Zoning:

R-1 Rural Residential,
A-2 General Agriculture

Proposed Zoning:

R-2 Suburban Low Density Residential,
R-1 Rural Residential,
A-2 General Agriculture

Surrounding Zoning:

North: R-2;R-1
South: R-2;A-2
East: R-2;A-2
West: R-1;A-2

THE FOLLOWING INFORMATION HAS BEEN PROVIDED BY THE OWNER / APPLICANT

Describe Present Use(s):

Vacant land.

Describe Proposed Use(s):

Single family residence as Lot 1 of attached CSM.

Describe The Essential Services For Present And Future Uses:

Public sewer & water.

Describe Why The Proposed Use Would Be The Highest And Best Use For The Property:

Surrounding land use is single family residential and future land use to the east is planned to be single family residential. Subdivision.

Describe The Proposed Use(s) Compatibility With Surrounding Land Uses:

Surrounding parcels are single family residential. Future plans for the lands to east is single family residential.

SECTION REFERENCE AND BASIS OF DECISION

23.7-5 Basis of decision

(b) **Zoning map amendment initiated by a property owner.** If a proposed zoning map amendment is initiated by a property owner and would change the zoning classification of a parcel not classified as A-1, the Planning and Zoning Committee in making its recommendation and the Board of County Supervisors in making its decision shall consider the following factors:

- (1) whether the amendment is consistent with the county's comprehensive plan, including any future land use maps or similar maps;
- (2) the extent to which the lot and structures on the subject property conform to the dimensional standards that apply to the proposed zoning district; and
- (3) any other factor not specifically or generally listed, but deemed appropriate by the committee or board given the particular circumstances.

If a proposed zoning map amendment is initiated by a property owner and would change the zoning classification of land classified as A-1, the Planning and Zoning Committee shall only recommend approval and the Board of County Supervisors shall only approve the proposed amendment when all of the following findings can be made:

- (1) Such land is better suited for a use not otherwise allowed in the A-1 district.
- (2) The amendment is consistent with the county's comprehensive plan.
- (3) The amendment is substantially consistent with the county's farmland preservation plan as certified by the Wisconsin Department of Agriculture, Trade and Consumer Protection.
- (4) The amendment will not substantially impair or limit current or future agricultural use of other protected farmland in the area.

The special requirements stated above relating to the rezoning of land in a A-1 district do not apply to a map amendment that (1) is certified by the Wisconsin Department of Agriculture, Trade and Consumer Protection under ch. 91, Wis. Stats., or (2) makes the zoning map more consistent with county's farmland preservation plan map, certified under ch. 91, Wis. Stats., which is in effect at the time of the amendment.

(c) **Zoning map amendment initiated by the county.** If a proposed zoning map amendment is initiated by the county, the Planning and Zoning Committee in making its recommendation and the Board of County Supervisors in making its decision shall consider the following factors:

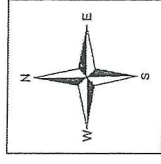
- (1) whether the amendment is consistent with the county's comprehensive plan, including any future land use maps or similar maps;
- (2) whether the amendment is consistent with other planning documents adopted by the Board of County Supervisors; and
- (3) any other factor not specifically or generally listed, but deemed appropriate by the committee or board given the particular circumstances.

Application #17-ZC-4300

Date of Hearing:
October 24, 2017

Owner(s):
AF Group, LLC

Subject Parcel(s):
002002819(P)



