

**TOWN OF LA POINTE
REGULAR TOWN BOARD MEETING
TUESDAY, DECEMBER 13, 2011
AT 5:30 AT TOWN HALL**

Called to order at 5:30 PM

Present: Beth Fischlowitz, Jim Patterson, Greg Nelson, Larry Whalen

Absent: Ham Ross

Dept. Heads present: Keith Sowl, Carol Neubauer, Jen Croonborg-Murphy,

Public Present: Margaretta Kusch, Nick Nelson, Julie Schmidt, Martin Curry, Scott Grabarek, Mike Starck, Linda Fuller, Laurel Murphy

I. Public Comment

Keith Sowl wants the Special Event Permit to have the exemption for civic-oriented events struck. [see item XI. E.]

Marty Curry asked to speak during the Penokee Mine Resolution [item XI. C.] discussion.

Carol Neubauer said that the tax bills are done & ready to be mailed.

Mike Starck asked why the website is not updated.

II. Vouchers approved in the amount of \$30,671 BF/JP 4A MC [Clerk's note: actual amount was \$30,467.84 due to adjustments as follows:

McMaster Carr voucher reduced by \$26.67 addition error

Banners.com increased \$00.02 invoice mis-read

Redberry Books voided \$176.51 previously approved

III. Alternative Claims approved in the amount of \$114,663.01 BF/JP 4A MC

IV. Treasurer's Report

A. Treasurer's Report dated Nov. 30, 2011, approved by motion showing balancing as follows: total balance of \$1,082,877.94; available cash of \$543,522.54; checking account balance of \$484,084.85. BF/JP 4A MC

B. Memorandum from Treasurer: Town Credit Card Options motion to authorize Bremer Bank credit cards issued in the names of the department heads who wish to have one. BF/JP 4A MC

V. Minutes

A. RTBM 11/22/11 motion to approve as amended. BF 3A 1 Ab. [LW absent from meeting.] MC

VI. Public Works

A. Parks

1. Non-motorized vessel racks at Big Bay Town Park: Keith Sowl said that he wants to be fair to each vendor that wants racks at the Park; however, it's crowded in the space that is dedicated to racks. Greg Nelson suggested taking bids and awarding the spots to the highest bidder and limiting the number of racks on the beach. He feels that the Town should not be building racks for private vendors. Much discussion followed regarding how much room is available and how much demand there is for spots.

2. WI DNR Recreation Aids Grant Agreement Big Bay Town Park:
motion to authorize the Chair to sign: Recreation Trails Act #RTA-475-12-(ADLP3-12-1120) in the amount of \$25,000: 3A 1 Nay [LW] MC

3. Park Reservation System & Website: the phone number for the reservations system is 715-747-3031; there are two addresses for the Big Bay Town Park website: www.bigbaytownpark.org and www.bigbaytownpark.com

4. Management of Permitting Process for CUP at Big Bay Town Park:
much discussion the gist of which was that the Board feels that the Conditional Use Permit [CUP] covers the entire project and that there should be no need for separate Land Use Permits for each phase of the project. The Board wished to authorize Jen Croonborg-Murphy to issue the Current Road Access permit, which may, however, have to wait on water quality certification. Greg Nelson pointed out that the Board is acting in the Town's best interest. Keith then asked about general setbacks (ie: buildings, uses, etc.) Greg Nelson told him to find out what the setbacks were when the land for the Park was purchased [according to Greg, this would have been County Zoning]. Jen Croonborg said that the setbacks are included in the CUP. Motion to authorize Zoning Administrator Jen Croonborg-Murphy to process the permit for the loop road at Big Bay Town Park [BBTP], and all future permitting vis-à-vis the BBTP CUP will not be needed for this project only. BF/LW 4A Motion Carries IT IS CLARIFIED BY THE BOARD THAT THIS MOTION IS NOT INTENDED TO SET A PRECEDENT FOR ANY OTHER CUP'S.

B. Roads

1. Town Foreman's Report placed on file by unanimous consent

2. Griggs Approach

a. Withdraw from application to WI DNR for dock : Motion to withdraw the Town's application to the Wisconsin Department of Natural Resources [DNR] for a dock permit due to unforeseen circumstances. (Foreman Keith Sowl will be talking to Wisconsin Coastal Management to let them know that we just want the ramp.) BF/JP 4A MC

b. Rescind Grant Agreement with WI DNR for dock and ramp:
Motion to rescind the grant agreement for the Recreational Boating Facilities Grant #RBF-1371 in the amount of \$56,180 due to legal issues. BF/JP 4A MC

C. MRF

1. MRF Supervisor's Report dated Dec. 12, 2011, placed on file by unanimous consent.

D. Harbors

1. Management of the Breakwall: Greg Nelson felt that what is needed is either an ordinance or an amendment to Ordinance 347 §1-7, the Joni's Beach Ordinance, to designate a fee for leasing some of the spaces on the breakwall (with due regard to the ferry line's needs), and leaving space for some transient docking.

