

**TOWN OF LA POINTE**  
**REGULAR TOWN BOARD MEETING**  
**TUESDAY, JUNE 10, 2014**  
**5:30PM AT TOWN HALL**  
Approved as submitted 6-24-14

**Called to order** at 5:30pm

**Present:** Greg Nelson, Michael Childers, Marty Curry, Jim Patterson, Ham Ross

**Staff present:** Pete Clark, Kristian Larsen, Lisa Potswald, William Defoe, Rick Reichkitzer

**Public Present:** Michael Starck, Paul Brummer, Gene Nelson, Barb Christensen, Deena Schuppe, Margie Fredrickson, John Carlson, Susan Flores, James Price of Alder Engineering, Jim Peters, Steve McHugh, Mary McHugh, Dave Thomas, Sarah Schram

**I. Public Comment A\***

Margie Fredrickson informed the Board of staff cost for the clinic and what the expenses would look like if they were to increase their hours. Currently the staff cost is about \$132/ per patient because they see an average of 12 patients per week. If they were to increase to eight more hours per week, the cost could possibly go up to \$352/ patient.

Paul Brummer hopes that the Town Board will instruct the Town Administrator to have all the Town propane tanks filled at the contract price of \$1.75/ gal before the contract ends at the end of the month.

John Carlson mentions that there are still contractors who need to be paid for the Benjamin Blvd property on the agenda.

Motion to move to agenda item V. Town Hall Administration D. Meeting with James Price of Alder Engineering, Contract Amendment & Communication, M. Curry/ J. Patterson, 5 Ayes, Motion Carried.

**V. Town Hall Administration**

D. Meeting with James Price of Alder Engineering, Contract Amendment & Communication:

James Price, the building inspector from Alder Engineering met with the Board to discuss his contract.

Town Administrator P. Clark spoke to a possible amendment in the contract in hope to have better communication with Price. Price believes that extra communication with Zoning Administrator and Town Administrator create more work, though Town Board is hoping that the two of them can act as a 'filter'. Issues were brought to light after 197 Big Bay Road property was under scrutiny. Price is not interested in amending the contract. Town Board agreed, Supervisor Curry clarifying that Price is okay with communicating with Lisa Potswald and Pete Clark, with the Town Board as final.

Motion to move to agenda item V. Town Hall Administration H. Solstice Street Dance Event 6-20-14: Review of permission from property owners & insurance, M. Curry/ M. Childers, 5 Ayes, Motion Carried.

**V. Town Hall Administration**

H. Solstice Street Dance Event 6-20-14: Review of permission from property owners & insurance:

Bell Street Gallery owner Steve McHugh brought in supporting documentation, signatures from property owners agreeing to allow the event to take place, and a copy of insurance, everything in order.

Motion to return to agenda item II. Town Administrator's Report, M. Curry/ M. Childers, 5 Ayes, Motion Carried.

**II. Town Administrator's Report:** Presented by Administrator Clark and placed on file by unanimous consent. Discussion included 'compliments' for the removal of the semi on Main Street.

### **III. Public Works**

#### **A. Roads**

1. Foreman's Report: Presented by Kristian Larsen and placed on file by unanimous consent. Discussion included work done on the streets in preparation for the Inline Skate event. Question as to whether the straight part of Joni's Beach dock will be replaced- not yet.

2. Posting of Crack Sealing: K. Larsen is waiting to hear from Fahrner if they will hold to the agreed upon price even though Ashland County is not contracting with them. Notice for proposals will also be posted.

3. Posting of Lighting Projects: Notice of proposals to be posted.

#### **B. Parks**

##### **1. Big Bay Town Park**

a. Arnie Mackey Change Order #7: Motion to approve Arnie Mackey Change Order #7 in the amount of \$3,354.00 for bridge overage, Changes and extras, H. Ross/ J. Patterson, 5 Ayes, Motion Carried.

b. Arnie Mackey Change Order #8: Motion to approve Arnie Mackey Change Order #8 in the amount of \$4,083.46 electrical extras, H. Ross/ J. Patterson, 5 Ayes, Motion Carried.

c. Arnie Mackey Change Order #9: Motion to approve Arnie Mackey Change Order #9 in the amount of \$- 100.00 deduction because Town will install, H. Ross/ J. Patterson, 5 Ayes, Motion Carried.

