

Monthly Town Board Meeting – October 17, 2011 – 6:00 p.m.

Mukwa Town Hall, E8514 Weyauwega Rd., Northport 11 in attendance; 1 non-resident present

Chairman Curns called the meeting to order at 6:00 p.m. Notification of this meeting was given to the Press on October 14, 2011 and the final agenda was posted in the three designated places on October 7, 2011.

The Pledge of Allegiance was recited.

Roll call of Officers: Jim Curns, Chairman ó Present; Lee Shaw, Supervisor 1 ó Present; Neil Freeman, Supervisor 2 ó Present; Brenda Grove, Treasurer ó Present; Jeannette Zielinski, Clerk ó 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 Supervisor Shaw to approve the September 19, 2011 Monthly Town Board Minutes as printed. A second to the motion was made by Supervisor Freeman. Motion carried.

Treasurer: Approve Monthly Treasurer's Report: Motion was made by Supervisor Shaw, seconded by Supervisor Freeman to approve the September 30, 2011 Treasurer's Report as presented & read. Motion carried.

Budget/Vouchers - Approval & Payment of Vouchers: Motion was made by Chairman Curns/Sup. Shaw to approve payment of Vouchers 23714 through 23750, dated September 20, 2011 through October 17, 2011, and Direct Withdrawal of Social Security, Medicare & Federal Taxes of \$1,253.0, and Wisconsin (Quarterly) Withholding of \$540.02, for a total of \$62,402.56. Motion carried.

Public Forum - Town of Mukwa Residents: Ed Piskorski-Ebert Road: Mr. Piskorski brought a picture of a vandalized sign ó after viewing, looks like silly string-should be able to wash it off. Mr. Piskorski advised that the Waupaca County Sheriff's Department has been patrolling more & that it seems to be helping. Mr. Piskorski had been doing striping & some of the lines got ócrookedö, Mr. Piskorski advised that he would be straightening out the lines. Supervisor Shaw asked that Mr. Piskorski just leave it as is, but Mr. Piskorski would like to finish up.

Mike Wundrock-Dawn Drive: Mr. Wundrock (previous Town Supervisor) was present regarding June's meeting (regarding Bean City near Matt Manske's property) where Chairman Curns accused Omni making a mistake on the culvert, but then found out that there was no problem. Mr. Wundrock felt that Mr. Curns should have publicly rectified & acknowledged that Omni did not err, as it seemed that Omni was a poor company. Mr. Wundrock advised that Omni is upset & that they stand by their work & integrity. The second concern was at September's Monthly Town Board Meeting specifically - Rescind Ordinance 5-09 ó Ordinance Designating óSouthö Larry Road as a Restrictive Fifteen-Ton Highway: A complete study had been done by Omni Associates ó speed & weight. The ordinance is based upon recommendations from the engineer. Chairman Curns & Greg Wood/Wood Sewer & Excavating rented a bore & took core samples. Their findings were different than the Omni results. Greg Wood has worked with Omni on projects & was questioning why there was not an official óstampö on the results & analysis. Mr. Wood felt that Omni did not do their job & felt that the Town should get their money back. Chairman Curns & Mr. Wood both stated that they felt that Omni was told how to get the results that were wanted by somebody. Discussion. Chairman Curns made a motion to rescind based on current information that we now have. Discussion. No second was made. Motion died for lack of second. Cathy & Lloyd Stern both felt that if any type of changes were going to be proposed that notification should be sent to everyone on the road. Tom Handschke asked if it should be pulverized & paved, Chairman Curns did not feel that was necessary & money would be better spent elsewhere.ö Mr. Wundrock wanted to clarify that the Larry Road Speed/Weight Limit Study had been voted on by the entire Board; all decisions were made by the entire Board and voted on at a public meeting. Mr. Wundrock was mainly upset about the comment made by Chairman Curns & Mr. Wood ó Chairman Curns & Mr. Wood both stated that they felt that Omni was told how to get the results that were wanted by somebody.ö Mr. Wundrock felt that this statement was an assertion of guilt, & that this statement was poor public policy coming from a public official. Mr. Wundrock reminded that County Supervisor Fleese had offered that the County could do a speed study; however the entire Board felt that it would be best to have a neutral, unbiased third party do this work, so that no one could accuse the Board of collusion. Again, Mr. Wundrock reminded that once Omni was hired, & asked to do the study once school started, the Board did not hear from them again until the Monthly Board Meeting where Omni presented their findings. The Ordinance was completely put in place based completely on Omni's recommendations. Again remembering that the recommendations were not what everyone wanted ó some residents wanted the speed limit lowered, Omni did not feel that was necessary. Mr. Wundrock felt that was ógreatö that not everyone was happy ó it was a compromise for everyone. Mr. Wundrock did directly ask Chairman Curns if he had been directly authorized by the Board to go on Larry Road & take core samples, if he was, Mr. Wundrock would publicly apologize. (There was no official motion authorizing Chairman Curns, but there was a discussion.)

