

OTTAWA TOWN BOARD

Meeting Minutes February 10, 2025

The meeting of the Ottawa Town Board was called to order by Chairman Rupp.

Roll call attendance was taken and Town Supervisors Jones, Smukowski and Wiedenman were present.

Supervisor Jones made a motion to accept the Treasurer's monthly financial activity report. The motion was seconded by Supervisor Wiedenman and carried. Supervisor Jones recommended creating a snow fund with excess funds.

Supervisor Wiedenman made a motion to accept the Building Inspector's monthly activity report. The motion was seconded by Supervisor Smukowski and carried.

Ron Bennett gave an update on snowplowing in the Town.

Supervisor Smukowski made a motion to move to agenda item #8, Discussion/Action 2025 proposed road improvements. The motion was seconded by Supervisor Wiedenman and carried.

Bart Nies, Engineer, presented the proposed road program for 2025. Discussion was had on the plans for N. School Section Lake Road, a portion of Parry Road and Ridgeway Drive and an alternate on Ridgeway. These will go out to bid, with a bid opening around March 5th. A public meeting can be held in April or May once the project is finalized. Supervisor Wiedenman made a motion to approve the plans, specifications and estimates. The motion was seconded by Supervisor Jones and carried. Supervisor Jones made a motion to authorize construction bids with the bid opening on Wednesday, March 5th via electronic Teams Meeting. The motion was seconded by Supervisor Smukowski and carried.

Public comment was held. The following residents spoke:

Gene Larson, Waterville Rd, would like motorists to slow down on Waterville Rd. He suggested speed monitor signs and no ATV signs.

Doug Furey, Parry Road, would like a sign by the spring to caution drivers that children are present.

Jean Bosenbecker, Parry Road, regarding the amount of traffic on Parry Road. There are a lot of lawn and garden contractors on Parry Road in the summer, but the snowplow is the biggest truck. She would also like culverts addressed as she believes a number of those have filled in.

Randy Cavaiani, Pretty Lake, stated that across the state, 36 municipalities have enacted wake enhancement bans. The DNR has already reviewed an ordinance in November and the documents are consistent with their requirements and the condition reports are acceptable as written, we shouldn't have to add more.

Patricia Puccinelli, Hwy 67, believes the condition reports submitted were prepared with bias, inaccuracies, and highly subjective commentary. She gave an example of natural shoreline erosion over a 5-year period and stated that she has submitted a consistent amount of erosion that has occurred pre and post wake enhancement activities. Regarding unwanted nutrients, phosphorus, she states that the DNR website concludes that Hunters Lake has had consistent nutrient quality since 1994. DNR surveys show plentiful fish population and water quality. This, and other conditions were purposefully omitted from the lake condition reports. She understands the board listening to its constituents but does not understand disregarding known and verifiable inaccuracies.

Jill Bedford, Hunters Lake Road, commented on the snowplowing being done very well. She also commented that she has studied frogs on the lake for the last 17 years and sees the shoreline erosion. She showed a photo of a wake boat creating waves crashing against the shoreline. The erosion on the lower lake is less than the upper, larger lake because that is where the wake boat operates.

Public comment was closed.

Supervisor Smukowski made a motion to address item #18, no parking areas, next. The motion was seconded by Supervisor Jones and carried.

Discussion was had regarding cars parking on the road right-of-way (ROW) in front of Badger Kart Club (BKC) on Gramling Lane. Many cars parking there are people that use the Drumlin trail nearby. George Sieracki, BKC, was present and would like no parking signs in front of the BKC. He stated that when they see people trying to park on the ROW, they try to invite them to park in their driveway. He stated that any parking along the road goes against their conditional use permit. He stated no parking signs there would make it safer, as the road is narrow, and visibility can be an issue. Mark, their caretaker, was present. He stated that the tires on the cars sink and cause ruts and there is a culvert there. Supervisor Jones stated that he thinks no parking signs should be on both sides of the street. It is a narrow road. Supervisor Smukowski added that it is marshy on both sides of the road. Supervisor Jones asked Mark of BKC if they invite people to park on their property? Mark stated yes, there are quite a few people that like to use the trail. Supervisor Jones asked if they could put a sign up stating that people can park there? Mark answered yes, he could. Chairman Rupp stated that any signage they put up may be against their conditional use. Extra signage may need to be approved and spelled out in their permit. Supervisor Wiedenman asked if requesting extra signage in their conditional use is something that is doable? Supervisor Smukowski asked if the Town can put a sign out stating people can park in BKC driveway? Chairman Rupp answered that she doesn't believe we can override the conditional use and it is not Town property. Supervisor Jones stated that if we add no parking signs in front of BKC, we are just going to move the problem down the road and it is all marsh. Chairman Rupp is concerned about visibility and safety issues as well while pulling trailers in and out of BKC. George Sieracki is concerned because it's in violation of his permit, but the vehicles are not from BKC. Supervisor Wiedenman is in favor of no parking on Gramling, while looking into the possibility of updating the conditional use to allow for trail parking and signage. Supervisor Jones thinks we should pay for that process or ask Sandy, the Town Planner, to waive the fees. Chairman Rupp added that if it will be allowed, we should pay