Winnebago County
WINGS Project

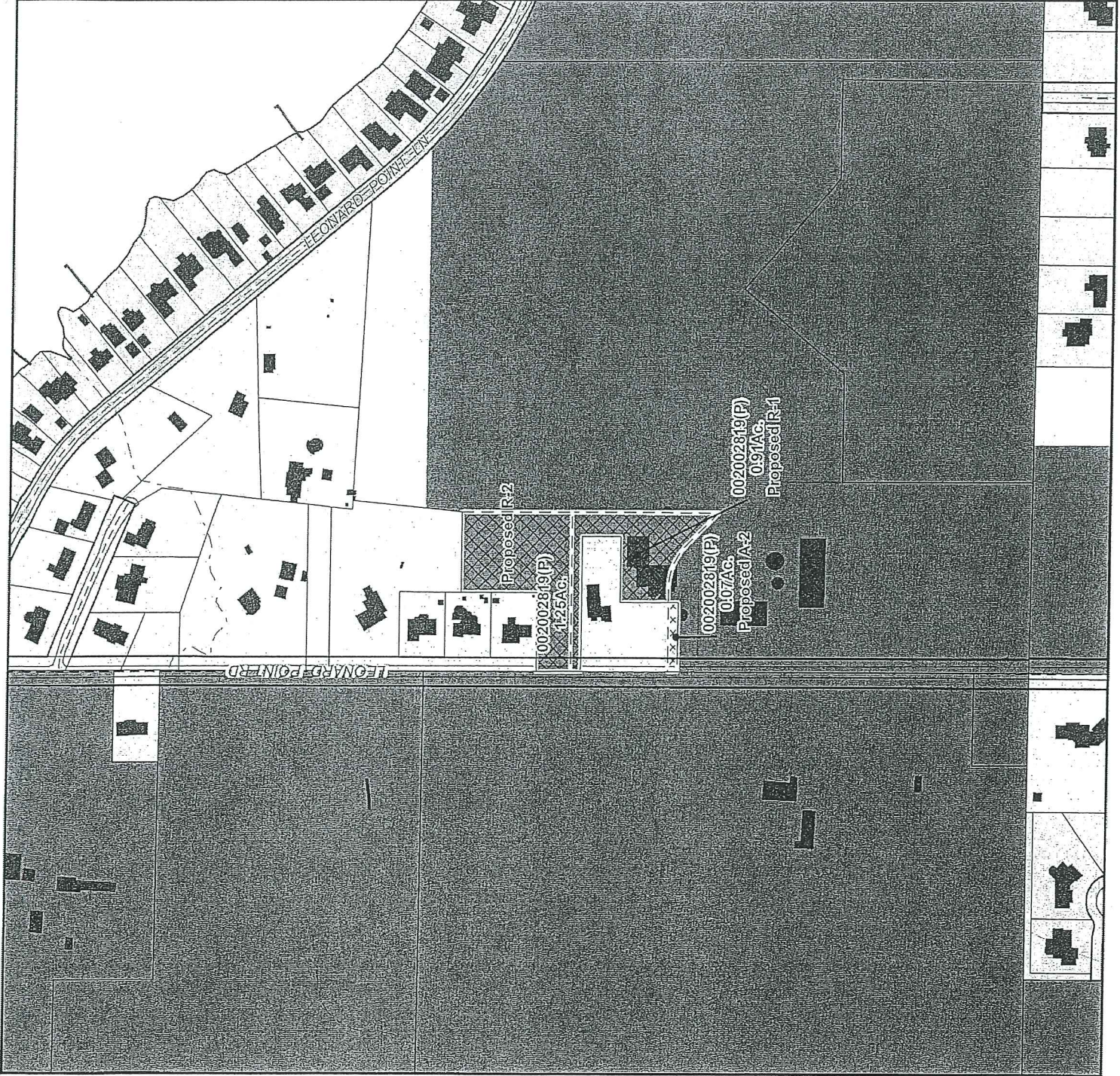
Scale
1 inch : 300 feet

County Zoning Districts

R-1	P00	B-1
R-2	A-1	B-2
R-3	A-2	B-3
R-4	I-1	M-1
R-5	I-2	Town Zoning

City of Oshkosh Extraterritorial
Zoning Jurisdiction

Incorporated Area



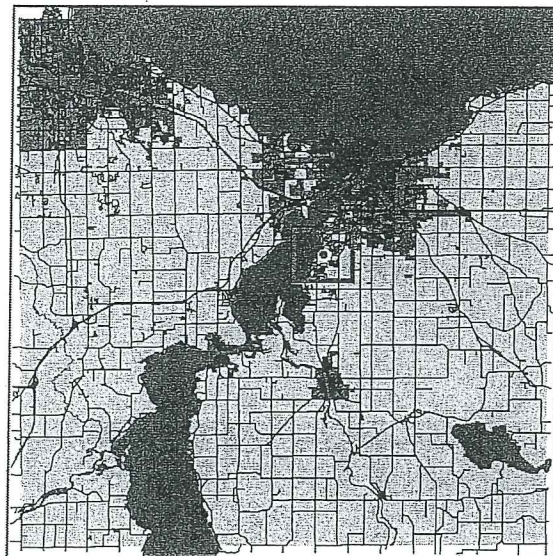
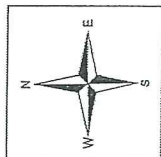
THIS
O

