

Town of Lake Tomahawk held their regular Town Board meeting on August 12, 2020 in Raymond F. Sloan Community Center. All notices were posted according to the Open Meeting Law and the media was notified.

Present: Chairman, George DeMet, Supervisors Larry Hoffman and Stephanie Sowatzka, Treasurer Michele Breheim, Town Clerk Sharon Trimberger Lintereur.

Chairman DeMet called the meeting to order at 7:00 p.m. DeMet read the agenda of the regular Town Board meeting of August 12, 2020. DeMet led the people in the Pledge of Allegiance.

Motion by Hoffman, seconded by Sowatzka to approve the agenda of August 12, 2020, all ayes, motion carried.

Motion by Sowatzka, seconded by Hoffman to approve the minutes as written by Clerk of the July 8, 2020 regular Town Board meeting, all ayes, motion carried.

Approve the payment of bills and vouchers: Motion by Hoffman, seconded by Sowatzka to approve the ACH, EFT and EFTPS payments, checks 18575 to 18609 and payroll checks 4828 to 4849 for a Total of \$65,580.81, all ayes, motion carried.

Treasurer's Report: During the month of July the Town had income of \$57,000 which included \$1,850 from the State for the Annual Payment in Lieu of Taxes \$39,794 from the State for the quarterly highway aid payment and \$7,760 in fire insurance dues. Total expenses were \$110,558 which included \$74,389 for the road department. Wages and benefits for the road department totaled \$22,689. Gravel purchase totaled \$36,449 and annual property and liability insurance was paid in the amount of \$9,203. Motion by DeMet to approve the Treasurer's report, seconded by Sowatzka, all ayes, motion carried.

County Representative: Stephanie Sowatzka, no report

**The following agenda item has been entered into the minutes per the dialog as it ensued at the Town Meeting. The reason for the full dialog is so that everyone involved can read the transcript.**

Public Comment/Application for liquor license: Happy Daze/David Soyck agent: Eric Kloes spoke regarding the damage to his building, Village Café.

Eric: I've got some issues with the Café. I've had a lot of problems throughout the years with Jimmy's.

George: Okay is this going to be about the next item on the agenda?

Eric: Mixed

George: Go ahead

Eric: First of all it has been a bad reflection on the Town for years. We have had damage on our building. On any given day we will have a 100/150 people come in. We've got people asking us why we won't fix our ceiling/building. We can't do any repairs because they won't do any repairs next door.

George: Okay, we are getting beyond what our authority is for the town, so get to the point.

Eric: The point is you guys won't do nothing for me. I have come and talked to you multiple times.

George: About what?

Eric: About the damage in my building.

George: The Town has no jurisdiction over your building Eric, okay?

Eric: Yes, they do George.

George: Does anyone have a comment?

George: Next item is for an application for a liquor license, Happy Daze, David Soyck, agent. You all have copies of the letter.

George: A year ago we did not renew Jim's license, because the DOR said we couldn't. Since then David has come in and paid off all the bills. Paid off the liquor bills, the back taxes and everything else. That's as far as our interest in his property goes, okay? The question is that David wants to renew the license and continue to run it as Happy Daze.

Eric: Do you know when the last health inspection was on that building?

George: That is one of the things that has to take place.

Eric: 2010.

George: You don't know what you are talking about right now.

Eric: Yes I do.

George: I talked to the Health Department yesterday and he has to come out and make an inspection.

George: That's not up to us. It is not the Town's authority.

Eric: They come to me and tell me it is up to you.

George: Nobody from the County ever told you this. Okay, whatever, we are moving on okay?

Eric: Here do you want to look at pictures?

George: No

Eric: Right here (is showing pictures of building)

George: Okay what are your thoughts on this. Application was made, he has paid off all of the bills.

Eric: This is damage on my building that I have paid for. Absolutely ridiculous, the Town will not do anything.

Anybody else agree?

Barb Vetterman: What can the Town do?

Eric: They can enforce it, can't they?

Vetterman: Enforce what?

Eric: Make them fix it.

Vetterman: No the Health Department can.

You need a lawyer.

Eric: He sent a letter out and nobody ever cleaned it up. I had to clean it up because I had customers telling me that I got a disaster of a back yard and I gotta explain that that ain't my back yard.

George: The point here is that his son has taken over the property and it is up to him now and he has made a good faith effort to clean everything up.

Hoffman: Can I ask Mr. Soyck a question?

Eric: I cleaned the back yard up.

George: Okay that's enough. You are out of order now.

Eric: No

George: Yes you are.

Shouldn't the inspections have to be done before the liquor license?

Eric: Did you go to him regarding the license?

George: No he came to us and asked for it.

