

**Town Board Meeting**  
**July 9<sup>th</sup>, 2019 7:00 pm**  
**Manitowish Waters Community Center**

Meeting called to order at 7:00pm.

**Present:** Town Chairman John Hanson and Board Supervisors Bob Becker and Mike Kramer.

**Approval of Agenda** as posted on July 8<sup>th</sup>, 2019. Approved on motion from Bob Becker and seconded by Mike Kramer. Motion carried.

**Approval of Minutes** of June 11<sup>th</sup>, 2019. A motion was made by Bob Becker and seconded by Mike Kramer to approve the minutes of June 11<sup>th</sup>, 2019. Motion Carried.

**Visitors Present:** The meeting was attended by 45 residents and community members.

**Subjects from floor:** None.

**Old Business:**

-- None

**New Business:**

-- **Commercial Parking at Public Docks:** Chair Hanson opened up the floor for public comment. One resident spoke in favor of all the pontoon businesses at Music in the Park, identifying them as a popular fun attraction and in no way a public nuisance. Another resident felt that the new businesses were not in keeping with the intention of Music in the Park and were taking money away from the non-profits, and also should not be allowed to tie up parking spots. A resident and co-owner of one of the pontoon businesses responded that money was not being taken out of the pockets of the non-profits, and was in fact being increased through donations to the non-profits. Additionally, as a tax-paying resident, these pontoons have as much right parking at the docks as any other boats. A second co-owner of one of the pontoon businesses shared her belief that there is "room for everyone in this scenario", and that it should be the position of all business owners to support each other and promote the potential for growth in Manitowish Waters. A local resident pointed out that he frequents all of the businesses in town and that it was his duty to help support these new innovative businesses and he wishes success for all area businesses, new and old. The following written letter was read aloud by John Hanson:

To Who This May Concern,

Good evening, first and foremost I want to thank the people of MW for making it an amazing community. It's truly an amazing place with so many giving, and welcoming people and I am very fortunate and proud to be able to say I have a place in MW. It's a community that is constantly giving. The other great asset to the community is the entrepreneurial spirit that comes from so many people that live here either full-time or part-time. It's what makes MW so different than most other communities up north. We all have our favorite places in MW and I never run into someone that just goes to one store or restaurant in MW all of the time. We also go to these favorite places for one reason THE PEOPLE owning and operating it! We go to the Patch to see Barry and Lisa and their crew. We go to the Rustic to see Teresa and Tammy and their crew, or go to Greer's to see Wes, Franny and their awesome crew, and I could name many other places with many other great people who constantly give back to the community! It's just an awesome area with a ton of great people!!

Another perfect example of the entrepreneurial spirit are the boats on the water in the summer promoting products or services that we all enjoy! Whether it's getting a drink from the T 'n' T Tiki Bar or grabbing some of the coolest gear from Dock N Shop they always make us smile and also make us proud to call MW our home. These are the same people standing alongside other business owners in the area when the needs arise for virtually anything. Whether it's a fundraiser for the Sno-Skeeters, or funding for Music in the Park, fundraiser for the Fire Dept., Lion's Club or a fundraiser for person or family in need in the area, they always work together.

I was concerned when I heard about possible restrictions and regulations being put on these seasonal businesses. In my opinion this is exactly what makes MW unique and has made it unique for a long time. I completely understand the business aspect of the concerns made by other business owners and possible impacts on their businesses. I also understand the need for certain regulations to keep business practices in check, but these businesses on the water, in my opinion are truly unique in their own way and are filling a void, and are a niche market. They also are noticed by people outside of the area and make people want to make the trip to MW and discover all of the great treasures we all love. I ask you to truly consider what impact a decision to restrict how these businesses operate and what affect it will have on the community in general. This town was built on the entrepreneurial spirit we have all come to know and love and I ask you to please not quash that spirit in any way, shape or form. It's one of the many attributes that make MW, in my opinion the best place in the Northwoods.

