

**TOWN OF LA POINTE
REGULAR TOWN BOARD MEETING
MINUTES
TUESDAY, JUNE 22, 2010
At 5:30 At Town Hall**

Called to order at 5:30 PM

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

- I. **Public Comment:** Beth Fischlowitz commented on the success of the Inline Skate Event and the many kudos received by the Town and the Ashland Chamber of Commerce (organizers); Mike Starck spoke about the UTV pilot project and said that it is up to the Town to choose where the UTV's will be legal on the Island. Keith Sowl stated that he favors sending the Zoning Administrator to Wetland Delineation Training.
- II. **Vouchers** approved in the amount of \$20,060.16 BF/JP 5A MC
- III. **Minutes**
 - A. RTBM 10/13/09 revised by Clerk. Approved as revised BF/LW 4A 1Ab (JP) MC
 - B. STBM 5/24/10 Corrected by Clerk: Approved as corrected BF/HR 4A 1Ab (LW) MC
 - C. RTBM 5/25/10 revised by Clerk: Approved as revised. 4A 1Ab. (HR) MC
 - D. RTBM 6/8/10 Approved as submitted 5A MC
- IV. **Public Works**
 - A. Parks
 1. Waiver of fees for Emergency Services use of Recreation Center on the 4th of July: waived by motion BF/JP 5A MC
 2. Recreation Center Policy & Rental Form Revisions: Motion to adopt revisions: BF/LW 5A MC
Keith Sowl stated that he thinks more should be charged for the rental of the Recreation Center as the rental fee frequently fails to cover the cost of cleaning up after an event.
 3. Review map of Big Bay Town Park: Approved by motion: BF/LW 5A MC Ham Ross requested that the map include contours of the beach. Keith Sowl requested that this be considered at budget time that his map is adequate for planning.
 4. Ordinance regulating docking/camping at Joni's Beach: Clerk is directed to create a draft Ordinance using parts of the Egg Harbor Ordinance Chapter 94 and whatever other bits are appropriate.
At the end of Parks, Foreman Keith Sowl stated that he would be building one more canoe rack at the Town Park. He feels that the leases on these should be non-transferable.
 - B. Roads
 1. Proposals for Crack Sealing: Motion to accept the proposal from Fahrner Asphalt Sealing for an amount not to exceed \$9000 (which according to Foreman Keith Sowl will include sealing on Hagen Rd. 5A MC
 2. Letter from Judi Patterson dated 6/4/10: opening the cul-de-sac adjoining Lot 2 Range 3 West Document #202758 Section 32: Zoning Administrator Jen Croonborg-Murphy stated that it may not be in the best interest of the Town to open the cul-de-sac. Ham Ross stated that landowners should help pay the cost of developing a road. Greg Nelson reiterated that the Town bought the property in the first place so that someone else wouldn't buy it and prevent landowners from accessing their land. Ham Ross favors granting primitive access. The Zoning Administrator is directed, by motion, to consult with the Town's attorney to explore the Town's options regarding this cul-de-sac. 4A 1Ab (JP) MC
 3. Part-time truck driver position
 - a. possible hiring of Dick Hardie: Motion to hire Dick Hardie as a Limited Term Employee temporary truck driver at a wage of \$15 an hour to start immediately. HR/BF 5A MC
 4. Ordinance Changes to Ordinances #102, 103 & possibly #100: revised parking & speeding ordinances: postponed till RTBM on 7/13/10
- V. **Library**
 - A. Appointment of Board Member to three-year term ending 7/1/13: Motion to re-seat Kimberly Jones. BF/LW 4A 1Ab (HR) MC
- VI. **Police**
 - A. Letter from Chief Anderson dated 6/16/10: approval of hiring of limited part-time police officers. Motion to allow Chief Anderson to "hire at will." HR/JP 5A MC
- VII. **Emergency Services**
 - A. Fire Chief's Report not available
- VIII. **Committees**
 - A. Zoning

1. Hartzell, Robert re: Subdivision of Parcel #014-00206-0200 580 Mondamin Trail—Zoning Administrator request for authorization to issue Orders for Correction and subdivision's effect on Conditional Use Permit: Motion to authorize the Zoning Administrator to issue Orders of Correction on Parcel #014-00206-0200 580 Mondamin Trail with a Certified Survey Map to support the Correction. BF/JP 5A MC
Motion to not issue the Conditional Use Permit on this parcel till the violation has been corrected. JP/LW 5A MC
 2. Memorandum of Understanding among Ashland County Land & Water Conservation, Ashland County Zoning Administration, Town of La Pointe Zoning & Wisconsin Dept. of Natural Resources: Ashland County has removed the fee that it planned to charge for making a trip to the Island. Motion to authorize the appropriate Town official to sign the Memorandum of Understanding when it arrives. LW/HR 5A MC
 3. Zoning Board of Appeals
 - a. Appointment of two Board members for three-year terms ending 7/1/13: Motion to seat Paul Brummer. BF/JP 4A 1 No (GN) MC
 - b. Appointment of one alternate Board member for a three-year term ending 7/1/13. [Clerk's note: will continue to be posted]
 4. Inter-Municipal Agreement between The County of Ashland & the Town of La Pointe: discussion regarding what modifications should be made to the existing Agreement. Motion to authorize the Clerk & the Zoning Administrator to draft a letter to Ashland County requesting amendments to the Agreement and to invite Jeff Beirl, Ashland County Administrator to come to the Island for a meeting in this regard. BF/HR 5A
 5. Proposed presence of Attorney at Zoning Board of Appeals Meetings: motion to endorse the presence—personally—of the Town's attorney at Zoning Board of Appeals Public Hearings and the Town Attorney's presence—either in person or by teleconference—at the decision-making meeting for which the Public Hearing was held. HR/BF 5A MC
 6. Zoning Administrator Wetland Delineation Training: Motion to approve the Zoning Administrator's attendance at the Wetland Delineation Training for a cost of up to \$1200. HR/BF 5A MC
- B. Housing Authority Committee
1. Appointment of a member to a three-year term ending 7/1/13: Motion to reseat Mike Anderson. HR/LW 5A MC

