

**TOWN OF LA POINTE
REGULAR TOWN BOARD MEETING
TUESDAY, JUNE 11, 2013
AT TOWN HALL AT**

Called to order at 5:32 PM

Present: Nick Nelson, Jim Patterson, Greg Nelson, Marty Curry

Absent: Ham Ross

Staff present: Pete Clark, Jen Croonborg-Murphy, Lisa Potswald, Keith Sowl, Michael Dalzell

Public present: Dave Thomas, Mike Starck, Holly Tourdot, Laura Montoya

I. Public Comment A*

Holly Tourdot presents information opposing the use of Element 4 for herbicide spraying of invasive species; the information is available at Town Hall.

Mike Starck states that he is present to answer questions regarding Item V. A. 4.

II. Opening of Sealed proposals for providing of Liquefied Petroleum Gas & Septic Waste Removal for the Town of La Pointe and awarding of Agreement

Three bids received in a timely way, date-stamped and opened by Town Chair Greg Nelson:

- A. Island Septic submitted a proposal for Removal of Septic Waste at a rate of \$70 a load.
- B. La Pointe Gas & Septic, Inc. submitted a proposal for Removal of Septic Waste at a rate of \$80 per 2000-gallon load.

Motion to accept the proposal of Island Septic at a rate of \$70 per load. JP/MC 4A Motion carried

- C. La Pointe Gas & Septic, Inc. submitted two proposals for Providing of Liquefied Petroleum:
 - 1. \$1.75 per gallon
 - 2. Rack price + \$.85 per gallon

Motion to accept La Pointe Gas & Septic's proposal for Liquefied Petroleum at a rate of \$1.75 per gallon. NN/MC 4A Motion carried.

III. Town Administrator's Report presented by Pete Clark & placed on file by unanimous consent. Clark discussed two items on the report: [the full text is available on the Town's website: www.townoflapointewi.gov]

A. Acquisition of the La Pointe School, which will be discussed by Dr. David Aslyn, Superintendent of the Bayfield School District & Clark on 18, 2013. The Town would own the building & lease it back to the school district. The town would be responsible for the maintenance, upkeep, operations and insurance on the building. Clark mentioned the likelihood of a Town Meeting to seek community input should this project move forward.

B. A 1% Voluntary Surcharge to be added on to restaurant and lodging bills; Nick Nelson & Clark will be meeting with Town business owners to assess their level of interest. The money collected would be used to fund Town projects such as, but limited to, a Community Center.

IV. Public Works

A. Roads

1. Foreman's Report June 2013: presented by Town Foreman Keith Sowl & placed on file by unanimous consent. Sowl stated his opinion regarding fences in the easement on Main St. Administrator Clark to follow up on this.

2. Approval of Calcium Chloride hauling by Handy Andy: Motion to approve the laying of calcium chloride on certain Town roads by Handy Andy Express [approximately 5-6 loads] at a cost not to exceed \$24,500 including ferry transportation costs. JP/NN 4A Motion carried.

B. Parks

1. Hiring of Staff for Recreation Center Summer Program: motion to hire Patti Anderson & Kayla DePerry to staff the Recreation Center Summer Program at a rate of \$14.67 &

\$9.85 per hour respectively, to being on June 14, 2013, and end on the Friday before school starts, not to exceed 460 hours. JP/NN 4A Motion Carried.

2. Upgrades to the Softball Field: presented by Marty Curry who asked that the softball team members be allowed to paint the bleachers. Foreman Sowl offered paint, brushes & scrapers at Town expense; team members will provide the labor. Discussion followed regarding the possibility of a scoreboard. [Clerk's note: the Softball Association has a budget of \$3716. 31 that was raised by the Association itself.]

C. MRF

1. MRF Supervisor's Report June 2013: placed on file by unanimous consent

D. Airport

1. Airport Manager's Report & Checklist: May, 2013: placed on file by unanimous consents for the dates 4/21, 4/28, 5/5, 5/12, 5/19, 5/26, and 6/2, 2013.

2. Sign Contractor Performance Bond For Airport Lighting Project: Motion to authorize the Town Chair to sign the Contractor Performance Bond with J & L Electrical Services JP/NN 4A Motion Carried

E. Harbors

1. MIFL Ferry dock lease ending 12/31/2013: consensus of the Board to postpone this item till Budget Workshops in October, 2013.

