

TOWN OF LA POINTE
REGULAR TOWN BOARD MEETING
TUESDAY, MAY 24, 2016
5:30PM AT TOWN HALL
Approved Minutes

Called to order at 5:30pm

Town Board Members Present: Jim Patterson, Mike Anderson, Sue Brenna, John Carlson, Mike Starck

Staff present: Lisa Potswald, Kristian Larsen, Ted Pallas, Ric Gilman, Carey Baxter, Elected Clerk Micaela Montagne

Public Present: Al Schiefelbein of Rural Mutual Insurance, Jim Whittinghill of Eagle Waste & Recycling, Dickie Hoffman, Chris Wolfe, Meg Brown, Paul Brummer, Charles Brummer

I. Public Comment A*: Dick Hoffman states that there have been many changes to the zoning ordinance since he has owned property on the Island. Each change costs the town so much, and maybe there should be a moratorium on changes, all the changes can't be needed.

Paul Brummer would like to see the culverts on Middle Road and seams on South Shore Road fixed or at least bump signs put up prior to Big Arn's Road and Brian's Road becoming Town roads. P. Brummer also states that D. Hoffman has a point, with a solution being that there be a line in the ordinance that says he can do whatever he wants.

Motion to move to agenda item III. D. 1, and V. D because representatives are present and need to catch the 6:00 boat, S. Brenna/ M. Anderson, 5 Ayes, Motion Carried.

III. Public Works

D. Materials Recovery Facility (MRF)

1. MRF Operations, waste hauling: Jim Whittinghill from Eagle Waste presented his business and proposal for being the waste hauler for the Town. His proposal is for \$48,520. He also discussed the possibility of doing the Town's recycling, and that he believes the Town would save money by going with him because they have back up equipment for everything.

V. Town Hall Administration

D. 2016- 2017 General Liability and Property/ Auto Insurance Policy Renewal: Al Schiefelbein of Rural Mutual Insurance present to go over policy changes for the upcoming year. The rates from 2015-2016 to 2016-2017 are up minimally, and the solar panels will be added to the policy. He stated that there is a possibility of moving the policy to a January date to correspond with the workman's comp insurance. That would mean the upcoming policy could be effective for eighteen months with prorated rates for the duration.

Motion to return to agenda item II, M. Starck/ M. Anderson, 5 Ayes, Motion Carried.

II. Town Administrator's Report: Prepared and presented by Lisa Potswald. Congrats to Ric Gillman as the new Zoning Administrator. His hours are part time and are posted on the web and around town. Other discussion on grants from the Duluth Area Community Foundation. Motion

to approve the Town Administrator Report dated May 20, 2016, J. Carlson/ M. Anderson, 5 Ayes, Motion Carried.

III. Public Works

A. Roads

1. Big Arn's Road and Brian's Road: Foreman Kristian Larsen is waiting for an appointment with the DNR to walk the property that would be the punch through from Miller Farm Road to Brian's Road. Hopefully that will occur in the next couple of weeks and things can move on from there.

B. Parks

1. Hiring of Rec center Director: Motion to hire Patricia Anderson as the Rec Center Director with a start date of 6/13/16, a pay rate of \$14.65/ hour, contingent upon background checks, M. Starck/ J. Carlson, 5 Ayes Motion Carried.

2. Hiring of Rec Center Assistant: Motion to hire Reva Pallas as the Rec Center Assistant with a start date of 6/13/16, a pay rate of \$10.10/ hour, contingent upon a successful background check, M. Starck/ S. Brenna, 5 Ayes, Motion Carried.

3. Hiring of Parks Laborer #3: Motion to hire Steven Wakem as the Parks Laborer #3 with a start date to be determined by Foreman K. Larsen, an end date no later than 10/5/16, with a pay rate of \$14.00/ hour, S. Brenna/ M. Starck, 5 Ayes, Motion Carried.

