

**Presque Isle Municipal Ordinance Committee Minutes**  
**Wednesday, January 18, 2023, 9:30am**  
**Presque Isle Community Center**

**Attendees:** Carl Watras, (Chairman), Bob Berdan (Secretary), Eric Benn, Kelly Dyre, Mike Brandt, Phil Harris, Tom Preston (arrv. 9:39), and Carl Wolter (Town liaison). Also present, John MacLean, Cathy Logan Weber, Constable Pat Eesley, County Supervisor Richard Logan and 18 citizens in person and 20 persons on Zoom. The citizens and Zoom attendees are listed on attachment A.

**Call to order:** Chairman Carl Watras called the meeting to order at 9:32 am. David Bogan, acting as Zoom administrator, was called upon to inform all meeting attendees of the remote access rules, and Chair Watras explained that relevant public comment will be permitted during the New Business discussion.

**Approval of minutes:** Eric Benn moved, and Phil Harris seconded, a motion to approve the minutes of the November 9, 2022 meeting. The motion passed unanimously, but before Tom Preston was present. Bob Berdan will inform the Town Clerk that the approved minutes may now be published.

**Old Business:** None.

**New Business.** Board referral(s) from January 5th, Town Board meeting. Chair Watras began the meeting by reading aloud a portion of the special instructions containing the Board's unanimously passed motion concerning proposed Subchapter 507. Hazardous Wakes (hereinafter 507). For the benefit of the many people in attendance, he next retraced the history of the Committee's and the Town's investigation and development of 507, and he explained the content written on the whiteboard, (photocopy attached) where the 10 problems 507 endeavored to address were listed. He further explained that Wis Stats 30.77 provides Towns the authority to address each of the problem areas so listed.

Following the preliminary stage setting, Chair Watras next asked Town Chair John MacLean to explain his 6 point special instructions to the Committee. The Town Chair ensured his 5 page handout was provided to all Committee members (Subsequently, audience members requested, and it was agreed, that same are to be posted on the Town's website). The discussion commenced primarily about special instruction 2, (Boat wash requirements for non-resident boat operators) and Mike Brandt asked a series of questions about Chair Maclean's intent and the consequences for boaters in PI. Extensive discussion continued as between the Town Chairman and audience members, including types of boat washes, boat wash staffing, boat wash hours, safety and optimal boat wash location(s), and whether fluids used for washing need to be captured. Subsequently, also as to special instruction 2, questions were asked whether one or two Ordinances might be beneficial, and Town Supervisor Wolter inquired

whether it would be legal to treat residents different than other lake users. Chair Watras and Constable Eesley separately suggested that for any Ordinance to be enforceable, the rules should be the same for all. Regarding, special instructions 3, 4, and 5, Chair Watras asked the Town Chair to what extent each of those points address the 10 issues listed on the whiteboard, and Chairman MacLean answered yes, in part, as to special instructions 3, 4 and 5. (as reflected on the Photocopy attached) Thereafter, a long and wide ranging discussion occurred among the committee members re special instruction 1, and the implications of the two somewhat conflicting committee referrals, i.e. whether to use or to disregard 507 as the means to achieve an Ordinance.

Thereafter there was further audience discussion as to whether some problems might be addressed initially, with others tackled later, as needed; whether one or two Ordinances might be necessary; one Zoom participant said 507 addresses all problems, why not enact it right away and tweak it as needed to address the concerns raised by the Town Chair.

**Public Comments:**

Chair MacLean hopes the committee can have special meetings ASAP to recommend an Ordinance. Tom Preston applauds additional attention on AIS but inquires whether that work can proceed forward as well, contemporaneous with hazardous wake regulation. A Zoom attendee expressed concerns about the rush to pass an Ordinance ASAP because the speaker is concerned the Ordinance as drafted is too broad and appears to threaten other activities on water. Committee members Dyre and Preston echoed those concerns. Committee member Eric Benn spoke to the intent of 507 vis a vis other water activities, and the importance of boater education about the Ordinance and the way in which the Ordinance is enforced. Chair Watras asked for a show of hands: should the number one priority of the Ordinance be the protection of our lakes? All but two present raised their hands.

Constable Eesley stated the fewer issues that are open to interpretation, the better, from an enforcement standpoint. Oxbow lake was specifically discussed by several citizen attendees, in person and on Zoom, and by Committee member Harris; a concern was also expressed that many property owners are away for the winter and may be unaware of the Town's contemplated actions, to which Committee member Dyre answered that this issue has been under discussion since last summer and another audience member referred to the prior survey support for having an Ordinance enacted; Chair Watras responded to a question about roller waves by referring back to the definitions of rogue waves and hazardous wakes, after which the definitions were further discussed and compared to dictionary and Wisconsin statutory language. Constable Eesley suggested removal of the term rogue wave might improve the Ordinance. Additional discussion occurred about enforcement being the key, and Manitowish Waters' enforcement protocols were suggested as a model, to which Chair Watras agreed to review by talking with the MW Town Chair. Committee member Dyre observed that Manitowish Waters lake patrols are conducted by trained law enforcement officers, not deputized citizens. Town Supervisor Weber noted that the Town Board meeting should have already started, so many people began to file out of the Community Room.

**Adjournment.** Motion by Tom Preston, second by Eric Benn, to adjourn. Unanimous approval. Meeting adjourned at 11:32am.

Note, a few additional comments were shared post adjournment with the Committee members primarily about Oxbow lake, despite the departure of all Town Board members and several other audience members in order to convene the special Town Board meeting. The Committee will proceed to hold another meeting as soon as is practicable .