

**TOWN OF LA POINTE
REGULAR TOWN BOARD MEETING
Tuesday, June 23, 2009
AT 5:30 AT TOWN HALL**

Called to order at 5:34 PM

Members Present: Beth Fischlowitz, Ric Gillman, Greg Nelson, Ham Ross, Larry Whalen

1. Public Comment None

Motion to take up item 9B on the agenda next. Motion by Ric Gillman; 2nd by Beth Fischlowitz. Five ayes. Motion carried.

Motion to go into Closed Session (Motion by Ric Gillman; 2nd by Beth Fischlowitz) amended to permit Keith Sowl to remain in the room (amended motion by Ric Gillman; 2nd by Ham Ross. Roll Call: Beth Fischlowitz: ayes; Ric Gillman: aye; Ham Ross: aye; Larry Whalen: aye; Greg Nelson: aye. Five ayes. Motion carried.

Closed Session with Attorney Fauerbach present and Keith Sowl present. This Closed Session of the Town Board of La Pointe was called for the purpose of conferring with legal counsel with respect to litigation in which it is involved in accordance with Wisconsin Statute 19.85.(1).(g). Recording turned off at 5:40.

Motion to return to Open Session. Motion by Ham Ross; 2nd by Ric Gillman. Roll Call vote: Beth Fischlowitz: aye; Ric Gillman: aye; Ham Ross: aye; Larry Whalen: aye; Greg Nelson: aye. Five ayes Motion carried.

Open Session resumes at 6:15 PM.

Greg Nelson states for the record that no motions were made during the Closed Session.

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

2. Vouchers. Motion to approve & sign vouchers in the amount of \$89,484.69. Motion by Ric Gillman; 2nd by Larry Whalen. Five ayes. Motion carried.

3. Minutes

A. June 9, 2009. Motion to approve as submitted. Motion by Ric Gillman, 2nd by Beth Fischlowitz. Five ayes. Motion carried.

B. June 11, 2009 Motion to approve as submitted. Motion by Ric Gillman; 2nd by Beth Fischlowitz. Five ayes. Motion carried.

C. June 15, 2009 Motion to approve as amended to show Member Attendance for the meeting. Motion by Ric Gillman; 2nd by Beth Fischlowitz. Five ayes. Motion carried.

D. June 19, 2009 Motion to approve as amended by Larry Whalen & Ric Gillman. Motion by Ham Ross; 2nd by Ric Gillman. Five ayes. Motion carried.

4. Public Works

A. Parks & Recreation

B. MRF

1. Closing on July 4th. Discussion/no action.
2. Wiring Proposal Motion to hold up the purchase order pending a breakdown of costs on the proposal. Motion by Ric Gillman; 2nd by Larry Whalen. Five ayes. Motion carried.
3. Alltel Power Share with MRF. Keith requested and got an outlet from Alltel.

C. Roads

1. Request from Cheqtel to rescind the order to vacate Siskawet St. or to grant utility easement. Motion to grant a utility easement to Alltel Communications prior to vacating the road. Motion by Ric Gillman; 2nd by Beth Fischlowitz. Five ayes. Motion carried.

2. Transfer of TRIP funds from Rice St. to Mondamin Trail Agreement. No action required.

3. Contract Awards for Town's TRIP, TRIP-D and Street Improvement Program 2009 paving and concrete bids.

- a. Motion to accept the Ruotsala concrete and construction bid in the amount of \$62,287.50 for curb & gutter on the Rice Street TRIP-D project and authorize proper signatures on the returned contracts. Motion by Ric Gillman; 2nd by Ham Ross. Five ayes. Motion carried.

- b. Motion to accept the Nelson Construction bid in the amount of \$36,586.00 for sidewalks on the Rice Street TRIP-D project and authorize the proper signatures on the returned contracts. Motion by Ric Gillman; 2nd by Ham Ross. Five ayes. Motion carried.

- c. Motion to accept the Northwoods Paving bid for hot mix asphalt in the amount of \$66,302.00 on the Rice Street TRIP-D project and authorize the proper signatures on the returned contracts. Motion by Ham Ross; 2nd by Ric Gillman. Five ayes. Motion carried.

- d. Motion to accept the Ruotsala Concrete & Construction bid in the amount of \$11,987.50 for the Town of La Pointe Street Improvement Program curb and gutters and to authorize the proper signatures on the returned contracts. Motion by Ric Gillman; 2nd by Beth Fischlowitz. Five ayes. Motion carried.