Date of Hearing:
October 24, 2017

Owner(s):
AF Group, LLC

Subject Parcel(s):
002002819(P)

Winnebago County
WINGS Project



WINNEBAGO COUNTY

1 inch : 2,000 feet

Town Symbol

Jones Park

Established 2012

OPTIMIST PARK
a project of
DePere Optimist Club



Date: October 12, 2017

To: Town of Algoma Board

From: Benjamin Krumenauer, Administrator

Re: ITEM 8C: Kewaunee Park Improvement Options

DISCUSSION:

In anticipation of 2018, I am trying to plan ahead for next year and would like the committee to review the attached layout options for the park. Boland Recreation, Inc. has provided us with a few enhancements that can be added to the front portion of the playground area. These enhancement options are based off of conversations I have had with residents in the Kewaunee Park neighborhood and the Parks Committee. The overwhelming consensus of the children was to add climbing options. As you can see from the options, that goal has been met. Keeping in mind of scale and sight lines, the possible improvements are shorter close to the existing structure and taller but more open near the swings. Improvements to the park that will need to be done in alignment with potential installations include widening the mulch bed and removal of the west swing set.

The costs represented in the proposals are based on materials only and do not include installation. Given the smaller nature of the enhancements, I am comfortable with the Parks Committee and Volunteers spearheading the installation much like the donation work completed around Town Hall. Minor site work that is anticipated includes repair older portions of the play area, removing the older swing set, new mulch and minor leveling.

PARKS COMMITTEE RECOMMENDATION:

The Parks Committee in September overwhelmingly recommended option 2. I am comfortable with this recommendation and would look towards 2017 remaining Town Hall and Kewaunee Park funds to make the initial payment with 2018 funds to offset the purchase and installation.

