

## Monthly Town Board Meeting – July 14, 2020

370

Mukwa Town Hall, E8514 Weyauwega Rd., Northport

19 in Attendance

Chairman Curns called the meeting to order at 6:00 p.m. Notification of this meeting was given to the Press on July 2, 2020 and the final agenda was posted in the three designated places on July 10, 2020.

**Roll call of Officers:** Jim Curns, Chairman – Present; Lee Shaw, Supervisor 1 – Present; Matt Shaw, 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) **June 9, 2020 Monthly Town Board Minutes:** Motion was made by Supervisor Shaw with a second by Supervisor Manske to approve the June 9, 2020 Monthly Town Board Meeting Minutes with corrections under Roads, Letter D: "Second to Chairman Curn's motion was made by Supervisor Manske, should be Supervisor Shaw." Second correction to change the word "fir" to "for" under Hucklberry Acres Fireworks Display Approval. Motion carried.

(b) **June 30<sup>th</sup> Special Town Board Meeting Minutes:** Motion to approve the June 30<sup>th</sup> Special Town Board Meeting Minutes to Open Road Bids as printed was made by Supervisor Shaw with a second to the motion made by Supervisor Manske. Motion carried.

(c) **July 2<sup>nd</sup> Special Town Board Meeting Minutes:** Motion to approve the July 2<sup>nd</sup> Special Town Board Meeting Minutes to Award Road Bids as printed was made by Supervisor Shaw with a second to the motion made by Supervisor Manske. Motion carried.

**Treasurer: Approve Monthly Treasurer's Report:** Read by Treasurer Grove. Motion was made by Supervisor Shaw and seconded by Supervisor Manske to accept the June 30, 2020 Treasurer's Report as read & printed. Motion carried.

**Budget/Vouchers:** (a) **Move Funds Received (\$9,458.75) from FEMA to the Road Construction/Maintenance Account:** A motion to approve moving the funds received from FEMA to the Road Construction/Maintenance Account in the amount of \$9,458.75 was made by Chairman Curns with a second to the motion made by Supervisor Manske. Motion carried. (b) **Move Funds Received (\$368.00) from the Workman's Comp Audit to the Road Construction/Maintenance Account:** A motion to approve moving the funds received from the Annual Workman's Comp Audit to the Road Construction/Maintenance Account in the amount of \$368.00 was made by Chairman Curns with a second to the motion made by Supervisor Manske. Motion carried. (c) **Approval & Payment of Vouchers:** Motion was made by Chairman Curns to approve payment of Vouchers 28046 through 28076 dated June 10, 2020 through July 14, 2020, & Direct Withdrawals of Social Security, Medicare & Federal Tax of \$1,004.98; the Wisconsin DOR Quarterly Withholding of \$282.01 & the June 15<sup>th</sup> We Energies Invoice of \$355.25 & the July 14<sup>th</sup> WE Energies Invoice of \$282.45; for a total of **\$46,017.67**. Second to Chairman Curn's motion was made by Supervisor Manske. Motion carried.

**Public Forum - Town of Mukwa Residents:** Theresa Bloch – Hutchison Road was present to ask the Board about installing a speed limit sign & maybe a warning speed limit sign with an arrow at the curve.

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

**Building Inspector:** Report read by Supervisor Shaw. Motion to accept the July Building Inspector Report as printed & read was made by Supervisor Shaw & a second to the motion was made by Supervisor Manske. Motion carried.

**Approve & Sign – Preuss Appraisal Service Contract for 2021 & 2022:** A motion to approve the submitted Preuss Appraisal Service Contract with correction made to dates noting 2021 & 2022 was made by Supervisor Shaw with a second to the motion made by Supervisor Manske. Motion carried.

**Certified Survey Map Approvals:** (a) **Rod & Judy Harrington-Huntley Road:** Mr. & Mrs. Harrington dropped off the Certified Survey Map & had spoken with the Municipal Clerk & Supervisor Manske that the survey was to separate into two parcels one with their house & the other to sell to family members for hunting. A motion to approve the submitted Certified Survey Map for Rod & Judy Harrington property on Huntley Road was made by Supervisor Shaw with a second to the motion made by Supervisor Manske. Motion carried. (b) **Tim & Amy Graber-Manske Road:** Mr. Graber was present to answer any questions. Certified Survey Map required to make a .02 acre adjustment. Motion to approve the submitted Certified Survey Map for Tim & Amy Graber on Manske Road was made by Supervisor Shaw with a second to the motion made by Supervisor Manske. Motion carried.

**Sale of Access Right-of-Way – Kevin Byrum:** Mr. & Mrs. Byrum were not present. Continue discussion on verifying that this actually belongs to the Town before any decisions can be made. Will add to August Agenda.

**Operator License Approval – Bean City Bar & Grill – Kyle Plautz:** Motion to approve the issuance of an Operator License to Kyle Plautz at Bean City Bar & Grill was made by Supervisor Shaw & seconded by Supervisor Manske. Motion carried.

**Adopt: Ordinance 1-20 – An Ordinance Designating All-Terrain Vehicle Routes & Regulating the Operation of All-Terrain Vehicles:** Motion had been read in full at both the May & June Monthly Town Board Meetings. Motion to adopt Ordinance 1-20 Designating All-Terrain Vehicle Routes & Regulating the Operation of All-Terrain Vehicles was made by Supervisor Manske with a second to the motion made by Chairman Curns. Aye: 2 No: 1 Motion carried.

### TOWN OF MUKWA ORDINANCE 1-20

#### AN ORDINANCE DESIGNATING ALL-TERRAIN VEHICLE ROUTES AND REGULATING THE OPERATION OF ALL-TERRAIN VEHICLES

##### **Section I – Intent:**

The Town of Mukwa, Waupaca County adopts the following all-terrain vehicle route for the operation of all-terrain vehicles upon the roadways listed in Section III.

