

Town of Presque Isle
Regular Town Board Meeting
February 2, 2023

Chairman John MacLean called the regular meeting of the Town Board of the Town of Presque Isle to order at 6:00pm. Supervisors Cathy Logan Weber and Carl Wolter attended. Tonight's amended agenda was approved by motion. Discussion took place on the hazardous wastes item from the January 5 meeting. A motion approving the January 5 minutes as written was made by Weber, seconded by Mr. Wolter, MacLean, aye; Weber, aye; Wolter, aye; motion carried, 3-0. A motion approving the January 18 minutes was made by Weber, seconded by Mr. Wolter, MacLean, aye; Weber, aye; Wolter, aye; motion carried, 3-0.

Old Business:

1. **Final Plat Approval - Three Lot Subdivision S5 T43N R6E:** Forrest Jukich and Dave Konopacky presented information on this final plat. Ms. Johnson-Wiessner abstained from the vote at the Zoning Committee because a family member is involved in the project. A motion approving the final plat was made by Ms. Weber, seconded by Mr. Wolter, MacLean, aye; Weber, aye; Wolter, aye; motion carried, 3-0.
2. **Offer by Concordia Wireless to lease cell tower site serving dead service locations (exact locations proprietary) of western Highway B and most of the Crab Lake Road:** Ms. Weber asked for a clarification about the offer. The property which doesn't have an address, is located across the road from Dave Edgcomb's property. It is not the property with the garage. Mr. Wolter suggested a different location. She pointed out that the monthly rental revenue from the Verizon tower behind the town garage is \$672. The Concordia rent proposal is for \$400/month. Neither Mr. Wolter nor Ms. Weber is satisfied with the lower amount. Mr. MacLean will continue negotiations.
3. **Town Lakes Committee update after 1/18 Special Town Board Meeting:** Mr. MacLean reported on this difficult meeting.
4. **Broadband Update:** Ms. Weber reported that a Memo of Understanding will be drafted which will document the obligations and expectations of the arrangement between Charter and the town. A payment schedule will be included which will include a \$300,000 payment later in 2023. Both the town and Spectrum acknowledged Gary Owens' expertise and the value he provides to the project.
5. **Approval: Request Alternative Concepts for Restoration of Dam/Dike System:** Ms. Weber reported that M² and the DNR have been working together. The committee will furnish progress reports to the board. Discussion followed. Ms. Weber would like to schedule a meeting with M² to discuss the dam failure analysis process. Ms. Weber will schedule a special meeting.
6. **Rosalind Rd Street Light:** Xcel Energy will fix the broken light on the pole. A private individual, not the town, pays the bill on this street light.
7. **Nutritional Program Update:** Ms. Weber has been working with a group to establish a nutrition site in Presque Isle which would provide two meals a week to qualifying residents. American Legion Post 480 and their Good Neighbors Program, spearheaded by Larry and Colleen Gorrilla, have been actively involved in this program. In addition to providing the meals, the program plans to offer socialization opportunities, informational presentations, and transportation for seniors. Our community room would be ideal for serving meals, but some changes to the kitchen might be necessary. The Town Hall could temporarily fulfil this need until a suitable site is available at the American Legion Post 480. Pictures of the kitchen have been submitted to determine whether alterations to the kitchen would be necessary. A site manager and cleaning person after meals are served would be needed. North Lakeland School and the American Legion will work together to prepare and deliver meals at the present time.
8. **Ordinances:**
 - a. **Shipping Containers:** Paul Specht gave a brief history. The ordinance would not allow shipping containers except by conditional use permit. Mr. Wolter asked about their use on large parcels, which would not be allowed in the current draft. Mr. MacLean asked for comments from several citizens. More discussion followed. Ms. Johnson-Wiessner suggested that the Zoning Committee revisit this

and encouraged all people who have opinions to attend the Ordinance Committee meeting.

