Monthly Town Board Meeting – July 20, 2009 – 6:00 p.m.

Mukwa Town Hall, E8514 Weyauwega Rd., Northport 23 in attendance – 6 non-residents-including Town of Mukwa Attorney, Robert Sorenson.

Chairman Curns called the meeting to order at 6:00 p.m. Notification of this meeting was given to the Press on July 11, 2009 and the final agenda was posted in the three designated places on July 15, 2009.

The Pledge of Allegiance was recited.

Roll call of Officers: Jim Curns, Chairman – Present; Michael Wundrock, Supervisor 1 – Present; Neil Freeman, Supervisor 2 – Present; Brenda Grove, Treasurer – Present; Jeannette Zielinski, Clerk – Present.

All Meetings/Hearings will Adhere to Robert's Rules of Order Pursuant to Town of Mukwa Ordinance 10-05.

Approve Monthly Town Board Meeting Minutes: Motion was made by Sup. Wundrock to accept the June 15, 2009 Monthly Town Board Minutes as printed. A second to the motion was made by Sup.Freeman. Motion carried.

Treasurer: Approve Monthly Treasurer's Report: Motion was made by Sup.Wundrock/Chairman Curns to approve the June 30, 2009 Treasurer's Report as read. Motion carried.

Budget/Vouchers: Approval & Payment of Vouchers: Motion was made by Sup. Wundrock/Sup. Freeman to approve payment of Vouchers 22281 through 22317, dated June 16, 2009 through July 20, 2009, and Direct Withdrawal of Social Security, Medicare, and Federal Taxes of $954.98, and Wisconsin (Quarterly) Withholding of $393.13, for a total of $28,454.62. Motion carried. (a)Designate Funds Received from UW Election Survey to the Election Account-$100.00: Motion was made by Sup. Wundrock/Sup.Freeman to designate the $100 received from the UW Election Survey into the Election Account. Motion carried.

Public Forum - Town of Mukwa Residents: (1)Alice Behnke-Larry Road: Mrs. Behnke expressed concerns regarding certain action taken from the June 15th Monthly Town Board Meeting. Mrs. Behnke presented a time-line of events regarding the weight limits placed on South Larry Road. Supervisor Wundrock addressed these concerns, as he also felt the need for better clarification on motions made at said meeting. (2)Patty Roloff-Ostrander Road: Mrs. Roloff inquired as to the locations where Town notices were posted. She was advised of the three locations and the Town Website www.mukwa.us. (3)Mike Popke-Ferry Street: Mr. Popke advised the Board that truck traffic on Ferry Street has greatly increased due to Broadway Street being closed to trucks and Mr. Popke was concerned about the pedestrians and children.

County Supervisor: County Supervisor, Bob Flease was present and reported that the Highway 54 bridge near Royalton would be opening by noon tomorrow (July 21st).

Liquor License Ordinance-Discussion/Review Sample Ordinance: Several sample Liquor Licensing Ordinances were obtained from various municipalities. This will be reviewed and worked on and added to future agendas. (a)Wolf River Trips & Campground-Concerns by Waupaca County Sheriff/Discussion: Officer Gene Goode was representing the Waupaca County Sheriff's Department. Officer Goode explained the Sheriff's Departments concerns and the increasing complaints and it is considered a public nuisance and is not acceptable. Officer Goode advised that the Sheriff's Department gets called just about every day. The Waupaca County Sheriff's Department is asking that the Town correct the problem. Town of Mukwa Attorney Robert Sorenson asked Officer Goode if citations have been issued to the business owner, Officer Goode stated this has not occurred, but warnings are sent when bands are on the premises (Chapter 13 of Waupaca County Ordinances). Attorney Sorenson advised that there is a State Statute that allows this function. Mark Flease was present as a representative for Wolf River Trips and emphasized that there are no sales to underage, this issue is solely due to coolers being brought in. Mr. Flease informed that an off-duty officer has been hired to increase security and increased staff to help. Supervisor Wundrock emphasized that this is not just a Mukwa issue, Officer Goode explained that all Towns in Waupaca County have been addressed regarding this issue/concern. Officer Goode emphasized that the County Sheriff does not have enough resources to continue to handle the increasing problems in the County. The Sheriff's Department has given the Town samples of the arrests/violations at Wolf River Trips. A letter was read and presented to the Board from a patron (Timothy Manion, Country World Productions, Inc., De Pere, WI) of Wolf River Trips stating his concerns from a recent trip that he took with friends and family. Mr. Manion felt it was dangerous with groups of kids very intoxicated and becoming violent, along with the concerns of drunk driving. A resident of the neighborhood Dave Roloff, Ostrander Road, also expressed concerns regarding parking issues around the campground, in front of the cemetery and down Ostrander Road. Mr. Roloff was frustrated that local children cannot go near the river, with the concerns of vulgar language, sexual innuendos, trash, etc. Bryan Lockman, local DNR warden was present and addressed the concerns regarding trash in the river. Mr. Lockman stated that the DNR felt that trash was not that serious based on the volume of people, (sometimes 1000-2000 people per day), and the situation is monitored off and on throughout the season. Wolf River Trips sends out employees several times per week to clean up the river. Mark Flease emphasized that as more citations are issued that the word would get out that rules are enforced and penalties will be given. Mr. Flease also agreed that the volume of patrons was unexpected. Mr. Flease did state that coolers are checked before they go on the river. Mr. Flease had an option that may help - when a patron signs up for the tube trip the will need an ID, at that time they will be issued a wristband which will show who is over/under 21, add more reserve officers/employees patrolling who will be able to tell right away who is underage, then they will be able to call the sheriff immediately. Officer Goode and members present at the meeting felt this was a step in the right direction. Members present at the meeting had some additional ideas – possibility of no carry-ins, everything must be purchased on-site after id's are checked and wristbands are issued, ensuring that ids are checked before they get on the bus, etc. Limits on amount of alcoholic beverages allowed, along with increased patrols on the river. However, many of those present felt that the best solution would be no alcoholic beverages allowed on the river at all would be the only answer. Officer Goode emphasized that the main problem occurs when the tubers get back from the trip, they are intoxicated, remain on the premises and start fights. Supervisor Wundrock is asking that business owners work with the Town to help create a workable ordinance. Attorney Sorenson agreed that an ordinance should be created, but not done in a knee-jerk reaction, and adopted before liquor license renewal, but as it is already late in the season the Town should take its time to come up with an appropriate ordinance. At this time it would be best if the business owner would show that it is taking steps to rectify the problem, always remembering that the Board has the ultimate control at liquor license renewal time. The Board is strongly urging that the wristband program get implemented immediately, with everyone being issued a band,

