



TOWN OF BLACK WOLF

380 E. Black Wolf Ave. Oshkosh, Wisconsin 54902

Town Board Meeting Minutes November 8, 2021

Chairman Frassetto called the regular monthly Town Board meeting to order at approximately 7:00 p.m. The meeting opened with the Pledge of Allegiance.

Members Present: Supervisor I Mike Pollack, Supervisor II Rob Keller. Other Present: Clerk Susan Snyder, Treasurer John McDermott, Constable Leo Lefebber and attorney Alex Ackerman.

Motion, (Keller/Pollack) to approve Town Board Minutes of October 11, 2021. **CARRIED.**

TREASURER'S REPORT:

Motion, (Pollack/Keller) to approve Treasurer's Report. **CARRIED.**

Treasurer McDermott briefly discussed the 2021 Tax Letter that will be inserted with the tax bills and advised the Board of the in-person tax payment dates of Monday, December 20, 2021 and Thursday, January 20, 2022 from 4:00 – 7:00 p.m.

CLERK'S REPORT:

Clerk Snyder shared the continued problems with Waste Management to include the new schedule pick-up date for the town beginning November 4th whereas the entire town was not collected and the citizen complaints are extensive. The missed loads were picked up with staggered dates and times of which the town was not notified. To date, the collected materials have not been going to the Winnebago Landfill and we are trying to determine where it is. The Board concluded with continued monitoring of incidents and problems, revisiting this at the next board meeting for further evaluation and potential action will take place.

Congressman Grothman will be holding a town Hall on Friday, November 12, 2021 from 9:30 – 10:30.

PUBLIC PARTICIPATION

There was brief presentation by Tricia Rathermel with GO-EDC on the upcoming request for IDP funding and the uses of those funds. This is a December agenda item.

COUNTY SUPERVISOR'S REPORT:

County Supervisor, Rob Keller gave an update on the November meeting including discussions on budget approval and funding and also the shortage of employees with additional wage and compensation being discussed.

CHAIRMAN'S REPORT:

No Correspondence Report.

Motion (Keller/Pollack) to approve the appointment of Bryan Frank to Planning & Zoning to carry out the existing term of Terry Sweeney through February 2022. **CARRIED.**

At that time Chairman Frassetto suggested moving up the remaining agenda items due to the extensive time involved with the Conditional Use Permit discussion and action. All agreed.

FIRE DEPARTMENT REPORT: Fire Chief Mick Becker gave a brief report including an extensive non-injury fire on Welle Drive.

CONSTABLE REPORT: Leo Lefeber provided a detailed report of activity within the town.

SUPERVISOR I REPORT:

Supervisor I Mike Pollack discussed the P&Z committee's decision to reject the CSM application of Black Wolf Development based upon the non-conformity of the Ordinance Standards. The parties involved are also missing a request for variance but overall they are non-compliant with subdivision ordinance as it must be on a public street and this is located on Sesame Street which is a private road. Attorney Ackerman also advised we are in discussion on changing the language in the subdivision ordinance to from 60 days to 90 days. There was a general consensus from the Board to deny but Attorney Ackerman advised this needs to have an action to accept or deny on the agenda so there will be a Special Town Board meeting on Thursday November 11, 2021.

Supervisor I Mike Pollack advised the Planning and Zoning Committee approved, with conditions, the Conditional Use Permit request from Harmoni Towers LLC where the applicant wishes to construct a new mobile service support structure and facilities on a leased parcel of land located at E911 1538 Lone Elm Avenue, Tax Parcel No 004-0535 Black Wolf WI and the Board must approve or deny the CUP. At that time Attorney Ackerman advised he will keep track of the official reasoning form that the Board will go over and each member will have their own form to work through. Attorney Ackerman advised there are 15 Conditional Use Permit Standards on the Findings of Fact and Recommendation worksheet. Attorney Ackerman also advised we are in a substantial evidence realm so everything the Board decides must be backed by what Act 67 has now put in as substantial evidence and he will clarify and answer any questions regarding preemptions with State Statute. There is a State Statute that preempts the Board from making decisions based solely off of esthetics or off of height, and things of that nature. Attorney Ackerman advised he has reviewed the Towns Ordinance and the wireless siting portion of it. At this time, the Board along with attorney Ackerman worked through the 15 Conditional Use Permit Standards, having extensive conversation with questions and answers. Chairman Frassetto entered a **Motion (Pollack/Keller) to approve Conditional Use Permit subject to the conditions of the Proposed Conditional Use Permit. CARRIED.**

SUPERVISOR II REPORT:

Supervisor II Rob Keller provided a LRIP Committee Report stating he put in for road work on Howlett and a copy of the application is attached. Supervisor Keller also discussed the 2022-2023 Road Maintenance Plan with the County.

Motion (Keller/Pollack) to approve the Winnebago County Maintenance Agreement for 2022. CARRIED.

SANITARY DISTRICT REPORT:

None

STORMWATER UTILITY DISTRICT REPORT:

None

Motion (Pollack/Keller) to approve bills. CARRIED.

ADJOURNMENT- Motion (Frassetto/Keller) to adjourn until December 13 2022. CARRIED.

Respectfully Submitted:
Susan M. Snyder, Clerk