

TOWN OF LA POINTE

Regular Town Board Meeting

Tuesday, May 13, 2008, 5:30 pm Annual Town Meeting

Present: Beth Fischlowitz, Greg Nelson, Jim Patterson, Mike Starck

Called to order at 7:40 by Chair, Greg Nelson

1. Public Comment

Gene Nelson expresses problems he perceives with unfair playing field with town bidding process.

Sara Owen expresses that she is comfortable with the Town having attorney present at appeal.

2. Vouchers

Mike Starck moves – Beth Fischlowitz seconds – to approve vouchers totaling \$50,463.72 – Motion Carries -- 4 ayes

3. Alternative Claims

Mike Starck moves – Jim Patterson seconds – to approve Alternative Claims totaling \$57,537.48 – Motion Carries -- 4 ayes

4. Treasurer's Report

Jim Patterson moves – Beth Fischlowitz seconds – To approve and place the report, dated 4/30/08, showing a balance of \$1,231,025.40, on file – Motion Carries -- 4 ayes

5. Public Works

A. MRF

I. MRF Supervisors Report

Mike Starck moves – Jim Patterson seconds – To approve and place the report, dated April and May, 2008, on file – Motion Carries -- 4 ayes

B. Roads

I. Town Foreman's Report

Keith Sowl, Town Foreman, announces Section 106 consultation meeting is set by Jim Becker, Archaeology Program Facilitator, Bureau of Equity and Environmental Services (BEES), at the Town hall 9 a.m. to 3 p.m. on May 29, 2008.

Mike Starck moves – to extend Keith Sowl's permitted use of 35 hours of vacation time to 12/31/08 – Beth Fischlowitz seconds – Motion Carries -- 4 ayes

Mike Starck moves – To approve and place the report, dated 4/5 /08 to 5/7/08 on file – Jim Patterson seconds – Motion Carries -- 4 ayes

Discussion of Posting for gas and septic bids—consensus: Address at special town board meeting.

II. Hiring for temporary positions of laborer and truck driver

Jim Patterson moves – to authorize Keith to fill temporary positions at his whim – Mike Starck seconds – Motion Carries -- 4 ayes

III. Agree on date for meeting with Red Cliff Tribal Council

Mike Starck moves – to schedule this meeting for May 28, 2008 at 3:30 p.m. and that Mr. Sowl continue setting it up – Beth Fischlowitz seconds – Motion Carries -- 4 ayes

IV. Gravel bid discussion possible award of gravel bid

Meeting set to discuss and decide Tuesday, May 20, 2008. at 4:30 p.m.

V. Discussion involving continued Town Crew performing public improvement projects

(Relating to Town Foreman's Report for 3/8—4/4/08 item regarding Rice Street Extension and

Local Force Account (LFA) Agreements)

Mr. Whalen and Mr. Sowl swap barbs about who told what to whom. Mr. Sowl has not done the math yet. Mr. Whalen will wait for Mr. Sowl to request this as an agenda item again.

C. Parks

I. Hiring of Parks Assistant

Jim Patterson moves – Beth Fischlowitz seconds – to authorize Keith Sowl, Town Foreman to hire Sam Dahlin as Parks Attendant as soon as he is available, for \$12.96 per hour – Motion Carries -- 4 ayes

D. Harbor

I. Lease Agreement -- Cheryl Ann (Charles A. Nelson)

Mike Starck moves – Jim Patterson seconds – to sign lease agreement at \$30.57 per foot – Motion Carries -- 4 ayes

II. Report from Beth Fischlowitz on Chicago Corps of Engineers listening session and other Harbor issues

Report attached. Beth Fischlowitz will continue pursuing development of Harbor and Speaking with our State and Federal representatives.

III. Possible waiving of dock tonnage fee for gravel hauling contractor

Mike Starck moves – Jim Patterson seconds – to waive dock tonnage fee for town's gravel – Motion Carries -
- 4 ayes

IV. Discussion for dock use contract in gravel bids

Keith Sowl, Town Foreman states that that this will be covered in the contract for gravel hauling.