d. Arnie Mackey Change Order #10: Change order held in abeyance until it is decided who will do the work (\$1,400 for trim installation).

e. Arnie Mackey Draw #12: Motion to approve Arnie Mackey Draw #12 to disperse funds in the amount of \$26,623.75, J. Patterson/ M. Childers, 5 Ayes, Motion Carried.

f. Change Machine at BBTP: Showers are coin operated, and without a current Camp Host, there aren't as many people available to provide change. K. Larsen would like approval to find a machine (\$400- 1000 depending on if new or used) and install, possibly in office area with a sign indicating hours open. Town Board gives approval.

g. Camp Host: still have not hired a volunteer Camp Host. It is a much needed position as there are now 63 campsites at the Town Park. If there are no volunteer inquiries, Foreman Larsen would like to use the budgeted wage money for the PIL position that is not being used to either hire someone new, or use the funds to pay Park employee G. Thury some overtime to cover some of the duties. Foreman and Clerk to do further advertising.

2. Contract for Painting inside Joni's and 'Museum' Bathrooms: possibly \$600. Town Board gives K. Larsen the go ahead to contract for the painting.

#### **C. MRF**

1. MRF Supervisor's Report: Placed on file by Unanimous Consent.

Motion to move to agenda item X. Police A. Police Department 1. Police Chief's Report, H. Ross/ J. Patterson, 5 Ayes, Motion Carried.

### **X. Police**

#### **A. Police Department**

1. Police Chief's Report: Presented by William Defoe and placed on file by unanimous consent. Discussion included part time officer Jeremy may not fully resign, holding on to resignation papers for now.

2. Police Chief Hiring: Interim Police Chief 90 day period has been completed. Town Administrator Clark recommends hiring Interim Chief Defoe as Police Chief. Motion to hire William Defoe as the Full Time La Pointe Police Chief with a wage of \$21.50/ hour, H. Ross/ J. Patterson, 5 Ayes, Motion Carried.

3. Part Time Officer Eligibility List- Next Steps: Deadline for applications extended to June 20.

Motion to return to agenda item III. Public Works D. Airport, M. Curry/ J. Patterson, 4 Ayes (H. Ross out of room), Motion Carried.

### **III. Public Works**

#### **D. Airport**

1. Hangar Lease Lot #3A: W. Fricke: Motion to approve Hangar Lease for Lot #3A to expire on December 31, 2024 between W. Fricke and the Town of La Pointe, M. Curry/ J. Patterson, 4 Ayes (H. Ross out of Room) Motion Carried.

### **IV. Committees**

#### **A. Zoning**

1. Zoning Administrator's Report: Presented by Lisa Potswald. Motion to place on file, M. Curry/ M. Childers, 4 Ayes (H. Ross out of room), Motion Carried.

2. Certified Survey Map: Gannon, P. Re-division of Lots 1 and 2 PL# 014-00045-0410 and 014-00045-0420: This is a re-do of an old zoning map, approved by Town Plan Commission. Motion to approve the Ashland County Certified Survey Map of the re-division of Lots 1 and 2 PL# 014-00045-0410 and 014-00045-0420, J. Patterson/ M. Curry, 4 Ayes, 1 abstain (G. Nelson) Motion Carried.

3. Consideration of reinstating rental permit for 2427 Benjamin Blvd, leased by Doug Larson, DAL Investments 1 LLC: permit had been previously revoked. Passed the health inspection, and Town Plan Commission recommends to reinstate the permit. During Public Comment A, money owed by the owner was brought to the Town Board's attention. Discussion on whether the Board should get involved with such third party matters. M. Curry motions to approve the rental permit for 2427 Benjamin Blvd without any contingencies, G. Nelson seconds for discussion. J. Patterson would like to make a provision to the motion- that contractors are paid. M. Curry presents the same motion stating that it is too dangerous to get involved, 4 Ayes, 1 opposed (H. Ross) Motion Carried.

#### **B. Harbor**

1. Break Wall LED Retrofit: Presented by Foreman Larsen, seeking approval to research/ go ahead with finding LED lights for the break wall. The two lights on it are currently working and, though it would be great to cut down on utilities in the long run, there is not urgency. Will be brought up during budget cycle for next year.

#### **C. CAPP**

1. Accepting resignation of member, posting for new member, term ending 4/30/2015: Motion to accept resignation of Ann Lacy, thanking her for her time on the committee, H. Ross/ M. Curry, 5 Ayes, Motion Carried. Discussion whether to post members. Though the committee itself is not very active, it was agreed to post for now, and let the committee decide if they want to disband.