Respectfully submitted,

JD Kuhns

The following written letter was read aloud by Dana Hilbert:

I support the T 'n' T Tiki Tavern's position that it should be permitted to move among the lakes in the Manitowish Waters Chain for the following reasons.

This dispute over the operation of the Tiki Tavern in the Township of Manitowish Waters, has taken on an unfair political slant --- one which is aimed at depriving it of its rights to operate a commercial enterprise in conformity with its duly issued liquor license. Its opponents take the position that the Tiki Tavern should not be permitted to move among the Lakes of the Chain (within the Township) even though, as a floating tavern, it is licensed to do so. Instead, they are requiring it to designate only one location among the lakes and restrict its sales to that location. In support of their position, they rely on an interpretation of the word "premises" as used in Wisconsin Statute, Section 125.02(14m), put forth by Thomas Ourada, a Tax Specialist with the Wisconsin Dept. of Revenue, to require a fixed "address".

With all due respect, Mr. Ourada's interpretation does not comport with the simple and commonly understood language of Section 125.02, but sets forth a restriction which is clearly not contained within, nor required by the statute itself.

Wisconsin Statute, 125.02(14m) defines "premises" as: "Premises' means the area described in a license or permit." That's all it says: "the area."

In my opinion, Mr. Ourada and the Tiki Tavern's opponents are taking a position which contravenes the wording as well as the spirit of the law pertaining to the provisions of the Tiki Tavern's liquor license in an attempt to severely curtail the Tavern's income potential and limit its effect on its local "competition". And, as of today, I understand, its competitors are seeking to prohibit the tavern from mooring at a public pier, namely, the Frank B. Koller Memorial Park. These actions are simply wrong! Competition is at the heart of a healthy commercial environment and to squelch it by restricting a new business' access to the marketplace is unfair, but more importantly, undemocratic.

Please don't allow a few competitors' greed – because that is what this dispute is truly about – stifle new business in our community.

Thank you.

Sincerely,

Mary Gehl

Chair Hanson thanked all for their comments. Clerk Hilbert shared information pertaining to commercial parking at a public dock, detailing that it does not violate any State, DNR, or Vilas County regulation. Furthermore, creating any kind of ordinance that would restrict access to public parking was discouraged as it could lead to issues of discrimination. A visitor challenged why the floating tavern was not allowed to be mobile. Clerk Hilbert explained that following a couple of complaint calls to Thomas Ourada, Wisconsin Dept of Revenue Tax Licensing Specialist, Ourada met with a representative of the Alcohol and Tobacco Enforcement Unit and their interpretation is that the license has to be assigned a fixed location. Hilbert later learned that this "long-standing" interpretation resulted from a decision to not allow mobile food vendors to obtain liquor licenses. Chair Hanson pointed out that this is strictly an interpretation by the powers that be, and the only action that anyone could take is to appeal the decision in a court of law. No action was taken by the Town Board.

-- **No Wake violations:** Chair Hanson noted that all in attendance would agree that there is a problem with no-wake violations, and he would like visitors wishing to speak to provide suggestions for a solution rather than dwelling on the already apparent problem. Multiple visitors spoke and several suggestions were made. One suggestion was to hold a special, well-advertised meeting between the MW Lakes Association, the Town Board, and concerned Townspeople who could brainstorm and come up with ideas to improve the situation. Another suggestion was made to have more and better signage, because the buoys alone can be confusing to visitors in our area. This suggestion was reiterated by another resident. Another visitor mentioned the importance of education and that a special meeting was a great idea, and also that we need more regulation on the lakes and that one patrol boat is not enough for a ten lake chain. One more visitor commented on confusion caused by buoy placement and lacking signage, and suggested that the Town should have two or three separate patrol boats out. Another visitor suggested posting "No Passing Zone in the slow- no- wake areas. Chair Hanson said the slow-no-wake situation is difficult because everyone has a different interpretation of the wake size, however, if you witness what you consider to be a wake violation, get your cell phone out and take a video of the boat/boat tag and share this with the Town Clerk who will pass this information on to the appropriate authority. Someone suggested placing surveillance cameras in the slow no wake areas, with a dedicated phone number to call if you witness a violation. Setting speed limits was also suggested. A visitor defined slow-no-wake *speed* as "the speed at which a vessel moves as slowly as possible while still maintaining steerage control" and stated that we should be giving out tickets for violations, rather than a warning. Two more visitors shared their problems on the channel between Rest and Stone lakes. Chair Hanson thanked all for their comments and announced that a special meeting would be called and posted. Hanson added that we are one of the few towns in Wisconsin that have a dedicated Water Patrol Officer/Boat.

