

TOWN OF LA POINTE
REGULAR TOWN BOARD MEETING
TUESDAY, JULY 28, 2015
5:30PM AT TOWN HALL

Approved Minutes
Amendments in Italics: Approved

Called to order at 5:30pm

Present: Jim Patterson, Mike Anderson, John Carlson, Michael Childers, Mike Starck

Staff present: Kristian Larsen, *Michael Dalzell*, Micaela Montagne

Public Present: Jim Peters, Charles Brummer, Paul Brummer, Judy Patterson, Dave Thomas, *Michael Fauerbach & Katie Posewitz*

I. Public Comment A*: Paul Brummer commented on agenda item V. J. Appointment to the Madeline Sanitary District Board of Commissioners. He stated that none of the current commissioners live in the collection system, all of them are holding tank owners, and it would be nice to have the representation. He also believes that Keith Sowl should not be reappointed because he has been on the Board too long, which was the reason he was not reappointed to the Board two years ago.

Jim Peters thanked the Board for the hazardous waste pick up today.

Charles Brummer seconded J. Peters comment, that the Clean Sweep was a worthwhile thing.

Judy Patterson thanked the Town Board for the new sidewalk on Rice Street, if it was them, or if it was Norvado, it is nice to have fixed.

II. Interim Town Administrator's Report: Report dated July 24, 2015 placed on file by Unanimous Consent.

III. Public Works

A. Roads: A culvert on South Shore Road was cut out and is only gravel at this time. Hopefully when Penny Lane gets new asphalt, so will the South Shore spot.

B. Parks

1. Permission for Northland College to Camp at the Rec. Center Property: The request is for September 4-5, 2015. The Board has approved similar groups in the past. Discussion on what to charge for use, the Bikers that camp there in June pay \$200.00. Foreman Larsen mentioned that he wants to point out that this is a special circumstance and that he does not want the Rec Center area to become a campground. Motion to let Northland College camp on the Rec. Center Property September 4-5, 2015 for \$200.00, M. Anderson/ M. Starck, 5 Ayes, Motion Carried.

2. Request to waive fees for Madeline Island Community Garden Project and Slow Food for Pig Roast event at the Recreation Center on September 26, 2015: Motion to approve the request to waive fees for Madeline Island Community Garden Project and Slow Food for Pig Roast event at the Recreation Center on September 26, 2015, but still require the security deposit, M. Starck/ M. Childers, 5 Ayes, Motion Carried.

3. Request for use of Recreation Center benches, tables, and grill by Nelson Construction Company: Motion to authorize the use of the Recreation Center benches, tables, and grill by Nelson Construction Company for their annual Christmas Party with pick up on the

afternoon of July 31, and delivery back to the Rec Center by the morning of August 3rd, M. Starck/ J. Carlson, 5 Ayes, Motion Carried.

C. Airport

1. Airport Manager's Report & Checklist: Manager M. Dalzell included a request for permission to send information to Attorney K. Posewitz in his report, to prepare legal documents relating to changes in the existing easement between the Town and the Sanitary District. Motion to approve the request to send the information to Katie Posewitz for the easement, M. Starck/ M. Childers, 5 Ayes, Motion Carried.

D. Materials Recovery Facility (MRF)

1. Hiring of MRF Attendant 1: Motion to hire Greg Thury as the temporary MRF Attendant at \$12.50/ hour, hours not to exceed 599 beginning on July 29, 2015, M. Starck/ M. Anderson, 5 Ayes, Motion Carried.

IV. Committees

A. Planning and Zoning: Nothing at this time.

V. Town Hall Administration

A. Administrative Assistant's Report: Motion to approve and place report dated 7/23/15 on file, M. Childers/ M. Anderson, 5 Ayes, Motion Carried.

B. Budget Summary Report: Supervisor Childers met with B. Nelson, there are still some issues with the Big Bay Town Park reservation system with payments. Discussion on how B. Nelson has had some issues with the new software program, and that the Board likes the format of the Summary report with 'up' and 'down' for different revenue and expenditure line items. Motion to approve the Budget Summary Report for June 2015, M. Childers/ M. Starck, 5 Ayes, Motion Carried.

C. Grant Updates: short update on Clean Sweep grant provided in the Interim Town Administrator's Report.

D. Propane Contract with Midland Services: Discussion on making sure that the ferry fees are included in the quoted price. Clerk M. Montagne clarifies that she spoke with Midland and that is indeed the fact, it is also stated in the contract. To further clarify, the Board inserts the words "ferry fees" into the second clause under payment, no additional fees. Motion to authorize the Chair and Clerk to sign the Propane contract with Midland Services as modified, M. Starck/ M. Anderson, 5 Ayes, Motion Carried.