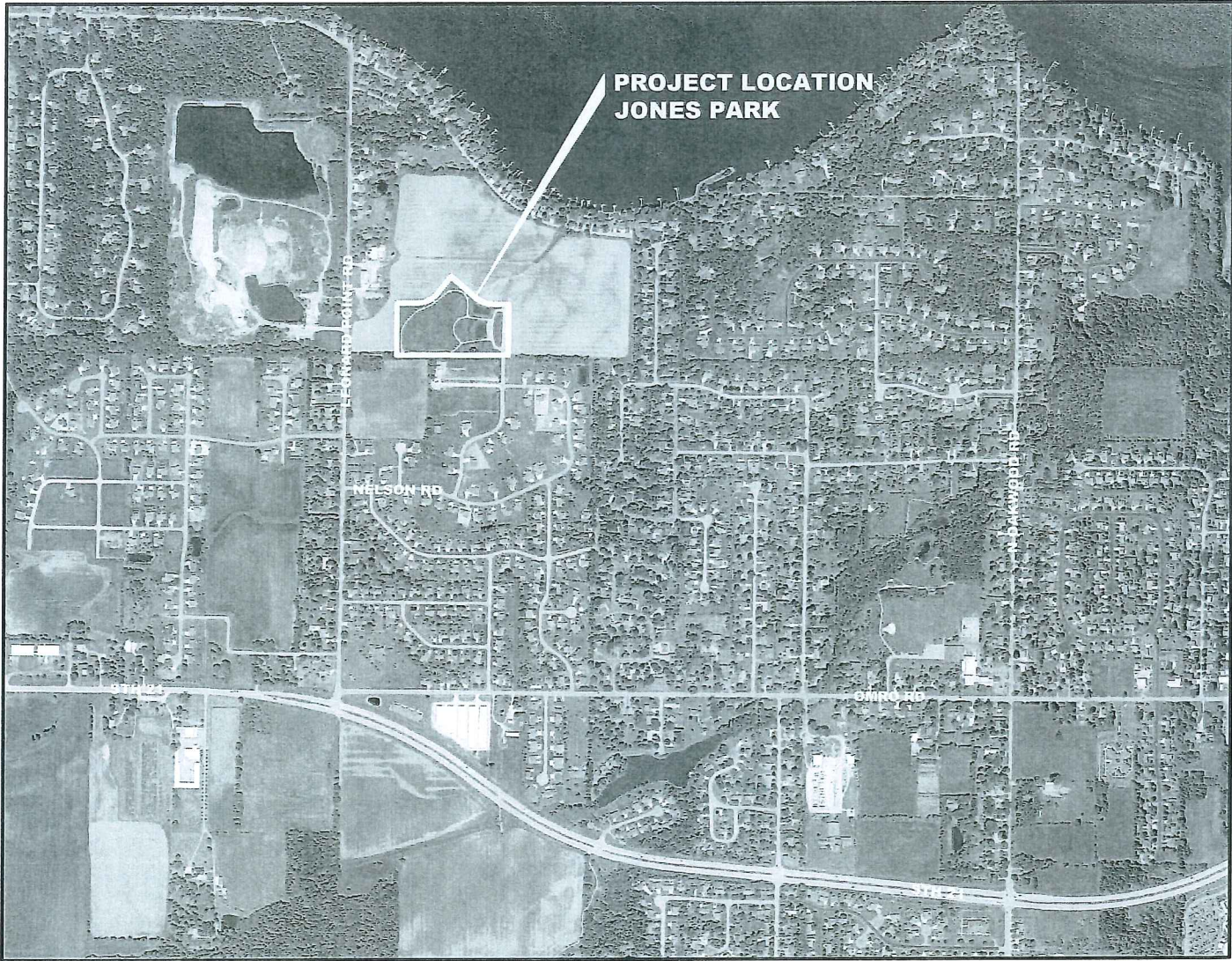


COUNTY MAP
NTS

2018 JONES PARK IMPROVEMENTS

TOWN OF ALGOMA

OCTOBER 2017



TOWN OF ALGOMA



SHEET INDEX	
SHEET NUMBER	SHEET TITLE
G-1	TITLE SHEET
G-2	GENERAL SYMBOLS AND ABBREVIATIONS
G-3	GENERAL PROJECT NOTES AND PROJECT CONTACTS
G-101	EXISTING SITE PLAN
D-1	DETAILS
D-2	DETAILS
D-3	DETAILS
C-101	SITE PLAN - 1
C-102	SITE PLAN - 2
C-201	SITE GRADING PLAN
C-202	TRAIL EXPANSION PLAN
C-203	EROSION CONTROL PLAN
C-301	ASPHALT RECREATIONAL AREA DETAIL
C-302	PLAYGROUND AND EXERCISE AREA DETAIL
C-303	PAVILION AREA DETAIL
C-304	PARKING AREA DETAIL
C-401	UTILITY PLAN
L-100	OVERALL SITE LAYOUT AND AMENITIES PLAN
L-101	SITE LAYOUT AND AMENITIES PLAN ENLARGEMENT
L-102	SITE LAYOUT AND AMENITIES PLAN ENLARGEMENT
L-103	SITE LAYOUT AND AMENITIES PLAN ENLARGEMENT
L-200	OVERALL PLANTING PLAN
L-201	PLANTING PLAN ENLARGEMENT
L-202	PLANTING PLAN ENLARGEMENT
L-400	SITE DETAILS
L-401	PLAYGROUND DETAILS
L-402	PLANTING DETAILS

AA-Standard.dwg
10/5/2017
V:\Main-GBA\Algoma Town of Algoma\2017 Jones Park Improvements\CADD\Sheets\Plan\0101.dwg

