

**TOWN OF LA POINTE
MINUTES
REGULAR TOWN BOARD MEETING
Tuesday, June 9, 2009
At 5:30 PM at Town Hall**

1. Public Comment

Dick Hoffman does not agree with how the gravel has been paid for. He states that the Town is "receiving credit" which is not the same as being paid back.

Ham Ross wants a stop sign at the end of Harmony Lane. (Town Foreman, Keith Sowl says that he is going to do this.)

2. Vouchers

Motion to approve vouchers in the amount of \$43,835.52. Motion by Rick Gillman; 2nd by Ham Ross. Five ayes. Motion carried.

3. Alternative Claims

Motion to approve alternative claims in the amount of \$66,029.58. Motion by Ric Gillman; 2nd by Beth Fischlowitz. Five ayes. Motion carried.

4. Treasurer's Report

Motion to approve the Treasurer's Report which shows a balance o \$1,270,375.31, with an available balance of \$585,478.85. Motion by Ric Gillman; 2nd by Beth Fischlowitz. Five ayes. Motion carried.

5. Approval of Minutes

A. May 15, 2009 Motion to approve as submitted. Motion by Ric Gillman; 2nd by Beth Fischlowitz. Five ayes. Motion carried.

B. May 18, 2009 Motion to approve as submitted. Motion by Ham Ross; 2nd by Beth Fischlowitz. Five ayes. Motion carried.

C. May 19, 2009 Motion to approve as submitted. Motion by Ric Gillman; 2nd by Ham Ross. Five ayes. Motion carried.

D. May 26, 2009 Motion to approve as submitted. Motion by Ric Gillman; 2nd by Ham Ross. Five ayes. Motion carried.

E. May 27, 2009: see Item 9.C.1.

Motion to depart from the agenda and go to item 9D next. Motion by Beth Fischlowitz; 2nd by Ric Gillman. Five ayes. Motion carried.

9. Committees

D. Alternative Energy Committee

1. Energy Efficiency & Conservation Block Grants Larry Bean requests the support of the Town Board to pursue making the Town buildings more energy efficient and to seek grant money. Ham Ross asks about a back-up system if wood-fired boilers are to be used. Larry Bean responds that the back up would be the systems that are used now. Motion to lend continued support to the Alternative Energy Committee as the seek grants. Motion by Beth Fischlowitz; 2nd by Ric Gillman. Five ayes. Motion carried.

Motion to return to item 6A on the agenda. Motion by Beth Fischlowitz; 2nd by Ric Gillman. Five ayes. Motion carried.

6. Public Works

A. Parks & Recreation

1. Hiring of Recreation Director Motion to hire Patti Anderson at a rate of pay of \$13.35 per hour plus ferry fees paid for her. Motion by Ham Ross; 2nd by Ric Gillman. Five ayes. Motion carried.

2. Hiring of Recreation Director Assistant Motion to hire Kayla Perry at a rate of pay of \$9.14 per hour plus ferry fees paid for her. Motion by Ric Gillman; 2nd by Beth Fischlowitz. Five ayes. Motion carried.

B. MRF

1. MRF Supervisor's Report Motion to place on file the MRF Supervisor's Report dated June 5, 2009. Motion by Ham Ross; 2nd by Ric Gillman. Beth Fischlowitz disagrees with closing the MRF on July 5th; she feels it should be closed on July 4th and open on July 5th. Five ayes. Motion carried.

2. Update of Alltell Cell Tower Generator. Ham Ross asked Foreman Sowl to look into a power-sharing arrangement between Alltell and the MRF.

C. Roads

1. Foreman's Report Motion to place on file the Foreman's Report dated May 9, 2009 through June 5, 2009. Motion by Ric Gillman; 2nd by Beth Fischlowitz. Five ayes. Motion carried. Discussion regarding road paving project. Beth Fischlowitz will write an article for the Wisconsin Coastal Management Program.

2. Vacation of a portion of Main St. Ric Gillman, Keith Sowl, and Carl Broberg to meet on June 10, 2009 at 8:30 AM. Discussion of Attorney Bussey's letter regarding this vacation.

3. Letter from Charley Brummer. All members have read.

4. Propane tank bids. Motion to accept the bid of La Pointe Gas Co. for new tanks and installation, plus warranty and donating the gas transfer fee of \$.25 per gallon to the Fire Dept. for inspections of tanks. Motion by Ric Gillman; 2nd by Beth Fischlowitz. Four ayes.; 1 abstain. Motion carried. Greg Nelson abstained. Greg Nelson asked Keith Sowl how the purchase would be paid for; Sowl replied that the money should come from the General Fund with each department paying a portion that is prorated.