V. Committees

A. Zoning

1. ZA's Report June 2013: presented by Jen Croonborg-Murphy & placed on file by unanimous consent.

2. Approval of Class F signs: motion to approve the renewal of Class F signs MC/JP 4A MC [Class F signs include but are not limited to signage for events such as the Blood Drive & the Emergency Services Picnic. A complete list is available at Town Hall.]

3. Delich, Bob re: request to rebuild fence in right of way at 793 Main Street parcel 014-00472-0000 (next to Middle Road lake access): concerns regarding the right of way were reiterated. Town Administrator Pete Clark was asked to make the owners aware that the fence may have to be moved at some future point.

4. Proposed Ashland County Mining Ordinance –discuss Town's position for June 13, 2013 Ashland County public hearing: Resolution #2013-0611 in support of Ashland County Mining Ordinance.

Points of discussion as follows:

Marty Curry stated that he feels the Resolution is supporting faulty legislation: he objects to the language of the Ashland County Ordinance. He added that there are too many available exemptions.

Nick Nelson stated that he agrees with Marty Curry. He asked County Supervisor Mike Starck if it is premature to pass this resolution, is it possible that Ashland County might yet adopt something "with more teeth."

Starck responded that changes may yet be made as a result of the Public Hearing held to be held on June 13, 2013, at the Ashland County Courthouse.

Nick Nelson asked why the Town was considering a resolution in this regard. He asked if Town's Attorney Matt Anich had requested it.

Jen Croonborg-Murphy suggested changing the language of the Resolution to support "the most restrictive Ordinance possible." She added that without any ordinance in place, no negotiation [with the mining company Gogebic Taconite] is possible.

Pete Clark stated that the legislation by the State of Wisconsin restricts the County's choices in the language of their Ordinance: no ordinance can be more restrictive than the state legislation. Mike Starck said that there is no need for a signed resolution until June 20, 2013, when the County will adopt the final version of its ordinance. He added that the County is walking a fine line: "If you abuse state statute, it'll get thrown out of court."

Motion to adopt & sign Resolution #2013-0611 as amended:

a.) Changing the title of the Resolution to "Resolution 2013-0611 Concerning the Ashland County Mining Ordinance"

b.) Page 2, first paragraph: from "the Ashland County Board represents the best effort of local government" to "the Ashland County Board should represent the best effort of local government"

c.) Page 2 second paragraph from "the Town Board of the Town of La Pointe stands in support of the Metallic Mining Ordinance" to "the Town Board of the Town of La Pointe stands in support of the most restrictive Metallic Mining Ordinance legally possible, . . . "

3A 1 No [MC] Motion Carried.

5. Comprehensive Plan Revision volunteer assistance: the Zoning Administrator requested approval from the Town Board to seek & use volunteer assistance in revising the Comprehensive Plan. Consensus of the Board to approve this.

6. Proposed Timetable for Rieman Park Planning: Consensus of the Board to approve the proposed timetable for Rieman Park Planning, which allows six years for the planning & permitting phase and eight years to develop the plan to the point of usability.

7. Zoning Administrator request for Orders of Correction at 385 Middle Road land parcel 014-00466-0200: Motion to authorize the Zoning Administrator to issue Orders of Correction to Parcel #014-00466-0200, 385 Middle Rd. NN/JP 4A Motion Carried.

B. Harbors

C. Committee on Local Food System: Nick Nelson stated that the Committee has had to suspend work on its report till the end of summer.

VI. Town Hall Administration

A. Budget Report for May, 2013, approved by motion: NN/JP 4A Motion Carried.

B. Public Spaces Project presented by Nick Nelson: N. Nelson reported that he had met with the La Pointe Center for the purpose of obtaining a grant for the projects to be done downtown [street mural], and that they had asked that there be a consensus of the Board approving the idea. G. Nelson stated that Administrative Assistant Barb Nelson had checked with the Ashland County Highway Dept. and found that the mural could not be painted in the street. Marty Curry suggested painting the mural on the floor of the pavilion. The consensus of the Board was to support the project.

C. Gogebic Taconite RE: the role of local government [Letter from Wisconsin Legislature dated 5/23/13: Nick Nelson suggested the possibility of the Town of La Pointe forming a Local Impact Committee. Pete Clark responded that he thought the greatest strength for the Town lay in banding together with Ashland County. Mike Starck said that there are two Local Impact Committees: the towns of Morris, Anderson 7 Mellon and Iron County. Pete Clark said that he would look into forming a Local Impact Committee.

