

Monthly Town Board Meeting – September 11, 2018

321

Mukwa Town Hall, E8514 Weyauwega Rd., Northport

17 in attendance

Chairman Curns called the meeting to order at 6:00 p.m. Pledge of Allegiance was recited. Notification of this meeting was given to the Press on August 31, 2018 and the final agenda was posted in the three designated places on September 7, 2018.

Roll call of Officers: Jim Curns, Chairman – Present; Lee Shaw, Supervisor 1 – Present; Matt Manske, 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: (a) August 7, 2018 Monthly Town Board Minutes: Motion was made by Supervisor Shaw with a second by Supervisor Manske to approve the August 7, 2018 Monthly Town Board Meeting Minutes as printed. Motion carried.

(b) August 29th Special Road Meeting Minutes: Motion was made by Supervisor Shaw with a second by Supervisor Manske to approve the August 29th Special Road Meeting Minutes as printed. Motion carried.

(c) September 5th Special Town Board Meeting Minutes: Motion was made by Supervisor Shaw with a second by Supervisor Manske to approve the September 5th Special Town Board Meeting Minutes as printed. Motion carried.

Treasurer: Approve Monthly Treasurer's August Report: Read by Treasurer Grove. Motion was made by Supervisor Shaw and seconded by Supervisor Manske to accept the August 31, 2018 Treasurer's Report as read & printed. Motion carried.

Budget/Vouchers: Approval & Payment of Vouchers: Motion was made by Chairman Curns to approve payment of Vouchers 27208 through 27248, dated August 8, 2018 through September 11, 2018 and Direct Withdrawal of Social Security, Medicare & Federal Taxes of \$1,045.86, & the August 10th We Energies Invoice of \$264.20 & the September 10th We Energies Invoice of \$302.10; for a total of \$204,671.72. Second to Chairman Curns' motion was made by Supervisor Manske. Motion carried.

Public Forum - Town of Mukwa Residents: None

Animal Control Officer: (a) Animal Report Forms/Veterinary Invoice/s: Dog drop off at WRVC

(b) Citation Letter/s: None

Building Inspector: Report was read by Supervisor Shaw. Motion to accept the Building Inspector Report as presented was made by Supervisor Shaw with a second to the motion made by Supervisor Manske. Motion carried.

Certified Survey Map Approval – Dale & Steffanie Myers – Hutchison Road: Dale & Steffanie were present to explain their proposal & to answer any Board questions. Certified Survey Map prepared by Little Falls Land Surveying was available to show location of proposal. Mr. & Mrs. Myers explained that they are creating a second lot for a new home with an outlot for possible future development. A motion to accept & approve the Certified Survey Map as presented for Dale & Steffanie Myers on Hutchison Road was made by Supervisor Shaw with a second to the motion made by Supervisor Manske. Motion Carried. Certified Survey Map was signed by the Town Chairman.

Plan Commission: (a) August 29th Meeting Follow-up: Plan Commission Chair Shaw reported that the Commission met with the Van Ornums' regarding their after-the-fact Certified Survey Map for a RV on property for greater than 30 days & shed, project explained & approved by the Plan Commission. Residents within 300 feet of the property were notified & invited to attend the meeting. Chair Shaw also reported that work has been started on Farmland Preservation and the need to rezone certain classifications that now require a zoning district "underneath." Noted that the next Plan Commission meeting will be held on Wednesday, September 26th. **(b) Conditional Use Permit – Scott & Shari Van Ornum – Ostrander Road:** As noted, the Plan Commission approved the Conditional Use Permit at the August 29th Plan Commission Meeting. Project reviewed and a motion to approve the Conditional Use Permit application for Scott & Shari Van Ornum on Ostrander Road for the placement of a recreational vehicle intended for temporary living purposes in excess of 30 days was made by Supervisor Shaw with a second to the motion made by Supervisor Shaw. Motion carried.

