

**TOWN OF LA POINTE
REGULAR TOWN BOARD MEETING
TUESDAY, JULY 9, 2013
AT 5:30 AT TOWN HALL**

Called to order at 5:30 PM

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

Staff present: Pete Clark, Ethan Rossing, Lisa Potswalk, Keith Sowl

Public present: Dave Thomas, Mike Starck, Ted Michael

I. Public Comment A*

Mike Starck stated that the Ashland County housing is now occupied. And then he asked how come the Affordable Housing committee hasn't been meeting.

II. Town Administrator's Report presented by Pete Clark & placed on file by unanimous consent.

Clark discussed the fact that the sewer laterals on Main St. had been breached by White Construction during the digging for the fiber optic project, and Keith added that he knew of two more nicks on Voyageur Lane. These have been repaired; however, Clark is looking into some sort "a procedure by which latent damage is assessed, validated & repaired at no cost to the Town and/or residents" with White Construction for the damage that's discovered after the project is long over.

III. Public Works

A. Roads

1. Foreman's Report July, 2013 presented by Keith Sowl & placed on file by unanimous consent. Chair Greg Nelson asked that the road ditches be mowed again. Sowl said that the mower needs a blade, and it has finally arrived. He agreed that it needs doing. Greg said that he used to rent a mower that was adequate to the job. Sowl said he could rent one from Lulich Equipment of Mason, WI for \$1650. Greg acknowledged that the road crew has been swamped! Foreman Sowl stated that he has received numerous phone calls regarding the dust abatement project; he said that the weather has affected the project but that it would be completed in the next couple of weeks.

B. Parks

1. Dedication of Big Bay Town Park: Foreman Sowl agreed that this must occur, but the Park will not be ready until mid-October.

C. MRF

1. MRF Supervisor's Report July, 2013: not available due to error on Clerk's part.

IV. Committees

A. Zoning

1. ZA's Report June/July 2013 not available

2. Zoning Administrator Job Description one change: Supervisor Patterson suggested a change under qualifications: change "current" POWTS to "obtain" POWTS. Greg Nelson expressed the Board's happiness with the wording and feels it's in line with the Board's wishes. Contact with the Town's attorney by department heads came up at this point, and it will be addressed for the next meeting. Marty Curry asked if the job description should go to CAPP for their approval. Lisa Potswald (unofficial interim Zoning Administrator) said that she would want to work with CAPP but needs more time to research what they do.

Approval of job description postponed.

3. Hiring Zoning Administrator: Lisa Potswald was hired by motion at a starting pay rate of \$20.46 to be pro-rated. It is a full time job and her title is Planning & Zoning Administrator. The Town will pay for the POWTS training, which Ms. Potswald has nearly completed. HR/MC 5A Motion Carried

4. Revision of Class F Sign: approved. [Clerk's note: the list of approved Class F signs appears on the Town's website: www.townoflapointewi.gov. It includes but is not limited to the Annual Blood Drive.] JP/NN 5A Motion Carried.

5. Consideration of 7.3 of the Town of La Pointe Zoning Ordinance and scheduling of Public Hearing: Resolution #2013-4 Summary Procedure for Modification of Pre-existing Condition Use

Permits adopted & signed by motion. The Public Hearing will be scheduled by the Town Plan Commission. JP/HR 4A 1 No [NN] Motion Carried.

6. Rental License Violation and Revocation: it was decided that the rental permit shall be revised to include a waiver signed by the renter that holds the Town harmless in the case of accidents caused by non-code work in the renter's house. Motion to authorize the Town Administrator to add a disclaimer to a rental license permit application that states that, to the best of the owner's knowledge, the house is safe for renters. NN/JP 5A Motion Carried.

7. Re-appointment of Alternate to Zoning Board of Appeals Bob Kron re-appointed by motion as an alternate to Zoning Board of Appeals for a term ending July 1, 2016. MC/NN 5A Motion Carried.

B. Harbors

V. Town Hall Administration

A. Budget Report June, 2013 approved by motion. NN/MC 5A Motion Carried

B. Budget Amendment for Zoning Legal: Budget Amendment to Resolution #2013-4 approved by motion. NN/HR 5A Motion Carried. [Each of the items had been previously approved by the Town Board.

C. Signing of Contract for Discover Wisconsin: Motion to authorize Pete Clark to sign the contract for the Town. JP/HR 5A Motion Carried.

D. Budget Transfer for Chamber of Commerce project: motion to authorize the transfer of \$750 from the Contingency Fund for the payment of the first installment of the Discover Wisconsin project. JP/NN 5A Motion Carried.

VI. Vouchers July, 2013 approved by motion in the amount of \$69,264.76. JP/HR 5A Motion Carried. [Clerk's note: the correct total should be \$69,264.74]

VII. Alternative Claims approved by motion in the amount of \$271,958.71 plus \$7157.48 (library). JP/MC 5A Motion Carried.

VIII. Treasurer's Report for the period ending June 30, 2013, approved by motion showing a checking account total of \$537,954.24. JP 5A Motion Carried

IX. Minutes not available

X. Police

A. Police Department

1. Police Chief's Report not available

XI. Emergency Services

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

B. Acknowledgment and Certificates of Appreciation for retired EMS personnel: memo from Town Clerk regarding Emergency Services personnel who have retired with no recognition or thanks. Motion to direct Town Administrator Pete Clark to proceed with this project. MC/JP 5A Motion Carried.

C. Use of the Emergency Services Building & Equipment: Administrator Clark presented an email from the Town's insurance agent, Tom Ketchum, in which Ketchum states the following: "Insurance is all about either increasing or decreasing an entity's exposures. Sometimes increasing the Town's exposure can not be avoided, but when it can be, our recommendation is always to avoid such a situation.

We always recommend that only Town employees be allowed in the Town garages and the same would apply, in principle, to only allow Fire/EMS personnel in or around the Emergency Services Building. We recommend that only individuals who have been trained in regards to the equipment and procedures be on the property, whether it is the Town garage or EMS building. Situations such as theft or a person being in the wrong place when an alarm is sounded are only 2 aspects which concern us.

Now we realize that Departments have “open houses” or fund-raising events at Fire Department buildings, but when that occurs the equipment is contained and other precautions are taken.”

Motion to restrict the use of the EMS building & equipment to EMS personnel with the exception of EMS meetings, the Blood Drive & Elections. JP/GN 3 No's: NN, MC, HR 2A Motion failed.

Motion to allow use of the EMS building & equipment by the following: EMS personnel plus one guest, all Town Board members, plus meetings, the Blood Drive & Elections. NN/MC 3A 2 No HR; GN Motion carried.

XII. New Agenda Items for Future Meetings

- A. Tentative posting for Clerk
- B. ZA Report June/July 2013
- C. Restriction of access to Town's attorney
- D. ZA job description
- E. Revision of Rental Permit
- F. Resolution condemning the use of paramilitary at Penokee Mine site.

XIII. Public Comment B** Marty Curry strongly condemned the use of paramilitary (BulletProof Security) on public land in the Penokees. He called it a violation of public spaces.

XIV. Lawsuits & Legal Issues

XV. Liquor & Operators' Licenses

- A. Operator's License: Catherine Ashe approved by motion. HR/MC 5A Motion Carried.

XVI. Adjournment at 7:07 PM

Submitted by Patty Hobin, Town Clerk

Approved as submitted on July 23, 2013.

Patty Hobin