different colors for over/under 21, along with additional staff/off-duty officers to help monitor the tubers. Also emphasize that staff needs to check coolers. Wolf River Trips and the Sheriff's Department will keep the Town updated on the progress. John Faucher from the New London Press-Star was present and listened to all the ideas, but felt that this issue has always been present. Drugs and alcohol will always be brought into campgrounds. Mr. Faucher feels that society in general is out of control and problems such as these are rampant. John wanted to emphasize that the Town needs to be careful to not punish the business owner, which employs many local people, when they are doing the right thing by contacting the Sheriff's Department when there is a problem.

Status of South Larry Road: From the June 15, 2009 minutes-Roads (d)Weight Limits, (1)Discussion: "Motion was made by Sup. Wundrock/Sup. Freeman that the Town hold off on any consideration of rescinding South Larry Road weight limits until the date of the opening of the Hwy 54 bridge east of Royalton, and also proceeding to do a traffic speed study on South Larry Road with the intention of reducing the speed to 35 mph. Sup. Wundrock/Sup. Freeman amended the motion to include that the weight limit signs will be removed once the bridge is officially opened with the intentions of rescinding the Weight Limit Ordinance on South Larry Road at the July Monthly Town Board Meeting. Motion Carried." I (Sup.Wundrock) would like to make a motion to rescind the aforementioned motion in its entirety, including its amendment. This motion was seconded by Sup. Freeman. 2 Aye 1 Abstain. Motion carried. Sup. Wundrock felt that after reading the above motion in the published minutes, he had erred in judgment in making said motion. Sup. Wundrock strongly feels that the following motion is not only the better, but also the best way for the Town Board to proceed with this issue: Motion was made by Sup. Wundrock that the Town hold off any consideration of rescinding South Larry Road weight limits until a verified road study/assessment (speed & structural integrity) is properly completed for that said section of Town road, and it should be understood that all weight limits, and special signage for South Larry Road be removed during that time for which the Town Board-authorized road study/assessment is started and completed. A second to the motion was made by Sup. Freeman. 2 Aye 1 Abstain. Mrs. Behnke requested that affected residents are notified when the study is to take place. Town Attorney Sorenson explained the legal process to change speed limits and for proper ordinances regarding weight limits. Mrs. Behnke questioned whether a follow-up letter to milk haulers to advise that the road is still at six-ton weight limit road. Sup. Wundrock will draft a new letter to be sent out. Motion was made by Sup. Freeman/Chairman Curns to allow Sup. Wundrock to contact Phil Roberts, Omnni Associates to do a road study on South Larry Road to find out the actual cost and what it will exactly curtail. Motion carried. Motion was made by Chairman Curns/Sup. Freeman to authorize Sup. Wundrock to write a follow-up letter to be sent to the dairy plants. Motion carried.

Building Inspector Report for July: Jerry Grygny-Huntley Rd: Pole Building; Marlin Standke-Gorges Rd: Detached Garage; Daniel Maiman-Frances Lane: Addition to Existing Pole Building; Charles Hoffman-Larry Rd: Detached Garage. Monthly Total: $82,250.00. Yearly Total: $561,872.77. Motion was made by Sup. Freeman and seconded by Chairman Curns to approve the July Building Inspector's Report. Motion carried.