2. Future of Committee: Postponed item due to lengthy discussion needed.

## **V. Town Hall Administration**

A. 2014 Budget Amendment #2, Resolution #2014-2: Budget Amendment includes transfers into designated funds for the Ambulance and Fire Departments that were solely made up of donated funds, so they are put back as they were. Motion to approve the 2014 Budget Amendment #2, Resolution #2014-2, J. Patterson/ M. Curry, 5 Ayes, Motion Carried.

B. Budget Report May 2014: Motion to approve the Budget Summary Report dated 6/10/2014, H. Ross/ J. Patterson, 5 Ayes, Motion Carried.

C. Grant Updates: nothing at this time.

E. Fireworks Permit Approval: Hollywood Pyrotechnics for July 4, 2014: This is the same company that has done the fireworks display for the last couple of years. Everything is in order, motion to approve the fireworks permit, H. Ross/ M. Curry, 5 Ayes, Motion Carried.

F. Insurance Renewal General Liability and Auto June 2014 to June 2015: This is the same insurance company the Town has used for many years. Motion to approve Insurance Renewal General Liability and Auto June 2014 to June 2015 with Horton Group, Inc (amount is \$41,851.00), H. Ross/ J. Patterson, 5 Ayes, Motion Carried.

G. Health Care Options/ Clinic Hours: Discussion on whether there was information in the Clinic lease that would allow other health providers to be employed. Postponed for now.

I. The Apostle Islands Area Community Fund Request for Reduction of Fees for Picnic Shelter Rental 8/23/14 – 8/24/14: AIACF requested to have some of the fees waived (only pay for one of the two days as well as waive the security deposit). Discussion on how the Town has been the recipient of many grants over the years from the Foundation, thus possibly waiving all of the fees for their event. Supervisor Curry mentioned that he was thankful for all of the grants, but if they are willing to pay half of the fees, why not accept that? Motion to waive all of the fees for the Apostle Islands Area Community Fund use of the Picnic Shelter on 8/23/14 – 8/24/14, J. Patterson/ H. Ross, 4 Ayes, 1 opposed (M. Curry), Motion Carried.

J. In-Line Skate Event June 14, 2014: Discussion on whether to request a fee from Chamber or Ashland County Chamber to help in the cost of the road crew. They do provide some compensation for the use of our EMTs during the event. No decision at this time.

K. Semi on Main Street Property: Mattingly Parcel Numbers 014004340100, 014004350100, 014004350200, Donation of Property, Judgment: Ongoing issue, but the truck and trailer have been removed from the lot on Main Street.

L. Septic Services Proposal and Resolution #2014-0610: Resolution is just the posting for proposals. Motion to adopt the resolution and post for proposals, H. Ross/ M. Curry, 5 Ayes, Motion Carried.

M. Propane Services Proposal and Resolution #2014-0610A: Motion to adopt the resolution and post for proposals, M. Curry/ J. Patterson, 5 Ayes, Motion Carried.

N. Food Cart Discussion: Questions arose as to whether the Town Board wants to be proactive and take any control over the issue. Discussion on liability, health and zoning issues. As long as the carts/ stands are meeting health and zoning permits and codes, the Town Board is not currently interested in creating an ordinance for or against them.

**VI. Vouchers:** Motion to approve vouchers in the amount of \$44,908.58, M. Curry/ J. Patterson, 5 Ayes, Motion Carried. [Clerk's note: the actual amount should be reduced by \$300.15 to \$44,608.43. A voucher to Zee Medical had been paid previously (8/2013)]

**VII. Alternative Claims:** Motion to approve Alternative Claims in the amount of \$138,138.91 and \$2,280.31 for the Library, M. Curry/ J. Patterson, 5 Ayes, Motion Carried.

Regular Town Board Meeting June 10, 2014

### **VIII. Treasurer's Report**

A. April 2014: Motion to accept the Treasurers Cash Summary Report as of April 30, 2014 with a report total of \$1,054,737.79 and a total available checking account balance of \$535,992.31, J. Patterson/ H. Ross, 5 Ayes, Motion Carried.

B. May 2014: Motion to accept the Treasurers Cash Summary Report as of May 31, 2014 with a report total of \$901,693.58 and a total available checking account balance of \$482,956.64, M. Curry/ H. Ross, 5 Ayes, Motion Carried.

