

ORDINANCE NO. 10-01

MAR 15 2010

AN ORDINANCE TO REPEAL AND RECREATE SECTION 12.01 OF ORDINANCE NO. 93-02, "AN ORDINANCE TO PROVIDE FOR SAFETY AND WELFARE ON AND AROUND EAGLE SPRING LAKE" TO PROVIDE AN EXEMPTION TO THE SLOW NO WAKE PROVISIONS IN WIS. STAT. § 30.66(3)(a)

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WHEREAS, the Town of Eagle has established regulations for the public safety and welfare on and around Eagle Spring Lake under Ordinance No. 93-02; and

WHEREAS, Section 12.01 of Ordinance 93-02 adopts State boating laws as found in Sections 30.50 to 30.71 and 30.99 of the Wisconsin Statutes as amended from time to time; and

WHEREAS, 2009 Wisconsin Act 31 provides for various amendments to Sections 30.66 and 30.69 of the Wisconsin Statutes including, but not limited to, the creation of Section 30.66(3)(ag)(1), which establishes a general prohibition on the operation of a motorboat, other than a personal watercraft, at a speed in excess of slow no-wake within 100 feet of the shoreline of any lake; and

WHEREAS, 2009 Wisconsin Act 31 also creates Wis. Stats. § 30.66(3)(ag)(2), which permits the Town to provide an exemption to the provisions of Wis. Stat. § 30.66 (3)(ag)(1) or, in the alternative, to substitute a lesser number of feet; and

WHEREAS, by letter dated July 25, 2009, the Eagle Spring Lake Management District has recommended that the Town Board adopt an ordinance pursuant to Wis. Stat. § 30.66 (3)(ag)(2) to exempt Eagle Spring Lake from the aforementioned slow no-wake provisions of Wis. Stat. § 30.66 (3)(ag)(1); and

WHEREAS, the Town Board, having considered the foregoing recommendation by the Eagle Spring Lake Management District and the potential impact of the proposed exemption on the public health, safety, and welfare, including the public's interest in preserving the state's natural resources, and the Town Board having determined that it is in the interest of the public health, safety, and welfare to establish an exemption to the provisions of Wis. Stat. § 30.66 (3)(ag)(1); and

WHEREAS, pursuant to Wis. Stat. § 30.77(1)(d), the Town Board submitted the text of this Ordinance to the Wisconsin Department of Natural Resources for an advisory review on August 25, 2009 and at least sixty (60) days prior to any final action by the Town Board and the Town Board having received and duly considered the advisory report of the Wisconsin Department of Natural Resources pertaining to this Ordinance;

NOW, THEREFORE, the Town Board of the Town of Eagle, Waukesha County, Wisconsin, DO ORDAIN AS FOLLOWS:

SECTION 1: Section 12.01, "Statutory Provisions Incorporated", of Ordinance No. 93-02 of the Town of Eagle, entitled "An Ordinance to Provide for Safety and Welfare on and Around Eagle Spring Lake" is hereby repealed and recreated to read as follows:

#### 12.01 STATUTORY PROVISIONS INCORPORATED

(1) State boating laws as found in Secs. 30.50 to 30.71, and 30.99 Statutes, as amended from time to time, are adopted by reference.

(2) Pursuant to the provisions of Section 30.66(3)(ag)(2) of the Wisconsin Statutes, Eagle Spring Lake shall be exempt from the provisions in Section 30.66(3)(ag)(1) of the Wisconsin Statutes that prohibit operation of a motorboat, other than a personal watercraft, at a speed in excess of slow no-wake within 100 feet of the shoreline.

#### SECTION 2: SEVERABILITY

The several sections of this ordinance are declared to be severable. If any section or portion thereof shall be declared by a court of competent jurisdiction to be invalid, unlawful or unenforceable, such decision shall apply only to the specific section or portion thereof directly specified in the decision, and shall not affect the validity of any other provisions, sections or portions thereof of the ordinance. The remainder of the ordinance shall remain in full force and effect. Any other ordinances whose terms are in conflict with the provisions of this ordinance are hereby repealed as to those terms that conflict.

#### SECTION 3: EFFECTIVE DATE

This ordinance shall take effect on March 1, 2010, following its posting or publication as provided by law.