Greg Wood-Cty Trk X: Mr. Wood reminded that he was present at the very first meeting when this was discussed & gave the view point of a business owner. Mr. Wood wanted to commend Chairman Curns for going out & taking a core sample. Mr. Wood was upset that weight limits were put in place & he wasn't contacted. Chairman Curns brought a piece of one of the core samples that he took & that it has a strong base. Chairman Curns did agree that having a third party do the study was wonderful, and that we learned a lot, but again, felt that this particular study was not correct. Mr. Wood also agreed that he feels that Omni is a reputable company as he works with them in his business, but emphasized that this study was not done correctly. The study was reviewed & that the core samples that Chairman Curns took did not correlate to the information in the study. Chairman Curns & Mr. Wood took a core sample at one of the holes that Omni cored-their study showed totally different results than our sample. It was also noted that the study was not signed & stamped.

Chairman Curns apologized to Supervisor Wundrock if he took this as personal, but still emphasized that he was disappointed with Omni.

Plan Commission: (a)Update/Monthly Report: Plan Commission Chair Shaw reported that there was no October meeting. Next Scheduled Meeting: Wednesday, November 2 at 6:00 p.m. to be held at the Mukwa Town Hall (if needed).

Dan Mabry-Cty Trk X ó Zoning/Land Split: Mr. Mabry & his son were present to ask the Board for approval to change 4.8 acres (for his son) of his 10 acres from Commercial to Residential. Chairman Curns made a motion to approve

signing the Certified Survey Map (CSM) presented by Mr. Mabry that shows the change of 4.8 acres from Commercial to Residential. Chairman Curns motion was seconded by Supervisor Freeman. Motion carried.

Building Inspector: (a) Report for September-October: Sau Ching Cheng-Shaw Rd: New Home (Cottage); Al Jezeski-Cut-Off Rd: Detached Garage; Robert Spear-Klatt Rd: Pole Barn. Monthly Total: \$112,000.00 Year to Date Total: \$869,200. Motion to accept the September-October Building Inspector's Report as written was made by Supervisor Shaw & seconded by Supervisor Freeman. Motion carried.

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

Roads: (a) Monthly Report: Fall mowing completed. Patching pot holes. Grader is back from Asylum Repair (32 hours of repairs), but LeRoy noted that the lights will need to be repaired. Noted that there are no spare chains for the grader & that the set for the front tires is in poor condition. Chairman Curns will ask Gary to look at the chains & let us know. Also noted that gravel needs to be added to the curve on Jennings Road, washed out pretty deep. Mentioned that Griffin still has salt/sand salt/sand chips available. Questioned where to store it & if it has been stored outside it turns into a rock. Motion was made by Supervisor Shaw to authorize Waupaca County Highway Department to repair the approach (on both sides) of the Ostrander bridge. Second to the motion was made by Supervisor Freeman. Motion carried. (b) Road Equipment-Report/Repairs/ Purchases Needed: LeRoy mentioned that the salt spinners on the Sterling & the Snowplow need to be repaired-when tipping the bed back, hits the ground. Few people were mentioned that could do the work. Motion was made by Supervisor Shaw to authorize truck repairs up to \$5,000, for both trucks, to get them road/winter ready. Second to the motion was made by Supervisor Freeman. Motion carried. Get an estimate from both Asylum Repair & Highway Truck Parts. (c) 2011/2012 Snowplowing - Possibility Expand County Hwy Dept Contracted Roads and/or Contract Snow Plowing for Portions of Town Roads: Motion to authorize the Waupaca County Highway Department do snow plowing on Jennings Road/Dey Road from Cty Trunk W to Ebert Road/Ebert Road to Huntley Road/Huntley Road to Cty Trk W, for one year. Second to the motion was made by Supervisor Freeman. Motion carried. (d) Tree Trimming Projects: Supervisor Shaw spoke with several tree services to obtain current prices. Need to pick projects, will be added to November Meeting. Mentioned that a Board Fall road trip to observe conditions may be needed. (e) Broadway Street Repairs: Regarding water ponding near Log Cabin Bar/Hwy 54 intersection. Chairman Curns asked Wood Sewer & Excavating to submit an estimate for repairs, after having the Waupaca County Highway Department and others to look at it. Mr. Wood & Tom Handschke explained the proposed repair of catch basin with a false bottom (big clean stone) pipe from catch basin will need to go across the road during heavy rain. In the spring do a hot patch with a oil. Mr. Wood did question the utilities; the concern is how deep they are-may need to be lowered. Motion was made by Supervisor Shaw to authorize Wood Sewer & Excavating do the manhole on the corner of Broadway Street & Highway 54 for \$3,995. Second to the motion was made by Supervisor Freeman. Motion carried. Reminding that the Town will need to do the asphalt/seeding portion. This is a one day project, but should call the bus garage when the project will be done. (f) Driftwood Road School Bus Turn Around Concerns: Bernard Ritchie advised the Board that he would sell the Town the land needed to provide for a proper bus turn around (cul-de-sac), Lot 17 (1 acre) for \$20,000. This will be added to the November Agenda.