D. Nominations for members of the Community Awards Program committee: Chair Greg Nelson asked that each Board member as well as the Town Administrator (TA) and the Clerk come to the next meeting [Tuesday, June 25, 2013] with one name for the committee.

E. Town Hall office reorganization: TA Pete Clark asked that he be authorized to create for himself an office within Town Hall. G. Nelson stated that this consensus had already been established. [Clerk's note: Regular Town Board Meeting 2/12/13; agenda item V. F: Town Hall Office Reconfiguration/Reorganization: consensus that the TA needs an office. Discussion regarding various options for achieving that.]

F. Sponsorship of 2013 Pie & Politics: motion to authorize a \$100 sponsorship for 2013 Pie & Politics. MC/JP 4A Motion Carried.

G. Life & Disability Insurance provider and policy changes: Motion to follow the Administrative Assistant's recommendation and approve Policy #1, which keeps the Town's Life & Disability Insurance at roughly the same level as before. JP/MC 4A Motion Carried. Any change will be discussed at budget time.

VII. Library Board Minutes 4/17/13: placed on file by unanimous consent

VIII. Vouchers approved by motion in the amount of \$18,842.40 JP/MC 4A Motion Carried

IX. Alternative Claims May 2013: approved by motion in the amount of \$127,149.96 plus library alternative claims in the amount of \$13,309.27. JP/NN 4A Motion Carried.

X. Treasurer's Report for the period ending May 31, 2013, showing a checking balance of \$805,162.99 approved by motion. JP/MC 4A Motion Carried.

XI. Minutes

A. Regular Town Board Meeting 5/28/13: approved by motion as submitted. NN/JP 4A Motion Carried.

B.

XII. Police

A. Police Department

1. Police Chief's Report June 2013: placed on file by unanimous consent

XIII. Emergency Services

A. Fire Chief's Report: June 2013: placed on file by unanimous consent

B. Ambulance Service Report: May, 2013: placed on file by unanimous consent

C. Use of EMS Building & equipment by non-EMS personnel: N. Nelson to discuss this with Fire Chief Rick Reichkitzer.

XIV. New Agenda Items for Future Meetings

A. Possible acquisition of La Pointe School

B. Semi-annual propane tank inspections

C. 1% Voluntary Surcharge

D. Upgrades to the Recreation Center Softball Field.

E. CAP Award Committee nominations

F. Use of EMS Building/Equipment by non-EMS personnel

G. Compliance with Americans With Disabilities Act

XV. Public Comment B**

XVI. Lawsuits & Legal Issues

XVII. Liquor & Operators' Licenses

A. Class "A" Retail for consumption off premises

1. Lori's Store

2. Mission Hill

B. "Class B" retail sale by the glass

1. Café Seiche

2. The Pub

3. BlueGreen Restaurants, Inc.

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

1. Bud's Island Oasis

2. Ella's Island Café

3. Madeline Island Golf Club, Inc.

D. "Class C" wine by the glass

1. Bell St. Gallery
2. Ella's Island Café

Motion to approve the Class "A", "Class B", Class "B", and "Class C" licenses. JP/MC 4A Motion Carried.

E. Operator's Licenses

1. Paul Turner
2. Micaela Montagne
3. Alexander Vasilev Chobanov
4. Steve McHugh
5. Alicia Montagne
6. Jessica Schillinger

Motion to approve the Operators' Licenses. NN/MC 4A Motion Carried.

F. Temporary Class "B"/ "Class B"

1. Madeline Island Public Library
2. Madeline Island Music Camp

Motion to approve the Temporary Class "B"/"Class B" licenses. JP/MC 4A Motion Carried.

G. Non-intoxicating Beverage License

1. Madeline Island Public Library
2. Lori's Store
3. Mission Hill
4. Café Seiche
5. The Pub
7. BlueGreen Restaurants, Inc.
8. Bud's Island Oasis
9. Ella's Island Cafe
10. Bell St. Gallery
11. Madeline Island Golf Club,

Inc.

6. Bell St. Gallery

12. Madeline Island Music

Camp

Motion to approve the Non-intoxicating Beverage Licenses JP/NN 4A Motion Carried.

XVIII. Adjournment at 7:52 PM

Submitted by Patty Hobin, Town Clerk

Approved as submitted on 6/25/13

Patty Hobin, Town Clerk