MAR 15 2010

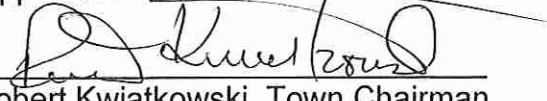
Dated this 1<sup>st</sup> day of March, 2010.

TOWN OF EAGLE

Attest:

  
Lynn M. Pepper, Town Clerk

Approved:

  
Robert Kwiatkowski, Town Chairman

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**Eagle Spring Lake**

- Status Report  
 d) Mill Race Modifications  
 1. Process for Compliance of 200 Year Flood  
 e) Public Boat Launch Storm Water Drainage  
 f) 2009 Act 31 Slow-No Wake Speed Restrictions Exemption Ordinance  
 g) Other  
 4. New Business  
 a) Fireworks Raindate  
 b) Carp Initiative  
 c) 2008 DNR Fish Survey  
 d) Spring Newsletter  
 e) Discussion on Hourly Pay for Gina Krause  
 f) Other  
 5. Financial Update/Payment of Bills  
 6. Executive Session: Board will go into Executive Session under 19.85 (1) (c) to consider employment promotion, compensation or performance evaluation data of a public employee over which the governmental body has jurisdiction or exercises responsibility. The Board will not reconvene into open session.  
 7. Executive Session: Board will remain in Executive Session under 19.85 (1) (e) deliberating or negotiating the purchase of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session. The Board will not reconvene into open session.  
 Any eligible voter may add a topic to the agenda by contacting a board member at least two weeks prior to the meeting. Please be advised that the Lake Management Board may take action on any item listed on this agenda.  
 Respectfully submitted,  
 Gina Krause  
 Bookkeeper/Administrative Assistant  
 3/10 Chief, 3491532

**Public Notice**

**State of Wisconsin Waukesha County Circuit Court**  
 Notice to Interested Persons and Time Limit for Filing Claims (Informal Administration)  
 In the matter of the estate of DONALD LEE WAMBOLD SR.  
 Case No. 2010PR0071  
 An application has been filed for informal administration of the estate of the decedent, whose date of birth was DECEMBER 21, 1932, and date of death was DECEMBER 1, 2009. The decedent died domiciled in Waukesha County, State of Wisconsin, with a post office address of 403 PARK AVENUE, EAGLE, WI 53119. All interested persons have

**Public Notice**

Atty. Steven Steinhoff  
 117 East Main St.  
 Eagle, WI 53119  
 262-594-2176  
 2/24, 3/3, 3/10 Chief, 3485767

**Town of Eagle**

**STATE OF WISCONSIN TOWN OF EAGLE WAUKESHA COUNTY ORDINANCE NO. 10-01**

AN ORDINANCE TO REPEAL AND RECREATE SECTION 12.01 OF ORDINANCE NO. 93-02, "AN ORDINANCE TO PROVIDE FOR SAFETY AND WELFARE ON AND AROUND EAGLE SPRING LAKE" TO PROVIDE AN EXEMPTION TO THE SLOW NO WAKE PROVISIONS IN WIS. STAT. § 30.66(3)(a)

WHEREAS, the Town of Eagle has established regulations for the public safety and welfare on and around Eagle Spring Lake under Ordinance No. 93-02; and

WHEREAS, Section 12.01 of Ordinance 93-02 adopts State boating laws as found in Sections 30.50 to 30.71 and 30.99 of the Wisconsin Statutes as amended from time to time; and

WHEREAS, 2009 Wisconsin Act 31 provides for various amendments to Sections 30.66 and 30.69 of the Wisconsin Statutes including, but not limited to, the creation of Section 30.66(3)(ag)(1), which establishes a general prohibition on the operation of a motorboat, other than a personal watercraft, at a speed in excess of slow no-wake within 100 feet of the shoreline of any lake; and

WHEREAS, 2009 Wisconsin Act 31 also creates Wis. Stats. § 30.66(3)(ag)(2), which permits the Town to provide an exemption to the provisions of Wis. Stat. § 30.66 (3)(ag)(1) or, in the alternative, to substitute a lesser number of feet; and