E. Airport

I. Overdue Airport Inspection Reports.

Jim Patterson moves – Mike Starck seconds – to place reports dated Feb 24, March 2, March 9, March 16, March 23, March 30, April 6, April 13, April 20, all of 2008, on file. Motion Carries -- 4 ayes

6. Police.

A. Police Chief's Monthly Report.

Mike Starck moves – Jim Patterson seconds – To approve and place the report, dated 5/8/08, on file – Motion Carries -- 4 ayes

7. Emergency Services

A. Ambulance Director's monthly report

Jim Patterson moves – Mike Starck seconds – To approve and place the report, dated 5/9/08, on file – Motion Carries -- 4 ayes

8. Committees

A. Zoning

I. Zoning Administrator Report

Mike Starck moves – Jim Patterson seconds – To approve and place the report, dated 5/13/08, on file –
Motion Carries -- 4 ayes

Jen Croonborg, Zoning Administrator will be attending Affordable Housing meeting in Rice Lake on Friday, May 16.

II. Mike Starck moves – Beth Fischlowitz seconds – that clerk write the Jen Croonborg, Zoning Administrator a letter instructing her to issue the CUP based on the easement. Motion Carries -- 4 ayes

III. Discussion/ Vote: Attorney present for Zoning Board of Appeals concerning Craftivity, Inc?

Discussion: majority feel that atty. should be present because of complexity and controversial nature of issue.

Jim Patterson moves – Mike Starck seconds – that Attorney Fauerbach be present for Zoning Board of Appeals meeting concerning Craftivity CUP. Motion Carries -- 4 ayes

IV. CSM Charles and Anne Irvine – 533 Chief Buffalo Lane – Town Plan Commission recommends.

Mike Starck moves – Beth Fischlowitz seconds – to authorize Town Chair and Clerk to sign CSM when the original appears – Motion Carries -- 4 ayes

B. CAPP

Not Discussed

9. Approval of Minutes

RTBM 4-22-08

Jim Patterson moves – Mike Starck seconds – to approve minutes with the change of 5 ayes to 4 ayes on the first vote, since only 4 members were present. Motion Carries 3 ayes, Beth Fischlowitz abstains.

STBM 4-29-08

Jim Patterson moves – Mike Starck seconds – To approve as submitted – Motion Carries -- 4 ayes

10. Town Hall Administration

A. Discuss meeting with Red Cliff Tribal Leaders

Done above

B. Set date of Board of Review convention

5:25 p.m. on 5-27-08

C. Resolution #2008-0513 – Appoint Alternates for Board of Review

Jim Patterson moves – Mike Starck seconds – to approve and sign Resolution #2008-0513 appointing Burke Henry and Judy Patterson alternates for the 2008 Board of Review. Motion Carries -- 4 ayes

D. Ordinance updates assigned to LaPointe Town Board

Discussion: The example Manitowish Waters ordinance was written to compel some bars to stay open. This may not be applicable to La Pointe. Matter dies.

E. Resolution #2008-0513 – Addition of Town Plan Commission Chair to List of positions allowed Contact town's attorney without authorization of the La Pointe Town Board.

Jim Patterson moves – Mike Starck seconds – to approve and sign.

Discussion: Jen Croonborg expresses some fear of both she and Town Plan Commission chair contacting separate attorneys on the same matter and/or under-documented requests for opinions. She also says she is concerned over under-documentation of requests because it places her in the clerical staff position for the TPC Chair since they have no access to records. Greg Nelson states that if that becomes a problem, they will deal with it.

F. Website Update

Beth Fischlowitz reports that they have met twice and are ready to turn material over to Jessica Hatch, Town Plan Commission Recording Secretary, to collate. The Town will be using the same format as the Chamber of Commerce, and will have free use of the Chamber graphics and text.

11. **Future Agenda Items**

Wroblewski lease of hanger and Industrial site issues -- Tuesday 4:30 p.m. rental of Town Park by Duluth Group for the nights of the 6th and 7th of June

12. **Lawsuits and Legal Issues**

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

Not Discussed

B. Stephanie Zuehlke Discrimination Complaint with Department of Workforce Development

Some developments

13. **Licenses** -- MIHPA – Class “B” (Picnic Beer) **Operators:** Renee D. Micheletti, James Schaitberger

Soda: MIYC, Island Carvers

Mike Starck moves – Jim Patterson seconds – to approve all listed licenses. Motion Carries -- 4 ayes

14. **Adjourn**

Mike Starck moves – Jim Patterson seconds – to adjourn – Motion Carries -- 4 ayes