for the sign as well. Any signs would need to follow the MUTDC manual regarding the style of sign. Supervisor Jones made a motion to direct the town attorney to update ordinance 7.06 to not allow parking on either side of all of Gramling Lane in the Town of Ottawa. Following that, the board will make signage determinations. The motion was seconded by Supervisor Wiedenman and carried. Supervisor Wiedenman made a motion to have himself reach out to the Town Planner to see what can be done with the BKC conditional use as it pertains to signage allowing public parking on their property. The motion was seconded by Supervisor Jones and carried.

The next item on the agenda was for Artificial wakes from wake boats on Town of Ottawa lakes draft ordinance consideration, draft condition reports consideration and DNR requirements consideration. Chairman Rupp explained that the board should be aware that there is an option for the Board to draft a Resolution to allow the Lake Districts to create their own ordinance.

The attorney informed her that the condition reports that were drafted by lake residents does not have the authors names included. The residents wish to keep their names out of it. The attorney wanted those residents to know that if there were to be any litigation, their names would be involved. The Town is not allowed to accept things confidentially as everything needs to be public record.

Discussion was had regarding the attorney's draft of the ordinance. Supervisor Jones asked if this represented the boards wishes that were discussed at the January meeting, as he was not there. Supervisor Wiedenman responded that he believes it does. Supervisor Jones stated that he would like to move forward then. Chairman Rupp stated that if the board wishes to move forward, that the Clerk needs to submit the ordinance to the DNR per state statutes 30.77. Supervisor Wiedenman read the statute. Supervisor Jones made a motion to approve the ordinance 20.01(8) as edited by the attorney. The motion was seconded by Supervisor Wiedenman and carried. Supervisor Jones made a motion to have the Clerk submit the revised ordinance to the DNR. The Clerk mentioned that there are other items that need to be included with the submission that the board has not approved yet. Chairman Rupp explained that the attorney stated the items need to be endorsed by the board for submission. Supervisor Jones said there is no precedence for what the attorney said. The board didn't author the reports, so we shouldn't have to endorse them. Lake residents have always submitted the condition reports, we just attach them to the request.

Clerk Geyman stated for clarification, that if the board wants her to only submit the ordinance to the DNR, then that is all she'll send. If the board would like additional information or the condition reports attached and submitted to the DNR, then that would need board action directing that the board has approved submitting all the information on behalf of the Town of Ottawa. Supervisor Jones stated that we rewrote our own process. The DNR gave us the process and he followed the process. He was not here last month and thinks we rewrote the process. He believes we decided to edit it, decided to set the 60 days clock on it again. He already submitted the ordinance. They already have the condition reports, they are untouched. Chairman Rupp stated that Supervisor Jones sent all of that in without any board approval to do so.

Board review and having the Clerk submit edits to the attorney is also a step that we didn't do last time. The first reviewable draft had a lot of residents' names in it, and the board would have needed to approve or edit that draft. The Clerk needs to be the one to submit to the DNR after board approval. The board also agreed last month to add a report from Connecticut. Supervisor Wiedenman agreed. The Connecticut report was added largely on the attorney's recommendation. The board discussed having Clerk Geyman make the submission to the DNR as required and making sure we had the board approvals on record. This is why we had to start that clock over. Supervisor Jones said he thinks we're creating our own rule that the Clerk must submit this, the law does not say condition reports, just ordinance. Clerk Geyman clarified that the Town Board did not authorize anyone submitting anything to the DNR on behalf of the Town. The lakes did not submit any reports to the DNR, they were submitted to Supervisor Jones. A motion approving the Clerk to submit the documents would clean that up and be done in the correct manner.

Supervisor Jones made a motion that we accept the three condition reports as presented by the residents, that the Clerk forward the revised ordinance and the three condition reports to Jason Roberts at the DNR. The motion was seconded by Supervisor Wiedenman and carried. There were no other DNR requirements presented for consideration.

The next item on the agenda was for Resolution 2-25 regarding partial tax rate error for property OTWT1714998001. Chairman Rupp explained the assessment error. Supervisor Wiedenman made a motion to approve Resolution 2-25 and to refund the amount of \$717.41 from the general fund to the property owner. The motion was seconded by Supervisor Smukowski and carried.

The next item was for Buyatt conceptual land division request for a waiver. Supervisor Wiedenman made a motion to approve the waiver to exceed slopes. The motion was seconded by Supervisor Jones and carried.

The next item was for the joint powers agreement County 9-1-1 emergency system. Supervisor Jones made a motion to approve and sign the agreement. The motion was seconded by Supervisor Smukowski and carried.