Meetings/Training/Waupaca County Zoning Hearings: **Attended:** (1) Town Board attended the 7:30 p.m., September 26th New London Rural Fire Department Meeting held at the Lebanon Town Hall regarding possible equipment purchase. (2) The Board attended the September 27th Weyauwega Area Fire Department Meeting held at the Weyauwega Fire Department to further discuss possibility of WAFD covering the Guth Rd/Deer Haven/Ona Pines area. (3) Supervisor Shaw attended the September 28th WTA Fall Budget & Finance Workshop held in Stevens Point. (4) Supervisor Shaw attended the October 5th, 7:00 p.m. Wolf River Preservation Association Meeting held at the Fremont Village Hall. Those present watched a DVD presented to the Towns by Wolf River Preservation showing a river clean up. **Upcoming:** (1) Oct. 20th at 12:00 p.m. Waupaca Cty. Traffic Safety Commission Meeting at Hotel Fremont; (2) Oct. 24th & 25th - WTA Annual Convention at KI Convention Center, Green Bay; (3) Nov. 10th at 7:00 p.m. Waupaca County Towns Association Quarterly Meeting at Manawa

Recycling Contract Renewal: Current contract expires December 31, 2011. New contract is lower-current is \$3,716.90 per month, new is \$3,675.25 per month. Motion was made by Supervisor Shaw to accept what's written in the four-year Agreement for Recycling from Graichen Sanitation for the period of January 1, 2012 through December 31, 2015. Motion was seconded by Supervisor Freeman. Motion carried.

New London Rural Fire Department: The new proposal is \$170,000. The member Towns of NLRFD offered to pay up to \$127,500 with the City paying about \$42,500. The Mukwa portion (approx. 57%) would be about \$73,000. Can go to midwestfire.com to see this type of truck or 3000 gallon tanker. The City would take ownership of the old truck, to be used as a backup. Have not heard from the City if they will accept this agreement.

Weyauwega Area Fire District: As noted in Meetings Attended, the Board attended the September 27th WAFD meeting to propose what the Board agreed upon at the September 19th Monthly Town Board Meeting. Board reported that WAFD was not willing to accept just the proposed roads and wanted to go back to the way it was (the Town has not contracted with WAFD since 2006) along with committing the Town to equipment purchases (WAFD has a water truck on order for \$245,267). The WAFD members mentioned the option of the Guth Road/Deer Haven Road/Ona Pines area annexing to Royalton as the best alternative. The Board is planning on attending the November 22nd WAFD Meeting to be held at the Weyauwega Fire Department. Motion was made by Supervisor Shaw to offer WAFD based on current improvement valuation (\$2,413,600-value does not include the new Gedemer house, which is not completed-17 houses total-including the Gedemer house), 1% of the total valuation, 1% of the new truck (approx. \$2,480), and 1% of operating/annual costs. Chairman Curns made the second to the motion. Motion carried.

Adopt-Resolution 63-4-11 Employee Grievance Procedure: Supervisor Shaw made a motion to Adopt Resolution 63-4-11 or Resolution to Adopt Employee Grievance Procedure. Motion was seconded by Chairman Curns. Motion carried.

RESOLUTION 63-4-11

RESOLUTION TO ADOPT EMPLOYEE GRIEVANCE PROCEDURE

WHEREAS, §66.0509(1m), Wisconsin Statutes requires local governmental units to adopt an employee grievance procedure; Whereas the Town of Mukwa, Waupaca County Wisconsin has thoughtfully considered this requirement & prepared an employee grievance procedure that contains the required elements;

Now therefore be it resolved, that the Town Board of the Town of Mukwa, Waupaca County, Wisconsin adopts the attached employee grievance procedure pursuant to § 66.0509(1m), Wisconsin Statutes.

The above and foregoing Resolution was adopted by the Town Board of the Town of Mukwa, Waupaca County, Wisconsin, at the Monthly Town Board Meeting held on the 17th day of October, 2011 and shall take effect and be in force effective immediately.

Aye 3

/s/Jim Curns, Town Chairman

No 0

/s/Lee Shaw, Supervisor #1

/s/ Neil Freeman, Supervisor #2

I hereby certify that this is a true copy of a Resolution passed by the Town Board of the Town of Mukwa, on the 17th day of October, 2011

/s/Jeannette Zielinski, Municipal Clerk

Posted: October 18, 2011

Mukwa Town Hall

Bean City Bar & Grill

Northport Convenience Center

Concealed Carry Policy ó Discussion: Decided to wait until after Board members attend WTA Convention to obtain more information before making any decisions. Advised by Town Attorney, Sorenson that an Ordinance needs to be adopted.

November Monthly Meeting Date Change: From Monday, November 21st to Monday, November 14th

Correspondence Received: Mentioned last landfill date for the year will be Saturday, October 22nd.

Motion to adjourn was made by Supervisor Shaw. Second by Supervisor Freeman. Motion carried.

Respectfully Submitted,

Jeannette Zielinski, Municipal Clerk