

TOWN OF LA POINTE
REGULAR TOWN BOARD MEETING
TUESDAY, SEPTEMBER 9, 2014
5:30PM AT TOWN HALL
Approved Minutes, as submitted 9/23/14

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

Public Present: Mike Starck, Marilyn Hartig, Tom Lidner, Kathryn Renwaldt, Nick Nelson, Ute Hodges, Gary Krubsack, Jay Westfield, Michael and Alexandra Caswell, Julie Schmitt, Julie North, Paul Brummer, Chris Wolfe, Meg Brown.

I. Public Comment A*: None

II. Town Administrator's Report: Presented by Administrator Pete Clark and placed on file by Unanimous Consent. Highlights/ discussion included closing out Big Bay Town Park improvement project, time spent of finding more information on the Law Enforcement Review Panel, and DNR dock issues/ storm erosion study with Sea Grant Institute.

III. Public Works

A. Roads

1. Foreman's Report: presented by Foreman Kristian Larsen and placed on file by Unanimous Consent. Discussion included work being done to clean ditches and culverts, a sink vandal took a sink off the wall at Joni's Beach bathroom building, and solving the problem of the water pump breaker tripping at the Town Park.

2. Permission to use Chief Buffalo Lane by Nelson Construction: Dock Replacement Project: Board sees no issue with this, P. Clark mentions having a hold harmless agreement and insurance coverage from Nelson Construction, and K. Larsen mentions talking with Arnie about making sure nothing will disrupt the crack sealing to be done on the road around the same time. Motion to grant permission to use Chief Buffalo Lane by Nelson Construction for the dock replacement project once the hold harmless and insurance have been received, J. Patterson/ M. Curry, 4 Ayes, 1 Abstain (G. Nelson), Motion Carried.

B. Parks

1. Rental Request from Madeline Island Community Gardening Project for waiver rental and deposit fees for use of Harry E Nelson Recreation Center: 9/13/14: for the annual pig roast/ farmers market. Motion to approve Rental Request from Madeline Island Community Gardening Project for the use of Harry E Nelson Recreation Center on September 13, 2014 with all fees waived, J. Patterson/ M. Curry, 5 Ayes, Motion Carried.

2. Letter from Patty Anderson: Rec Center open on weekends: Letter dated August 25, 2014 from Patty Anderson, Director of the Rec Center Summer Program, requests the Rec Center to be open to the Island children on the weekends through much of the fall. Discussion included what Patty's hours were and how much remains in the budget. Motion to grant the request/ preliminary approval from Patty Anderson to have the Rec Center open on weekends contingent upon payroll issues, J. Patterson/ H. Ross, 5 Ayes, Motion Carried.

3. Wedding at Big Bay Town Park: Re: parking: information only.

C. MRF

1. MRF Supervisor's Report: Report dated September 8, 2014 placed on file by Unanimous Consent.

IV. Committees

A. Zoning

1. ZA's Report: Report dated 8/1 through 8/31/ 2014 placed on file by Unanimous Consent. Discussion included that things were going alright between Lisa and James Price.

B. Harbors: Nothing at this time.

C. Winter Transportation Committee

1. Resolution #2014-0812 Amendment: past discussions had included a committee member from Windsleds Inc, now the committee will have a member from Windsleds, Inc only as an ex officio member who will not vote. Motion to pass the Resolution #2014-0812 amendment, H. Ross/ M. Curry, 5 Ayes, Motion Carried.

2. Appointment of Committee members: Motion to appoint Arnie Nelson as Windsled, Inc ex officio member, M. Curry/ J. Patterson, 5 Ayes, Motion Carried.

V. Town Hall Administration

A. Budget Report: Motion to approve Budget Summary Report dated 9/5/2014, J. Patterson/ M. Childers, 5 Ayes, Motion Carried.

B. Grant Updates: placed on file by Unanimous Consent with a thanks to Lisa Potswald and Kristian Larsen for the Joni's Beach Meeting.

C. Draft Management's Discussion and Analysis Report for year ending 12/31/2013: postponed.

D. Letter to Environmental Protection Agency: Mining: at the last meeting (8/26/14) Barb With submitted a draft of a letter to the EPA for the Town Board to prepare, sign, and send stating our resistance against mining in the area. Motion to sign letter to the Environmental Protection Agency regarding no mining, M. Curry/ J. Patterson, 5 Ayes, Motion Carried.

E. Bilingual Signage: presented by Nick Nelson. Nick shared samples of the different sign options (branding on cedar, laser cut on cedar, or printed vinyl). Nick is most in favor of the printed vinyl because of look, cost and efficiency. Grant was received for \$1700, and the Town budgeted \$5000 for the project. It looks like only a total of \$2500 will be needed to complete the project, coming in under budget. Motion to approve the printed vinyl signage and to pursue the course of action to complete the project, M. Curry/ J. Patterson, 5 Ayes, Motion Carried.