- b. **Hazardous Wakes:** Ms. Weber spoke about hazardous wakes, citing Representative Swearingen and Senator Felzkowski's comments at the recent WTA workshop. She introduced a motion "that the town board take 2 actions: first enact the hazardous wake ordinance 507 as is today, and second to direct the Ordinance Committee to address the objections to 507 and recommend to the town board amendments to eliminate possible misinterpretations of the ordinance" There was no second to her motion. Chairman MacLean spoke about the "fatal flaws" in the ordinance in it's current draft. Jeff Meessmann spoke about spiny water flea and the risk to our lakes. Lakes in our area are infested. Ballast tanks cannot be totally emptied. He supports Subchapter 507 as drafted and strongly encourages the Town Board to adopt it. Mr. Berdan stated the reason for his comments; 1. The best chance of getting this done by ice-out is to pass it now. He is not opposed to considering Mr. MacLean's concerns. 2. Any tweaking done will require review by the DNR which will prevent the timely adoption of any ordinance. Mr. MacLean listed his concerns. The public commented randomly. Mr. MacLean suggested a moratorium on boats coming to Presque Isle from outside, to which Mr. Berdan replied that such an action would be unconstitutional. Discussion among town board members and citizens followed. The next Ordinance Committee meeting will take place during the third week of February. Jeff Meessmann detailed the restrictions included in resolutions he introduced in the Madison area, which were unanimously supported by the Wisconsin Motorized Recreation Committee and Wisconsin Conservation Congress. After reading the minutes of the January 5 Town Board meeting, Mr. Berdan contacted the Ordinance Committee to meet immediately about the motion passed at that meeting. The discussion at their meeting was valuable because they heard from several dozen people.
 - c. **4th Amendment protection of private lands:** Mr. MacLean asked for comments from the Ordinance Committee. Mike Brandt has done most of the work on this issue. Eric Benn commented on the difficulty of governing this. Mike Brandt spoke about Wis. Stat. 943 which states if someone comes on your property, they have to leave upon your request. The only exception is the assessor who has one hour to do his work. It is Mr. Brandt's opinion that 943 supersedes our noxious weeds ordinance. He would like to see an ordinance that strengthens the statute.
9. **Board Reports on Previous Agenda Items:** Ms. Weber asked if we have received our dumpster. Mr. Wolter will check on that.

New Business:

1. **Meeting with Xcel Energy to establish lines of communication between Town and Xcel, utility service right of way issues:** Several issues were discussed. Contact information has been shared to help serve Presque Isle better. The possibility of co-locating with other utilities, including broadband was discussed, but might not always be possible.
2. **Reevaluation of sign ordinance:** Mr. MacLean is concerned about the proliferation of non-conforming signs. A town resident has an arrow sign nailed to a tree at the end of their driveway about which someone has complained. Constable Eesley talked to the violator. Signs are supposed to be a certain size. The sign ordinance will appear on the next meeting agenda.
3. **Report on information from Wisconsin Town Association return on maintenance investments:** Mr. MacLean emphasized the importance of maintaining local roads, specifically crack filling. Over time cost savings will be realized.
4. **Library Accounts Signatory Resolution:** A motion adopting the signatory resolution was made by Mr. Wolter, seconded by Ms. Weber, MacLean, aye; Weber, aye; Wolter, aye; motion carried, 3-0.
5. **Resolution 2023-2 Authorizing Resolution for Municipal Dam Grant Program:** Ms. Weber read the resolution. Retroactive reimbursement for engineering and planning is allowed. A motion to adopt and sign the resolution was made by Ms. Weber, seconded by Mr. Wolter, MacLean, aye; Weber, aye; Wolter, aye; motion carried, 3-0. Ms. Weber remembered that Forrest Van Asten was open to the idea of inserting a culvert to keep the pond drained.
6. **Community Center Entryway Redecoration:** Ms. Weber introduced plans to remove the wallpaper from the vestibule, replace the ceiling tiles, and create a historical display of photos. The water fountain has leaks,

so that would also be replaced and heating registers repaired.

7. **Bandshell at Pipke Park:** Brian Luetzow suggested a 28'x10' pontoon boat without a motor for \$8000 as a fishing opportunity and possible platform for performers. A pier would be constructed and have power available from the end. The Lions would purchase the boat.
8. **Roadwork Bids:** A motion to table was made by Mr. Wolter, seconded by Ms. Weber MacLean, aye; Weber, aye; Wolter, aye; motion carried, 3-0.
9. **Board Correspondence and/or Future Agenda Items**
 - a. **DNR Letter dtd 1/26/23:** Ms. Weber pointed out that she would have appreciated hearing about this. Mr. MacLean disagrees with the DNR that the town is in violation of DNR requirements. ***

Vouchers #34638-34734 with voids were approved for payment and the meeting was adjourned at 8:40pm

Town Board Action: Approved, 3-0

Approved: March 2, 2023

Amended: _____