DES BY	TAH	BOOK NO							
DR BY	JWS	PROJ NO	46-0313.00						
CHK BY	CRS	DATE	OCTOBER 2017	NO	DATE		REVISION	NO	DATE

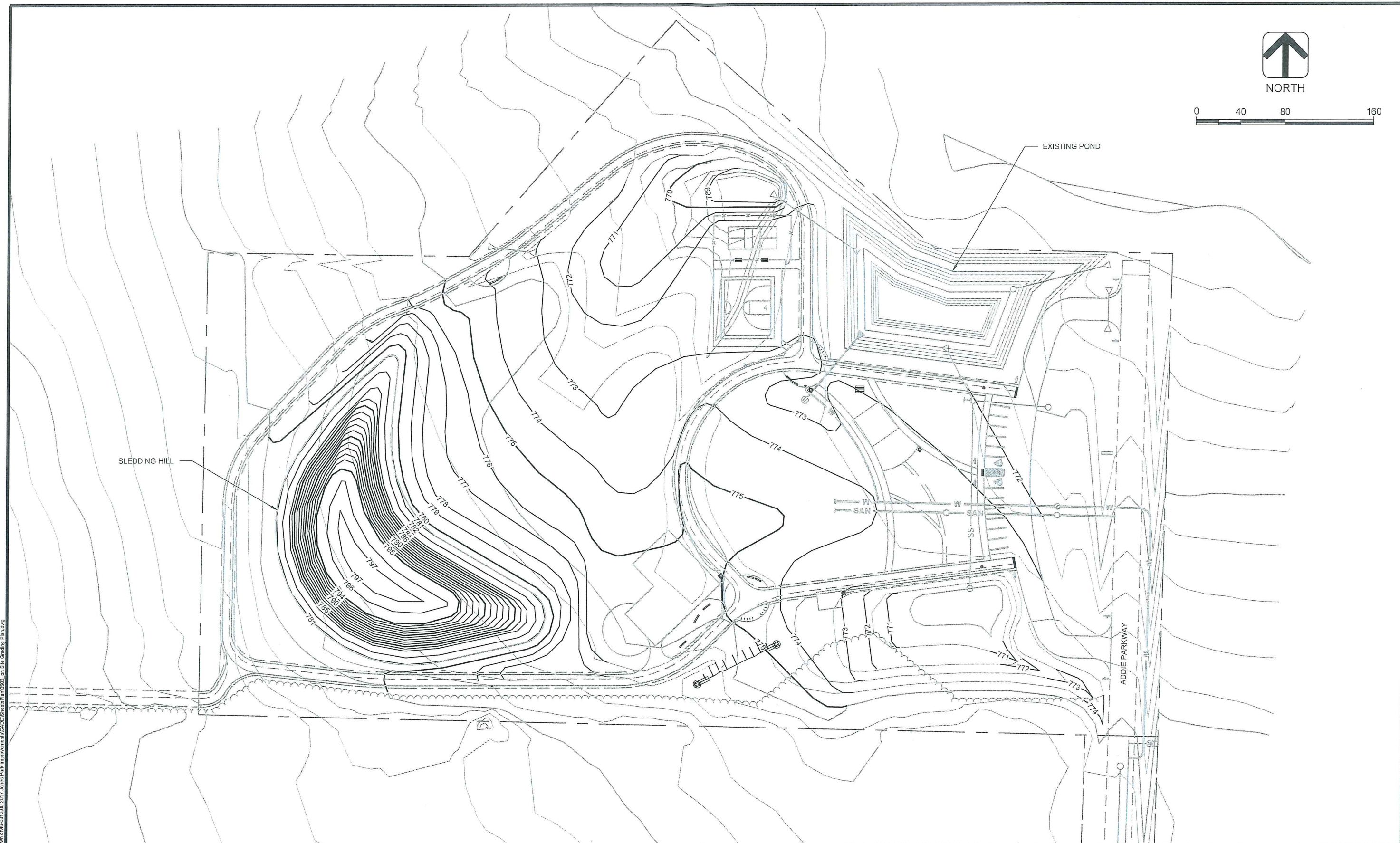
2018 JONES PARK IMPROVEMENTS
TOWN OF ALGOMA



TITLE SHEET

SHEET NO
G-1

NORTH



\\VA-Standard.slb
0/5/2017
C:\Mun-GBA\Ilgema Town of M6-031.3.00 2017 Jones Park Improvements\CA\DD\Sheets\Plan\0502.pn Site Grading Plan.dwg

[illegible]

AYRES
ASSOCIATES
GREEN BAY, WISCONSIN

SITE GRADING PLAN

SHEET NO
C-201

BIKE RACK



DES BY	CJS	BOOK NO						
DR BY	CJS	PROJ NO						
CHK BY	CJS	DATE						
		August 10th, 2017	NO	DATE	REVISION	NO	DATE	REVISION