### **IX. Minutes**

A. Amend Regular Town Board Meeting May 13, 2014: Motion to approve minutes as amended (amendment included discussion on requesting applications for part time officers/ eligibility list for the Police Department) M. Curry/ J. Patterson, 5 Ayes, Motion Carried.

B. Special Town Board Meeting May 20, 2014: Motion to approve minutes as submitted, M. Curry/ J. Patterson, 5 Ayes, Motion Carried.

C. Regular Town Board Meeting, May 27, 2014 Motion to approve minutes as submitted, M. Curry/ J. Patterson, 5 Ayes, Motion Carried.

### **XI. Emergency Services**

A. Fire Chief's Report: Presented by Chief Reichkitzer and placed on file by unanimous consent.

### **XII. Public Comment B\*\*:** None

### **XIII. Lawsuits & Legal Issues**

A. Discussion and Possible Action: Gene Nelson Building Issues 197 Big Bay Road Property: Postponed due to Attorney Fauerbach being unable to attend the meeting.

B. Discussion of possible action: Michael Mattingly pending court orders in Ashland County Case 04CV128 and Town Board raze order dated 3/10/10: Postponed due to Attorney Fauerbach being unable to attend the meeting.

### **XIV. Liquor & Operators' Licenses**

A. Class "A" Retail for consumption off premises

1. Island Market, Edward Hartig Agent
2. Lori's Store, Lori Hinrichsen Agent

Motion to approve Class "A" Retail licenses for Island Market and Lori's Store, M. Curry/ J. Patterson, 5 Ayes, Motion Carried.

B. "Class B" retail sale by the glass

1. Café Seiche, Chris Wolfe Agent
2. The Pub, Nicole McNally Agent

Motion to approve "Class B" retail licenses for Café Seiche and The Pub, H. Ross/ M. Curry, 5 Ayes, Motion Carried.

C. Class "B" retail sale of fermented malt beverages

1. Bell St. Gallery, Steve McHugh Agent
2. Café Seiche, Chris Wolfe Agent
3. Ella's Island Café, Linda Geier Agent
4. Island Oasis, Marlin Nelson Agent
5. Madeline Island Golf Club, Inc, William Nelson Agent
6. The Pub, Nicole McNally Agent

Motion to approve Class “B” Retail licenses for Bell St. Gallery, Café Seiche, Ella’s Island Café, Island Oasis, Madeline Island Golf Club, Inc, and The Pub, M. Curry/ J. Patterson, 5 Ayes, Motion Carried.

D. “Class C” wine by the glass

1. Bell St. Gallery, Steve McHugh Agent
2. Ella’s Island Café, Linda Geier Agent

Motion to approve “Class C” wine licenses for Bell Street Gallery and Ella’s Island Café, H. Ross/ M. Curry, 5 Ayes, Motion Carried.

E. Operator’s Licenses

1. Aimee Baxter
2. Elena Tritchkova- Lamoreaux
3. Nora Taylor

Motion to approve Operator Licenses for A. Baxter, E. Tritchkova- Lamoreaux, and N. Taylor, M. Curry/ H. Ross, 5 Ayes, Motion Carried.

F. Non-intoxicating Beverage License

1. Bell St. Gallery
2. Berrisweet Frozen Yogurt Booth
3. Café Seiche
4. Ella’s Island Café
5. Island Market
6. Island Oasis
7. Lori’s Store
8. Madeline Island Golf Club, Inc.
9. Madeline Island Music Camp
10. Mission Hill
11. Motion to Go
12. The Pub
13. The Sugar Shack
14. Dockside Gift Shop

Motion to approve all Non-intoxicating Beverage Licenses as listed above, H. Ross/ M. Curry, 4 Ayes, 1 abstain (J. Patterson), Motion Carried.

G. Cigarette and Tobacco License

1. Island Market
2. Lori’s Store

Motion to approve Cigarette and Tobacco licenses for Island Market and Lori’s Store, M. Curry/ H. Ross, 5 Ayes, Motion Carried.

## **XV. New Agenda Items for Future Meetings**

**XVI. Adjourn** at 8:00pm M. Curry/ J. Patterson, 5 Ayes, Motion Carried.

Submitted by Micaela Montagne, Town Clerk.  
Approved as submitted, June 24, 2014