5. Septic Service Bids Motion to accept the bid of La Pointe Septic on Town septic tanks and pit toilets. Motion by Ric Gillman; 2nd by Larry Whalen. Three ayes; 2 abstain. Motion carried. Greg Nelson & Ham Ross abstained.

6. Purchase of Propane Motion to use the state-contracted vendor as a standard for purchasing propane. Motion by Beth Fischlowitz; 2nd by Ric Gillman. Five ayes. Motion carried.

7. Resolution #2009-0609B to rescind the order to vacate Bear Lane. Motion to sign Resolution #2009-0609B. Motion by Ric Gillman; 2nd by Ham Ross. Four ayes; 1 abstain. Motion carried. Larry Whalen abstained.

8. Discussion of bids for Road Projects. Motion to meet on Monday, June 15, 2009 for the purpose of discussing these bids. Motion to Ric Gillman; 2nd by Beth Fischlowitz.

D. Harbors

1. Report from Committee Chairman Alan Fischlowitz made an oral report.

2. Appointment of members None at this time

Motion to depart from agenda and go to item 6E2. Motion by Ric Gillman; 2nd by Beth Fischlowitz. Five ayes. Motion carried.

E.2. Gene Nelson hangar #9A. Ric Gillman asks Foreman Keith Sowl and Gene Nelson to meet and discuss this before the next Town Board Meeting on June 23, 2009. They both agree to do so.

Motion to return to agenda item 6.E.1. Motion by Greg Nelson; 2nd by Ric Gillman. Five ayes. Motion carried.

E. Airport Motion to approve alternates #1-6 with state-sponsored funding of 50/50 to be reimbursed with federal money from entitlements in 2010-1012.

F. Library

1. Monthly Library Board Minutes Motion to place on file the Library Board Minutes dated April 14, 2009. Motion by Ric Gillman; 2nd by Larry Whalen. Five ayes. Motion carried.

7. Police

A. Police Chief's Report Motion to place on file the Police Chief's Report dated June 4, 2009. Motion by Ric Gillman; 2nd by Ham Ross. Five ayes. Motion carried.

8. Emergency Services

A. Ambulance Director's Report Motion to place on file the Ambulance Director's Report dated June 7, 2009. Motion by Ham Ross; 2nd by Ric Gillman. Five ayes. Motion carried.

B. Fire Department

1. Fire Chief's Report None at this time.

2. Grant opportunity involving Town expenditure Motion to authorize the Fire Department to pursue an AFG grant with a 20%-share cost to the Town. Motion by Ric Gillman; 2nd by Beth Fischlowitz. Five ayes. Motion carried.

9. Committees

A. Zoning

1. Zoning Administrator's Report Motion to place on file the Zoning Administrator's Report dated June 9, 2009, (period May 9-June 5, 2009) Motion by Ric Gillman; 2nd by Larry Whalen. Five ayes. Motion carried.

2. Zoning Permit Database Motion to approve the Zoning Administrator's request to develop a Zoning Permit Database with the help of Larry Whalen and within the existing budget funding. Motion by Beth Fischlowitz; 2nd by Ric Gillman. Five ayes. Motion carried.

3. Appointment of Town Plan Commission Members Motion to confirm the Town Chair's choice of Ted Pallas and Charley Brummer to serve out the terms ending April 30, 2010 and April 30, 2011, respectively. Motion by Ham Ross; 2nd by Ric Gillman. Five ayes. Motion carried.

4. Appointment of Town Plan Commission Chairman. The Town Chair chooses Ted Pallas.

5. Zoning Standard Operating Procedures Manual Motion to approve as amended (Section V Amending the Standard Operating Procedures Manual: Paragraph II should include that the Town Board may make a recommendation for an amendment) and sign Resolution #2009-0609A. **To be signed at the RTBM on June 23, 2009.** Motion by Ric Gillman; 2nd by Beth Fischlowitz. Five ayes. Motion carried.

6. Meeting date for Special Town Board Meeting regarding Zoning Section 3 Motion to meet June 19, 2009 at 3:30 PM to discuss Zoning Section 3. Motion by Ric Gillman; 2nd by Ham Ross. Five ayes. Motion carried. This may be a joint meeting with the Town Plan Commission.

B. CAPP

1. Comprehensive Plan Direction. Motion to authorize the CAPP committee to examine the Comprehensive Plan with a view to discovering if current actions match the projections in the Plan and to research implementation action items. Motion by Beth Fischlowitz; 2nd by Ric Gillman. Five ayes. Motion carried.