F. Budget concerns: Administrative Assistant Barb Nelson prepared a memo stating a summary of some of the budget concerns, mostly in Highway expenditures. Because there may need to be an increase in the expenditures, a Special Town Meeting may need to be called. This will be on the next agenda.

G. Pergola and Surroundings Improvement Fund: a letter was received September 4, 2014 from Peter Rogers requesting a designated fund for the improvement of the Pergola and surroundings. Money has been donated for the project. Town Board had no problem with this.

H. Big Arn's Road Petition Submission: Set Public Hearing date: A petition was received for the Town to annex/ lay a highway on the current private road, Big Arn's Road. The next step is the schedule a Public Hearing on the matter. Motion to schedule the Public Hearing for Big Arn's Road on October 21, 2014 at 6:00pm, H. Ross/ M. Curry, 5 Ayes, Motion Carried.

VI. Vouchers: Motion to approve vouchers in the amount of \$19,652.34, J. Patterson/ M. Curry, 5 Ayes, Motion Carried.

VII. Alternative Claims: Motion to approve alternative claims in the amount of \$452,562.77 and \$10,153.02 for the Library, J. Patterson/ M. Curry, 5 Ayes, Motion Carried.

VIII. Treasurer's Report: Motion to approve the Treasurer's Cash Summary Report as of August 31, 2014 showing a total of \$928,935.99 and a total available checking account of \$447,143.58, J. Patterson, M. Curry, 5 Ayes, Motion Carried.

IX. Minutes

A. Regular Town Board Meeting August 26, 2014: Motion to approve minutes as submitted, M. Curry/ J. Patterson, 5 Ayes, Motion Carried.

X. Police Department

A. Police Chief's Report: Report dated 9/5/2014 placed on file by Unanimous Consent.

B. Consideration of Revision of Law Enforcement Review Panel and Possible Rescission of Existing Resolution #2014-0812A: lots of discussion on whether to keep a resolution in place or not have one at all while more facts and information are being found. Chairman Nelson met with the Town's Attorney, the Administrator has been doing a lot of research including talking with another attorney (Jon Anderson) that specializes in town and municipal law, and there are still many questions to be answered about the panel itself, as well as the membership. The question of current Town Board authority with the police department has also not been finalized. Chairman Nelson motions to rescind the current Resolution # 2014-0812A as advised by the Town's Attorney and Town Administrator, and to review and wait for other information to come in. H. Ross seconds, vote: 3 Ayes (G. Nelson, H. Ross, and J. Patterson), 2 Nays (M. Curry, M. Childers), Motion Carried.

More discussion on how this is not the end of the panel, just waiting for more information as there are very few other town's that have similar situations. It is discussed that there is also a revision to Resolution 2014-0812A that is better than the rescinded one, and it the board is to continue to move forward with the panel, may be it best to have it in place.

Motion to accept/ adopt the Amended Resolution #2014-0812A and to empower the Town Administrator to contract with Attorney Anderson on getting more answers, M. Childers/ M. Curry, 3 Ayes (M. Childers, M. Curry, J. Patterson), 2 Nays (G. Nelson, H. Ross), Motion Carried.

XI. Emergency Services

A. Fire Chief's Report: Placed on file by Unanimous Consent.

XII. Public Comment B**

Sandy Caswell spoke on the issue of Big Arn's Road. She has questions and will not be able to attend the Public Hearing. She will submit via email to the clerk.

XIII. Lawsuits & Legal Issues: Nothing at this time

XIV. Liquor & Operators' Licenses

A. Temporary Class "B" License

1. Madeline Island Community Gardening Project, Rec Center: 9/13/2014: Motion to approve Temporary Class "B" License to the Madeline Island Community Gardening Project at the Rec Center on September 13, 2014, M. Curry/ J. Patterson, 5 Ayes, Motion Carried

B. Non-Intoxicating Beverage License

2. Madeline Island Community Gardening Project, Rec Center: 9/13/2014:
Motion to approve non-intoxicating beverage license to the Madeline Island Community Gardening Project at the Rec Center on September 13, 2014, M. Curry/ J. Patterson, 5 Ayes, Motion Carried.

XV. New Agenda Items for Future Meetings

- A. Budget, scheduling Special Town Meeting for Highway Expenditures
- B. Propane
- C. Law Enforcement Review Panel

XVI. Adjourn at 6:55pm. M. Curry/ H. Ross, 5 Ayes, Motion Carried.

Submitted by Micaela Montagne, Town Clerk

Approved as submitted, September 23, 2014. Micaela Montagne, Town Clerk