4. Request for camping at the Ball Park/ Rec Center July 23, 2016: A request came in to have a group of 50-100 people camp at the Rec Center/ ball field on July 23, 2016. Discussion included that though the Town allows the 'bikers' to camp there, they have been doing it for years, they do a great job of cleaning up after themselves, their numbers are getting smaller to possibly around 40 or less, and are somewhat grandfathered in. Administrator L. Potswald and Foreman K. Larsen are not in favor of allowing other groups to camp in town at the Rec Center/ ball field. Motion to decline the offer for camping at the ball park/ Rec Center for the group on July 23, 2016, J. Carlson/ M. Anderson, 5 Ayes, Motion Carried.

5. Big Bay Town Park Reservation System Payments: Leisure Interactive: Discussion on continuing to pay the website fees to the company even when they are delinquent in over \$25,000 to us so there can be no complaint on our side. Many Board members are okay with finding a California Attorney if need be to ensure the Town receives the money owed. Motion to sign the alternative claim to pay Leisure Interactive \$1,553.95 for the website fees and the annual membership, M. Starck/ J. Carlson, 5 Ayes, Motion Carried.

6. Advance Sick Leave time for B. Schram: a request for up to three days in advance sick time requested for Ben Schram which was done for two other employees in the past. Motion to advance three days of sick time for Ben Schram, M. Anderson/ S. Brenna, 5 Ayes, Motion Carried.

C. Airport

1. Airport Manager's Report & Checklist: Brief discussion on the AWOS system. The town will own the system, so it will be added to the insurance policy when completed. More information requested from J. Carlson on the costs of maintaining it. Report dated May 24, 2016 placed on file by Unanimous Consent.

D. Materials Recovery Facility (MRF)

1. MRF Operations, waste hauling: Also discussed earlier in the meeting with a presentation by J. Whittinghill from Eagle Waste. Continued discussion with MRF Supervisor T. Pallas requesting the recycling to stay as is, and for the Town to continue to look into the

purchase of their own truck for hauling waste. The truck is decent, but may need up to \$5,000 in repairs, so T. Pallas would like to try and negotiate the price down by that amount. Discussion on how it will be good for the Town to try this out, and if it doesn't go as planned, than reassess in two years, and can go with an outside company then. The annual cost of hauling ourselves is thought to be around \$46,960 which includes the purchase of the truck as well as the containers. The old company, AA Roll-off, will train the Town truck drivers on how to use the truck. Motion to allow T. Pallas to go ahead with negotiating for the purchase of the truck so the town can haul the waste, S. Brenna/ M. Starck, 5 Ayes, Motion Carried.

IV. Committees

A. Planning and Zoning

1. Appointment of Town Plan Commission Chair: The Town Plan Commission voted and recommends Charles Brummer as the chair of the Commission. Town Board Chair Jim Patterson appointed Charles Brummer as the TPC Chair.

2. Rental Ordinance: Supervisor M. Starck requested this agenda item to discuss whether updates to the ordinance could be included in the public hearing set for June 22, 2016. Administrator L. Potswald recommends the request go back to the TPC to discuss. M. Starck's main concern is the liability with providing rental permits without requesting proof of insurance. It will be on the TPC agenda.

3. Zoning Ordinance Public Hearing Date, Wednesday June 22, 2016 at 4:30 p.m.: the Town Plan Commission set the date and will finalize the agenda at their June 1st meeting. M. Starck wants to ensure maximizing the use of the public hearing and have more agenda items, thus it may be a good idea to postpone the public hearing. Motion to keep the public hearing set for June 22, 2016 at 4:30pm with the TPC setting the agenda, J. Carlson/ S. Brenna, 4 Ayes, 1 Nay (M. Starck), Motion Carried.

V. Town Hall Administration

A. Administrative Assistant's Report: Discussion on in the past M. Starck has been on the Raffle License for the Fire Department/ Ambulance. He should not be on the license this year as he is a Town Board member. Motion to place the Administrative Assistant report dated 5/20/16 on file, M. Anderson/ J. Carlson, 5 Ayes, Motion Carried.

