

**TOWN OF LA POINTE
REGULAR TOWN BOARD MEETING
MINUTES
TUESDAY, OCTOBER 12, 2010
At 5:30 At Town Hall**

Called to order at 5:37

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

Absent: Larry Whalen

Dept. Heads present: Keith Sowl, Michael Dalzell, Jen Croonborg-Murphy

I. Public Comment: Lois Carlson thanks Ham Ross for watering the flower baskets all season and comments on a letter from Jim Bryan regarding a recent electrical power outage. [on agenda for this meeting]

II. Vouchers approved in the amount of \$27,646.46 4A MC

III. Alternative Claims approved in the amount of \$91,514.08 BF/HR 4A MC

IV. Treasurer's Report dated October 12, 2010, showing a total balance of \$1,032,407.71, an available cash balance of \$598,787.32 and a checking account balance of \$597,525.08 accepted & placed on file by motion. BF/HR 4a MC

A. Resolution #2010-1012 Treasurer Bonding: Motion to approve Resolution #2010-1012 which obligates the Town to pay in the case the Town Treasurer shall fail to do so, all State and County taxes required by law to be paid by such Treasurer to the County Treasurer. BF/JP 4A MC

V. Minutes

A. Regular Town Board Meeting 9/14/10 approved as submitted. JP/BF 4A MC

B. Regular Town Board Meeting 9/28/10 not available

Motion to move to item X.B. Madeline Island Chamber of Commerce. BF 4A MC

1. Membership in Chamber of Commerce: at a cost of \$160 for membership & an additional \$185 for a presence in the Visitors' Guide [for Big Bay Town Park]. This will be discussed during budget workshops.

2. Summer Update: L. Carlson reports a very positive summer for Island businesses and notes the effect of the Inline Skate Event.

3. Request for Funding: L. Carlson presents material relating to the room tax and tourism and requests funding for a new Chamber website. B. Fischlowitz refers to the age of the current website and favors giving or sharing the room tax with the Chamber. This also will be discussed at budget workshops.

Motion to move to item IX.A.2. Zoning BF 4A MC

2. Certified Survey Map submitted by Jim & Marie Noha for a parcel of land located in Lot 1 of Block 38 and the adjacent part of the westerly ½ of a vacated Reserved Street RE: purchase of Town property. H. Ross asks if J. Noha intends to buy the land. J. Noha replies yes. H. Ross states that the Library Board objects to the sale of the land and asks if the sale of the Town property would enable Noha to subdivide and sell off a buildable lot. Noha replies no. H. Ross asks if J. Noha will grant an easement for library parking & states that he is reluctant to sell off Town land in the downtown area. Noha states that he has no intention of subdividing and selling off property. Jen

Croonborg-Murphy adds that the parcel would not be big enough to subdivide and mentions that the sale contract could be written to preclude such sale.

Motion to agree to sell the land with a codicil that prevents subdividing. JP/BF 3A 1 Ab [HR] MC

Motion to authorize the Town Chair to sign the Certified Survey Map application. BF/JP 3A 1 Ab [HR] MC

Motion to refund the \$250 application fee to J. Noha per precedent. BF/HR 4A MC

Motion to return to the agenda. BF 4A MC

VI. Public Works

A. Parks

1. Joni's Beach Park

a. Possible projects at Joni's Beach: funding from the Island Association: B. Fischlowitz mentions the need for dog waste disposal materials. Foreman Keith Sowl says that the park will need a new dock soon. B. Fischlowitz says that her understanding was that the Island Association was more interested in amenities for the park. The Clerk is directed to write a thank you note to the Island Association stating that the Town will form a plan and then fill out the proper application.

b. Ordinance #2010-01 an Ordinance for Regulating Docking/Camping at Joni's Beach & the Town Dock. Motion to substitute the word *overnight* for *transient* and send Ordinance #2010-01 to the Town's attorney for finalization. BF/JP 4A MC

2. Big Bay Town Park issues: B. Fischlowitz states that Big Bay Town Park is an asset to the Town and that the Town must improve and care for its assets.

3. Big Bay Town Park Improvements: Requests for proposals. Two proposals: Chequamegon Bay Engineering & Cooper Engineering. Foreman Sowl favors using CBE due to its proximity.

Motion to accept and authorize the Town Chair to sign the proposal from Chequamegon Bay Engineering for Phase I of a 10-year plan [at a cost of \$6750] to be paid for with \$5000 from the remainder of the \$8000 Parks Capital Outlay 2010 Budget #57620-00 and the additional \$1750 from the contingency fund. BF/JP 4A MC

B. MRF

1. MRF Supervisor's Report dated October 12, 2010, placed on file by unanimous consent.

2. Wisconsin DNR Reports: Material Recovery Facility Inspection, Closed Landfill, Exempt Transfer Facility Inspection. Unanimous consent to place on file with congratulations to the MRF personnel.

