

TOWN OF LA POINTE
AMENDED MINUTES
Amendments are underlined
REGULAR TOWN BOARD MEETING
TUESDAY, JULY 28, 2009
AT 5:30 AT TOWN HALL

1. Public Comment

Leo Davis responded to complaints regarding Big Bay Town Park. He pointed out that the police (non-emergent) phone number is posted on the bulletin board. He feels that privatization of the park would be an error and with an assistant he could make some improvements in park operations. He also feels that a daily fee would be a poor idea as people would spend that fee money at Island businesses if they didn't have to pay it to the Park. He closed by saying that he wishes to maintain public dialogue on the issue.

Larry Whalen spoke regarding the Town Plan Commission because it was not on the agenda. He stated that the Commission held a harmonious meeting regarding definitions.

Jen Croonborg expressed her dissatisfaction with the condition/upkeep of the Skate Park. There are empty beer cans & garbage, helmets were not being worn, children under ten were not being supervised and patrolling it is taxing for the police force. She urged that the founders of the Skate Park clean & patrol the Park. Failing that, she asked that the Town Board at some future point consider shutting it down.

Warren Anderson suggested resurfacing Whitefish St. while the equipment for the job is on the Island.

2. Vouchers: Motion to approve vouchers in the amount of \$12,786.89. RG/BF. Five ayes. Motion carried.

3. Approval of Minutes Motion to approve the minutes of July 14, 2009, as amended. RG/BF. Five ayes. Motion carried.

4. Public Works

A. Parks

1. Complaint of problems at the Big Bay Town Park Beth Fischlowitz suggests that the Town build a small building for the purpose of having an onsite manager for the Park. An onsite manager could make sure that fees are collected thereby increasing the Town's income, do some maintenance, protect the Park, and it is an employment opportunity for Islanders. Keith Sowl, Town Foreman, pointed out that other parks use "hosts" who camp for free & monitor the park. [Clerk will research.]

2. Approval of tennis court reconstruction bid by Northwoods Paving. Motion to accept the bid for Alternate #2, Tennis Court Reconstruction in the amount of \$50,285 and authorize the signature of the Town Chair on the bid. RG/BF Five ayes. Motion carried. (The bid increase is because the entire tennis court fence will need to be removed in order to do the job.)

B. MRF

C. Roads

1. Construction Update Town Foreman Keith Sowl reported that paving will begin soon, but the exact schedule is not known.

2. Ashland County request for La Pointe to purchase tax delinquent parcels & assume responsibility for approval of CSM's. Motion to purchase the property: 211.01 and 212.01 for \$282.20 and assume responsibility for the 2009 taxes. RG/LW. Five ayes. Motion carried.

3. Comments on Anich draft Town/MIYC/Hartzell agreement for vacation of a portion of Main St. Motion to approve & authorize the Town Chair to sign the Agreement. RG/BF. Five ayes. Motion carried.

4. Amendment to Parking Ordinance #103: Michel Cadotte Rd. Motion to sign Ordinance #103. BF/HR. Five ayes. Motion carried. Ham Ross asks for patience regarding parking downtown while the construction project is going on.

D. Airport

1. Construction Update Airport Manager Michael Dalzell reported on the progress of the airport project.
2. Request for refund of parking permit fees. Motion to waive the \$20 parking fee for Rachel Westermeyer per her request. RG/BF. Five ayes. Motion carried.
3. Inspections. Motion to place on file the airport inspections dated July 20, 2009 & July 19, 2009. RG/HR. Five ayes. Motion carried.
4. Update on Gene Nelson Hangar Lease #9A. Town Clerk asks for clarification regarding the letter to go to Mr. Nelson. No action taken.

E. Library

1. Library Board minutes from June 8, 2009. Accepted & placed on file by unanimous consent of the Town Board.

5. Emergency Services

- A. Fire Chief's Report (none)

6. Committees

A. Zoning

1. Croonborg, Jennifer re: land use permit application for a shed at LP #014-00393-0300 lots 4,5 and 6; Block 5 Motion to authorize Ham Ross to act as agent in this matter. RG/BF. Four ayes; one abstain (HR) Motion carried.
2. Discussion of moratorium on CUP's & new Zoning Ordinance Section 4.3.3. regarding non-conforming lots. Postponed till the August 11, 2009, regular town board meeting.
3. Determination of waiver of fees for Madeline Sanitary District Land Use Permist. Motion to not waive fees. HR/RG. Five ayes. Motion carried.

B. Alternative Energy

1. Report/Minutes from the Committee. Report dated 7/8/09 placed on file by unanimous consent of the Board.

C. CAPP

1. Possible appointment of member to the Ad Hoc Committee on Affordable Housing. Motion to accept the recommendation of the Committee and appoint Nora Taylor, Nick Nelson and as alternate Linda Fuller to the Committee. BF/RG. Five ayes. Motion carried.

D. Ad Hoc Committee on a Collaborative Agreement between the Town of La Pointe & the Bayfield School District.

1. Presentation of the Collaborative Agreement Motion to approve & adopt the Collaborative Agreement between the Town of La Pointe and the School District of Bayfield and authorize the Town Chair to sign the document. RG/LW. Four ayes; one no (HR) Motion carried.

7. Town Hall Administration

- A. Request for review of Town Ordinances from Gary & Susie Flores.

1. Report from Ham Ross. Ham expressed approval for the job done by the Police in the recent incident at the Flores home. Gary Flores agreed and further stated that the purpose of their request was to urge the adoption of ordinances that would support the police in doing their job. Gary & Susie both cited examples of vagrancy that included sleeping in building vestibules, sleeping in cars on Main St., and incidents of people being asleep in the street. Beth Fischlowitz censured the tone & content of correspondence sent from the police department to the Flores'. Greg Nelson suggested that signage and patrolling helped eliminate a similar problem at Grant's Point. [Clerk to research vagrancy ordinances.]

B. July Fourth Celebration Budget Request by MI Chamber of Commerce. Request for Town to budget \$6000 for the fireworks in 2010.

C. Discussion of Insurance proposal. Postponed till August 11, 2009, regular town board meeting.

- D. Town Clerk's Report Accepted by unanimous consent of the Board.

E. Possible appointment of Commissioner to the Madeline Sanitary District for a term ending July 31, 2015. Motion to accept the recommendation of the Commission and approve Keith Sowl for a six-year term. BF/RG. Five ayes. Motion carried.

F. Administrative Assistant's Monthly Report Report placed on file by unanimous consent of the Board. Beth Fischlowitz suggests considering the creation of a Town Manager job for the purpose of assisting with administrative responsibilities.

8. New Agenda Items for Future Meetings

- A. Beth Meyers presentation
- B. Consideration of an Adult Entertainment Ordinance & Vagrancy Ordinance
- C. Operators' Licenses
- D. Moratorium on CUP's and non-conforming lots.
- E. Update on Insurance from Tom Ketchum
- F. Consideration of a part-time Town Manager

9. Lawsuits & Legal Issues

- A. 04CV-128 Town of La Pointe vs. Michael Mattingly
- B. 08-CV-109 Winston et. al vs. Town of La Pointe
- C. 08-CV-112 S. Owens & P. Brummer vs. Craftivity & Town of La Pointe

10. Adjournment

Approved as amended August 11, 2009

Patty Hobin

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