E. Airport

1. Airport Liability Renewal: motion to stay with Phoenix Insurance in the amount of \$1785 for 12/13/11 through 12/13/12. BF/LW 4A MC

VII. Library

A. Change in Job Description for Library Director: motion to accept the request of the Library Board and increase the Library Director's hours to full time. BF/JP 4A MC

VIII. Police

A. Police Chief's Report: placed on file by unanimous consent; in his report Chief Anderson requested that Jim Patterson resume as the Police Dept. liaison. J. Patterson agreed to do so.

B. Revised Draft of Carry a Concealed Weapon Ordinance: approved by motion. BF/JP 4A Motion Carries Clerk to initiate the adoption process.

IX. Emergency Services

A. Ambulance Director's Report: November, 2011: not available

B. Fire Chief's Report

1. September, October, November, 2011: placed on file by unanimous consent.

C. Sealed Bids for Ford E-350 Econoline Ambulance: three bids: R & J construction \$575; Scott Grabarek \$2031; Arnie Nelson \$1151. All bids rejected by motion. BF/JP 4A MC. [One bidder did not understand the rules.] Clerk is instructed to repost with a deadline in time for the Dec. 27th RTBM and not to publish at all.

D. Clarification of 2012 EMT pay: motion to send the current payment arrangement to an employment attorney. BF/JP 4A MC

X. Committee

A. Zoning

1. Zoning Administrator's Report: dated 11/7/11 to 12/12/11 placed on file by unanimous consent with one sentence redacted. Discussion followed regarding the County's position on the revised zoning ordinance: clerk is directed [by motion: BF/JP 4A MC] to send a letter to the County Board telling them that the LaPointe Town Board does not favor rescinding zoning on the Island.

2. Zoning Administrator Request to Withdraw Petition Filed Per Section 15: Paul Brummer 5/31/11 Complaint RE: Conditional Use Permit at 978 Big Bay Rd. : requested that the Board address two issues: the withdrawal of the petition and the approval or denial of issuance of orders. Zoning Administrator Jen Croonborg-Murphy said that she feels that the zoning ordinance contradictory in its language and does not allow for a **CLEAR PROCEDURAL GUIDELINE FOR A TOWN-INITIATED** amendment to the CUP. Motion to allow withdrawal of the petition: BF/JP 4A MC Motion to dismiss the complaint: BF/GN 4A MC

XI. Town Hall Administration

A. Monthly Budget Report: placed on file by unanimous consent

B. Ordinance #2011-02 Adopting the Code of Ordinances/Repeal of Existing Ordinances: adopted by motion: BF/JP 4A MC

C. Request from Martin Curry RE Penokee Mine Project: much discussion regarding whether or not political bodies should or should not be expressing opinions on this matter. Motion to formally support the request from Martin Curry: JP/LW 3A 1 Ab [BF] MC Clerk to prepare in resolution format.

D. Year End 12/31/11 Audit Agreement with Maitland, Singler & Van Vlack in the amount of \$9000 Chair's signature authorized by motion: BF/JP 4A MC

E. Special Event Permit Draft: Motion to adopt as amended [strike § 347-12 (E)(c) "School & civic-oriented events" are exempted from the requirement to obtain a Permit. BF/LW 4A Motion Carries [Clerk's note: this will require a change in the Ordinance.]

F. Windsleds Repair Estimate: informational only

G. Draft of Employee Weapons Policy: adopted by motion: BF/JP 4A MC

H. Rate of charge for Research Fee: Motion to set the fee for research of public information requests [those searches that take longer than one half hour] at \$18.53 per hour. BF/JP 4A MC

I. Adoption of 2012 Budget: 2012 budget in the amount of \$1,594,373.10 **[Clerk's note: this is an error and will be remedied at the Regular Town Board Meeting on January 10, 2012, with a new motion]** adopted by motion. JP/BF 4A MC

J. Holiday Schedule for Town Hall: consensus approval to close Town Hall on Wednesday, Dec. 21, Thursday, Dec. 22 and Friday, Dec. 23, 2011. The agenda for the Regular Town Board Meeting on December 27th will be posted on Tuesday, Dec. 20, 2011.

K. Requested Unspent 2011 Budget Transfers: consensus approval for final approval if/when funds are available. **[Airport: \$5000; Parks: \$24,000; Accounting Software: \$12,000.**

L. Personnel Policy Change Request: Pay Date: motion to approve option a, which calls for time cards to be turned in by 10:00 AM on Mondays, direct deposits to arrive on Wednesdays after 4:00 PM and checks to be available on Thursdays after 4:00 PM. BF/LW 4A

M. Review of 2012 Fee Schedule approved for adoption at the next Regular Town Board Meeting.

XII. New Agenda Items for Future Meetings

- A. Kayaks & Canoes [Racks] at BBTP**
- B. Management of the Breakwall [see Mike Anderson]**
- C. EMT Officers & By-laws**
- D. Resolution re Penokee Mine Project**
- E. Fund Balance Transfers**
- F. Fee Schedule Adoption**
- G. CCW Ordinance Adoption**
- H. Agreement with Windsleds, Inc.**

I. Opening of Sealed Bids for Ford Econoline

XIII. Lawsuits & Legal Issues

XIV. Adjournment at 7:50 PM.

Submitted by Patty Hobin, Town Clerk

Approved as submitted on 1/10/12