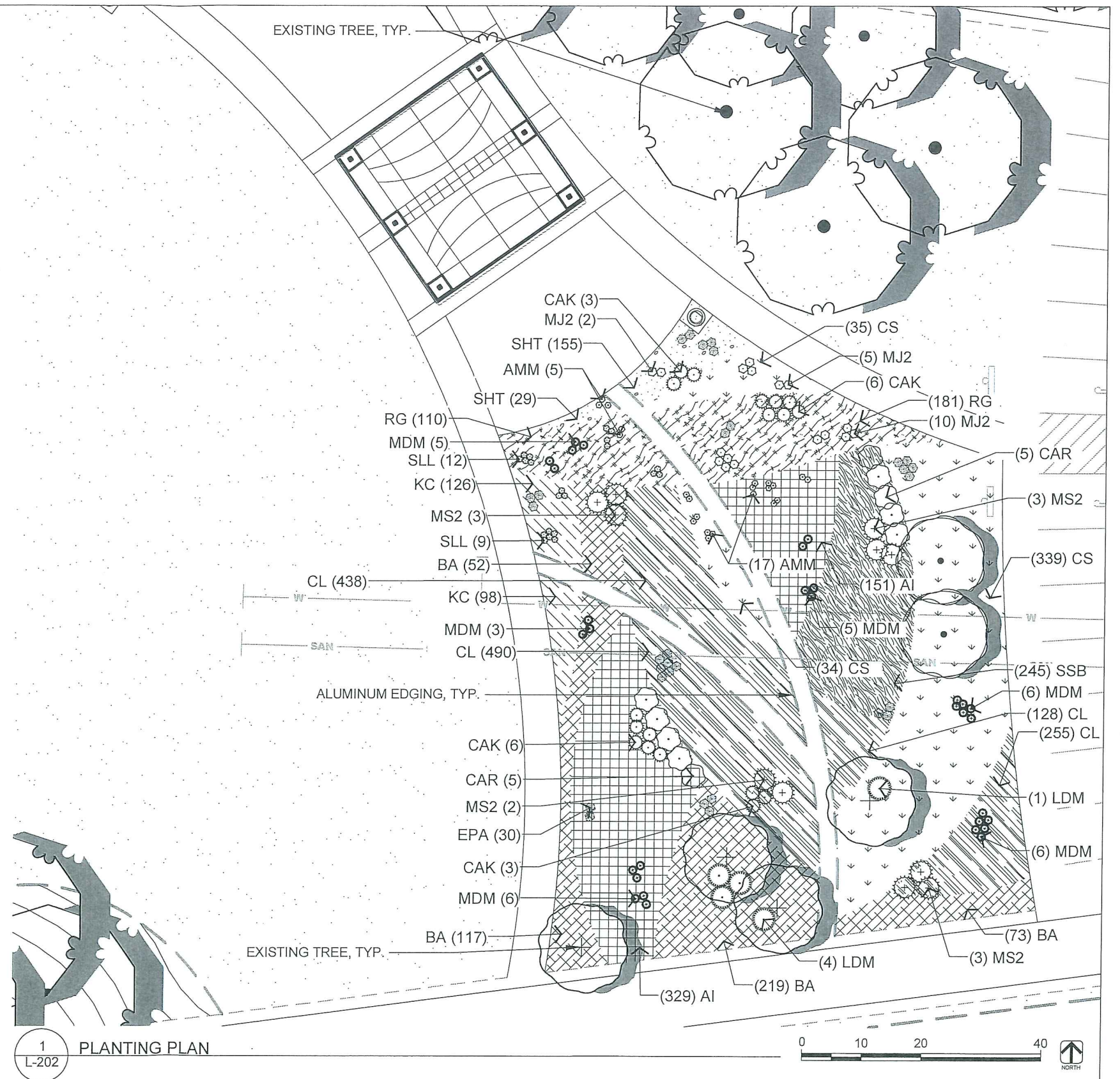
AYRES
ASSOCIATES
46-0313.00

SHEET NO	L-101
----------	-------





	APPROXIMATE LIMITS OF WORK
	PROPERTY LINE
	ALUMINUM EDGING
	IRRIGATED LAWN SEED
	NATIVE PRAIRIE SEED MIX
	LIMESTONE SCREENINGS
	WOOD BARK MULCH
	12" ENGINEERED WOOD FIBER MULCH
	METAL BENCHES
	TRASH RECEPTACLE
	DRINKING FOUNTAIN
	METAL PICNIC TABLE
	BIKE RACK



DES BY	CJS	BOOK NO						
DR BY	CJS	PROJ NO						
CHK BY	CJS	DATE	NO	DATE	REVISION	NO	DATE	REVISION
		August 10th, 2017						

AYRES
ASSOCIATES
45-0313.00

SHEET NO
L-202