WHEREAS, by letter dated July 25, 2009, the Eagle Spring Lake Management District has recommended that the Town Board adopt an ordinance pursuant to Wis. Stat. § 30.66 (3)(ag)(2) to exempt Eagle Spring Lake from the aforementioned slow no-wake provisions of Wis. Stat. § 30.66 (3)(ag)(1); and

WHEREAS, the Town Board, having considered the foregoing recommendation by the Eagle Spring Lake Management District and the potential impact of the proposed exemption on the public health, safety, and welfare, including the public's interest in preserving the state's natural resources, and the Town Board having determined that it is in the interest of the public

**Town of Eagle**

of this Ordinance to the Wisconsin Department of Natural Resources for an advisory review on August 25, 2009 and at least sixty (60) days prior to any final action by the Town Board and the Town Board having received and duly considered the advisory report of the Wisconsin Department of Natural Resources pertaining to this Ordinance;

NOW, THEREFORE, the Town Board of the Town of Eagle, Waukesha County, Wisconsin, DO ORDAIN AS FOLLOWS:

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**SECTION 2: SEVERABILITY**

The several sections of this ordinance are declared to be severable. If any section or portion thereof shall be declared by a court of competent jurisdiction to be invalid, unlawful or unenforceable, such decision shall apply only to the specific section or portion thereof directly specified in the decision, and shall not affect the validity of any other provisions, sections or portions thereof of the ordinance. The remainder of the ordinance shall remain in full force and effect. Any other ordinances whose terms are in conflict with the provisions of this ordinance are hereby repealed as to those terms that conflict.

**SECTION 3: EFFECTIVE DATE**

This ordinance shall take effect on March 1, 2010, following its posting or publication as provided by law.  
 Dated this 1st day of March, 2010.

**TOWN OF EAGLE**

Attest:  
 Approved:  
 Lynn M. Pepper, Town Clerk  
 Robert Kwiatkowski, Town Chairman  
 3/10 Chief, 3491458

**Town of Mukwonago**

**Town of Mukwonago**

erage and Reserve Class B Intoxicating Liquor License for 2009-10:

1. Pam's Fine Wines LLC (Pamela L. Kollaszar - Agent), 100 Main Street Suite 2, d/b/a Pam's Fine Wines  
 3/10 Chief, 3491483

**Village of Mukwonago**

**Village of Mukwonago Approved/Abridged Minutes**

Full, unabridged versions of the minutes are on file in the Clerk's Office or on the Village website at [www.villageofmukwonago.com](http://www.villageofmukwonago.com).

President James Wagner called the Village Board meeting to order on February 16, 2010 at 7:30 p.m. Trustees present: BAKST, DECKER, FENNEL, O'BRYAN, JOHNSON, and WAGNER. Absent and excused: FICKAU. Also present: DPW Supv Brandemuehl, Supv of Insp/Zoning Admin Hankovich, Police Lt. LaDue, Admin/Clerk-Treas Moderacki, Fire Chief Rolfe, Library Dir Weber, EMT Sura, Water Supt Zarembo, and Engineer Peot.

**STATEMENT OF PUBLIC NOTICE**

The meeting was posted and noticed according to law. President Wagner announced the Board would adjourn into closed session to discuss personnel matters and receive and update on a lawsuit in which the Village is involved.  
 Minutes of Feb. 2, 2010

A motion by Bakst/Johnson to approve the Feb. 2, 2010 meeting minutes as presented carried unanimously following a discussion of the motion to support the proposed Library Expansion. During the discussion the Board agreed by consensus to clarify its intent of the motion at its next meeting.

Committee Reports  
 A. Finance  
 1. Vouchers Payable  
 Motion by Bakst/Johnson to approve vouchers in the sum of \$1,453,837.88 carried unanimously.

2. Assistance to Firefighters Grant - Request to use funds from sale of old equipment to fund grant reduction  
 Motion by Bakst/Decker to authorize purchase of three CPR monitors for a total cost of \$198,025 through the Assistance to Firefighters Grant and to use funds from the sale of old monitors to lower the Village's out-of-pocket cost to a total of \$6,390 carried unanimously.

3. Utility Bill write-offs  
 Motion by Bakst/Decker to approve the write-off of two utility accounts in the sum of \$582.09 carried unanimously.  
 Health & Recreation