- e. Motion to accept the Nelson Construction bid for the amount of \$29,328.00 for the Town of La Pointe Street Improvement Program sidewalks and authorize the proper signatures on the returned contracts. Motion by Ric Gillman; 2nd by Ham Ross. Five ayes. Motion carried.

f. Motion to accept the Northwoods Paving hot mix asphalt pavement bid in the amount of \$177,029.50 for the Town of La Pointe Street Improvement Program and authorize the proper signatures on the returned contracts. Motion by Ric Gillman; 2nd by Beth Fischlowitz.

g. Motion to accept the Northwoods Paving hot mix asphalt pavement bid for Alternate 1 (Mondamin Trail) as a TRIP-funded project in the amount of \$51, 185.00 and authorize the proper signatures for the returned contracts. Motion by Ham Ross; 2nd by Beth Fischlowitz. Five ayes. Motion carried.

h. Motion to NOT accept the Northwoods Paving hot mix asphalt pavement bids for the Town of La Pointe Street Improvement Program Alternate 2 (tennis courts) and Alternate 2 (Town Shop, Rec Center and Police Garage paving or the Supplemental Bid Price. Motion by Ric Gillman; 2nd by Beth Fischlowitz. Five ayes. Motion carried.

4. Vacation of a portion of Main St. Tabled until the July 14, 2009 Regular Town Board Meeting.

5. Stop sign at the end of Harmony Lane. This is done.

6. Letter from Chief Anderson regarding parking on July 4th. Motion to continue with past practice regarding parking in Town on July 4th. Motion by Beth Fischlowitz; 2nd by Ric Gillman. Five ayes. Motion carried.

7. Madeline Island Chamber of Commerce is requesting that the road crew take over watering the hanging baskets on Main St. Lois presented the Chamber's request. Ham Ross volunteered to do the job and will look at a proposal from the Chamber that includes consideration for his helper.

D. Harbors

1. Possible appointment of committee member. No action at this time.

2. Signing of 2009-2010 C.A. Nelson Dock Lease. Motion to sign lease between C.A. Nelson and the Town of La Pointe. Motion by Ric Gillman; 2nd by Beth Fischlowitz. Four ayes; one abstain. Greg Nelson abstained.

E. Airport

1. Airport Inspections. None at this time.

2. Gene Nelson Hangar Lease Motion to table until the July 14, 2009, Regular Town Board Meeting. Motion by Ric Gillman; 2nd by Beth Fischlowitz. Five ayes. Motion carried.

3. Letter from Paul Wroblewski regarding his Industrial Zone Lot Lease. Motion to allow Mr. Wroblewski to quit his lease on Lot 3 at the airport. Motion by Beth Fischlowitz; 2nd by Ham Ross. Four ayes; 1 no. Motion carried Ric Gillman voted no.

F. Library

1. Monthly report of library minutes Motion to place on file the Library Board Minutes dated May 11, 2009. Motion by Ric Gillman; 2nd by Ham Ross. Five ayes. Motion carried.

2. Appointment of Board Member Motion to reappoint Liz Ryder to a three-year term. Motion by Ham Ross; 2nd by Ric Gillman. Five ayes. Motion

carried. Motion to post immediately for the term vacated by Kelly Nelson as of July 1, 2009. Motion by Ham Ross; 2nd by Ric Gillman. Five ayes. Motion carried.

5. Emergency Services

A. Fire Chief's Report. Motion to accept and place on file the Fire Chief's Report for May. Motion by Ric Gillman; 2nd by Beth Fischlowitz. Five ayes. Motion carried. Motion to approve the applications by the Fire Department for funding from the Assistance to Firefighters Grants program for the radio equipment totaling \$42,250, and for a used mini-pumper for \$72,500 with required matches totaling \$5,737 to be paid by Fire Department designated funds. Motion by Ric Gillman; 2nd by Beth Fischlowitz. Five ayes. Motion carried.

6. Committees

A. Zoning

1. General Code update. A new project manager needs to be named to replace Carl Broberg. Motion to table until the July 14, 2009, for the purpose of allowing the Town Plan Commission to make a recommendation. Motion by Ham Ross; 2nd by Beth Fischlowitz. Five ayes. Motion carried.