B. Budget Summary Report: Budget summary and comparison report for April 2016 placed on file by Unanimous Consent.

C. Grant Updates: nothing at this time.

D. 2016- 2017 General Liability and Property/ Auto Insurance Policy Renewal: initial discussion earlier in meeting with the presentation from Alan Schiefelbein from Rural Mutual. Motion to renew the 2016- 2017 General Liability and Property/ Auto Insurance Policy with Rural Mutual Insurance, M. Starck/ J. Carlson, 5 Ayes, Motion Carried. Motion to pay the alternative claim for the insurance renewal, M. Starck/ M. Anderson, 5 Ayes, Motion Carried.

E. Cell Tower: Administrator L. Potswald will be writing a letter to Red Cliff to see if they would be interested in working with the Island on getting better cell service to both places.

F. Business Permit Ordinance: Chairman J. Patterson requested the agenda item to discuss the possibility of finalizing the idea of having a business permit at the Town Park for non-motorized vessels. Discussion on whether to include all town property, all businesses or to just focus it currently on the Town Park with non-motorized vessels. It was decided to move

forward with L. Potswald preparing a draft of a business permit for kayak/ canoe businesses at Big Bay Town Park to prevent issues that occurred last year.

VI. Vouchers: Motion to approve vouchers in the amount of \$25,670.51, M. Starck/ M. Anderson, 5 Ayes, Motion Carried.

VII. Minutes

A. Regular Town Board Meeting May 10, 2016: A suggestion from Paul Brummer to correct his public comment statement in the minutes. He states did not mention Miller Farm Road when mentioning other town roads the town should look into when considering costs and payments made by the town versus payments made by the property owners. Motion to approve the minutes from May 10, 2016 as amended by Paul Brummer, M. Anderson/ J. Carlson, 5 Ayes, Motion Carried. [*Clerk's Note: corrections were in error. Minutes approved as submitted June 14, 2016*]

B. Special Town Board Meeting May 17, 2016: Motion to approve minutes as submitted, M. Starck/ M. Anderson, 5 Ayes, Motion Carried.

C. Special Town Board Meeting, Workshop, May 17, 2016: Motion to approve minutes as submitted, M. Starck/ M. Anderson, 5 Ayes, Motion Carried.

VIII. Emergency Services

A. Ambulance Director's Report: Report prepared by C. Dalzell dated May 23, 2016 placed on file by Unanimous Consent.

IX. Police Department

A. Satisfaction of probation period for part time officers T. Rossberger and R. Laakonen: Motion to change the status of officers Thomas Rossberger and Richard Laakonen off of probation, as regular part time officers retroactive 4/1/16 with no wage increase, M. Starck/ J. Carlson, 5 Ayes, Motion Carried.

X. Library

A. Library Board Minutes April 13, 2016: Minutes placed on file by Unanimous Consent.

XI. Public Comment B:** Paul Brummer comments that the ordinance on business permits should include ensuring applicants have seller's permits and liability insurance. He also comments that M. Starck must like public hearings, because not all ordinances need public hearings as long as it is properly posted.

XII. Lawsuits & Legal Issues

(A.) Nelson, et al. v. Defoe, et al. Case No. 15-cv-274-wmc: Nothing at this time.

XIII. Liquor & Operators' Licenses

A. Operator's Licenses

1. Jonathan Poyner: Everything is in order. J. Poyner would like the license issued right away and have it just be good for a year and a month instead of two years. Motion to approve the Operator License for Jonathan Poyner, M. Anderson/ J. Carlson, 5 Ayes, Motion Carried.

XIV. New Agenda Items for Future Meetings: Big Arn's Road, Business permit, G. Nelson's CUPs, garden under solar panels, signs for pedestrians, porta pottys.

XV. Adjourn: Motion to adjourn, S. Brenna/ J. Carlson, 5 Ayes, Motion Carried. Adjourned at 7:12pm.

Submitted by Micaela Montagne, Town Clerk
Approved as submitted, June 14, 2016, M. Montagne.