

OTTAWA TOWN BOARD

Meeting Minutes August 12, 2024

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

Roll call attendance was taken and Town Supervisor Jones 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 Wiedenman made a motion to accept the Building Inspector's monthly activity report. The motion was seconded by Supervisor Jones and carried.

Chief Bowen was not present but provided a handout with updates. Chairman Rupp reminded the board of the Joint Owners meeting on September 11th. Supervisor Jones made a motion to accept the WLFD report as presented. The motion was seconded by Supervisor Wiedenman and carried.

Public comment was held. The following residents spoke:

Kay Vertz, Country Meadow Ct., passed a handout to the board, and spoke of wanting a stop sign and no waiting sign, or a no parking and no waiting sign at the north end of Scuppernong and Country Meadow Ct. She said she is representing eleven neighbors. They do not want their quiet area to become busy with cars, people and garbage. They don't want cars parking on their streets during practices and weekend games. They are afraid people are going to come and park in front of their houses. If an emergency vehicle was needed, it wouldn't be able to get through if cars are parked there.

Gene Larson, Robinhood Dr, wanted to thank the board and Norm and his help re-doing some road signs.

Ray Cavaiani, W. Pretty Lake Rd., speaking in support of a wake enhancement draft ordinance. Would like to be assured that the board will move forward on the ordinance tonight, and that we are not pioneers, 28 other towns have enacted a similar ordinance.

John Bozora, Scuppernong Dr, wants no parking signs. The sports field there is great, but we want no parking signs. In case anyone had an emergency, they couldn't get in or out and keep the neighborhood quiet. We would appreciate that.

Dan Faraca, E. Pretty Lake Rd, is in support of a wake enhancement ban.

William Warner, W. Pretty Lake Rd., is in support of a wake enhancement ban.

Dave Carlson, E. Pretty Lake Rd., is in support of a wake enhancement ban.

Jeff Kaphengst, E. Pretty Lake Rd., is in support of a wake enhancement ban.

Jill Bedford, is in support of a wake enhancement ban. Recalled previous meeting where a grandmother spoke of her grandson being knocked around by the waves in the lake. She's concerned for public safety. She is also concerned about spiny water flea, a large concern on Wisconsin lakes. If a wake boat with ballasts comes into our lake, the ballasts could infect our lake with the species.

Renee Carlson, E. Pretty Lake Rd., is in support of a wake enhancement ban.

Pat Nelson, Country Meadow Ct., supports the no parking on Scuppernong, Country Meadow Lane and Country Meadow Ct., quiet cul-de-sac, children at play, dog walking. Concerned about increased traffic and cars speeding in and out and parking.

Kevin Buvolich, Woodstream Ct., Treasurer of the Homeowners Association in the Preserve. The Preserve owns roughly 40% of Hunters Lake shoreline, and has 39 homeowners. They are all in favor of wake enhancement ban.

Jeffrey Wise, Country Meadow Ct., supports no parking along Scuppernong and Country Meadow. Supports the sports fields, but it is a quiet area. Concerned about getting mail from the mailbox and cutting the grass.

Matt Becker, Hunter's Lake Rd., opposes the wake enhancement ban. As an avid fisherman, the highwater, no wake has actually caused the lake to choke out.

Roberta Kraeger, W. Pretty Lake Rd., read an email from a neighbor in support of a wake enhancement ban. Ms. Kraeger is also in support and wants to see the ordinance written and submitted to the DNR.

William Bosenbecker, Parry Rd., in support of a wake enhancement ban. Not fair to fisher people, grandchildren, or kayakers.

Elizabeth Polizinski, Hwy. 67, is in support of a wake enhancement ban. Hunters Lake is too small and it destroys the piers.

Carol Vaquil, Hwy. 67, is in support of a wake enhancement ban. They cause pier damage, they are lake monitors, hurts clear water, more weeds, makes paddleboarding dangerous, personal safety.

Bruce Moore, Glacier Dr., in support of a wake enhancement ban. Brother-in-law is actively pursuing the State to write on this.

Bill Seymor, Hwy. 67, is in support of a wake enhancement ban. Those boats are meant for bigger lakes.

Charles Folkman, Hwy 67, in support of wake enhancement ban, shoreline eroding faster now. Current level is not sustainable.

Patricia Puccinelli, Hwy 67, owns a wake boat on Hunters Lake. It is impossible for her boat, that doesn't leave the lake, to bring invasive species. She has GIS maps in creation and working on an analysis. The shoreline owners in support of the ban have an inaccurate map. The Town Board doesn't care about facts and data, just hearts and minds.

Ben Curtis, Parry Rd., in support of a wake enhancement ban, has lost 50' of frontage.

Donna Bargo, Hwy 67, supports wake enhancement ban.

Anne Bretl, E. Pretty Lake Rd., supports wake enhancement ban.

Deb Tarno, Hwy 67, would like to conduct an unbiased informational study. Hunters Lake warrants consideration to allow wake boats.

Jean Bosenbecker, Parry Rd., believes there was an expert opinion submitted from SEWRPC.

Lukas Holzbauer, Hwy 67, regarding the staff memorandum from SEWRPC, the information was not factual. Most here are not on Hunters Lake. Wants the opportunity to educate as the studies being shared are inaccurate.

Olivia Podzinski, Hwy 67, supports wake enhancement ban, shoreline washing away.

Karen Russel, Hwy 67, supports wake enhancement ban, the map and signed petition are accurate. Because of one boat, it is tearing apart our community.

Steve Timm, Hwy. 67, Hunters Lake is deep but narrow. The turns and loops from the wake boat is unsafe for others.

Public comment was closed.