Animal Control Officer: (a)Animal Report Forms/Veterinary Invoice/s: None. (b)Citation Letter/s: None issued.

Plan Commission: (a)Update/Monthly Report: No July Plan Commission Meeting. Plan Commission Chairman, Lee Shaw reported that Plan Commission members are rethinking a proposed wind turbine ordinance, after a similar type ordinance in Calumet County was considered null by the State. Possible that the State will step in to regulate, Plan Commission goad was just to have basic rules to protect residents. Next Meeting is scheduled for Wednesday, August 5th at 6:00 p.m. (b)Second Reading of Ordinance 3-09: Ordinance Regulation Disposition of Waste Materials: Supervisor Wundrock read the Ordinance. Final adoption will be at the August 17th Board Meeting. (c)First Reading of Ordinance 4-09: Ordinance to Regulate the Construction of Ponds: Ordinance was read in full by Chairman Curns. Final Adoption will be at the August 17th Board Meeting.

Vacate Porton of Road(s)/Alleyway in Northport-Discussion/Contact Town Attorney: Realtor Dave Radtke was present to explain the situation. The roads in question are a one-block portion of School Street and a one-block portion of Court Street. This situation has arisen due to a home for sale on School Street. Motion was made by Sup. Wundrock/Sup. Freeman to authorize Town Attorney Bob Sorenson, to proceed, on the Town of Mukwa's behalf to vacate the North one-block section of School Street and a portion of Court Street. Motion carried. Attorney Sorenson was present and advised that he will contact the title company to obtain a scale map to create a legal description for the necessary resolution needed.

Roads: (a)Monthly Report: Projects on Timber Lane and Ebert Road have been completed. (b)Road Equipment-Report/Repairs/ Purchases Needed: (1)Garage Door Repairs: Sup. Wundrock will contact Tri-County to schedule. (2)Snowplow Truck: Dropped off at Highway Truck Parts for inspection/repairs. (3)Pressure Washer: Add to future agenda after new well is installed. New sander needed for the 2000 Chevrolet. (c)Possible 2009 Projects/Work Needed: Motion was made by Sup. Wundrock/Sup. Freeman to authorize Mid-State Asphalt to complete the work on Otto Road. Motion Carried. Brushing projects will need to be done, Tank Road and throughout the Town. (1)Ditch Excavating: Several projects throughout the Town need to be done. Town has used the Waupaca County Highway Commission in the past, with favorable results. The Town could rent a mini excavator and have our own maintenance personnel do the work. The cost to rent is $1100 per week. The County charge is approximately $100 per hour plus their 4.5% administration fee. The culvert/ditch east of the intersection of Weyauwega Rd/Ferry St needs attention. Motion was made by Sup. Wundrock/Sup. Freeman to authorize Chairman Curns to check into the cost of renting mini excavator/ditching equipment. Motion carried. (d)Weight Limits: (1)Discussion; (2)Modify/Rescind Town of Mukwa Weight Limit Ordinances/Resolutions: Temporary Weight Limits due to the Bridge Reconstruction will be removed effective as of noon, Tuesday, July 21st. Will be added to future agenda.

Waupaca County Zoning/Other Meetings: **Attended**: None. **Upcoming**: (1)July 21st NL Rural Fire Department Meeting to be held at the New London Fire Station; (2)July 23rd Waupaca County Traffic Safety Commission Meeting to be held at Simpson's in Waupaca; (3)July 29th New London Family Medical Center Ambulance Meeting to be held at the New London Family Medical Center.

Operator Licenses: (a)Bean City Bar & Grill: Kendra Marten: Motion was made by Chairman Curns/Sup. Wundrock to approve an Operator License for Kendra Marten at Bean City Bar & Grill. Motion carried. (b)Guth's Resort: Mark

Budner: Motion was made by Sup. Wundrock/Sup. Freeman to approve an Operator License for Mark Budner at Guth's Resort. Motion carried.

Town Landfill-Chipper Lease for Brush Cleanup: Will be added to a future agenda.

Town Hall-Well: Motion was made by Sup. Wundrock/Sup. Freeman to authorize Chairman Curns to obtain one, preferably two more quotes regarding the Town Hall well replacement.

Adopt Preliminary Final Highway Order Regarding Discontinuing that Portion of Ferry Street Located South of the Wolf River: Chairman Curns read the Order. Motion was made by Sup. Wundrock/Sup. Freeman to pass the Preliminary Final Highway Order contingent upon Wisconsin Department of Natural Resources approval. Motion carried.

Correspondence Received: (a)Waupaca County-Amended Chapter 4: Penalty on Real Estate Taxes Past Due (copy in Clerk's office); (b)WIDNR: Gypsy Moth Information (copy in Clerk's office); (c)NLFD-Annual Fire Safety & Burn Prevention Educational Program for Children

Motion to adjourn was made by Chairman Curns. Seconded by Supervisor Freeman. Motion carried.

Respectfully Submitted,

Jeannette Zielinski, Municipal Clerk