-- **Approve Contract with Construction Management Firm for Fire Co Building:** With a project this size it is not uncommon to hire a Management Firm to manage the whole construction project. On July 2, 2019 the Fire Co and Town Board interviewed a company called Market & Johnson to discuss their management services. Both the Fire Co and the Board were pleased with the Market & Johnson presentation. Fire Chief, Bob Skrobot, who was in attendance, was on board with entering into a contract with Market & Johnson. A motion was made by Mike Kramer and seconded by Bob Becker, recommending that the Fire Co employ Market & Johnson to manage their project. Motion carried.

-- **Resolution to Set a Hearing Date for Proposed Discontinuance of an Un-built Platted Road:** Chair Hanson reported on a request for a road abandonment. This road was never developed or put in, but still shows up as an un-built platted road which crosses 3 residential property lots. The un-built road ended up being replaced by West Spider Lake Road. A Resolution to set a Hearing Date is the first step in abandoning this road. A motion was made by Bob Becker and seconded by Mike Kramer to adopt a resolution to set a Public Hearing date of September 10, 2019 at 6:45 pm to discuss the proposed action to discontinue the above described platted road. Motion carried.

**Standing Committee Review:**

--**Vouchers:** Vouchers for June 25<sup>th</sup>, 2019 equaled \$25,047.23 and vouchers for July 9<sup>th</sup>, 2019 were \$60,468.14. A motion was made by Bob Becker and seconded by Mike Kramer to approve the vouchers as stated. Motion carried

--**P & L/Bank Balances:** P&L's were provided to the Board in hard copy.

--**Airport Report:** Airport Reports provided to the Board in hard copy. Supervisor Becker reported that the Young Eagles event went well with 36 riders. Two new hangars are under construction. A sprinkler system will be installed immediately surrounding the Terminal building

--**Road Report:** Road Reports provided to the Board in hard copy. Supervisor Kramer reported that patching of roads has been completed. The Powell Road culvert is being plugged up by beavers again and live traps have been placed. The old Rest Lake Park boat landing had to be blocked off with large boulders because people were still trying to use it. The Discovery Center pontoon boat, used for AIS work, is moored at the old landing dock with the consent of the Town Board.

--**Transfer Station:** Kramer reported that 9 "demo" dumpsters were filled up during Amnesty week. Kramer believed that this was one of the busiest Amnesty years we've had.

--**Water Patrol Report:** Patrol Officer Leah Alexander has completed all of her certification programs, her boater safety course, and is handling the boat proficiently. When Leah was hired, she was hired to share the position with former Patrol Officer Zach Paulson. Late spring, Zach was offered a full-time position with the Milwaukee County Sheriff's Dept. and never returned to the Water Patrol position. Unfortunately, Leah also has another full-time position, so adequate patrol hours are an issue.

--**Parks Report:** Recent hire, Josh Niemiec is doing a great job. A request for more garbage cans to be placed in the parks over the 4<sup>th</sup> of July will be done next year. Materials for the boardwalk at Koller Park have arrived and this should be accomplished this fall.

**Correspondence:** None

**Adjournment:** The meeting was adjourned at 8:13 pm.

Respectfully Submitted,  
Dana Hilbert  
Clerk/Treasurer