Slow-No-Wake: (a) On the Cut at the end of Cut-Off Road: (b) By Stone Dam: Wolf River Preservation Association President John Faucher, Town of Mukwa Raft Inspector Dave Reinert & several property owners along the affected area were present. Continued discussion from last month's meeting regarding this issue & the need for slow-no-wake buoys. Chairman Curns reported that he had spoken with Kaitlin Kernosky, from the WIDNR & that she advised what can & cannot be done & that even if the Town gives approval, that buoy's still need to be approved by the DNR. She did note that the DNR is aware of the issues & safety concerns. Supervisor Shaw went out with Mr. Swedesky & also with Mr. Krueger to view these issues & concerns. Those present advised the Board that there are visibility issues caused by foliage and that the river levels cause problems for kayakers. Many property owners present told the Board that they no longer swim or allow their children or grandchildren to swim due to these concerns. The affected property owners are requesting four (4) buoys for this area (*on the Cut at end of Cut-Off Road*), about 200 feet apart. Dan Krueger (*property owner by Stone Dam*) presented the GPS coordinates for the requested buoys. Supervisor Shaw made a motion to approve slow-no-wake buoys at the three (*presented GPS coordinates*) designated spots by the old stone dam & approval for three (3) to four (4) slow-no-wake buoys, depending on need, at the hair pin curve by Joe Swedesky's property on Cut-Off Road. A second to Supervisor Shaw's motion was made by Supervisor Manske. Motion carried.

Operator License Approval for Rocky's Bar & Grill – Elizabeth VanBuskirk: Motion was made by Supervisor Shaw & seconded by Supervisor Manske to approve the issuance of an Operator License to Elizabeth VanBuskirk for Rocky's Bar & Grill. Motion carried.

Adopt: Ordinance 2-18 Prohibiting Sale of Fireworks & Regulating Possession & Use of Fireworks: Clerk Zielinski read the Ordinance in its entirety. A first reading of the Ordinance was completed at the August 7th Monthly Town Board Meeting. A motion to Adopt Ordinance 2-18 Prohibiting Sale of Fireworks & Regulating Possession & Use of Fireworks as printed was made by Supervisor Shaw with a second to the motion made by Supervisor Manske. Motion carried.

**ORDINANCE 2-18
PROHIBITING SALE OF FIREWORKS AND REGULATING
POSSESSION AND USE OF FIREWORKS**

The Town of Mukwa Board of Supervisors do hereby ordain as follows:

- 1. Preamble.** Wisconsin Statutes Section 167.10(5) allows the town to regulate the sale, possession and use of fireworks. A town ordinance may be more restrictive than the statutory provisions set forth in Section 167.10. The town board wishes to address safety and liability issues that may adversely affect the town and its residents. As a result, the town shall hereafter prohibit the sale of fireworks and only allow the possession and use when the user is adequately insured.
 - 2. Definition of fireworks.** The term “fireworks” herein shall include all items enumerated in Wisconsin Statutes Section 167.10(1)(intro.) and anything under Wisconsin Statutes Section 167.10(1)(e), (f), (i), (j), (k), (L), (m), and (n).
 - 3. Sale of fireworks prohibited.** The sale of fireworks in the Town of Mukwa is expressly prohibited.
 - 4. Possession of fireworks regulated.** No one may possess fireworks in the Town of Mukwa except a person in possession of a user’s permit which has been issued by the Town of Mukwa or another Wisconsin municipality.
 - 5. Use of fireworks regulated.** Any person who uses fireworks in the Town of Mukwa shall first be required to obtain a permit from the Town of Mukwa Chairperson. Prior to issuance of the permit, the permit holder shall be required to file an indemnity bond with good and sufficient sureties or policy of liability insurance for the payment of all claims that may arise by reason of injuries to person or property from the handling, use or discharge of fireworks under the permit. The bond or policy shall be in the name of the Town of Mukwa and shall have an aggregate liability limit of at least \$1,000,000.00. Anyone injured as a result of the use of the fireworks may bring an action on the bond or policy in their own name to recover damages they have sustained. The bond or policy, together with a copy of the permit, shall be filed in the office of the town clerk. The permit shall otherwise be issued consistent with the requirements of Wisconsin Statutes Section 167.10.
 - 6. Other statutory provisions remain in effect.** Except as expressly provided herein, all of the terms of Wisconsin Statutes Section 167.10 shall apply in full force and effect.
 - 7. Penalties.** Any person who violates any provision of this ordinance shall forfeit not more than \$1,000.00.
 - 8. Other enforcement.** The provisions of Wisconsin Statutes Section 167.10(8) shall apply so that the town may seek an order of the circuit court enjoining violations of this ordinance and fireworks may be seized by the town and held as evidence of any violation.
 - 9. Amendment.** This ordinance shall be automatically amended from time to time to incorporate any amendments to Wisconsin Statutes Section 167.10 or any successor state statutes.
- The above and foregoing ordinance was adopted by the Town Board of the Town of Mukwa, Waupaca County, Wisconsin, at a meeting held on the **11th** day of **September, 2018**.