Discussion was had regarding payment to Wolf Paving for the 2022 road program. There is still crack filling to be completed. Supervisor Smukowski made a motion to authorize Chairman Rupp to release payment when crack filling is completed on Hunters Lake. Supervisor Wiedenman seconded the motion and it carried with Chairman Rupp abstaining.

A quote for two computers for the Clerk and Deputy Clerk were discussed. This quote was included in the budget. Supervisor Jones felt there were items in the quote that are not needed and we could save some money. Supervisor Smukowski made a motion to have Supervisor Jones check with Brew City and get another quote no more than \$3032.98 and Chairman Rupp can then approve the purchase. The motion was seconded by Supervisor Wiedenman and carried.

Chairman Rupp discussed the dissolution of the KMrec Association of which Michael Jones was president. They have returned \$3000 each to Ottawa, Dousman and Summit. The attorney did inquire if they had any by-laws in place for distribution of funds, or in any agreements with the

municipalities who gave funds? Supervisor Jones responded no. He explained that KMrec is also donating sports equipment to KM rec Sports and concession stand equipment back to the municipalities. Once the dissolution is complete, there may be more funds to distribute. He has to find a lawyer in Chicago because no one here will do that. Once the lawyer and any taxes are paid they will give any remaining money back to the municipalities.

Chairman Rupp requested to attend an additional conference, Road School, through the WI Towns Association at a cost not to exceed \$700. Supervisor Jones stated the education cost is a good investment. Supervisor Smukowski agreed. Supervisor Smukowski made a motion to approve the cost of the additional convention. The motion was seconded by Supervisor Jones and carried with Chairman Rupp abstaining.

Supervisor Wiedenman gave an update on the Cemetery survey. The surveyor, Hilmer, suggested reaching out to Nate who worked on the previous survey. Supervisor Wiedenman has Nate's contact information and will reach out to him. Otherwise, we still need to get a second quote. Landtech was over \$7k. Hilmer hasn't given a quote. If anyone knows of any other surveyor, let him know.

The next item on the agenda was for ATV road signs and map. Since Supervisor Jones was not at the January meeting, the board asked Supervisor Wiedenman to check with the Dept. of Transportation. Supervisor Wiedenman did as to interpret the statutes on signage and said the Town should be fine with signs that state all roads open unless posted. He believes everything is covered in the map. Supervisor Jones stated that he drove roads and they have actually added some signs. Chairman Rupp brought up the southern portion of Waterville south of ZZ needs a sign. Supervisor Jones stated with ZZ we need to ask County to install that sign. He respectfully asked that any new requests go through him. Supervisor Wiedenman stated that in his conversation with the DOT that we make sure the signs are properly installed/posted following the guidelines. Supervisor Jones stated that the County has paperwork and a process for the County road signs and he can start that process. Chairman Rupp stated that this still needs board approval for the road signs. Supervisor Jones asked why? The board approved the ordinance and asked him to lead the signs. He's asking to continue leading the charge to put the signs where they need to be. The board has a map, nothing is being hidden. Chairman Rupp stated the board still needs to approve the map showing where the signs are going as the Town is responsible. Supervisor Jones made a motion to approve the signs as laid out on the map as presented and the placement outlined. The motion was seconded by Supervisor Smukowski. Chairman Rupp added that on Hardscrabble Rd. where it joins Hwy. Z, there is no signage that the route ends. Supervisor Jones stated that there are no end route signs anywhere. Chairman Rupp added there is no start of route sign there either. Chairman Rupp stated there is a no ATV traffic sign on Parry Road where that ends. Supervisor Jones stated it is on the ATV driver to know where the town roads end, it is not our responsibility to tell them. After no more discussion, the motion carried.

There was no Lake update.

Under park update, Chairman Rupp shared the progress of the Park sign. Clerk Geyman shared that the new KMrec sports has started signups and it is going well.

Supervisor Wiedenman made a motion to approve the minutes from the January 13, 2025 meeting. The motion was seconded by Supervisor Smukowski and carried.

Under correspondence the following was shared: a thank you note from Mary Barnhart, OASC, Lake Country Court budget, restitution payment from Waukesha County Courthouse for damage done to the cemetery.

Supervisor Wiedenman made a motion to pay bills as listed, in addition to payroll and associated withholding payments for L Geyman, M Barnhart, J Jansen, poll workers, cardmember services, WE energies and tax payments for KM school district, Oconomowoc school district, Palmyra/Eagle school district, Mukwonago school district, WCTC, Waukesha County, SSLMD, PLMD. His motion was seconded by Supervisor Jones and carried.

A motion was made by Supervisor Jones and seconded by Supervisor Wiedenman to adjourn. Motion carried unanimously.

Respectfully submitted,

Lori J. Geyman, WCMC
Clerk/Treasurer, Town of Ottawa