IX. Town Hall Administration

- A. Safety Plan for Fourth of July & Star Bar Weekend
 1. Letter from Ludlow North to individual Star Bar teams dated 6/15/10: consensus of the Board was that the letter is fine with the addition of the sentence: "Local Ordinances Apply."
- B. Insurance Agents: review of current Town insurance policy: postponed till the 7/13/10
RTBM
- C. Letter from Charley Brummer dated 6/7/10 re: bids for gasoline/diesel: unanimous consent to place the letter on file. Clerk to send a packet of information to Charley in this regard.
- D. Ordinance regulating docking/camping at Joni's Beach—covered previously
- E. Website: the Clerk is directed to decide what is needed for the website
- F. Proposals for Septic Waste Removal & Propane Purchase Service for period 7/1/10-6/30/11.
Motion to accept the proposal from La Pointe Septic at \$80 per 2000 gallons, not including the pit toilets. BF/JP 4A 1Ab (GN) MC
Motion to accept the proposal from La Pointe Gas at \$1.85 a gallon. HR/JP 4A 1Ab (GN) MC Clerk is directed to consult the Town's Attorney regarding a contract for each of these services.
 1. Letter from Gene Nelson dated 6/11/10 re: the Town's deducting State of WI inspection fee from the propane bill he sent to the Town. It was the will of the Board to support the deduction of the fee from the amount sent to Gene Nelson for propane. The Clerk is directed to write a letter to Gene stating that as a propane provider it is his responsibility to know where the tanks should be placed.
- G. Town Hiring Policies: postponed till the 7/13/10 RTBM
- H. Winter Transportation with the Bayfield School District: Clerk is directed to revise the current Collaborative Agreement as to date and send it to the School District for signature.
 1. PACE project: letter of support for Property Assessed Clean Energy: no action taken.
- J. Resolution 2010-0622 A: a resolution appointing an Alternate to the Board of Review
 1. Cindy Dalzell: Motion to appoint Cindy Dalzell as an alternate member of the Board of Review. BF/HR 5A MC
- K. Tax Exemption Report 2010 sent to Dept. of Revenue: informational item only
- L. Smoke-free Wisconsin: email dated 6/16/10 from Brette Garnatz: information not available
- M. Ordinance #2-2010: An Ordinance for Assemblages & Special Events
 1. Letter & packet from Attorney Matt Anich dated 6/15/10: no action taken; item to be dropped from future agendas.
- N. Ordinance Changes to Ordinances #102, 103 and possibly #100: covered previously
- O. Administrative Assistant's Report dated June 2010: unanimous consent to place on file. The Administrative Assistant asks in the report for the will of the Board regarding a time frame for 2011 Budget Workshops. The Board wishes to follow the same schedule as last year, which means beginning workshops in mid-October.

X. New Agenda for Future Meetings

- A. Leases on non-motorized vessels at Big Bay Town Park.
- B. Ordinance regulating docking & camping at Joni's Beach
- C. Ordinance changes to Ordinances #102, 103 and possibly #100
- D. Zoning Board of Appeals: appoint members to terms ending 7/1/13
- E. Review of the Town's Insurance Policy
- F. Town Website
- G. Town Hiring Policies
- H. Opening the cul-de-sac adjoining Lot 2 Range 3 West Document 202758 section 32

XI. Lawsuits & Legal Issues

- A. 09-cv-215 Paul Brummer vs. the Town of La Pointe
 - 1. Letter from Attorney Mike Fauerbach dated 6/15/10
- B. 04-cv-128 Town of La Pointe vs. Michael Mattingly

XII. Liquor & Operators' Licenses

- A. Class B Liquor, Beer & Wine
 - 1. The Beach Club
 - 2. The Bell St. Restaurant
- B. Reserve Combination Class B Liquor, Beer, Wine
 - 1. Tom's Burned Down Café
- C. Class B Beer & Class C Wine
 - 1. Grampa Tony's
- D. Non-intoxicating Beverage
 - 1. Island Thyme
 - 2. Madeline Island Music Camp
- E. Temporary Class "B" Picnic
 - 1. Madeline Island Music Camp
- F. Operators' Licenses

1. Janel Ryan	6. Elena Bangeeva-Erickson
2. Chris Wolfe	7. Nancy James
3. Michael Priestly	8. Catherine A. Baldwin
4. Chaz Vermilyea	9. Shannon Murphy
5. Jeff Obst	10. Stephanie Berger

Motion to grant all licenses: HR/JP 5A MC

XIII. Adjournment: Adjournment at 8:45 PM

Approved as submitted at meeting on 7/13/10
Patty Hobin