Aye: 3	/s/Chairman, Jim Curns
No: 0	/s/Supervisor, Lee Shaw
	/s/Supervisor, Matt Manske

I hereby certify that this is a true copy of an Ordinance adopted by the Mukwa Town Board, on the 11th day of September, 2018.

/s/Jeanette Zielinski, Municipal Clerk

Code of Ordinance Published:	08/30/18
Posted at: Northport Convenience Center:	09/12/18
Bean City Bar & Grill	09/12/18
Mukwa Town Hall:	09/12/18
Adoption of Ordinance Published:	09/13/18
www.mukwa.us	

Town Hall – Security System Proposal: Noted that an updated quote from Stearns Sound & Security, Ltd, Waupaca was not available as of the Board Meeting. The Board asked Stearns to come to the Town Hall to walk around the entire property to address concerns so that an appropriate quote could be obtained. Supervisor Shaw made a motion to accept the proposal from Stearns Sound & Security, Ltd, Waupaca to install 16 IP cameras, eight 4 meg pix dome cameras, monitor and 500’ of cable for a cost of \$5,095 (*final quote received was for \$5,120*). Second to the motion was made by Supervisor Manske. Motion carried.

Roads: (a)Monthly Report: Noted that many trees needed to be trimmed. Discusses getting a quote from Midstate Tree Service to see if Rob was looking for winter work.

(b)Road Equipment-Report/Repairs/ Purchases Needed: Nothing at this time.

(c)Broadway Street Right-of-Way - Changing Broadway Street Right-of-Way from 80’ to 66’.

(Note: Public Hearing to be held on Tuesday, October 9th at 5:30 p.m.)

(d)2018 Road Projects – Follow-up: MCC reported that they planned to start additional work approved on Huntley Road during the week of September 17th. Pulverize & pave a 2” layer with the final 1 ½” to be completed in 2019.

(e)End of Thompson Road Right-of-Way – Follow-up: Creating a proper loop for equipment turn-around. This process will require a survey to create a change in legal ownership. Work started by Dorschner, he will contact Digger’s Hotline & should be done this week. Supervisor Shaw mentioned that he was under the assumption that other

quotes would be obtained? Noted that Casey is super busy & unable to do anything additional at this time, but thought that maybe Midstate would give a quote. Chairman Curns made a motion to authorize Terry Dorschner to complete the project for approximately \$900 to \$1,000 (depending on how much gravel is used) with a second to the motion made by Supervisor Manske. Motion carried.

(f) Fahrner Asphalt Crack Fill Proposal: Quote provided was reviewed. A motion to approve the Fahrner Asphalt Crack Fill Proposal for \$6,928.00 as presented was made by Supervisor Shaw with a second to the motion made by Supervisor Manske. Motion carried.

(g) Road Maintenance Employee – Advertise: Discussion on need for an additional road maintenance employee. Noted that generally, one person can handle the tasks that need to be accomplished, but there are times when two people are needed, such as tree trimming & other large projects. Continued discussion. Town resident Vern Johnson said that he lives right by the Town Hall and is available in the evenings and usually the weekends & is very familiar with driving equipment like ours. Board in agreement to add Vernon Johnson as a Town road maintenance employee.

Meetings/Training/Waupaca County Zoning Hearings: Attended: (1) No one was able to attend the August 16th @ 6:30 p.m. – Waupaca County Towns association Meeting – JR's Bar & Grill, Big Falls;

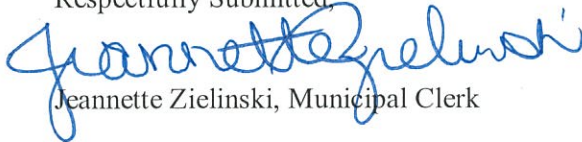
Upcoming: (1) Wisconsin Towns Association Fall Workshops – Various Dates/Locations in September; (2) Waupaca County Highway Department Annual Fall Meetings – October 2nd – Waupaca Shop & October 3rd – Clintonville Shop; (3) Wisconsin Towns Association Annual Convention – October 14th to 16th – Stevens Point

Brush Landfill: Open the Following Saturday's from 9:00 a.m. to 3:00 p.m. September 22nd & 29th

Correspondence Received: Wisconsin Demographic Services Center – 2018 Estimate of Town Population – 2,696

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

Respectfully Submitted,


Jeannette Zielinski, Municipal Clerk