C. Roads

1. Town Foreman's Report dated Sept. 11-October 8, 2010, placed on file by unanimous consent.

2. Special Assessment for Miller Farm Rd. Clerk to proceed with statutory process for levying a special assessment.

D. Harbors

1. Report from the Committee not available

2. Dock Lease between the Town of La Pointe and Nelson Construction of La Pointe terminating on Dec. 31, 2010.

E. Airport

1. Leases

- a. Proposed Hangar Lease: Motion to approve the revised hangar lease.

HR/BF 4A MC

b. Proposed Industrial Zone Lot Lease: Motion to approve the revised [by the attorney] Industrial Zone Lot Lease. BF/Jp 4A MC

2. Letter from Dave & Missy Donkers re: Pilots' Lounge Upgrade Discussion regarding the alarm on the tank. G. Nelson asked why it hasn't been fixed. M. Dalzell responded that it will be. G. Nelson asked if the structure can be upgraded. M. Dalzell said that the structure met the 1991 Building Code per James Price, and that while issues such as insurance and the Woods lease remain, the work can go forward.

F. Cemetery

1. Cemetery Fee: H. Ross [sexton] requests a change in how the fee is disbursed. This will be discussed at the budget workshop.

VII. Police

- A. Police Chief's Report dated October 7, 2010, placed on file by unanimous consent

VIII. Emergency Services

A. Fire Dept.

1. Fire Chief's Report (no date) not accepted. The Board finds the Report unsatisfactory and directs the Clerk to return it to the Chief with instructions to add detail and submit the report in type script.

2. Fire Dept. Local Authority RE: Inspection of LP Tanks—fees & policies: discussion regarding how to pay the inspectors.

B. Ambulance Director's Report dated October 10, 2010, placed on file by unanimous consent

IX. Committees

A. Zoning

1. Zoning Administrator's Report not available

2. Certified Survey Map submitted by Jim & Marie Noha for a parcel of land located in Lot 1 of Block 38 and the adjacent part of the westerly ½ of a vacated Reserved Street RE: purchase of Town property. Covered previously.

3. Town Plan Commission Recommendation & Report for proposed Amendments to the La Pointe Zoning Ordinance: possible Public Hearing on proposed amendments. Motion to accept the Recommendation & Report and authorize the Town Plan Commission to hold a Public Hearing. BF/HR 4A MC

B. CAPP

1. ad Hoc Committee on Affordable Housing

a. Recommendation from the Committee RE: appointment of member: motion to accept the committee's recommendation and appoint Glenn Carlson as an alternate. BF/HR 4A MC

2. ad Hoc Committee on Alternative Energy

a. Report from the Committee not available

X. Town Hall Administration

- A. Letter from Jim Bryan RE: Electrical Power Outage: Motion to authorize the Town Chair to sign the group letter requesting Xcel Energy to take steps to improve service to the Chequamegon Bay area. BF/HR 4A MC
- B. Madeline Island Chamber of Commerce
 - 1. Membership in Chamber covered previously
 - 2. Summer Update covered previously
 - 3. Request for funding covered previously
- C. Audit ending 12/31/09 Management Discussion & Analysis: Motion to accept the draft Management Discussion & Analysis dated 10/1/10 for the year ending 12/31/09. BF/HR 4A MC
- D. General Code Update postponed till the RTBM on 10/26/10.
- E. Appointed Officials' Hours/Wages: Clerk is directed to research the Ordinance and By-laws governing the Fire Dept.
- F. Discussion regarding division of projects/services between the two Town Attorneys. Clerk to seek advice from Chief of Police in this regard.
- G. Town Hiring Policies: tabled.
- H. Budget 2011: Workshop Schedule: Change in existing schedule as follows:
 - Thursday, Oct. 21—Roads, Parks & Rec, Harbors/Docks, Airport
 - Monday, Oct. 25—General Government, MRF, TPC

XI. New Agenda Items for Future Meetings

- A. Membership in Chamber of Commerce for Town of La Pointe
- B. Dock Lease between the Town of La Pointe & Nelson Construction of La Pointe terminating on 12/31/10.
- C. Airport Pilots' Lounge: update of plans from Airport Manager
- D. Fire Dept. Local Authority RE: Inspection of LP Tanks—fees & policies
- E. Zoning Administrator's Report
- F. General Code Update
- G. Winter Transportation Agreements: Windsleds, Inc., Madeline Island Transportation, & Madeline Island Ferry Line.
- H. Letter from Beth Fischlowitz RE: School lunches for La Pointe School students.

XII. Lawsuits & Legal Issues

- A. 09-cv-215 Paul Brummer vs. the Town of La Pointe
- B. 04-cv-128 Town of La Pointe vs. Michael Mattingly

XI. Adjournment at 7:55 PM

Submitted by Patty Hobin, Town Clerk

Approved as submitted on 11/9/10
 Patty Hobin, Town Clerk