C. Winter Transportation

1. Update from the Ad Hoc Committee on winter transportation. Motion to place on file the notes from the meeting on May 27, 2009. Motion by Beth Fischlowitz; 2nd by Ric Gillman. Two ayes; three abstains. Motion carried. Motion to approve the notes from the meeting on June 3, 2009. Motion by Ric Gillman; 2nd by Beth Fischlowitz. Two ayes; three abstains. Motion carried. (Greg Nelson, Ham Ross & Larry Whalen abstain on both due to absence.)

2. WTC committee report

a. Possible reorganization/dissolution of the Winter Transportation Committee. Motion to accept the dissolution of the WTC with praise and thanks from the Town Board. Motion by Ham Ross; 2nd by Ric Gillman. Five ayes. Motion carried.

D. Alternative Energy Committee—already covered.

10. Town Hall Administration

A. Clerk's Report Motion to place on file the Town Clerk's report dated June 8, 2009. Motion by Ric Gillman; 2nd by Ham Ross. Consensus of the Board to create email addresses on the Town's website. The Town Clerk will follow up.

B. Board of Review Update. The Open Book portion of the Board of Review meeting will occur June 30, 2009 from two till five o'clock pm. The first meeting of the Board of Review will be June 30, 2009 from seven to nine o'clock pm.

C. Wage Resolution Attachment "E" Motion to sign Resolution #2008-1209 Attachment "E." Motion by Ric Gillman; 2nd by Beth Fischlowitz. Five ayes Motion carried.

11 New Agenda Items

A. MRF closing on July 5, 2009

B. Vacation of a portion of Main St.

C. Harbor Committee appointment

D. Gene Nelson Hangar #9A Update

E Resolution regarding Standard Operating Procedures Manual for Zoning

F. Stop sign at the end of Harmony Lane

G. Closed Session regarding Winston et.al.

H. Alltel Power Share with MRF

I. Liquor Licenses

J. General Code update

12. Lawsuits & Legal Issues

A. 04-CV-128 Town of La Pointe vs. Michael Mattingly

B. 08-CV-109 Winston et. al vs. Town of La Pointe—update from the Town Chair: the mediation date is June 26, 2009. Attorney Fauerbach will discuss with the Town Board at its June 23, 2009 meeting.

C. 08-CV-112 Sara Owen & Paul Brummer vs. Craftivity & Town of La Pointe

D. Pete Rogers Complaint

1. Update from the Town Chair who spoke to Henry K and expressed disagreement with the facts in the complaint. The Town Chair will respond to the Complaint by June 23, 2009.

E. Michael Allen Complain. All members have read the documents. Discussion of electronic records.

13. Liquor & Operator's License Renewals.

A. Liquor, Non-intoxicating & Cigarette License Renewals. Motion to approve all License Renewal applications as follows:

1. Ella's Island Café: Class B beer, Non-intoxicating beverage

2. Madeline Island Golf Club: Class B beer, Non-intoxicating beverage

3. Beach Club: Class B beer, Class C wine, Class B liquor, Non-intoxicating beverage.

4. Bell St. Restaurant: Class B beer, Class C wine, Class B liquor, Non-intoxicating beverage

5. Lori's Store: Class A beer, Class A liquor, Non-intoxicating beverage, Cigarette

6. Mission Hill Coffee House: Class A beer, Class A Liquor, Non-intoxicating beverage.

7. Island Market: Class A beer, Class A liquor, Non-intoxicating beverage, Cigarette.

8. Island Oasis: Class B beer, Non-intoxicating beverage.

Motion by Ham Ross; 2nd by Ric Gillman. Five ayes. Motion carried.

B. Operators' Licenses Motion to grant Operator's Licenses as follows:

1. Linda Geier: not needed; money will be refunded

2. Lori Hinrichsen: not needed; money will be refunded

3. Rick Edwards
4. Barb Nelson
5. Jeff Obst

Motion by Ham Ross; 2nd by Ric Gillman. Five ayes. Motion carried.

C. Temporary Class "B" Picnic License

1. La Pointe Fire Dept/Madeline Island Ambulance Service with request for waiver of fees (for use July 4th at the Rec Center). Motion to grant license with waiver of fees. Motion by Ham Ross; 2nd by Ric Gillman. Five ayes. Motion carried

D. Non-intoxicating Beverage License

1. La Pointe Fire Dept./Madeline Island Ambulance Service with request for waiver of fees. Motion to grant License with waiver of fees. Motion by Ham Ross; 2nd by Ric Gillman. Five ayes. Motion carried.

Motion to adjourn. Motion by Ric Gillman; 2nd by Beth Fischlowitz. Five ayes. Motion carried.

Adjourned at 8:55 pm.

Approved as submitted on June 23, 2009

Patty Hobin, Clerk