E. Septic Contract with Island Septic: Motion to authorize the Chair and Clerk to sign the Septic Contract with Island Septic, M. Starck/ M. Childers, 5 Ayes, Motion Carried.

F. Town Hall Business Hours: Clerk M. Montagne reports that with Interim Town Administrator L. Potswald out of town, and some new ideas from both Barb and Waggle, that the agenda item be postponed until the next meeting.

G. Attachment "D" to 2015 Compensations Resolution #2014-1223: Motion to approve Attachment "D" to 2015 Compensations Resolution #2014-1223 showing the pay rate for the Parks Assistant Laborer and the MRF Attendant 1, M. Starck/ M. Childers, 5 Ayes, Motion Carried.

H. Budget Amendment Resolution #2015-1: This amendment covers eleven adjustments and corrections including the loan extension, Town Admin fees, propane tanks that were

purchased in 2014, legal bills, and other fund changes. Motion to approve the Budget Amendment Resolution #2015-1, M. Starck/ M. Childers, 5 Ayes, Motion Carried.

I. Complaint Registration, Safety and Building: Tom's Burned Down Café: Motion to move this agenda item to XI. Lawsuits and Legal Issues as item D, so it can be discussed with the other items in closed session with Legal Counsel, M. Starck/ M. Anderson, 5 Ayes, Motion Carried.

J. Appointment of member to Madeline Sanitary District Board of Commissioners, six year term ending July 31, 2021: K. Sowl returned his card stating he will serve another term, Paul Brummer signed up on the sign-up sheet. J. Carlson nominates Paul Brummer for Commissioner to the Madeline Sanitary District, seconded by M. Anderson. Discussion on how P. Brummer served in the past and he is on the collection system. Supervisor Childers questioned if there were any criteria the Board based their decision on (none). It was also discussed if there should be term limits for serving consecutive terms, can have more discussion on that in the future. Vote on the Motion: 4 Ayes, 1 Opposed (M. Starck because the Sanitary District recommended K. Sowl), Motion Carried.

VI. Vouchers: Motion to approve vouchers in the amount of \$20,734.93, M. Starck/ M. Anderson, 5 Ayes, Motion Carried.

VII. Minutes

A. Regular Town Board Meeting, July 14, 2015: Motion to approve minutes as submitted, M. Starck/ M. Childers, 5 Ayes, Motion Carried.

VIII. Emergency Services

A. Ambulance Director's Report: Motion to place report for July 2015 on file, J. Carlson/ M. Starck, 5 Ayes, Motion Carried.

IX. Library

A. Library Board Minutes, June 11, 2015: not all Board members had their copies, item to be placed on the next agenda.

X. Public Comment B:** None

XI. Lawsuits & Legal Issues

This meeting may, upon duly made motion, be convened in closed session under State Statute 19.85 (1)(g) during the meeting for the purpose of conferring with legal counsel with oral or written advice concerning litigation in which it is or is likely to become involved in. If the Town goes into closed session, it will reconvene in open session before adjourning.

Motion to go into closed session to discuss items A through D with Legal Counsel, M. Starck/ M. Childers, all Ayes by roll call vote, Motion Carried.

A. Nelson, et al. v. Defoe, et al. Case No. 15-CV-274

B. Consideration and consultation with attorneys regarding threatened retaliation claim in federal court case

C. Notice of Circumstances of Claim and Claim and Notice of Claim: Craftivity Inc/ Madeline Island School of the Arts

D. Complaint Registration, Safety and Building: Tom's Burned Down Café

Motion to return to open session, M. Childers/ M. Anderson, all Ayes by roll call vote, Motion Carried.

Motion to authorize Mike Fauerbach and Katie Posewitz to further look into options and to determine the proper method of getting an inspector assigned to the complaint.

XII. Liquor & Operators' Licenses

A. Temporary Class "B" License

1. Madeline Island Community Gardening Project and Slow Food, September 26, 2015: Motion to approve the Temporary Class "B" License for the Madeline Island Community Gardening Project and Slow Food event on September 26, 2015, M. Starck/ M. Childers, 5 Ayes, Motion Carried.

B. Non-intoxicating Beverage License

1. Lake Superior Greenhouses Food Truck: Motion to approve the Non-intoxicating Beverage License for the Lake Superior Greenhouses Food Truck, M. Childers/ M. Anderson, 5 Ayes, Motion Carried.

XIII. New Agenda Items for Future Meetings: Town Hall Business Hours, Library Minutes, Lawsuits and Legal Issues.

XIV. Adjourn: Motion to adjourn, M. Anderson/ J. Carlson, 5 Ayes, Motion Carried. Adjourned at 7:18pm.

Submitted by Micaela Montagne, Town Clerk.

Approved as submitted, August 11, 2015, Micaela Montagne, Town Clerk

Amendments approved as submitted, August 25, 2015. Micaela Montagne, Town Clerk