Eric: To me, it's bull.

George: Any comments:

Soyck: absolutely.

Hoffman: Is your general plan to fix the roof and the floor so that customers can be safe going in there?

Soyck: Absolutely. I have met with Oneida Roofing and paid the deposit. Putting on a green metal roof by the middle of September. It is based on when parts availability is due. I have the receipt and information right here if you would like to see it.

Hoffman: Okay thank you.

Soyck: The floor as well. Luke was in this afternoon another contractor was in. I've had the entire sub floor and floor joists being redone and they also gave me a timeline of the middle of September for completion. I have also been told that in the general area of the bar is not deemed a risk. There is a spot that is a risk toward the back of the bar that has been blocked out, kind of an "L" shape to keep people away from there.

David, can I ask a question?

Soyck: Certainly.

Was there an inspection done for the adjoining building for water damage, degradation?

Soyck: I cannot speak to that, what I can tell you is that the Café took us to court last year, not even a year and we settled. I paid the money to have the entire roof that is shared rerubbed from Nelson Construction and it was either \$5000 or \$7500 and had that project done. The court considered the settlement and we paid them \$10000 cash for the repairs inside of the Café which we are now are being told never took place. I have the court records showing it was completed, if you would like to see that as well.

George: Some of this is beyond our realm but it is good to hear anyhow. Do we need any more discussion on this or can we take a vote?

Unknown person: Two questions: when was the last time the FD was allowed in there to do an inspection? I know for a fact that old Bill was never let in there for three years.

George: That is something I don't know.

Unknown person: Well, I do know.

Eric: It's something you should know.

It should have been brought to someone's attention a long time ago. There is a new guy and I don't know where he is from. The inspection should be done by a commercial inspector, not the County inspector. The County inspector should not do it, this a commercial property. People should be allowed in there.

George: Every property in Town gets inspected.

Unknown person: I want to know if they have an insurance policy.

Soyck: I have an insurance policy as well, covered for liability and the building itself.

Eric: I think you need to hold it for a while.

Unknown person: Two issues need to be addressed before anything goes on.

George: The liquor license doesn't mean he can open up tomorrow. But it seems to me that that liquor license has been on that property since Jim bought that place in 1977 I think.

Eric: How many people have applied for the liquor license?

George: We have one.

Eric: I heard of three.

George: Well, you are not on the Town Board. If they came to you, you don't have any power to award the license. Any more discussion here?

DeMet: Make a motion that we award the liquor license to Happy Daze/David Soyck with the condition that he undergoes the inspections necessary from the Health Department and the Fire Department.

Hoffman seconded, any more discussion, all in favor aye.

Fair Maps Resolution: A proposed resolution was drawn up supporting a nonpartisan procedure for preparation of Legislative and Congressional redistricting plans. This resolution was voted on by the elector at the April 7, 2020 election. This was approved by 77% of the Electors of Lake Tomahawk. DeMet will sign and then it will go to the appropriate people and committees. Motion made by DeMet and seconded by Sowatzka to sign the Resolution and send to the appropriate people, all ayes, motion carried.

Voting Machine Replacement: Catherine Parker spoke regarding the replacement of voting machines by the end of 2022. Command Central would like a commitment by the end of August 2020 but there are flaws with this machine according to Parker. Parker and George DeMet both attended a meeting regarding the machine that was displayed at the County Clerk's office and have problems with machine. Parker is looking at options for other machines and is doing research on this issue. Parker will also get prices so that this amount can be put into the 2021 budget. Parker will be looking at two other machines. DeMet made a motion to table this item for the time being, Hoffman seconded, all ayes, motion carried.

Boat Landing, no wake zone: Rick Bullock spoke to the issue of speed and noise. It was decided to send this to the Parks Commission to write an ordinance and then the Town will proceed accordingly with the Ordinance that is written by the Parks Commission.

Correspondence: Town received an email from the Demographic Services Center estimating, as of January 1, 2020, the population of Lake Tomahawk at 1,056, which represents a change of thirteen (13) people since the 2010 Census. Oneida County meeting to be held on Wednesday, August 26, 2020 at 6:00 pm either by phone conference or Zoom Video call. Sports Club would like to use the Community Building when the weather turns bad and use the outside facilities while the weather is decent. Rick Bullock has already responded to Todd Schmidt. Greg Kuckkhan is retiring on September 11, 2020 and sent a letter of retirement from the Roads Department. Sharon Lintereur thanked Nancy Radloff for taking over the column in the Lakeland Times and also Stephanie Rajnicek for volunteering to be on the Tourism Board.

Future agenda items: none

Adjournment: 7:24 p.m.

*Respectfully Submitted,  
Sharon Lintereur, Clerk*