The next item on the agenda was for snowplowing consideration. Chairman Rupp explained that a new contract is needed. Ron Bennett from Northwest Services was present. He spoke about his proposal as being only a sample contract. He also discussed some areas in town that need brushing to avoid hitting his trucks. Supervisor Wiedenman also had a proposal from Black Earth that he went over. Supervisor Jones made a motion to move forward with a tentative contract with Northwest Services, revising the contract term to 1 year reviewable but still a 5-year contract. The motion was seconded by Supervisor Wiedenman and carried. Supervisor Jones stated that he will drive the roads with Ron Bennett to see anything that might interfere with his truck, and Clerk Geyman will check references provided for Northwest Services. The motion carried.

The next item on the agenda was for artificial wakes from wake boats on Town of Ottawa lakes ordinance draft consideration. Chairman Rupp stated that residents were asked to bring information to us, and not all the information was available. She shared information from the Town attorneys letter, specifically, risks that are involved in writing an ordinance prematurely

without the Town having done studies or previous case law on the topic. This risk could incur significant costs for the Town. The attorney recommends seeing how this issue develops over the next several months and if the State proceeds with adopting legislation that resolves this matter. Supervisor Jones stated he had emails from the DNR over the last 1-1/2 years for what we believe was legal. If the attorney says we do not have authority, and authority may happen later – we do have time. The State may tell us what to do anyway. Supervisor Wiedenman saw key points in the attorney letter. There are exceptions that do allow us to regulate operation of boats. He tallied a 60-3 vote tonight in favor of an ordinance which includes the count of 39 mentioned during public comment from a Preserve homeowners association member. He understands Minnesota is finishing up a large study. 28 municipalities throughout the state have already moved forward to write an ordinance. It won't happen this season, as the DNR does need 60 days to review anything we write. He believes a majority of residents want the ban. Chairman Rupp stated that we still have to do our own findings of fact and have studies done for our lakes. There are additional costs involved. Supervisor Wiedenman stated other studies are out there, he's seen that data and we have three lakes to consider. The attorney does have valid concerns, but there are concerns to protect the lake too. Supervisor Jones commented that we should allow the attorney to review an ordinance for a more viable, legal way to write an ordinance. To minimize the whereas's, yet allow the state to work on legislation also. This would allow for more learning. Supervisor Wiedenman wants to move forward with writing an ordinance. Supervisor Jones supports that, but wants to do it the right way. Chairman Rupp stated that we should look at this next February to see if the State moves forward. Supervisor Jones stated that there is a risk, legally. The state should act. If we have authority and can clean that up, then write an ordinance. Clerk Geyman mentioned that there are other things that could also be done in the meantime, such as drafting a letter to the State legislators, maybe reaching out to our Lake Country area leaders and neighbors in asking the State to adopt legislation on this. Supervisor Wiedenman made a motion to move forward with the ban on wake/surf mode on the three town lakes and make an ordinance draft. We can do that now. There was no second to his motion. Supervisor Wiedenman will stand with his commitment and reach out to other municipalities and get support for the state legislators to take this up. Supervisor Jones made a motion to table this to December, to move forward with the ordinance but also authorize the attorney to revisit the draft to shorten and make it more legally enforceable. To determine if we have more legal authority in the event that the state has actually granted us authority. The motion was seconded by Chairman Rupp. The motion carried with Supervisor Wiedenman voting nay.

Discussion was had over the ATV/UTV ordinance draft. Supervisor Jones made a motion to update the ordinance to state it won't go into effect until all signs are in place and to approve 25.04 as the statute for enforcement. He added to his motion to have the attorney revise and bring back in September for approval. The motion was seconded by Supervisor Wiedenman and carried with Chairman Rupp abstaining.

Discussion was had over the Noise ordinance draft. Supervisor Jones made a motion to have the draft be formalized for approval. The motion was seconded by Supervisor Wiedenman and carried.

Discussion was had on the request for no parking signs on Scuppernong Drive. Supervisor Wiedenman will reach out to the Sheriff, WLFD and KM to gather information. Supervisor Jones made a motion to table this discussion to September 9, 2024 to gather more information. The motion was seconded by Supervisor Wiedenman and carried.

The next item on the agenda was for 2024 road crack filling. More information is needed from our engineer. Supervisor Wiedenman made a motion to table this discussion to August 28, 2024. The motion was seconded by Supervisor Jones and carried.

Discussion was had regarding quotes for a park sign. Chairman Rupp suggested removing this since there is no new information being obtained and no one is looking into it. Supervisor Jones made a motion to remove this item from the table. The motion was seconded by Supervisor Wiedenman and carried.

The next item on the agenda was for a budget amendment. There is not a super majority present, no action could be taken.

Under lakes update, Supervisor Wiedenman shared dates for the School Section Lake meeting and party in the park.

There was no park update. Chairman Rupp mentioned that Amos is done helping for the summer and back to school, and she wanted to acknowledge his hard work.

Supervisor Jones made a motion to approve the minutes from the July 8, 2024 meeting. The motion was seconded by Supervisor Wiedenman and carried.

Under correspondence the following was shared: a reminder of the Capital Improvement meeting on August 28, 2024, a flyer from School Section Lake party in the park, information on upcoming Dam inspection, an email from Steve Braasch on wake boats, and an email from Doug Magno regarding the hunting ordinance.

Supervisor Wiedenman made a motion to pay bills as listed, in addition to payroll and associated withholding payments for L Geyman, M Barnhart, Poll workers, cardmember services and WE energies, reprint check for Terry Snyder and to hold payment for Wolf paving until it is finalized by Chairman Rupp. His motion was seconded by Supervisor Jones and carried.

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

Respectfully submitted,

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