2. Appointment of member to Zoning Board of Appeals. Motion to reseal Warren Anderson for a three-year term to the Zoning Board of Appeals. Motion by Beth Fischlowitz; 2nd by Ric Gillman. Four ayes; 1 abstain. Motion carried. Ham Ross abstained.

3. Appointment of member to fill out a term on the Zoning Board of Appeals. Motion to appoint Paul Brummer to the Zoning Board of Appeals. Motion by Ric Gillman; 2nd by Beth Fischlowitz. Four ayes; 1 no. Motion carried. Greg Nelson voted no.

4. Resolution #2009-0623 regarding the Zoning Dept. Standard Operating Procedures Manual. Motion to sign Resolution #2009-0623. Motion by Ric Gillman; 2nd by Beth Fischlowitz. Five ayes. Motion carried.

B. CAPP

C. Winter Transportation. Motion to receive and place on file the minutes of the Winter Transportation Committee dated June 4, 2009, with thanks to the members. Motion by Ric Gillman; 2nd by Ham Ross. Five ayes. Motion carried.

D. Alternative Energy Committee. Motion to receive and place on file the minutes of the Alternative Energy Committee dated April 27, May 13, and June 3, 2009. Motion by Ric Gillman; 2nd by Beth Fischlowitz. Four ayes; 1 no. Motion carried. Larry Whalen voted no.

E. Housing Authority

1. Appointment of member to Housing Authority Committee. Motion to reappoint Keith Sowl to the Housing Authority Committee. Motion by Ham Ross; 2nd by Ric Gillman. Five ayes. Motion carried.

7. Town Hall Administration

A. Administrative Assistant's Report. Motion to receive and place on file the Report of the Administrative Assistant dated June, 2009. Five ayes. Motion

carried. Motion to extend the use of vacation time for the Administrative Assistant and the Clerical Assistant until September. Motion by Ric Gillman; 2nd by Beth Fischlowitz. Five ayes. Motion carried.

B. Clerk's Report Motion to place on file the Town Clerk's Report excluding the email passwords. Motion by Ric Gillman; 2nd by Beth Fischlowitz. Five aye. Motion carried.

C. Resolution to sign Resolution #2009-0623A appointing a third alternative member to the Board of Review. Motion by Ric Gillman; 2nd by Larry Whalen. Five ayes. Motion carried.

8. Future Agenda Items & Future Meetings

A. Tom Ketchum regarding the Town's insurance will be attending the July 14, 2009 meeting.

B. Airport Inspections

C. Vacation of a portion of Main St.

D. Appointment of a member to the Harbor Committee

E. Gene Nelson Hangar issue

F. Possible appointment of a General Code project manager

G. Setting a 2010 Budget time frame

H. Electronic documents

I. Operators' Licenses

J. Possible appointment of a Library Board member

9. Lawsuits & Legal Issues

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

B. 08-CV-109 Winston et. al vs. Town of La Pointe (covered previously via Closed Session earlier in the meeting.)

C. 08-CV-112 S. Owen & P. Brummer vs. Craftivity & Town of La Pointe

D. Pete Rogers Complaint

1. Report from the Town Chair: Greg Nelson spoke to Henry K.

E. Michael Allen Complaint

10 Liquor & Operators' Licenses

A. Combination Class B Beer & Liquor

1. Lotta's Lakeside Café, Janel Ryan, agent

2. The Pub on Madeline Island, Micaela Evenson, agent

B. Combination Class B Beer & Reserve Class B Liquor

1. Tom's Burned Down Café, Tom Nelson, agent

C. Class B beer

1. Grampa Tony's, Susie Flores, agent

D. Cigarette License

1. The Pub on Madeline Island

2. Tom's Burned Down Café

E. Non-intoxicating Beverage License

1. Grampa Tony's

2. The Pub on Madeline Island

3. Tom's Burned Down Café

4. Lotta's Lakeside Café
- F. Operators' Licenses
1. Greg Thury
 2. Shannon Murphy
 3. Jessica Eynon
 4. Gary Flores
 5. Chris Wolfe
 6. Barry Sterling
 7. Paul Turner

11. Adjourn Motion to adjourn: motion by Ric Gillman; 2nd by Ham Ross. Five ayes. Motion carried.
Adjourned at 7:50 PM

Submitted by Patty Hobin

Approved as submitted on July 14, 2009
Patty Hobin