##### **Section II - Statutory Authority:**

This route is created pursuant to Town authority as authorized by 23.33 (8) (b), Wis. Stats. The applicable provisions of 23.33 regulating ATV operation pursuant to routes are adopted.

**Section III – Routes:**

A. The Town of Mukwa reserves the right to close or modify routes & trails at anytime. Any restrictions of trails & routes shall be designated by a motion & by majority of the Town of Mukwa Board & shall be marked accordingly.

B. The Town of Mukwa or its designee shall maintain all routes & trail signs within the town.

C. All ATV/UTV routes & trails should be signed in accordance with NR 64.12 & NR 64.12(7)(c). The primary use of the all-terrain vehicle routes sign & arrow is to alert the trail user that it is permissible to use the traveled portion of the road or highway for travel. The signs also alert others that the road or highway is a route. The routes may be signed in accordance to Wisconsin Statute 23.33 (8)(e) or a combination thereof. The Town of Mukwa may designate a preferred route to connect with other routes that connect to other municipalities.

D. All town roads & transportation marked corridors within the Town of Mukwa are hereby designated as ATV/UTV routes. All County roadways located in the Town of Mukwa are hereby declared as ATV/UTV routes if authorized by Waupaca County. Bridges 1,000 feet or less on state & county highways located in the territorial boundaries in the Town of Mukwa are hereby routes. Operators will cross the bridge in the most direct & practicable manner & exit to the next connecting town or county road completing the route or trail. All roadways on state or county roads of 35 MPH or less are hereby declared as routes.

E. The Town of Mukwa will maintain a route & trail map.

**Section IV – Conditions:**

As a condition for the use of this route, the following conditions shall apply to all operators (and passengers);

A. All ATV/UTV operators shall observe posted roadway speed limits; not to exceed 35 MPH.

B. All ATV/UTV operators shall ride single file.

C. Operators of ATV/UTV shall observe all laws of this state pertaining to the use of an ATV/UTV.

**Section V – Enforcement:**

This ordinance shall be enforced by any law enforcement officer authorized to enforce the laws of the state of Wisconsin.

**Section VI – Penalties:**

Wisconsin state All-Terrain Vehicle penalties as found in s. 23.33 (13) (a) Wis. Stats., are adopted by reference.

**Section VII – Severability:**

The provision of this ordinance shall be deemed severable and it is expressly declared that the Town of Mukwa would have passed the other provisions of this ordinance irrespective of whether or not one or more provisions may be declared invalid. If any provision of this ordinance or the application to any person or circumstances is held invalid, the remainder of the ordinance and the application of such provisions to other persons circumstances shall not be deemed affected.

**Section VIII - Effective Date:**

This ordinance shall take effect immediately upon its passage and publication or posting by the Municipal Clerk as required, pursuant to § 60.80, Wisconsin 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 14th day of July, 2020.

Aye: 2

No: 1

/s/Jim Curns, Town Chairman

Lee Shaw, Supervisor #1

/s/Matt Manske, Supervisor #2

/s/Jeannette Zielinski, Municipal Clerk

Code of Ordinance Published: 06/25/2020

Posted at:

Northport Convenience Center: 07/14/2020

Bean City Bar & Grill: 07/15/2020

Mukwa Town Hall: 07/14/2020

Adoption of Ordinance Published: 07/16/2020

[www.mukwa.us](http://www.mukwa.us) - Ordinances

**Roads: (a)Monthly Report:** Ongoing patching. .

**(b)Road Equipment-Report/Repairs/ Purchases Needed:** Everything is OK at this time.

**(c) 2020 Road Construction Projects:** Chairman Curns advised those present that the awarded roads for construction were Ferry Street, Court Street, School Street & Laib Road. Noted that American Asphalt was awarded the contracts & that they were planning on starting about the middle of August, weather permitting. Discussion on getting ready for 2021 projects. As Rob Ferg – Mid State Tree Service – Highway 54 was present, the Board asked what would be the best & most efficient way to prepare. Rob recommended that the Board either make a list or set a budget & he would be able to advise what could be done. Several trees that were encroaching on Town roads were discussed. Supervisor Manske made a motion that the Town spend up to \$10,000 on tree trimming, with a second to the motion made by Supervisor Shaw. Motion carried.

**Meetings/Training/Waupaca County Zoning Hearings: Attended:**

**Upcoming:** July 30<sup>th</sup> @ 6:00 pm. – Gold Cross Ambulance Subsidy Meeting – Weyauwega City Hall, 109 E Main St.

**August Monthly Board Meeting Date Change:** Due to the August 11<sup>th</sup> Primary, the Monthly Town Board Meeting regularly scheduled for that date has been move to Tuesday, August 4<sup>th</sup>.

**Election Reminder:** Primary to be held on August 11<sup>th</sup> – **All Voters to Use Town Hall as the Polling Location.**

Note: Bean City Polling Location will be used for the November 3<sup>rd</sup> Election.

**Correspondence Received:** Notice regarding Election Equipment upgrades to remain in compliance with the HAVA act was received by County Clerk. Clerk Zielinski noted that the current Edge Touch Screen machines would be obsolete within the next two years. The County has offered to coordinate this purchase. Supervisor Shaw made a motion to enter into an agreement (with the County) to purchase 2 ICE voting machines at a final price to be determined. Second to the motion was made by Supervisor Manske. Motion carried. Will be added to August Agenda.

Motion to adjourn was made by Chairman Curns. Second made by Supervisor Shaw. Motion carried.

Respectfully Submitted,

  
Jeannette Zielinski, Municipal Clerk